

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2015 - 2016

Agency - Fair Work Commission

Department of Employment Question No. EMSQ15-000244

Senator Ludwig provided in writing.

Question

FWC - Non-Australian Citizens Employed by the Department/Agency

1. What is the Department/Agency's policy with regard to hiring non-Australian citizens?
2. Does the agency have a Culturally and Linguistically Diverse (CALD) policy? If yes, please provide a summary.
3. How does the Department/Agency determine whether a person is a non-Australian citizen?
4. How many staff who were not Australian Citizens have been hired by the Department/Agency since the Federal Election in September, 2013? Please break the numbers down by:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
5. How many were hired to satisfy CALD targets?

Answer

1. As per Section 22 (6) (c) of the *Public Service Act 1999* the engagement of an APS Employee may be subject to conditions notified to the employee, including a requirement for applicants to be Australian citizens. The Fair Work Commission seeks to employ Australian citizens where possible. Delegations allow for SES officers in consultation with the General Manager, to waive this requirement where circumstances require this.
2. No.
3. Evidence of citizenship is obtained through a combination of measures which include:
 - Provision of birth certificate, Australian passport or Australian Citizenship certificate
 - Response to question contained in web-based recruitment system
 - Response to question contained in induction paperwork
 - Information provided on the offer of employment
 - Information contained in an applicant's CV
4. Four non-ongoing employees have been employed by the Fair Work Commission since September 2013.
 - (a) Levels at which they were employed: 1x EL1, 2 x APS4, 1 x APS3
 - (b) Immigration status: All employees had the necessary work permits for employment in Australia and were in the process of making application for Australian citizenship;
 - (c) Cultural background - Country of birth includes South Korea, Nepal, China and United Kingdom;

(d) Linguistic background - Includes Korean, Nepalese, Chinese Mandarin and English

(e) Nil