

**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 workplaces**

**Output Group 2.2: Workplace Relations Implementation**

**Output 2.2.3: Workplace Relations Services**

**Question Number: W712-07**

**Question:**

Senator Wong asked in writing:

Work Choices Implementation Agencies - Alternative Dispute Resolution Assistance Scheme.

Are ADRAS providers bound by common law in providing ADR procedures in respect to the application of appropriate awards, matters that have traditionally been resolved by the AIRC and state tribunals?

**Answer:**

ADR providers are not operating within the same context as traditional AIRC and state tribunal systems. The parties agree to how ADR will operate and parties to a dispute who seek private ADR services agree to the terms of those ADR services.

Private providers are able to conduct ADR for disputes about the application of awards using the model dispute resolution process (DSP) provided in the *Workplace Relations Act 1996* (sections 694-697).

The model DSP allows parties bound by an award to choose between the services of the AIRC or a private provider (including ADRAS providers) in order to resolve disputes about matters arising under the award.

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