

**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: W393-07

Question:

Senator Wong asked in writing:

Feltex Pty Ltd

Is the OWS aware of the Feltex issue? How did the OWS become aware of the issue?

(a) What has the OWS done to investigate this issue? If nothing, why not? (b). If OWS has investigated — what were the findings, particularly in relation to whether there had been a transmission of business and the standing of the employees' existing terms and conditions of employment?

Answer:

Is the OWS aware of the Feltex issue? – yes

How did the OWS become aware of the issue? – The matter first came to notice of OWS via media reports.

(a) What has the OWS done to investigate this issue? If nothing, why not?

OWS has undertaken extensive investigations into the matters raised by the proposed purchase of Feltex by Godfrey Hirst.

Actions included in the investigation to 1 November 2006:

- Discussions with representatives of both Godfrey Hirst and Feltex administrators
- Interviews with representatives of Textile Clothing and Footwear union of Australia (Vic Branch)
- Workplace visits and interviews with a sample of workers at the Feltex Company
- Service of Notice to Produce on the representatives of Godfrey Hirst and Feltex

- Examination of documents supplied including copy of extracts from contract of sale: comparison between existing Feltex Certified Agreement and various possible AWAs placed before Feltex workers by Godfrey Hirst.
- Request for and examination of legal advice concerning Transfer of Business provisions of WRA and their application to the facts in this case.

(b) If OWS has investigated — what were the findings, particularly in relation to whether there had been a transmission of business and the standing of the employees' existing terms and conditions of employment?

The matter remains under investigation and a concluded view has not been reached.

Estimated Cost: To prepare this answer has taken approximately 3.3 hours at a cost of \$61.75