

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
SUPPLEMENTARY ESTIMATES 2009-10**

Outcome 5

DEEWR Question No. EW556_10

Senator Siewert provided in writing.

Question

FWA

How does the Commonwealth propose that FWA will become informed about the needs of the low paid workers for the purpose of setting safety net wages?

Answer

The *Fair Work Act 2009* (FW Act) contains specific provisions relevant to the means in which Fair Work Australia (FWA) may inform itself when conducting annual wage reviews. In particular:

- Section 289 requires Fair Work Australia (FWA) to call for submissions in annual wage reviews and to allow interested parties to have a reasonable opportunity to make and comment on submissions;
- Section 290 gives the FWA President the power to give a direction under Section 582 (noted below) for a matter to be investigated, and that a report about the matter be prepared, for consideration in an annual wage review; and
- Section 291 requires that if FWA undertakes or commissions research for the purposes of an annual wage review, FWA must publish the research so that submissions can be made addressing issues covered by the research.

In addition, the FW Act contains other provisions governing the general conduct of FWA that are also relevant to the conduct of annual wage reviews in Part 5-1. The relevant provisions include:

- Section 582 which gives the FWA President the power to give directions; and
- Section 590 which gives FWA discretion to inform itself as it considers appropriate, including by commissioning research.