

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

**2006-2007 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING
2ND NOVEMBER 2006**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

OFFICE OF WORKPLACE SERVICES

**Outcome 1 : The rights and obligations of workers and employers under the
Workplace Relations Act 1996 are understood and enforced fairly**

Output Group 1.1 : Education and Compliance Services

Question Number: W366-07

Question:

Senator Marshall asked in writing:

Were all employees employed on AWAs offered a choice between an AWA and a collective agreement? If so, what was the process surrounding the choice during the offer of employment? If not, what is the rationale for not offering employees a choice?

Answer:

AWAs are a condition of employment for all new APS employees joining OWS. This requirement has been in place since 27 March 2006 and is a key aspect of OWS' commitment to remaining competitive in the market by offering attractive remuneration packages.

The requirement is consistent with the *Public Service Act 1999*, and does not offend the *Workplace Relations Act 1996*.

The *Public Service Act 1999* provides that the engagement of an APS employee may be made subject to conditions — in OWS, one such condition for employees new to the APS is that the terms of their employment will be prescribed by an AWA.

It does not apply to existing ongoing APS employees, ie ongoing employees promoted or transferred at level to OWS from another APS agency or from within OWS

- consistent with agency practice, the offer of an AWA is made to any such employees.
- consistent with agency practice, the offer of an AWA is made to any such employees.

Estimated Cost: To prepare this answer has taken approximately 1.85 hours at a cost of \$37.00