

**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: W400-07

Question:

Senator Wong asked in writing:

OWS - United Petroleum

Could the OWS confirm what the effect of making an employer greenfields agreement would have on the employees' existing collective agreement and the transmission of business provisions in Part 11 of the Act?

Answer:

If an employer can make an employer greenfields agreement it will cover new employees.

If an employer has employees at the time of making an employer greenfields agreement, and the agreement does not relate to a new business within the meaning given that term in the Workplace Relations Act) the employer cannot make the agreement.

If a transmission of business occurs and there are employees covered by the transmission of business provisions, the agreement that applied immediately before the transmission will continue to apply until a new agreement is made.

Estimated Cost: To prepare this answer has taken approximately 1.65 hours at a cost of \$12.25