

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

**QUESTIONS ON NOTICE
Additional Estimates 2010-2011**

Agency - Fair Work Australia

DEEWR Question No.EW0752_11

Senator Ryan provided in writing.

Question

FWA - UNION RIGHT OF ENTRY

"How many union officials have a valid permit that provides a right to enter a workplace? Can you provide a list of all industrial organisations that have employees that have been provided with a valid permit? What information does FWA collect to provide a valid permit to have the right to enter a workplace? "

Answer

Fair Work Australia has provided the following response.

In general, the Fair Work Act 2009 provides that a permit expires three years after the date of issue or when the permit holder ceases to be an official of the organisation that applied for the permit.

As some officials possess permits for more than one organisation eg an organisation registered under the Fair Work Act as well as a transitionally registered association, the Fair Work Australia case management system is not able to ascertain in aggregate terms, the number of individual union officials that have been issued a right of entry permit.

The Fair Work Australia case management system indicates that for the three year period from 1 March 2008 to 28 February 2011, 4109 permits have been issued. The list of organisations that have officials to which permits have been issued is attached.

The Fair Work Australia Rules make provision for applications for a right of entry permit - see Form F42. Both the applicant organisation and prospective permit holder are required to declare the basis upon which the prospective permit holder should be considered a fit and proper person including the training (which must be approved by Fair Work Australia) undertaken by the prospective permit holder in relation to the rights and obligations of a permit holder.