

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2005-2006 SUPPLEMENTARY ESTIMATES HEARING

Outcome: 2

Output Group: 2.4 – Funding for Higher Education

DEST Question No. E694_06 – Final

Senator Wong asked on 2 November 2005, EWRE Hansard pages 102 and 103.

Question:

- a) Is it the case that the original draft EBA for Central Queensland University included the following sentence:

‘Employees and prospective employees will not be disadvantaged in any way in relation to their employment due to their acceptance or non-acceptance of either an AWA or the certified agreement and it will not be a condition of employment or of promotion or of any variation of employment arrangements that an employee accepts an AWA or remain covered by the certified agreement’?
- b) I want to know if a draft EBA was provided to DEST and if it was the case that DEST’s advice was that that sentence had to be deleted.
- c) If so, can it be explained to me why that is consistent with the government’s WorkChoices policy position and also with your advice on your web site that it is a matter for higher education providers to determine the basis on which employment is offered and how those policy positions could possibly be consistent with advice from DEST to delete such a sentence?

Answer:

Central Queensland University - Enterprise Bargaining Agreement

- a) Yes.
- b) Copies of the Central Queensland University Draft Enterprise Bargaining Agreements dated 20 September 2005 were provided to the Department. The Department advised that the sentence quoted was not, in the Department’s view, consistent with the Higher Education Workplace Relations Requirements.
- c) The Department’s view was that the proposed clause would prevent the University from offering employment on an AWA basis only if the university chose to do so. The Higher Education Workplace Relations Requirement on workplace flexibility requires that the higher education provider’s workplace agreements, policies and practices must not place limitations on the forms and mix of employment arrangements.

The comments we provided are consistent with WorkChoices, which is designed to create greater flexibility in workplace arrangements.