

## Senate Standing Committees on Education and Employment

### QUESTION ON NOTICE Date of hearing: 22 November 2022

**Outcome: | Workplace Relations**

**Department of Employment and Workplace Relations Question No. IQ22-000398**

Ms Michaelia Cash MP on 22 November 2022, Proof Hansard page 6

#### ***Specialist Bargaining Consultants***

#### **Question**

Senator Cash: Were quotes obtained from specialist bargaining consultants?

Ms Anderson: Senator, I'd have to take that on notice.

Senator Cash: Okay. Then let's jump to this. Is it true that the department actually got this figure from the website — and I'm happy to hand out, share or table the website for the committee — [www.authentic.com.au](http://www.authentic.com.au), 'How much should I charge as a consultant'?

Ms Anderson: I'm personally not aware of that website. I'd have to take that on notice.

Senator Cash: It is referred to in your regulatory impact statement. So which member of the department googled 'how much should I charge as a consultant'?

Ms Anderson: I'd have to take that on notice.

#### **Answer**

The Department of Employment and Workplace Relations acknowledged in the Regulation Impact Statement for the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* (SJBPA RIS) the difficulties in modelling indicative costs and impacts of bargaining reforms in a multi-faceted, dynamic workplace relations system.

The hourly consultancy rate used in estimating bargaining costs for the SJBPA RIS was determined by considering a range of publicly available sources to estimate the potential cost of engaging consultants to assist with multi-employer bargaining processes. The indicative costs presented in the SJBPA RIS are professional services fees for a complex multi-employer bargaining process. There are other factors which mitigate the bargaining costs to business, such as being represented by an employer organisation, having previous bargaining experience, or opting to join an existing enterprise agreement.

This approach is consistent with modelling done by the department, including in Regulation Impact Statements for the Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2021 and the Fair Work Amendment Bill 2014. The Regulation Impact Statements for these bills both used salary benchmark data for specific occupations to inform an estimate of the hourly rate for employment relations services for enterprise bargaining. This approach to modelling indicative costs was consistent with approaches used in Regulation Impact Statements previously endorsed by the then Office of Best Practice Regulation (now, the Office of Impact Analysis).

The department does not identify non-Senior Executive Service officers in the public domain.