SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEGISLATION COMMITTEE

2005-2006 BUDGET SENATE ESTIMATES HEARING 30, 31 MAY and 3 JUNE 2005

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Office of the Employment Advocate

Question Number: W244-06

Question:

Senator Marshall asked at *Hansard* page 79:

Can the OEA provide to the committee a copy of the standard letter and information sheet that is sent to every employee who has had an AWA lodged?

Answer:

A copy of the standard letter is attached.

Attachments

YOUR AUSTRALIAN WORKPLACE AGREEMENT

Date Employer Name: Trading as: Agreement number:

Given Name Surname Address1 Address2 Suburb State Post Code

Why have I received this letter?

This letter is to confirm that you recently made an Australian workplace agreement (AWA) with your employer. The AWA is currently being considered by our office. If approved, the AWA will provide the legal basis for your pay and other employment conditions.

Am I required to reply to this letter?

You do not need to reply to this letter if the following statements are true

- I signed the AWA.
- I genuinely consented to making the AWA.
- My employer explained the effect of the AWA to me before I signed it.
- I received the AWA the required number of days before signing it.
 - Required days if signing after commencement of the employment to which the AWA relates=14 days
 - Required days if signing before or at the time of commencement of the employment to which the AWA relates=5 days

If one or more of the statements above is not true, what should I do?

You should reply to this letter within 14 days from the date of this letter. You will need to advise this Office which statements are false. There are two ways you may reply to this letter:

- You may telephone the Office of the Employment Advocate (OEA) on 1300 366 632 for the cost of a local call; or
- You may send a letter with the relevant information to the OEA at GPO Box 9842 in your capital city.

If you are a person under 16 years of age, the Employment Advocate suggests that you discuss your AWA with your parent or guardian. Also, make sure that you check out the website at http://youthservices.oea.gov.au/ for important information you should know about your rights. If you or your parent or guardian have any matters they wish to discuss about the AWA, you are encouraged to contact the OEA on 1300 366 632.

If you are an apprentice or a trainee you may wish to access material this office has prepared for employees such as you at its website at http://www.oea.gov.au.

In your AWA there may be a clause that allows you to choose, voluntarily, some or all of your working hours. If you make such a choice, these hours are called 'preferred hours', and may be paid at the 'ordinary' pay rate, even if they are worked in the evening, or on weekends, or as extra hours. Under an award, these hours are usually paid at a higher penalty rate.

In assessing your AWA, it will not be considered a disadvantage if you are paid at the ordinary rate of pay, rather than at a higher penalty rate, for any preferred hours which you choose. But your employer must give you a genuine opportunity to choose.

If you have chosen to work preferred hours – or choose to in the future – and are concerned that you did not have a genuine choice, you should contact the OEA.

A fact sheet about preferred hours is available from the OEA's website or by calling the OEA.

How will I know if my AWA has been filed and /or approved?

Your employer has a receipt showing the AWA was filed by this office. You should receive a copy of this filing receipt from your employer. If your AWA is approved, your employer must also provide you with a copy of the AWA and approval notice.

If the OEA has not heard from you within 14 days of the date of this letter it will be understood that you genuinely consented to making the AWA. If the AWA you signed complies with the other requirements of the Workplace Relations Act 1996, the AWA will be approved.

Community Language Information

English

This is a publication of the Office of the Employment Advocate (OEA) which provides information about Australian workplace agreements. If you cannot read English and need help to understand this publication, please call the OEA National Telephone Enquiry Service through the Translating and Interpreting Service on 13 14 50 during business hours. This Telephone Interpreting service will be paid for by the OEA.

Italian

Questa è una pubblicazione dell'Office of the Employment Advocate (OEA) che fornisce informazioni circa accordi nazionali per i posti di lavoro (Australian workplace agreements). Se non sei in grado di leggere l'inglese e hai bisogno di aiuto per capire questa pubblicazione, ti preghiamo di contattare il servizio telefonico nazionale d'informazioni – OEA National Telephone Enquiry Service – tramite il servizio traduzioni e interpreti (TIS) al numero 13 14 50, durante le ore d'ufficio. Questo servizio di interpretariato telefonico viene pagato dall'OEA.

Spanish

Esta es una publicación de la Oficina dell Defensor del Empleo (OEA) que brinda información sobre los Acuerdos Australianos de Condiciones de Trabajo. Si usted no sabe leer inglés y necesita ayuda para comprender esta publicación, no vacile en llamar al Servicio Telefónico Nacional de Información de la OEA (OEA National Telephone Enquiry Service) por intermedio del Servicio de Traducción e Interpretación llamando al 13 14 50 durante el horario de oficina. La OEA se encargará del costo de dicho servicio telefónico de interpretación.

Indonesian

Ini merupakan hasil terbitan Kantor Adokad Pekerjaan (Office of the Employment Advocate – OEA) yang memberi informasi mengenai Perjanjian Tempat Kerja Australia (Australian workplace agreements). Jika Anda tidak dapat membaca bahasa Inggris dan memerlukan bantuan untuk memahami terbitan ini, silakan menelepon Jasa Informasi Telepon Nasional (National Telephone Enquiry Service) OEA melalui Jasa Penerjemahan dan Juru Bahasa (Translating and Interpreting Service) pada nomor 13 14 50 sewaktu jam kerja. Jasa juru bahasa telepon ini akan dibiayai oleh OEA.

Greek

Αυτή είναι μια έκδοση του Γραφείου του Συνηγόρου Απασχόλησης (Office of the Employment Advocate – OEA) και παρέχει πληροφορίες για τις Αυστραλιανές Συμβάσεις Εργασιακού Χώρου (Australian workplace agreements). Αν δεν μπορείτε να διαβάσετε Αγγλικά και χρειάζεστε βοήθεια για να καταλάβετε αυτή την έκδοση, παρακαλούμε τηλεφωνίκή στην Εθνική Τηλεφωνική Υπηρεσία Πληροφοριών του Γραφείου του Συνηγόρου Απασχόλησης μέσω της Υπηρεσίας Μετάφρασης και Διερμηνείας στο 13 14 50 κατά τη διάρκεια των εργάσιμων ωρών. Αυτή η τηλεφωνική υπηρεσία θα πληρωθεί από την ΟΕΑ.

Turkish

Avustralya İşyeri Sözleşmeleri hakkında bilgi sağlayan Çalışma Avukatlığı Dairesi'nin (Office of the Employment Advocate – OEA) bir yayınıdır. İngilizce okuma bilmiyorsanız ve bu yayını anlamak için yardıma ihtiyacınız varsa lütfen 13 14 50 numaralı Yazılı ve Sözlü Tercümanlık Servisi aracılığıyla Çalışma Avukatlığı Dairesi'nin ülke çapindaki Telefonla Danışma Servisi'ni iş saatleri içinde arayınız. Bu telefonla tercümanlık hizmetinin ücreti Çalışma Avukatlığı Dairesi tarafından ödenecektir.

Korean

고용 응호청에서 보내드리는 본 편지문은 최근 귀하께서 고용주와 함께 서명하신 호주 직장 협약에 관련된 것입니다. 영어를 읽으실 수 없고 이 편지문을 이해하시는데 도움이 필요하시면 통역 번역 서비스를 받으실 수 있는 13 14 50 번으로 전화하여 고용 응호청 전국 전화 문의 서비스에 전화해 달라고 부탁하십시오. 전화 문의는 업무 시간 내에만 받습니다. 전화 통역 서비스는 고용 응호청에서 지불합니다.

Chinese

這是就業權益辦事處(Office of the Employment Advocate)印製的刊物,提供有 關澳洲工作場所協議(Australian workplace agreements)的資訊。如果您不懂英 語,在理解這刊物方面需要協助,請您在辦公時間內打電話13 14 50,透過翻譯 及傳譯服務處與就業權益辦事處全國電話諮詢服務部聯絡,本電話傳譯服務費 用,將由就業權益辦事處支付。

Arabic

إن هذا المنشور من إعداد مكتب المُدافع لشؤون الإستخدام (OEA)، الذي يتولى تقديم المعلومات عن إتفاقيات مكان العمل الأسترالية. إذا كنت لا تستطيع قراءة اللغة الإنكليزية وكنت بحاجة لمساعدة كي تفهم هذا المنشور يُرجى منك الإتصال بخدمة الإستعلامات الهاتفية الوطنية التابعة لمكتب المدافع لشؤون الإستخدام عن طريق خدمة الترجمة الخطية والشفهية على الرقم 50 14 15 خلال ساعات الدوام. سيتولى هذا المكتب (OEA) دفع تكاليف خدمة الترجمة.

Farsi

این نشریه توسط دفتر مشاور استخدام (OEA) تهیه شده است که اطلاعات در رابطه با موافقت نامه های محل کار در استرالیا را شامل می باشد. اگر قادر به خواندن زبان انگلیسی نیستید و نیاز به کمك و راهنمایی بیشتری دارید، می توانید از طریق مترجم تلفنی، به شماره ۵۰ ۱۳ ۱۴ با سرویس اطلاعات تلفنی دفتر مشاور استخدام، تماس حاصل نمایید. لطفا در ساعات اداری تلفن کنید. مخارج سرویس مترجم تلفنی بوسیله دفتر مشاور پرداخت (OEA) خواهد شد.

Khmer

នេះគឺជាការផ្សាយរបស់ ការិយាលាំយពិនិត្យអង្កេតលក្ខទ័ណ្ឌ (OEA) ដែលផ្តល់ពតិមានអំពីកិច្ចព្របព្រៀងនៃ កន្លែងការងារអូស្ត្រាលិ។ បើអ្នកមិនចេះអានអក្សអេងគ្លេសបានទេនោះ ហើយត្រូវការជំនួយដើម្បីឲ្យយល់នូវសេចក្តី នៃសំបុត្រនេះ សូមទូរស័ព្ទទេវកន្លែងសាកសួរពត៌មានទូទេវក្នុងប្រទេសរបស់ ការិយារបើយពិនិត្យអង្កេតលក្ខទ័ណ្ឌ គារងារ (OEA) តាមរយៈក្រុមអ្នកបកប្រែភាសាសរសេរ និងនិយាយ (Translating & Interpreting Service) លេខ 13 14 50 ក្នុងមោងធ្វើការ OEA នឹងបង់ថ្ងៃបកប្រែតាមទូរស័ព្ទនេះ។

Vietnamese

Đây là một tài liệu của Văn Phòng Bảo Vệ Việc Làm (OEA), cơ quan cung cấp thông tin về Hợp Đồng Làm Việc tại Úc. Nếu Quý Vị không đọc được tiếng Anh và cần giúp đỡ để hiểu thư này, xin gọi Dịch Vụ Giải Đáp Bằng Diện Thoại Quốc Gia (National Telephone Enquiry Service) của OEA qua Dịch Vụ Thông Phiên Dịch (Translating and Interpreting Service), số 13 14 50, trong giờ làm việc. OEA sễ trả lệ phí cho dịch vụ thông dịch qua điện thoại này.

Polish

Niniejsza publikacja wydana została przez Urząd Rzecznika Zatrudnicnia (OEA), który udzicla informacji na temat Australijskiej Umowy Zbiorowej (Australian workplace agreements). Jeśli nie zna Pan(i) biegle języka angielskiego i potrzebuje pomocy w zrozumieniu treści tej publikacji, proszę o skontaktowanie się, w godzinach pracy, z Krajowym Telefonicznym Biurem Informacyjnym Urzędu Rzecznika Zatrudnienia (OEA National Telephone Enquiry Service) za pośrednictwem Biura Tłumaczy (Translating and Interpreting Service) pod numerem 13 14 50. Koszt usług Biura Tłumaczy pokryty zostanie przez OEA.

Croatian

Ovo je publikacija Ureda zastupnika za pitanja zapošljavanja (OEA), koji pruža informacije o australskim ugovorima o radnom odnosu. Ako ne znate čitati engleski i potrebna Vam je-pomoć da biste razumjeli ovu publikaciju, molimo nazovite nacionalnu telefonsku službu informacija Ureda zastupnika za pitanja zapošljavanja, preko Službe prevoditelja i tumača (Translating and Interpreting Service) na broj 13 14 50, tijekom radnog vremena. Usluge tumača preko telefona će platiti ovaj Ured.

Serbian

Ово је публикација Канцеларије заступника за запошљавање (OEA) која пружа информације о Аустралијским споразумима о радним местима. Ако не знате да читате на енглеском и ако вам треба помоћ да бисте разумели ову публикацију, молимо вас да назовете националну телефонску службу за информације Канцеларије заступника за запошљавање (OEA) преко Службе преводилаца и тумача на 13 14 50 током радног времена. Ту услугу телефонског превођења плаћа Канцеларија заступника за запошљавање.

Laotian

ອັບນີ້ ແມ່ນການພົມເຜີຍແຜ່ຂອງ ຫ້ອງການຫະນາຍກ່ຽວກັບການຊອກວຽກ (Office of the Employment Advocate-OEA) ທີ່ໃຫ້ຂຶ້ມູນກ່ຽວກັບ ການຕົກລົງການເຮັດວຽກໃນອອສເຕຣເລັຽ (Australian workplace agreements). ຖ້າທ່ານອ່ານອັງກິດບໍ່ໄດ້ ແລະ ຕ້ອງການໃຫ້ຊ່ອຍເພື່ອເຂົ້າໃຈຈິດໝາຍສັບບໍ່ນີ້ ຈຶ່ງໂທຣະສັບຫາ ຜແນກສອບຖາມຂອງ OEA ໂດຍຜ່ານນາຍພາສາທາງໂທຣະສັບ ຕີສ (TIS) ເລກ 13 14 50 ໃນໂມງເຂົ້າການ. ທາງ OEA ຈະຈ່າຍຄ່າໂທຣະສັບໃຫ້ ຕີສ.