

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

**2005-2006 BUDGET SENATE ESTIMATES HEARING  
30, 31 MAY and 3 JUNE 2005**

**EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**Outcome 2: Higher productivity, higher pay workplaces**

**Output Group 2.2: Workplace relations implementation**

**Output 2.2.4: Workplace relations services**

**Question Number: W340-06**

**Question:**

Senator Marshall provided in writing:

Does the Department have a policy regarding the handling of complaints for underpaid or non-payment of wages of less than \$10,000?

Please provide details about:

- (a) the number of complaints received for underpayment or wages for less than \$10,000
  - (b) the number of these complaints which were recommended for prosecution and
  - (c) the number of these recommendations which were approved for prosecution.
- Please provide a breakdown of these by gender, age, occupation, industry, size of business, location (by state) and employment status (full-time, part-time, casual or independent contractor).

**Answer:**

No. As the Senate Committee has been previously advised, \$10,000 is simply the maximum amount recoverable via the small claim procedure in the *Workplace Relations Act 1996* – sections 179C and 179D refer. The amount has no relevance to whether or how a claim may be received or investigated.

- (a) 1,477 claims involving amounts of less than \$10,000 were finalised by the Department between 1 July 2004 and 31 March 2005. This included 997 in Victoria, 377 in NSW/ACT and 103 in the NT. This information is not available for the States of Queensland, SA, WA and Tasmania.
- (b) 7, Australia wide.

(c) 6, Australia wide. The following table provides available details:

<b>Prosecutions</b>	<b>Location</b>	<b>Industry</b>	<b>Employment status</b>	<b>Gender</b>	<b>Amount</b>
1	Qld	Hospitality	Full-time employee	Female	\$9,788.25
2	WA	Entertainment	Full-time casual	Male	\$1,297.64
3	Vic	Retail	Casual	Female	\$2,724.39
4	Vic	Veterinary	Full-time employee	Female	Non-monetary
5	Vic	Veterinary	N/A – obstructing an inspection	N/A	Non-monetary
6	Vic	Graphic Arts	Full-time employee	Female	\$7,762.90