

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

**2005-2006 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING
2 and 3 NOVEMBER 2005**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome 2: Higher productivity, higher pay workplace

Output Group 2.1: Workplace relations policy and analysis

Output 2.1.1: Workplace relations policy advice

Question Number: W600-06

Question:

Senator Marshall asked in writing:

At 4.4, *WorkChoices* states that “Allowances” is one of the award conditions which can only be modified or removed by specific provisions in a new agreement:

- (a) Does this include non-monetary allowances?
- (b) Does this include monetary allowances which don't relate to reimbursement of employees?

Answer:

In the *Workplace Relations Amendment (Work Choices) Bill 2005* the protected allowable award matters include monetary allowances for:

- expenses incurred in the course of employment, or
- responsibilities or skills that are not taken into account in rates of pay for employees, or
- disabilities associated with the performance of particular tasks or work in particular conditions or locations.

(a) Allowances outside the scope of the above definition (including non-monetary allowances) will not be allowable award matters. Although they will not be protected matters in the bargaining process, they may be included in agreements by consent.

(b) Monetary allowances within the scope of the above definition (including those which don't relate to reimbursement of expenses) will be protected in the bargaining process. Such award provisions will continue to be included in new agreements unless the agreement specifically modifies or removes them.