

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2010-2011**

Outcome 5 - Workplace Relations

DEEWR Question No.EW0211_11

Senator Abetz asked on 31/05/2010, Hansard page 118.

Refers to previous DEEWR Question No. EW1060_10

Question

PROPOSED INDUSTRIAL ACTION

Senator ABETZ—In relation to questions on notice from our additional estimates EW1060_10, I have been told that the department has provided advice to the minister regarding the options available in relation to actual or proposed industrial action in respect of four matters. In how many cases has the minister intervened, as at the time of this answer? Mr Kovacic—I would need to check the precise date that this answer was tabled. I can give you an answer in terms of recent interventions involving the Commonwealth in proceeding to— Senator ABETZ—No. If you could take on notice the examples. Mr Kovacic—If you are asking in respect of these four matters that are referred to in the answer, I would need to take that on notice, but if it is more general— Senator ABETZ—What I asked is: have there been other cases where active consideration has been given to her intervening? In how many cases has the minister been provided with advice about intervening and on how many occasions has the minister actually intervened? So, you, for example, might give advice to the minister, saying, 'This might be a worthy one to intervene in', and the minister says, 'Thanks, but no thanks' to your advice, or the minister might think, 'This is a case I should be intervening in,' get some advice from the department, after which she says, 'Well, that mightn't have been such a good idea after all,' and therefore she does not intervene. Both scenarios are perfectly legitimate, I think, for a minister to make decisions on. This is no criticisms of that. All I want to know is those two numbers. Mr Kovacic—I need to take that on notice.

Answer

The Minister has not intervened in any industrial action matters before Fair Work Australia since the commencement of the FW Act.