

Senate Community Affairs Legislation Committee

BUDGET ESTIMATES – 5-6 JUNE 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Enterprise Agreement Bargaining

Question reference number: HS 14

Senator: Cameron

Type of question: Hansard page 134, 5 June 2014

Date set by the committee for the return of answer: 25 July 2014

Number of pages: 1

Question:

Senator CAMERON: If there is an extended period of bargaining, is there any back pay to the date of the agreement expiring?

Ms Talbot: Back pay could only be provided if there were exceptional circumstances. That is what is outlined in the Australian government employment act.

Senator CAMERON: What are the particular circumstances?

Ms Talbot: That particular detail has not actually been provided. I will have to take that on notice.

Answer:

The Department of Human Services is conducting bargaining in accordance with the Australian Government Public Sector Workplace Bargaining Policy (the policy). The policy's Supporting Guidance states that remuneration increases should apply prospectively unless exceptional circumstances apply and have the approval of the Ministers. This has been a long standing and established government policy.

The policy does not define exceptional circumstances. Questions on circumstances where back pay should be paid are more appropriately directed to the Australian Public Service Commission which has policy responsibility.