

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2003-2004 SUPPLEMENTARY BUDGET ESTIMATES HEARING
6 NOVEMBER 2003**

OFFICE OF THE EMPLOYMENT ADVOCATE

QUESTIONS ON NOTICE

Question Number: W152-04

Question:

Senator Webber asked in writing:

If a person has chosen to work “unsociable hours” for the sole reason that they will get paid more (as a result of penalty rates etc), how does this impact on the no-disadvantage test?

Answer:

Where a person’s AWA provides for higher pay for work at certain hours, this is taken into account in the no-disadvantage test.