

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

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2010-2011**

Outcome 5 - Workplace Relations

DEEWR Question No.EW0606_11

Senator Abetz asked on 20/10/2010, Hansard page 112.

Refers to previous DEEWR Question No [EW0205_11](#)

Question

NON UNION STAKEHOLDERS

Senator ABETZ—That is very wise counsel, Chair. I refer now to question EWO205_11 from the last estimates. On that occasion I used the term 'legal loophole' in reference to an issue raised by unions regarding the General Employee Entitlements and Redundancy Scheme and the answer I was given was, in essence, that there is no legal loophole. Is that correct?

Mr Kovacic—That is what the answer indicates. The operational arrangements for eligibility are that the employer needs to have entered into liquidation for employees to be eligible for assistance under the scheme.

Senator ABETZ—That is correct. Have there been representations from unions and other stakeholders about this issue in a formal sense? We read about it in the media.

Mr Kovacic—Over a period of time I think there probably have been representations. I certainly recall a period about six to 12 months ago when there were representations about GEERS more broadly. I am not aware of any specific representations more recently.

Senator ABETZ—Are you aware of any non-union stakeholders that may have made representations in this area? Take it on notice rather than have a memory test.

Answer

Representations made to the Department of Education, Employment and Workplace Relations in relation to providing General Employee Entitlements and Redundancy Scheme (GEERS) assistance prior to a company entering liquidation are usually in the form of ministerial correspondence.

These representations are made by a variety of non-union stakeholders including individual employee claimants, Members of Parliament on behalf of constituent claimants, local branches of political parties and insolvency practitioners on behalf of employee creditors.

To provide a definitive list with the specific nature of each representation would involve an unreasonable diversion of the Department's resources.

