



AUSTRALIAN SENATE

**STANDING COMMITTEE ON EMPLOYMENT, WORKPLACE
RELATIONS AND EDUCATION**

**Budget Estimates 2007/08
May 2007**

Tabled Documents

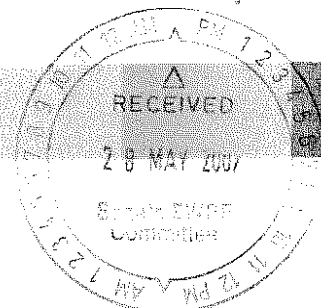
Employment and Workplace Relations

28 May 2007

- OWS — Fact Sheet on Youth Workers
- OWS — Fact Sheet on Independent contractors

29 May 2007

- Outcomes 1&3 — table of communities where Remote Area Exemptions have been removed
- Outcomes 1&3 — table of contracted remote service providers
- Outcomes 1&3 — Job Network Employment Services contract
- Outcomes 1&3 — Remote service deed
- Outcomes 1&3 — Request for Tender for remote services



FACT SHEET

Young Workers Workplace Rights and Obligations

Special protections exist for young workers under federal workplace law that employers must comply with.

It doesn't matter whether a worker is a casual, part-time or full-time worker, all people employed under the law are entitled to benefit from certain minimum pay, conditions of employment and rights in the workplace.

Young people are considered a particularly vulnerable group in the workplace. Raising awareness of their rights and obligations is a priority for the Office of Workplace Services (OWS).

Where to get help

OWS is the independent Commonwealth agency that ensures the workplace rights and obligations of workers and employers are protected, understood and enforced fairly.

OWS has over 200 inspectors across Australia who can provide free advice and assistance to workers and employers. It receives claims from workers, conducts investigations and enforces breaches of workplace law.

To get information about workplace rights, obligations and lodging a claim call the OWS Help Line on **1300 724 200**.

Visit our website at www.ows.gov.au for fact sheets, guides, templates and other information, as well as to use our **Live Help** service to ask questions or to lodge a claim online.

Making Australian Workplace Agreements

Young people and employers may choose to enter into an Australian Workplace Agreement (AWA), however, if the person is under 18 years of age the AWA must be signed by a parent or guardian (other than the employer) on behalf of the young worker.

A separate agency, the Office of the Employment Advocate (OEA), offers free agreement-making services to both workers and employers. The OEA can explain the content of AWAs and provide advice on negotiating agreements. All AWAs must be lodged with the OEA.

To get information and assistance with agreement-making visit www.oea.gov.au or contact the OEA direct on **1300 366 632**.

Undue Pressure (Duress)

It is unlawful for employers to force an existing employee to sign an Australian Workplace Agreement (AWA). If a worker feels that they are being pressured to sign an AWA they should contact the OWS Help Line on 1300 724 200 for assistance.

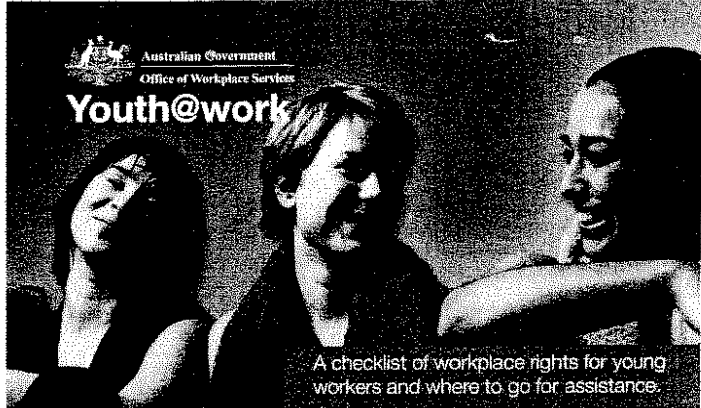
It is not unlawful for an employer to offer a new employee an AWA when they are starting a new job.

Disclaimer: This information has been provided by the Office of Workplace Services as general guidance and should not be treated as advice on the circumstance of any particular case. If this document does not fully cover your circumstances please refer to the link above or you may wish to obtain your own legal advice or other expert assistance relevant to your particular situation. The relevant law is set out in the *Workplace Relations Act 1996* and the *Workplace Relations Regulations*.

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Youth@work



A checklist of workplace rights for young workers and where to go for assistance.

Wages

When you work you are entitled to:

- a minimum rate of pay, including for juniors
- be paid for ALL hours you work, including if you have to attend work for meetings or training
- be paid regularly

If you think you are getting underpaid you can contact OWS for help.

Call 1300 724 200 Visit www.ows.gov.au

Pay slips

When you work you are entitled to:

- receive a pay slip within one day of getting paid
- have all details relating to your pay shown on your pay slip

If you are not receiving pay slips you can contact OWS for help.

Call 1300 724 200 Visit www.ows.gov.au



Unlawful termination

- It is illegal to be fired from a job on discriminatory grounds. For example, you can not be fired because of your race, colour, sex, sexual preference, marital status, pregnancy, religion, or because of your age.
- This means you can not be fired because your employer thinks you are too young.

If you think you have been fired for one of these reasons you should contact the Australian Industrial Relations Commission for help on 1300 799 676 or visit www.airc.gov.au



FACT SHEET

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Prohibited conduct in relation to reform opt-in agreements

The *Independent Contractors Act 2006* provides a 3 year transitional period during which certain State or Territory laws may continue to apply to an independent contractor. A reform opt-in agreement is an agreement in writing, signed by the Independent Contractor and their principal, which states that they no longer want the State or Territory laws to govern their contract for services.

Parties to an existing contract for services can choose to sign a reform opt-in agreement.

The *Independent Contractors Act 2006* provides protections for parties in making this choice. These protections are that a person must not:

- Take (or threaten to take) any action with the intent to coerce another person into signing a reform opt-in agreement*; and
- Knowingly make a false statement in order to persuade or influence another person into signing a reform opt-in agreement.

The Act provides serious penalties for breaches of these provisions. Employers and Independent Contractors can request assistance from the Office of Workplace Services if they feel their rights have been breached.

Penalties

Workplace Inspectors can seek the imposition of penalties for breaches of sham contracting and reform opt-in provisions. The Court may impose a maximum penalty of \$33,000 per breach.

Workplace Inspectors may also apply to the Court to grant an injunction if an Employer seeks to dismiss, or threatens to dismiss, an Employee for the sole purpose of re-engaging the employee as an Independent Contractor. The purpose of the injunction may be to prevent the dismissal from occurring, have the Employee reinstated, compensated or otherwise remedy the consequences.

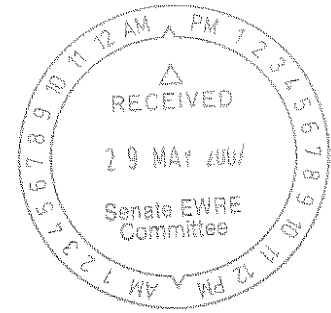
Further information

The Workplace Infoline can provide further information on the role and activities of OWS, and advice on minimum pay and conditions of employment. The Workplace Infoline can also send you an OWS Wages and Conditions Claim Form. You can contact the **Workplace Infoline** on **1300 363 264** or visit www.workchoices.gov.au.

To lodge or check the progress of a claim, or to report an alleged breach of a federal award or agreement, you can contact the OWS directly on **1300 724 200**. You can also access information on the OWS website at www.ows.gov.au. Fact sheets, guides and the OWS Wages and Conditions Claim Form are available to download from this site.

**Note this also applies in cases where a person refrains from taking, or threatens to refrain from taking any action with the intent to coerce another person into signing, or not signing a reform opt-in agreement.*

Communities where RAEs have been removed

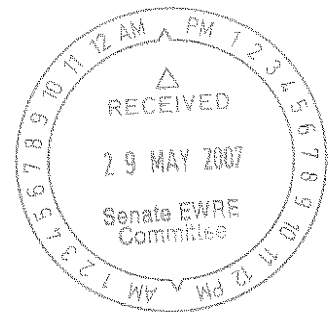


Community Number	Community Name (including Outstation/Homelands)	State
1	Ali Curung	NT
2	Canteen Creek	NT
3	Milikapiti	NT
4	Nguiu	NT
5	Pirlamgimpi	NT
6	Yirrkala	NT
7	Kunbarlanjnja/Gunbalunya/Oenpelli	NT
8	Amoonguna	NT
9	Daly River/Naiiyu	NT
10	Borroloola	NT
11	Kiana	NT
12	King Ash Bay	NT
13	Robinson River	NT
14	Murray Downs/Imangara	NT
15	Titjikala/Maryvale ^A	NT
16	Aurukun	QLD
17	Bullyard	QLD
18	Emu Foot	QLD
19	Love River	QLD
20	South Kawi	QLD
21	Stoney Crossing	QLD
22	Tiitch	QLD
23	Ti-Tree	QLD
24	Walngal	QLD
25	Wathanhiin	QLD
26	Wutan	QLD
27	Yaaneng	QLD
28	Ambang	QLD
29	Coen	QLD
30	Glen Garland	QLD
31	Langi	QLD
32	Meripah	QLD
33	Umpila Wunta	QLD
34	Muuthant	QLD
35	Port Stewart	QLD
36	Puntimu	QLD
37	Stoney Creek	QLD
38	Karumba	QLD
39	Napranum	QLD
40	Yarrabah	QLD
41	Burketown	QLD
42	Mossman Gorge	QLD
43	Normanton/Bidunggu	QLD
44	Woorabinda	QLD

45	Ceduna	SA
46	Koonibba	SA
47	Oak Valley	SA
48	Scotdesco	SA
49	Yalata	SA
50	Bidyadanga	WA
51	Halls Creek	WA
52	Jigalong	WA
53	Roebourne	WA
54	Hedland	WA
55	Jarlmadangah	WA
56	Looma	WA
57	Pandanus Park	WA
58	Yungngora	WA
59	Beagle Bay	WA
60	Djarindjin	WA
61	Lombadina	WA
62	One Arm Point/Ardyaloon	WA

Contracted REMOTE Service Providers
(by Employment Service Area and Service)

(as at 15 Feb 2007)



State	ESA	Organisation	CWC	DEN	JN	JPET	NEIS	PSP
NT	Alice Springs	Centacare	Y	Y				
	Alice Springs	ITEC	Y		Y	Y	Y	Y
	Alice Springs	Job Futures Ltd	Y	Y	Y	Y	Y	Y
	Alice Springs	STEPS Disability Qld Inc		Y				
	Katherine	ITEC	Y	Y		Y	Y	Y
	Katherine	Mission Australia	Y		Y	Y		Y
	Tennant Creek	ITEC	Y	Y	Y	Y		Y
	Tennant Creek	Job Futures Ltd	Y	Y	Y	Y	Y	Y
	Top End	Darwin Skills Development Scheme	Y	Y	Y	Y	Y	Y
	Top End	Job Futures Ltd			Y	Y		Y
	Top End	Mission Australia	Y		Y	Y	Y	Y
QLD	Cairns (North of Mossman only)	JobFind Centres Australia Pty Ltd	Y	Y	Y	Y	Y	Y
	Mount Isa	Centacare	Y					
	Mount Isa	Job Futures Ltd	Y	Y	Y	Y	Y	Y
	Torres Strait	ITEC	Y	Y		Y	Y	Y
	Townsville (Palm Island only)	Bama Ngappi Ngappi Aboriginal Corp			Y			
	Townsville (Palm Island only)	JobFind Centres Australia Pty Ltd	Y	Y	Y	Y	Y	Y
SA	Ceduna	Interwork	Y	Y		Y	Y	Y
	Port Augusta (AP Lands only)	ITEC	Y	Y	Y	Y	Y	Y
WA	Christmas and Cocos Islands	Indian Ocean Group Training Ass. (IOGTA)	Y		Y			
	East Kimberley	Job Futures Ltd	Y		Y	Y		Y
	East Kimberley	MTM (WA) P/L atf Thain Family Trust	Y		Y	Y		Y
	East Kimberley	Commonwealth Rehabilitation Services (CRS)		Y				
	East Pilbara	Job Futures Ltd	Y	Y	Y	Y		Y
	Karratha	Job Futures Ltd	Y	Y	Y	Y		Y
	Mid West and Gascoyne	Job Futures Ltd	Y	Y	Y	Y		Y
	Mid West and Gascoyne	Mission Australia	Y		Y	Y		Y
	West Kimberley	Job Futures Ltd		Y	Y	Y		
	West Kimberley	Shire of Derby/ West Kimberley	Y					Y

These Remote services are in addition to services offered under the (mainstream) Employment Service Contract.

EMPLOYMENT SERVICES CONTRACT 2006–2009

PART B—SPECIFIC CONDITIONS

for

Job Network



SCHEDULE B1 - PAYMENTS AND CONTACTS

Job Network Service Fees

Table 1

Type of Services	Duration of Registration by Centrelink or other party notified by DEWR	Required contact (see Table 3 – Contacts Schedule)	Total time for all contacts in Service period	Fee for all contacts in Service period (GST incl.)	Total fee for all contacts in Service period (GST incl.) (including supplement for job seekers identified as Highly Disadvantaged)
Job Search Support – Registration:					
New referral interview	0-3 months	1	45 minutes (average)	\$63	\$94
Re-referral interview		1	20 minutes (average)	\$26	\$39
Employment Preparation (EP) Services	0-3 months – JSSO Job Seekers EP Job Seekers with no recent work experience	See clauses 3.4E and 3.4F(a)		\$160	\$160
	0-6 months – FJNE EP Job Seekers with no recent work experience	See clauses 3.4E and 3.4F(a)		\$160	\$160
	4-6 months – FJNE EP Job Seekers with recent work experience	See clauses 3.4E and 3.4F(b)		\$160	\$160

Intensive Support:					
30 hours 'Refresher' Intensive Support Job Search Training (1), (2a)	4-6 months in accordance with clause 4.2(a) OR in accordance with clause 4.2(c).*	5 Business Days (or equivalent)	30 hours	\$229 OR \$688 for FJNE EP Job Seekers	\$229 OR \$688 for FJNE EP Job Seekers (if applicable)*
100 hours Full Intensive Support Job Search Training (2), (2a)		15 Business Days (or equivalent)	100 hours	\$688	\$688 (if applicable)*
Intensive Support assessment interview payment for those FJNE Job Seekers not commenced in Intensive Support Job Search Training		1	30 minutes (average)	\$42	\$42 (if applicable)*
Intensive Support reviews 7 months & 10 months	7-12 months	2	70 minutes (average)	\$94	\$94 (if applicable)*

<p>Intensive Support Customised Assistance (First period)</p> <p><i>If a FJNE Job Seeker commences Intensive Support Customised Assistance immediately after registering with Centrelink, then a new referral (or if applicable re-referral) interview fee is also payable</i></p>	<p>13-18 months in accordance with clause 4.19(a)</p> <p>OR</p> <p>from the date of commencement of Intensive Support Customised Assistance (first period) in accordance with clause 4.19(b), (c) and (d).</p>	<p>12 (Fortnightly)</p>	<p>10.5 hours (average)</p>	<p>\$834</p>	<p>\$1250</p>
<p>Intensive Support – Job Search reviews (3)</p> <p>20 months & 22 months</p>	<p>19-24 months</p>	<p>2</p>	<p>60 minutes (average)</p>	<p>\$73</p>	<p>\$109</p>

Intensive Support - Customised Assistance (Second Period):	25-30 months in accordance with clause 4.20(a) OR in accordance with clause 4.20(b)	8 on average (with a minimum of 3 contacts over the period). Individual job prospects and local labour market conditions may influence the number of contacts for a FJNE Job Seeker within this range.	6.25 hours (average)	\$495	\$742
Intensive Support – Job Search reviews (4) 32 months and every two months thereafter	31+ months	1 every two months	1.5 hours (average) per three contacts	\$104 per three contacts	\$156 per three contacts

* Note: Highly Disadvantaged job seekers go directly into Intensive Support Customised Assistance.

- (1) For FJNE Job Seekers to whom clause 4.15 applies.
- (2) For FJNE Job Seekers to whom clause 4.14 applies.
- (2a) The Provider is required to continue to provide the Services described in clause 3.4F to an EP Job Seeker whilst providing Intensive Support Job Search Training to the EP Job Seeker.
- (3) FJNE Job Seekers identified as Highly Disadvantaged would begin to receive these reviews approximately 2 months after the end of the first period of Intensive Support Customised Assistance.
- (4) FJNE Job Seekers identified as Highly Disadvantaged would begin to receive these and subsequent reviews approximately 2 months after the end of the second period of Intensive Support Customised Assistance.

ESAP Service Fee

Table 1A

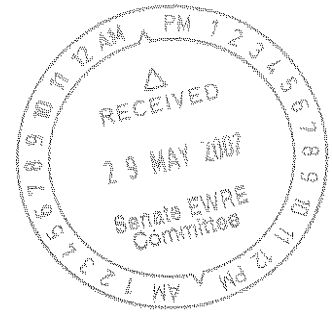
Type of Service	Duration of Service	Required contact	Fee
ESAP – Services in 3.9D	6-12 months	See clause 3.9D	\$160
ESAP – Services in 3.9E	6-12 months	See clause 3.9E	\$688

GCV2 – 1 July 2007

Intensive Support Outcome Payments

Table 2

Duration of Registration by Centrelink or other party notified by DEWR ⁽¹⁾	Payment Type	IS Interim Payment (GST inclusive)	IS Final Payment (GST inclusive)
		13 weeks	26 weeks
From commencement in Intensive Support to 12 months (if not identified as Highly Disadvantaged)	Intensive Support Under 12 Month Outcome	\$550	N/A
	NEIS Intensive Support Outcome	\$550	N/A
13 - 24 months OR up to 24 months if the FJNE Job Seeker is not Highly Disadvantaged and has commenced in Intensive Support Customised Assistance	Intensive Support Outcome	\$1,650	\$825
	Intensive Support Intermediate Payment	\$550	\$550
	NEIS Intensive Support Outcome	\$550	N/A
25 - 36 months OR identified as Highly Disadvantaged	Intensive Support Outcome	\$3,300	\$1,650
	Intensive Support Intermediate Payment	\$550	\$550
	NEIS Intensive Support Outcome	\$550	N/A



Australian Government

Department of Employment and Workplace Relations

PART D

SPECIFIC CONDITIONS

**REMOTE SERVICES DEED
2006-2009**

**JOB NETWORK SERVICES
PROGRAMME**



Remote Services Deed 2006-2009
Part D—Job Network Services Programme

Schedule A – RESERVED

Schedule D1: Payments and Contacts

Job Network Services Programme Fees

Table 1

JN Services Programme fees

1.11 Type of assistance	1.12 Job seeker Registration duration	1.13 Required contacts	1.14 Total time for all contacts in Programme Period	1.15 Total fee for all contacts in Programme Period
Job Search Support—registration:				
New referral interview	0–3 months	1	45 minutes (average)	\$94
Re-referral interview		1	20 minutes (average)	\$39
Employment Preparation for non-Fully JN eligible job seekers	0–3 months—eligible JSSO job seekers with no recent work experience and who are JSSO	A minimum of 2 contacts		\$160
JN Remote Intensive Support Customised Assistance (first period) including Employment Preparation (if applicable), job search training (as appropriate to job seeker needs and labour market)	FJNE job seekers 0 – 6 months	At minimum of 3 face to face contacts	3 hours average total	Paid as upfront management fee
Intensive Support Reviews	2 months and 4 months after completion of JN Remote Intensive Support Customised Assistance	2 (one of which must be face-to-face)	60 minutes (average)	\$109
JN Remote Long Term Unemployed services—customised assistance	At least 12 months after	a minimum of 2 face-to-face	2 hours average	\$742

1.11 Type of assistance	1.12 Job seeker Registration duration	1.13 Required contacts	1.14 Total time for all contacts in Programme Period	1.15 Total fee for all contacts in Programme Period
(second period)	commencement in JN Remote Services and after completion of JN Remote Intensive Support services (including EP and JST as applicable)	contacts	total	
JN Remote Long Term Unemployed services — Job Search Reviews ¹	19 – 24 months	a minimum of 2 face-to-face contacts	1 hours (average)	\$156
JN Remote Long Term Unemployed services — Job Search Reviews	25–30 months	a minimum of 2 face-to-face contacts	1 hours (average)	\$156

ESAP Service Fee
Table 1A

Type of Service	Duration of Service	Required contact	Fee
ESAP – Services in 3.9D	6-12 months	See clause 3.9D	\$160
ESAP – Services in 3.9E	6-12 months	See clause 3.9E	\$688

[GCV2- 1 July 2007]

Intensive Support Outcome Payments Table 2

Intensive Support outcome payments per job seeker under JN

1.16 Duration of registration by Centrelink or other party notified by DEWR	1.17 Payment Type	1.18 Intensive Support Interim Payment 13 weeks	1.19 Intensive Support Final Payment 26 weeks
All job seekers in JN less than 3 years registration	Intensive Support Outcome	\$3,300	\$1,650
	JN Remote Intensive Support Intermediate Payment	\$550	\$550
	NEIS Intensive Support Outcome	\$550	N/A
All job seekers in JN with registration of 3 years or longer and all job seekers on Disability Support Pension	Intensive Support Outcome	\$4,400	\$2,200
	JN Remote Intensive Support Intermediate Payment	\$1,100	\$1,100
	NEIS Intensive Support Outcome	\$1,100	N/A

a)

Note: The duration of the job seeker's registration will be calculated at the time of placement into employment or qualifying education, not at the time of the outcome claim.

Age Pensioner Outcome Payments Table 2A

Age Pensioner Outcome Payment	\$550 (GST inclusive)
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[GCY2- 1 July 2007]

3 years or longer (also payable for Highly Disadvantaged Registered 3 years or longer and all FJNE Job Seekers on Disability Support Pension)	Intensive Support Outcome	\$4,400	\$2,200
	Intensive Support Intermediate Payment	\$1,100	\$1,100
	NEIS Intensive Support Outcome	\$1,100	N/A

(1) Duration of Registration is as at the time of the beginning of the activity that gives rise to the payment.

Age Pensioner Outcome Payments

Table 2A

Age Pensioner Outcome Payment	\$550 (GST inclusive)
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GCV2 – 1 July 2007



Australian Government

Department of Employment and Workplace Relations

PART D

SPECIFIC CONDITIONS

**REMOTE SERVICES DEED
2006-2009**

**JOB NETWORK SERVICES
PROGRAMME**



Remote Services Deed 2006-2009
Part D—Job Network Services Programme

Schedule A – RESERVED

Schedule D1: Payments and Contacts

Job Network Services Programme Fees
Table 1
JN Services Programme fees

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Job Search Support—registration:				
New referral interview	0–3 months	1	45 minutes (average)	\$94
Re-referral interview		1	20 minutes (average)	\$39
Employment Preparation for non-Fully JN eligible job seekers	0–3 months—eligible JSSO job seekers with no recent work experience and who are JSSO	A minimum of 2 contacts		\$160
JN Remote Intensive Support Customised Assistance (first period) including Employment Preparation (if applicable), job search training (as appropriate to job seeker needs and labour market)	FJNE job seekers 0 – 6 months	At minimum of 3 face to face contacts	3 hours average total	Paid as upfront management fee
Intensive Support Reviews	2 months and 4 months after completion of JN Remote Intensive Support Customised Assistance	2 (one of which must be face-to-face)	60 minutes (average)	\$109
JN Remote Long Term Unemployed services—customised assistance	At least 12 months after	a minimum of 2 face-to-face	2 hours average	\$742

Intensive Support Outcome Payments

Table 2

Intensive Support outcome payments per job seeker under JN

1.16 Duration of registration by Centrelink or other party notified by DEWR	1.17 Payment Type	1.18 Intensive Support Interim Payment 13 weeks	1.19 Intensive Support Final Payment 26 weeks
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	JN Remote Intensive Support Intermediate Payment	\$550	\$550
	NEIS Intensive Support Outcome	\$550	N/A
All job seekers in JN with registration of 3 years or longer and all job seekers on Disability Support Pension	Intensive Support Outcome	\$4,400	\$2,200
	JN Remote Intensive Support Intermediate Payment	\$1,100	\$1,100
	NEIS Intensive Support Outcome	\$1,100	N/A

a)

Note: The duration of the job seeker's registration will be calculated at the time of placement into employment or qualifying education, not at the time of the outcome claim.

Age Pensioner Outcome Payments

Table 2A

Age Pensioner Outcome Payment	\$550 (GST inclusive)
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[CCV2-1 July 2007]

3 years or longer (also payable for Highly Disadvantaged Registered 3 years or longer and all FJNE Job Seekers on Disability Support Pension)	Intensive Support Outcome	\$4,400	\$2,200
	Intensive Support Intermediate Payment	\$1,100	\$1,100
	NEIS Intensive Support Outcome	\$1,100	N/A

(1) Duration of Registration is as at the time of the beginning of the activity that gives rise to the payment.

Age Pensioner Outcome Payments

Table 2A

Age Pensioner Outcome Payment	\$550 (GST inclusive)
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