

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

**2006-2007 BUDGET SENATE ESTIMATES HEARING
29TH AND 30TH MAY 2006
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

QUESTIONS ON NOTICE

Outcome 3: Increased workforce participation

Output Group 3.1: Working age policy

Output 3.1.1: Working age policy and legislation

Question Number: W082-07

Question:

Senator Wong asked in writing:

Is there any potential for people with disability to be forced to accept a job with wages below the FMW in order to receive a welfare payment?

Answer:

No. Section 601.(2A) of the *Social Security Act 1991* specifies paid work which would be considered unsuitable for Newstart Allowance recipients.

The work would be unsuitable if:

(e) the work would be covered by the Australian Fair Pay and Conditions Standard, but the terms and conditions for the work would be less generous than the minimum terms and conditions for the work under the Australian Fair Pay and Conditions Standard.

(f) the work would not be covered by the Australian Fair Pay and Conditions Standard, but, if it were so covered, the terms and conditions for the work would be less generous than the minimum terms and conditions for the work under the Australian Fair Pay and Conditions Standard.

Similar provisions for Youth Allowance recipients are in Section 541D.(1) of the *Social Security Act 1991*.