

**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

Outcome: Corporate

Question Number: W571-07

Question:

Senator Marshall asked in writing:

Can you please advise whether any of these AWAs excluded protected award conditions. If so, please provide a breakdown of how many AWAs out of the total number remove protected award conditions and a breakdown of how many AWAs remove one protected award condition, two protected award conditions etc? Can you please also provide a listing of what the protected award conditions are that have been removed?

Answer:

The Department's post reform AWA template which forms the starting point for AWA negotiations, excludes all of the protected award conditions, many of which had been traded off for increases in salary or other conditions over successive past collective and individual workplace agreements. It is open to each employee to seek to customise their individual AWAs, including the use of protected award conditions.

The protected award conditions include the following: rest breaks, incentive based payments and bonuses, annual leave loadings, public holidays, monetary allowances, loadings for working overtime and shift work, and penalty rates.

To provide the information requested on an analysis of existing AWAs (ie their end position after negotiation) to determine which have precluded one or more award entitlements would involve an unreasonable diversion of DEWR resources.