

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

**SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE
2008-09 BUDGET ESTIMATES HEARING**

Outcome **WORKPLACE AUTHORITY**

Question No. **EW622_09**

Senator Fisher asked on 3 June 2008, EEWL Hansard pages 48 and 49:

Question

Agreements since 1 April 2008. Can you confirm what number of, firstly, ITEAs; secondly, union collective agreements; and, thirdly, non-union collective agreements have removed or modified one or more of a range of the following clauses or entitlements that would ordinarily appear in the reference instrument or the instrument used in the application of the no disadvantage test?

I am seeking this information in relation to include: overtime penalty rates, meal breaks, rest pauses, food allowances, uniform allowances, wet weather allowances, leave loading, annual leave, personal leave, compassionate leave, rates of pay, travel allowances, shift loading, parental leave, hours of work, span of hours, ordinary hours, crib breaks, rostering arrangements, redundancy provisions and rostered days off.

Answer

The Workplace Authority has provided the following response:

The Workplace Authority systems do not have the capacity to provide this information.

Unlike the fairness test where the benchmark was the seven protected award conditions the no-disadvantage test requires that agreements are assessed against the entirety of the reference instrument. This process is not automated.

All collective agreements that have passed the no-disadvantage test are published on the Workplace Authority's web site and are available for viewing.