

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

**2006-2007 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING  
2<sup>ND</sup> NOVEMBER 2006  
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**Outcome 2: Higher productivity, higher pay workplace**

**Output Group 2.2: Workplace relations implementation**

**Output 2.2.1: Industry and Australian Government Employment Advice**

**Question Number: W639-07**

**Question:**

Senator Wong asked in writing: Community Awareness of Workplace Relations Changes – According to WorkplacelInfo, on 12 April 2006 the federal government announced that it will establish a team of IR specialists to investigate and prosecute parties who breach key elements of the WorkChoices framework.

Are these IR specialists in addition to the existing OWS inspectors? If so, then

- a) Has that team of specialists been established yet?
- b) How many people will be in this team of IR specialists and what will their position title and ranks be?
- c) Will this team be operating out of the OWS or from DEWR?
- d) Will the number of IR specialists be in addition to the existing OWS inspectors or will they come from the OWS inspectorate staff?
- e) How will these IR specialist differ from OWS inspectors?
- f) Will these IR specialists receive additional training and, if so, what will this training constitute?
- g) What is the estimated total salary cost for these IR specialists and the overall budgeted costs for the IR specialists team?
- h) What aspects of the WorkChoices Act are considered to be key elements?
- i) How will the IR specialists conduct their compliance work? Will this involve targeted compliance activities? If so, how will these targeted compliance activities

be determined? What industries will these compliance activities be focused on?  
What type of employers will these compliance activities be focused on?

- j) According to the article these IR specialists will prosecute matters that threaten the integrity and policy intent of the WorkChoices legislation. What type of matters are these expected to be?
- k) Where will these IR specialists be located and how many specialists will be at each location? Will fit-out and/or renovations need to be made to accommodate these IR specialists? If so, at what cost?
- l) Why does DEWR consider that it needs IR specialists?
- m) Is this announcement an indication of the failure of inspectors at the OWS?

**Answer:**

Yes.

- a) Yes. However, the function was transferred to the Workplace Ombudsman (formerly the Office of Workplace Services) as part of the Machinery of Government changes under s72 of the Public Services Act 1999 on 17 May 2007.
- b) The classification levels of the staff performing this function are:
  - 1 x Executive Level 2
  - 1 x Executive Level 1
  - 2 x APS 6
  - 1 x APS 4
- c) While the function was originally established in the Department of Employment and Workplace Relations, it is now undertaken by the Workplace Ombudsman (formerly the Office of Workplace Services).
- d) Additional.
- e) The respective roles of the Office of Workplace Services (now Workplace Ombudsman) and DEWR workplace inspectors are described in Legislative Instrument number F2006L00983, Directions to Inspectors (the Directions) issued by the Minister for Employment and Workplace Relations on 27 March 2006.
- f) No.
- g) Departmental expenditure information (actual or estimates) is not provided below Output level. Under the Commonwealth's output and outcome based budgeting and reporting framework agencies are not required to report below the output level. In addition, in line with this framework resources are managed at the output level.

- h) The scope of these workplace inspectors role is described in Legislative Instrument number F2006L00983, Directions to Inspectors (the Directions) issued by the Minister for Employment and Workplace Relations on 27 March 2006.
- i) The workplace inspectors conduct their work in compliance with Australian Government Investigation standards. These Workplace Inspectors did not undertake targeted compliance activities while working in DEWR.
- j) See answer to part h).
- k) These Workplace Inspectors were all located in Canberra. No additional fit-out and/or renovations were required.
- l) The Australian Government decided that DEWR's specialist investigators were required to address non-compliance with a range of specified functions (see h)), including relevant orders made by the Australian Industrial Relations Commission and courts. The Ministerial decision to effect a Machinery of Government change on 17 May 2007 was to consolidate the two general workplace relations compliance functions into a single body.
- m) No.

**Estimated cost:** Based on the FOI calculator it has taken approximately 3 hours at an estimated cost of \$60 to prepare this answer.