

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2010-2011**

Outcome 4 - Employment & Participation Policy

DEEWR Question No.EW0543_11

Senator Xenophon provided in writing.

Question

SPS - RESTRICTIONS

Are there any restrictions on the organisations that providers can place job seekers with? i. For example, are the organisations expected to meet minimum standards of health and safety? If so, how is this monitored? If not, why not?ii. How does the Department respond to claims that providers have been placing job seekers in organisations currently under investigation for breaches of workplace safety?

Answer

Are there any restrictions on the organisations that providers can place job seekers with?

i. For example, are the organisations expected to meet minimum standards of health and safety? If so, how is this monitored? If not, why not?

Job Services Australia providers must comply with all relevant Commonwealth, state and territory workplace laws and regulations in each jurisdiction in which they operate. Compliance with such laws is the responsibility of relevant Commonwealth, state and territory authorities.

Provider's compliance with relevant laws and regulations is also specified in the *Employment Services Deed 2009-2012*, and is complemented by other requirements including:

- restrictions from obtaining and listing a vacancy and making any placements in such a vacancy in contravention of Commonwealth, state or territory legislation or which involves terms and conditions of employment which are inconsistent with the relevant workplace relations laws, or any instrument made under such laws and includes all occupational health and safety legislation in all jurisdictions;
- commitment to abide by a Code of Practice and Service Guarantee; and
- commitment to the highest standards of fairness and professional practice in the delivery of services and obligations.

The Department also has in place a range of checks on its vacancy listing (JobSearch) to guard against listing of inappropriate vacancies. Any investigations will include examining what information was listed in any vacancy lodged.

Job seekers are encouraged to contact the provider or the Department's Job Seeker Hotline (13 62 68) or Customer service line (1800 805 260) if they have any concerns.

ii. How does the Department respond to claims that providers have been placing job seekers in organisations currently under investigation for breaches of workplace safety?

The Department takes claims of breaches of workplace safety seriously and will direct any such claims to the relevant jurisdiction's workplace safety agency.

The Department is not made aware of employers that are currently under any investigation by the state and territory workplace safety agencies.

Where the Department is contacted by job seekers regarding their employer or employment conditions, they are referred to either the local workplace safety agency or workplace relations agency in their state or territory or they are referred to Fair Work Australia