

**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 2.2: Workplace relations implementation

Output 2.2.2: Industry and Australian government employment advice

Question Number: W637-06

Question:

Senator Marshall asked in writing:- Does DEWR therefore have a policy that all employers bound by the terms of that award are ineligible for Federal Government contracts?

Answer:

The Code and Guidelines are Australian Government policy. Employers bound by the Award would be ineligible unless they were also bound by an agreement which displaces the casual labour provisions of the Award.

The choice of industrial instrument open to an employer and employee is broader than an award. An employer may choose to offer an AWA or a certified agreement which displaces inconsistent Award clauses. For example, in November 2005 the Master Builders Association of Victoria and the CFMEU (Victoria) agreed to a Code compliant certified agreement which excludes inconsistent clauses from their parent Award.