

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Outcome 5 - Workplace Relations & Economic Strategy

DEEWR Question No. EW1157_12

Senator Abetz asked on 15 February 2012, Hansard page 129

Question

1.5 Hour Case

Senator ABETZ: Thank you. I have just come across another Professor McCallum quote but I will not aggravate anybody. I will just move on. Is the government intervening in the Federal Court case, which started on 1 February, in relation to student minimum hours—the 1½ hour case? Mr Kovacic: No. Senator ABETZ: So the government does not have a view in relation to what would be good policy in that regard, Parliamentary Secretary? Senator Jacinta Collins: I will take that on notice.

Answer

The Government believes in a fair safety net of minimum terms and conditions of employment that properly protects employees, including fair minimum payments for shifts.

The specification of minimum periods of engagement is an important protection that prevents employees from having to work very short shifts, the pay for which might not even cover the cost of travel to work.

The precise nature of minimum shift provisions in modern awards was determined by the then Australian Industrial Relations Commission (now Fair Work Australia) during the award modernisation process. The Government believes that what might constitute an appropriate minimum engagement period is a matter for the independent industrial umpire to decide, taking into account the evidence and views of interested stakeholders and make decisions on safety net conditions that fairly balance the interests of employers and employees.

Given the question relates to a case before the Federal Court it would be inappropriate to comment further.