

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

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Outcome 5 - Workplace Relations & Economic Strategy

DEEWR Question No. EW0966_12

Senator Boyce provided in writing.

Question

Regulation 144

Why is \$30 million on the table now, when it wasn't before?

Answer

The Australian Government undertook a consultation process during October and November 2011, conducted by the Hon. Arch Bevis, to assist in the development of a new Regulation regarding pay rates in the social and community services (SACS) sector in Queensland.

The Regulation, called the *Fair Work (Transitional Provisions and Consequential Amendments) Amendment Regulation 2012 (No. 1)* requires certain employers in the Queensland SACS sector to pay their employees a base rate of pay that is no less than the base rate of pay determined by the Queensland *Community Services and Crisis Assistance Award – State 2008* (the State award) as in effect on 1 September 2011.

The Regulation also requires those employers to back pay their employees for the period from 27 March 2011 to 29 February 2012. The Regulation was made on 9 February 2012.

The Bevis consultation process identified that employers had concerns with the financial implications of the proposed Regulation, particularly with respect to back pay obligations.

In making the Regulation, the Government took account of the issues raised during the consultation process and determined that it was appropriate to commit additional Commonwealth funding to assist eligible employers to meet the back pay obligation.