

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2010-2011**

Outcome 5 - Workplace Relations

DEEWR Question No.EW1020_11

Senator Abetz asked on 23/02/2011, Hansard page 125.

Question

LETTER FROM MEMBER FOR GROOM

Senator ABETZ—All right. Thank you. The member for Groom wrote to the minister on Christmas Eve without Christmas wishes—which the minister was offended by, he told us earlier in the hearing—but I am wondering, more seriously, whether the department has now looked into this matter. Do you have that letter in front of you? Mr Kovacic—I am sorry; I do not have it. Senator ABETZ—Understood. Senator Chris Evans—Can I say my office provided me with a copy, after the question, which I had a look at, but I have not had a draft response come to me yet, so I have not written back to him. I am due to write back to him but I have not seen a draft response. The letter was shown to me earlier this evening for the first time. Unfortunately, what happens is that correspondence goes down and then comes back up, so I had not seen it personally. Senator ABETZ—Yes, especially with the Christmas break. Senator Chris Evans—I will give him an appropriate reply. Senator ABETZ—I can understand all that, but if the department could take on notice the concern expressed in the second and third paragraphs of that letter and indicate whether similar concerns have been expressed to the department about the lengthy delays in relation to collective agreements.

Answer

On 24 December 2010, the Hon Ian Macfarlane MP, Federal Member for Groom, wrote to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations raising a concern about lengthy delays experienced in connection with the enterprise agreement lodgement and approval process undertaken by FWA. The Minister replied to the Federal Member for Groom on 3 March 2011.

No other similar concerns have been expressed to the Department about delays in relation to the approval of collective agreements lodged with FWA.

The Department is not aware of any cases where employers in the construction industry have been unable to secure government contracts because an enterprise agreement they have negotiated with their employees or with relevant unions has not been processed by FWA.

There is no requirement under the *National Code of Practice for the Construction Industry* or the *Australian Government Implementation Guidelines for the National Code of Practice for the Building and Construction Industry* that employers be covered by an enterprise agreement as a condition to securing work on government funded projects.

According to the FWA Annual Report 2009-10, the median agreement processing time from lodgement to finalisation at FWA was 32 days in 2009-10. The Annual Report noted that processing times are expected to reduce in future years.