

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2004-2005 ADDITIONAL SENATE ESTIMATES HEARING
17 FEBRUARY 2005**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Corporate

Question Number: W517-06

Question:

Senator Marshall asked at *Hansard* page 112:

Did the taskforce recently give undertakings to the recipients of notices issued under section 86 of the Workplace Relations Act that such notices would not need to be complied with until the outcome of a hearing before the Federal Court in Melbourne on 4 October 2005 was known? If so, how many undertakings were given, how many were given to employers and how many were given to unions and employees?

Answer:

No such undertakings were given by the Building Industry Taskforce. However the Workplace Relations Investigations Unit did advise parties who had been issued with notices by the Unit under section 86, that the Federal Court was considering the validity of notices issued by inspectors within the Unit, and that accordingly no steps would be taken to enforce compliance with the notices until 4:00PM on 5 October 2005. A total of ten such undertakings were given, five of which were given to employers and five of which were given to unions.

The Australian Government Solicitor also gave similar undertakings on behalf of the Unit to the unions to whom notices the subject of the Federal Court proceedings had been issued. These undertakings were given to two unions in respect of a total of nine notices.