

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

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

Outcome 5 - Workplace Relations

DEEWR Question No.EW0236_11

Senator Abetz asked on 1/06/2010, Hansard page 21.

Question

AMENDMENTS TO THE FAIR WORK ACT 2009

Senator ABETZ—I do not have any questions under cross-portfolio per se but with the Chair's indulgence I was wondering if I could ask a question of Ms Paul and if you cannot answer it just take it on notice. Has the department considered any amendments to the Fair Work Act 2009? I know I should have asked that last night. Ms Paul—I will take it on notice. Senator ABETZ—Yes but surely you must know as the head of the agency whether or not the government is considering any amendments to the Fair Work Act? Ms Paul—Not that I am aware of at present, but I am happy to take it on notice. Senator ABETZ—What about in the space of paid parental leave? Ms Paul—I think it is a matter for government and I am happy to take it on notice.

Answer

As a result of the passage of the Paid Parental Leave legislation, consequential amendments to the *Fair Work Act 2009* (Fair Work Act) are proposed.

The proposed amendments are:

- Inclusion of a 'keeping in touch' provision in the National Employment Standards. Under this provision, employees accessing 12 months' unpaid parental leave under the National Employment Standards could work up to 10 days for the purposes of keeping in touch with their employer without that work breaking the employee's single continuous period of leave. The provisions will be comparable to those included in the Paid Parental Leave legislation.
- Inclusion of a note in Section 536 of the Fair Work Act entitled 'Employer obligations in relation to pay slips'. This note will refer employers to their obligations to provide written notice of parental leave pay under the Paid Parental Leave legislation.

The Government has not advised of any other proposed amendments to the Fair Work Act.