

Senate Standing Committee on Education Employment and Workplace Relations

QUESTIONS ON NOTICE Supplementary Budget Estimates 2012-2013

Agency - Fair Work Ombudsman

DEEWR Question No. EW0616_13

Senator Abetz asked on 17 October 2012, Hansard page 40

Question

FWO - Timeline of case settlement

Senator ABETZ: Is there any explanation as to why, if you agreed to it on 2 October, it took 13 days to be issued? Mr Wilson: I cannot recall the circumstances, but that is not out of the usual process. Senator ABETZ: Can you tell us when the case was actually settled? I have some information but it may be wrong; this may have been published in anticipation of final settlement before all the documents had been signed, so that might be an explanation. I do not want to make any allegations, but if we can get a good timeline as to when the documentation that finally settled the matter was signed and then when the media release was put to you, that would be of assistance. If I might say, timeliness is important and, as to the 13 days after you signed off on it, I can tell you that if that happened in my office I think there would be one annoyed senator. Mr Wilson: We will get you the full timeline. I think what you might be referring to is some media commentary, and the high point of it is ill-informed; it is wrong. But we will get you the full timeline. Lane was saying to the media that it had been settled in mediation when it had not.

Answer

The Fair Work Ombudsman has provided the following response

The procedures in the Gas Hair Studio Pty Ltd and Hennesy Lane Hair Design Pty Ltd matters were predominately ran together, as follows:

29 March 2012	The Gas Hair proceeding was filed
23 April 2012	Gas Hair rectified the amount identified as owing and Hennesy Lane rectified the amounts identified as owing
16 May 2012	The Hennesy Lane proceeding was filed and requested to be listed with Gas Hair
13 July 2012	Media release issued on the FWO's website in relation to the launch of prosecution against Hennesy Lane
27 July 2012	Hennesy Lane, Gas Hair and Mr Lane filed their defense, contesting all allegations.
30 July 2012	Media release issued on the FWO's website in relation to the launch of prosecution against Gas Hair Studio
26 August 2012	Mediation
26 September 2012	Further mediation
27 September 2012	Enforceable Undertaking signed by Respondents.
2 October 2012	Enforceable Undertaking accepted and signed by FWO
15 October 2012	Media release published on the FWOs website entitled 'Salons sign up to workplace audits and training after underpaying apprentice hairdressers.'