

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2008-09 SUPPLEMENTARY BUDGET ESTIMATES HEARING

Outcome

WORKPLACE AUTHORITY

EW908-09

Senator Humphries (acting Chair) asked on 23 October 2008, EEWHR Hansard page 104.

Question

Toll Dnata ITEA lodgements

CHAIR—In a sense, you would be responding to this without criticism of you. I am more interested in this article as being a criticism of the overall process. If these agreements had been sitting with the employer well before 19 August, then that is an issue with the overall process, not necessarily you.

Ms Bull—We have advised the ASU of the agreements and the dates we received the agreements. I understand we have also advised, in relation to some where we do not have any record of having had the agreements lodged, that those issues to do with the requirements of the act on lodgement are about compliance and are a matter for the Workplace Ombudsman.

CHAIR—But the question I am asking, which should not affect any privacy issues, is: what is the earliest date of the batch of agreements that arrived with you on the 19th?

Ms Bennett—We will take that on notice. We can tell you that of the agreements—

Ms Bull—I do not have that information in front of me. You are asking what—

CHAIR—You can take it on notice.

Ms Bull—Are you asking what date the agreements were made between the parties?

CHAIR—The date the parties signed them.

Ms Bull—I do not have that. You are asking what date they were signed between the parties. I do not have that information in front of me.

CHAIR—But you would have it on notice, would you not?

Ms Bennett—We can take it on notice and talk to the ombudsman. But, of the agreements in question here, there were 122 AWAs of this going around. There were 119 ITEAs. It also involves some proportion of agreements by a labour hire agency where those people were employed. Not all of those from that labour hire company or all of those employees worked full time as well in that arrangement. We had been working with the parties on AWAs and the ITEAs at various times since 24 July, which is when we started our first contact with them. So it has been going backwards and forwards.

Answer

The Workplace Authority has provided the following response.

- As at the 30th September 2008 there were 119 ITEAs lodged for Toll Dnata employees including 48 that were not valid lodgements.
- The earliest date that a validly lodged Toll Dnata ITEA was approved by the parties was the 27th March 2008. That agreement was not lodged until 18th August 2008.
- The following table provides details of the date the agreement was approved by the parties and the dates that they were lodged with the Workplace Authority for validly lodged ITEAs.
- Generally, the invalid ITEAs were not lodged with complete signing pages.

Table 1

Toll Dnata valid ITEA lodgements as at 30 September 2008

Agreement Number	Agreement Approved (by the parties)	Lodgement Date
ITEN0810067304	30/07/2008	29/08/2008
ITEN0810067265	11/08/2008	29/08/2008
ITEN0810052432	27/08/2008	27/08/2008
ITEN0810002291	11/08/2008	20/08/2008
ITEN0810002200	11/08/2008	20/08/2008
ITEN089995167	19/05/2008	15/08/2008
ITEN089994972	19/05/2008	15/08/2008
ITEN089994933	7/08/2008	15/08/2008
ITEN089994907	7/08/2008	15/08/2008
ITEN089994855	19/05/2008	15/08/2008
ITEN089994829	15/07/2008	15/08/2008
ITEN089994777	19/05/2008	15/08/2008
ITEN089994738	19/05/2008	15/08/2008
ITEN089994725	7/08/2008	15/08/2008
ITEN089994686	19/05/2008	15/08/2008
ITEN089994647	17/06/2008	15/08/2008
ITEN089994608	19/05/2008	15/08/2008
ITEN089994569	19/05/2008	15/08/2008
ITEN089993776	19/05/2008	15/08/2008
ITEN089993685	19/05/2008	15/08/2008
ITEN089993555	27/06/2008	15/08/2008
ITEN089795903	19/05/2008	8/07/2008
ITEN0810221367	16/09/2008	29/09/2008
ITEN0810221003	18/09/2008	29/09/2008
ITEN0810074168	26/05/2008	1/09/2008
ITEN0810067291	11/08/2008	29/08/2008
ITEN0810055786	23/05/2008	28/08/2008
ITEN0810023598	24/06/2008	21/08/2008
ITEN0810000744	27/03/2008	18/08/2008
ITEN089983207	21/05/2008	15/08/2008
ITEN089983038	12/05/2008	15/08/2008
ITEN089795669	5/06/2008	8/07/2008
ITEN0810055760	25/05/2008	28/08/2008
ITEN0810055773	26/06/2008	28/08/2008
ITEN0810055799	19/06/2008	28/08/2008
ITEN0810058178	19/06/2008	28/08/2008
ITEN0810058191	5/06/2008	28/08/2008
ITEN0810058256	9/05/2008	28/08/2008
ITEN0810058295	2/06/2008	28/08/2008
ITEN0810058360	29/05/2008	28/08/2008
ITEN0810058399	29/05/2008	28/08/2008
ITEN0810058490	26/05/2008	28/08/2008
ITEN0810058646	24/04/2008	28/08/2008
ITEN0810065679	20/06/2008	29/08/2008
ITEN0810065705	25/05/2008	29/08/2008
ITEN0810065744	2/06/2008	29/08/2008
ITEN0810070281	11/08/2008	29/08/2008
ITEN0810070320	23/07/2008	29/08/2008
ITEN0810070372	7/04/2008	29/08/2008