

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

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

Outcome **WORKPLACE AUTHORITY**

Question No. **EW626_09**

Senator Abetz asked on 3 June 2008, EEWL Hansard page 51:

Question

What I was concerned about last time was the possibility of an AWA being entered into in good faith prior to the cut-off date, being put in the mail, but then, for whatever reason—let us blame Australia Post on this occasion—it did not arrive at your office within that 14-day deadline and it arrived, let us say, 16 days after the end of the AWAs being allowed to be made. Would you then still have processed and allowed that AWA?

Answer

The Workplace Authority has provided the following response:

The *Workplace Relations Act 1996* Division 5, Section 342 and 344, states that employers must lodge agreements within 14 days of the agreement being made and that the agreement has been lodged when the Workplace Authority Director has received the agreement.

As such all AWAs received in the mail after 11 April 2008 have been returned to the employer and employee with an explanation that they had been lodged outside the required time frames.