

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2004-2005 BUDGET SENATE ESTIMATES HEARING
31 MAY AND 1 JUNE 2004**

OFFICE OF THE EMPLOYMENT ADVOCATE

QUESTIONS ON NOTICE

Outcome: OEA

Output: Agencies

Question Number: W001-05

Question:

Senator Wong asked at *DRAFT Hansard* page 3:

'Please provide the results from the sample AWA survey'.

Answer:

The OEA research referred to by the Committee was not an AWA survey but rather an analysis of clauses and provisions found in a sample group of 500 AWAs. The OEA provided the Australian Centre for Industrial Relations Research and Training (ACIRRT) with 500 approved AWAs (250 from 2002 and 250 from 2003). ACIRRT then coded the contents of these AWAs using its online awards and agreements database (OLAA).

The sample of AWAs was drawn so that it was representative of AWAs approved in 2002 and 2003 at the ANZSIC Divisional Level.

The demographic characteristics of employee parties to the final sample of AWAs was similar to that of employees in the overall AWA population for the same period: 60 per cent of the sample comprised male employees; 16 per cent comprised employees under 21 years of age; 20 per cent comprised casual employees; 12 per cent part-time employees; and 10 per cent public sector employees.

The primary findings of this coding include:

Wages and Remuneration:

38 per cent of the sample AWAs made explicit provision for wage increases. Performance was a factor in determining wage increases in 12 per cent, and was the sole basis for wage rises in 9 per cent. A significant proportion of the sample agreements also specified provisions for bonus and incentive payments. 41 per cent provided pay rates loaded for specific entitlements including penalty rates, shift allowances, overtime, annual leave and leave loading. Aside from statutory benefits, 37 per cent contained at least one 'employee

benefit' provision. Such benefits included salary packaging, salary sacrifice, private motor vehicle use, discount on company products, or provision of meals.

Hours of Work and Flexible Work Organisation:

82 per cent of the sample specified one or more 'hours' provision(s). The most common provisions in the AWAs examined were those relating to ordinary work days (44 per cent), ordinary weekly hours (36 per cent), span of hours (33 per cent), and variations to working hours (33 per cent). The most common flexible work organisation provision allowed an employer to direct an employee to carry out 'duties as required' (38 per cent). Other less common provisions included task flexibility/multi-skilling of employees, temporary movement of staff, performance of reasonable overtime, and team-based work organisation.

Leave Provisions:

Leave provisions, whether for annual leave, sick leave, long service leave or other type, were specified in 74 per cent of the sample AWAs: in the remainder, leave entitlements – if applicable - were either cashed out, or called up from another industrial instrument or from relevant state legislation. Over 60 per cent of the sample AWAs with specified sick leave provisions provided an entitlement of 10 days or more. Express provision for long service leave was made in 42 per cent.

Family Friendly Provisions in AWAs:

Over 70 per cent the sample agreements contain at least one provision relating to either family-friendly leave or family-friendly flexible work arrangements.