

**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: W369-07

Question:

Senator Marshall asked in writing:

Broken down by month (totals and percentages), how many AWAs referred to OWS by OEA for not meeting the Australian Fair Pay and Conditions Standard have not been rectified? What is the timeframe for these, and are there any penalties for employers should they fail to comply with this process in a timely fashion?

Answer:

The AWAs referred to the OWS by the OEA were referred for review in order to establish whether the agreements facilitate compliance with the Australian Fair Pay and Conditions Standard (the Standard). The OWS has undertaken to test the question(s) raised in each referral.

Of the 1,701 AWAs referred to the OWS to the end of October. Of the finalised referrals, 45 were sent in error, and the remainder were either deemed to be compliant with the Standard, or rectified through voluntary action such as signing compliance undertakings or re-lodging the AWA.

The *Workplace Relations Act 1996* (the Act), through s819, provides that it is an offence not to comply with a requirement made by an inspector under particular subsections of ss169 and 906.

Estimated Cost: To prepare this answer has taken approximately 3.6 hours at a cost of \$66.50