

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2008-09**

Outcome/Agency **Workplace Authority**

DEEWR Question No. **EW1144_09**

Senator Marshall asked on 26 February, EEWL Hansard page 20.

Question

Ms B Bennett—But they had a very clear monetary value. You could say that a meal allowance was worth this and overtime was one-and-a-half times. The no disadvantage test is a much broader and global test. It looks at things like redundancy arrangements and contingency benefits. Because the scope of those is not seven, there could be 20, 30 and, in some awards, 50 conditions. We have not been able to collect that yet. We do not have the capacity to collect that information, so we can tell you the types of things that have been removed and changed.

CHAIR—All right. If you could do that.

Ms B Bennett—It is just a general experience perspective but we cannot give you the dollar amount that we have in the past, so we will take it on notice.

CHAIR—If you can take that on notice. The ones that you indicated earlier had failed because of the money, if you are able to break that down and tell me how much they failed by as a consequence of that, it would be useful, too.

Answer

The Workplace Authority has provided the following response:

The no-disadvantage test is an assessment of whether a workplace agreement results, on balance, in a reduction of an employee's overall terms and conditions of employment when compared with the reference instrument. As such, Workplace Authority systems do not have the capacity to provide this level of information.

Generally, agreements fail the no-disadvantage test due to the following terms and conditions of employment being reduced or removed when compared to the relevant reference instrument:

- overtime rates
- weekend penalty rates
- public holiday rates
- shift work allowances
- redundancy provisions.