

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN HUMAN RIGHTS COMMISSION

Question No. 24

Senator Siewert asked the following question at the hearing on 12 February 2013:

Senator SIEWERT: I will obviously raise with the department in estimates on Thursday the position around the appeal, but have you had complaints about the use of this particular tool?

Mr Innes: With the matters that were determined by the Federal Court, that case followed from complaints lodged under the Disability Discrimination Act. Do you mean have we had further complaints?

Senator SIEWERT: Yes.

Mr Innes: I would need to take that on notice, but this is an issue that is regularly discussed in the disability sector with people with whom I talk, and it has certainly been one where the sector has been watching the complaints which were lodged. It is similar to when one complaint is sort of blazing a particular new trail or path, and people wait to see the result of that complaint before pursuing the issue themselves. The fact that there may not have been many or any other complaints does not necessarily mean that there are not significant concerns in the sector about this issue, and probably more broadly, about the level of wages earned by some people in ADEs.

The answer to the honourable senator's question is as follows:

Since 2001 the Commission has received 18 complaints regarding the Business Services Wage Assessment Tool (BSWAT).