

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

**QUESTIONS ON NOTICE  
Budget Estimates 2012-2013**

**Outcome 4 – Workplace Relations and Economic Strategy**

**DEEWR Question No.** EW0305\_13

**Senator Abetz asked on 29 May 2012 , Hansard page 111**

**Question**

**ALP National Conference outcomes and Fair Work Act review**

Senator ABETZ: That is right, possible criticism was identified. Parliamentary Secretary, were these matters referred to the Fair Work Act review? It is clear that the ALP National Conference has now determined that certain things should change irrespective of what the Fair Work Act review might find. For example, 'strengthening the laws which prohibit sham contracting'—that is just an example. I do not want to get into the rights and wrongs of that, but if the Fair Work Act review were to find that there is no problem in the area of sham contracting, yet we have got a National LP Conference Policy that says there is, which one gives? Senator JACINTA COLLINS: We are talking hypotheticals here, Senator. I will take that on notice. Senator ABETZ: Has the department set about in any way seeking to implement these six measures that have been identified as emerging from the ALP National Conference? Mr Kovacic: No, Senator, they are all issues that we anticipate are likely to be canvassed as a result of the Fair Work Act review. As Senator Collins has indicated, as to whether any of those issues have been brought to the panel's attention by the government, that is a question that the minister has taken on notice. That is not to say that they may not have been raised by other stakeholders in terms of their submissions.

**Answer**

Five out of the six changes to the ALP Platform on Workplace Relations endorsed by the ALP National Conference on 3 December 2011 and highlighted in the Department's incoming Minister brief fall within the scope of the Fair Work Review. The other change relates to workforce development and research planning, which falls within the portfolio responsibilities of the Minister for Tertiary Education, Skills, Science and Research.

While the Government did not request the Review Panel to look into these issues, several submissions to the Review Panel did raise these issues.