

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
BUDGET ESTIMATES 2009-10**

Agency **Workplace Ombudsman**

DEEWR Question No. EW0248_10

Senator Abetz asked on 2 June 2009, EEWHR Hansard page 20.

Question

Senator ABETZ—Mr Wilson, can you indicate to us how many small businesses with whom you have an engagement in relation to insufficient payment of wages? Take that notice if necessary.

Mr Wilson—I would be happy to take it on notice. Unfortunately, there may be some difficulty in us being able to give you a precise answer. When we track information and complaints made to us from workers about their underpayment status or when we conduct audits, we do not necessarily collect information about the size of the workplace. Although maybe without huge amounts of precision, we could have a stab at trying to give you some information about the scale of the organisations we are dealing with.

Senator ABETZ—I would also ask how many businesses, and then if you are able to break that down into cohorts that would be good.

Answer

The Workplace Ombudsman has provided the following response:

The Workplace Ombudsman did not record data relating to the size of the business under investigation. The provisions of the *Workplace Relations Act 1996* which were enforceable by the Workplace Ombudsman's compliance jurisdiction applied equally to small and large business. For example, a small business has the same obligation as a large business to pay its employees at least the legislated minimum wage.

However, for the 2007 – 2008 financial year, of the 17,286 total breaches of the *Workplace Relations Act 1996* recorded, 14,937 were monetary breaches.