

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2017 - 2018

Agency - Fair Work Commission

Department of Employment Question No. EMSQ17-004102

Senator Abetz asked on 30 May 2017 on proof Hansard page 12

Question

FWC - Ms Wells' duties whilst under investigation

Senator ABETZ: So to your knowledge, she is continuing with her normal duties other than that she has asked not to be given any new matters?

Ms O'Neill: Usual duties is perhaps not the language I would use, simply because—

Senator ABETZ: What language would you use?

Ms O'Neill: Simply because she is a dual appointee; she does not do 100 per cent of her time with the Fair Work Commission—

Senator ABETZ: Sorry, I understand that. I was assuming, given that you represent the Fair Work Commission, that we were only talking about the Fair Work Commission here. I should have phrased that more clearly: her Fair Work Commission roles, or in her Fair Work Commission appointment.

Ms O'Neill: Certainly. I was not trying to be difficult; I was really just pointing to the fact that because she is not a primary appointee she does not get allocated a standard amount of work, if you like, from the Fair Work Commission.

Senator ABETZ: All right, her non-standard amount of work.

Ms O'Neill: We will take that on notice.

Answer

As related in the Estimates hearing on 30 May 2017, on 17 May 2017 Deputy President Wells requested that she not be allocated any further Fair Work Commission (Commission) matters as her current appointment to the Tasmanian Industrial Commission expires in September 2017.

As a dual appointee under the *Fair Work Act 2009*, if Deputy President Wells ceases to be a member of the Tasmanian Industrial Commission then her Fair Work Commission appointment will also end.

Deputy President Wells is not being allocated new Commission matters, but it is anticipated that the Deputy President will deal in the usual manner with the Commission matters previously allocated to her.