

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

BUDGET ESTIMATES 2017

Attorney General's Department

Program: 1.1 AGD Operating Expenses - Civil Justice and Legal Services

Question No. BE17-006

Senator Pratt asked the following question on 24 May 2017:

Mr Anderson: I mentioned the example of a temporary executive assistant. We know what level the person would be generally in that position, and that is the remuneration that we aim for for that person. They have a separate contract, of course, with the labour hire company. Our understanding is that they receive the remuneration that we set for that position.

Senator PRATT: They will receive the same remuneration that you would set them. Where does the labour hire companies cut come from? Is that in addition to—on top of—what those ordinary conditions would be?

Mr Anderson: I would have to take that on notice, as well. My understanding is that typically there is a fee for sourcing a person, so in that sense they get their fee up-front.

CHAIR: From whom?

Mr Anderson: The department will pay that fee. Or it might be a loading that is imposed on the person, particularly if the person is required to work additional hours, when that tends to be part of the loading, as well. If we then were to take the person onto staff, so that they leave their labour hire arrangement, then we would also normally be asked to pay a fee to the labour hire company. I can take that on notice, to be sure that I have that.

Senator PRATT: I just want to make sure that you are able to provide me with as much information as to whether the person employed receives pay and conditions that are equivalent to the in-house staff.

Mr Moraitis: It includes sick leave and stuff like that as well.

Mr Anderson: They will not necessarily have the full suite of conditions, because they will not necessarily be entitled to, for example, everything under our enterprise agreement. They will have conditions, though, that are broadly comparable.

CHAIR: Is there a component for holiday pay, sick leave et cetera, as well? You can include that in your answer.

The response to the honourable Senator's question is as follows:

Labour hire fees are charged in addition to the contractors' salary costs and form part of the hourly rate. The department is unable to provide any further information on the remuneration arrangements entered into between the contractor and labour hire company as this is a private matter between the parties.