

**Senate Finance and Public Administration Legislation Committee
—Additional Estimates Hearing—February 2017**

Answers to Questions on Notice

Parliamentary departments, Department of Parliamentary Services

Topic: **Enterprise bargaining**

Question: **66**

Written **Senator Wong**

Date set by the committee for the return of answer: 13 April 2017

1. With reference to the ballot to approve the enterprise agreement that took place between 16 and 21 December 2016, did the timing of the voting period mean casual staff who are not employed in non-sitting periods were ineligible to vote?
2. If so, how many staff were affected?
3. Why were arrangements for them to vote not put in place?

Answer

1. Yes, the timing of any ballot will decide if casual employees are eligible or not to vote in a ballot as under section 181 of the *Fair Work Act 2009*, only those casual employees who perform duties i.e. are 'employed at the time', are eligible to vote.

If the ballot was held at another time, such as during a two week sitting period, some casuals who were eligible employees in December 2016 may not be eligible to vote as they may not be performing duties during the period of the ballot.

2. DPS had 56 casuals who were expected to be performing duty at the time the roll for the ballot was compiled.
3. Arrangements were in place for eligible casuals to vote. DPS made all attempts to identify eligible casuals who would be employed at the relevant time by confirming with individual work areas, before the access period commenced, any casuals who would be performing duties for a shift or would be rostered for a shift during the access or ballot period.