

Joint Committee on Corporations and Financial Services

QUESTION ON NOTICE Date of hearing: 1 March 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. IQ23-000018

Senator Paul Scarr on 01 March 2023, Proof Hansard page 44

Communication Between Department and Union in relation to Ovato Case

Question

Senator SCARR: It's not so much looking at the legal standing per se of unions and employees. It's considering whether or not the fact that they weren't appearing provided an additional reason, potentially, for the department to appear. Do you understand what I mean?

Mr Carr: I'm not sure whether we would have been aware of whether the union was appearing perhaps even until immediately prior to the hearing. We understand the question.

Senator SCARR: I guess that raises the question whether or not there was any communication between the AMWU and the department with respect to the matter prior to the hearing and whether the union brought it to the attention of the department. Could you also have a look at that, please?

Ms Mathews: We'll take that on notice

Answer

The Australian Manufacturing Workers' Union (AMWU) wrote to the former Attorney-General and Minister for Industrial Relations, the Hon Christian Porter MP, on 19 November 2020. This letter was received by the Attorney-General's Department on 24 November 2020.

The letter did not raise the issue of the AMWU's standing to intervene or otherwise participate in scheme approval proceedings before the NSW Supreme Court.