

**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 2: Higher productivity, higher pay workplace

Output Group 2.2: Workplace Relations Implementation

Output 2.2.1: Industry and Australian Government Employment Advice

Question Number: W157-07

Question:

Senator Wong asked in writing:

The federal Minister also announced that the Guidelines would be ‘reissued shortly’ to take account of changes arising from the Work Choices Act.

- a. Has this revision been done? If so, please table a copy of the revised guidelines.
- b. If not, when are the Guidelines expected to be reissued
- c. Why are the Guidelines to be reissued yet again when they were only reissued six months ago (effective 1 November 2005)?
- d. What will be the effect of the ‘reissued Code’ on agreements that were struck under the existing Code if they are now found to be ‘non-compliant’?
- e. What action is DEWR taking to mitigate the effect of continuous changes to the rules applying to the building and construction industry?

Answer:

- a. Yes. A copy of the reissued Implementation Guidelines is attached.
- b. n/a
- c. The reissued Implementation Guidelines reflect the revised legislative obligations arising from the *Workplace Relations Amendment (WorkChoices) Act 2006*.
- d. Clause 3.6 of the reissued Guidelines states that, “Agreements previously assessed by DEWR as consistent with the version of the Code and Guidelines which took effect from 1 November 2005 are deemed to be consistent with the reissued Guidelines”.
- e. The rules applying to the building and construction industry are not continuously changing. However, where variations to requirements occur they are supported by appropriate education and awareness activities. For example, the requirements of the reissued Guidelines have been explained at the recent national road show jointly conducted by the Office of the Australian Building and Construction Commissioner (ABCC) and DEWR.