Australian Government
Department of Employment and Workplace Relations

WHOLE OF DEWR		
1.	SB23-000125	Employment White Paper Factsheet
2.	SB23-000126	Net Zero
3.	SB23-000140	Women Factsheet
4.	SB23-000146	Economic Factsheet
5.	SB23-000080	DEWR Closing the Gap
6.	SB23-000299	Alice Springs / Central Australia plan

Employment White Paper Factsheet (whole department)

Employment White Paper – released 25 September 2023

- The Employment White Paper sets out the Government's roadmap for the Australian labour market. It lays the foundation for a more robust and equitable labour market, poised to meet the evolving demands of the future for the benefit of all Australians.
- Several measures were announced as part of the White Paper, four of which DEWR is either responsible for or will jointly manage with the Department of Education (please see table).

White paper facts/figures and the five objectives to achieve the vision

Objective 1: Delivering sustained and inclusive full employment

- Australia currently has an unemployment rate near historic lows and a participation rate around record highs.
- Around 3 million people in Australia want work, or want to work more hours (about one fifth of current workforce).
  - Around **0.5 million people are unemployed** and
  - **1 million are underemployed**
  - around **1.3 million people want to work but have not been actively looking** or are not immediately available (classified as 'potential workers').

Objective 2: Promoting job security and strong, sustainable wage growth

- Real wages have been declining since 2020 and are lower than their level a decade ago. Real wage growth is forecast to be positive from 2023–24.
- While there is some variation in what matters most to people, safety, security and fair pay are fundamental components of job quality.
  - women are more likely than men to be in jobs without leave entitlements,
  - young people (15 to 24 years old) have the highest share of non-permanent employment out of all age groups
  - while estimates vary, around 7% of workers are estimated to have offered work on a digital platform at some point in 2019.

Objective 3: Reigniting productivity growth

- In the decade to 2020, productivity growth in Australia was the slowest in 60 years. Productivity growth is the core driver of sustainable wage growth and rising living standards.
- It is especially important to find ways to boost productivity in:
  - care and support services, given this sector is growing as a share of the overall economy;
  - to harness opportunities from net zero; and
  - increasing the adoption of new digital and advanced technologies.
- One in five adult Australians have low literacy skills, numeracy skills, or both. Broad access to foundation skills programs, can improve the general capabilities and productivity of the workforce.

Objective 4: Filling skills needs and building our future workforce

- More than **9 out of 10 new jobs** expected to be created will require post-secondary qualifications.
  - Around **44 per cent of jobs will require a VET qualification**, and
  - around **48 per cent will require a bachelor's degree** or higher qualification (JSA).
- **Soft-skill intensive occupations** are expected to grow at **2.5 times the rate** of jobs in other occupations, and account for **two-thirds of all jobs by 2030**.
- Clean energy workforce occupations will need to increase by around **30 per cent by 2033** to deliver the net zero transformation. The clean energy supply workforce alone is projected to increase by around 127 per cent.

Objective 5: Overcoming barriers to employment and broadening opportunity

- Gender gaps exist for:
  - participation (**62.5% vs 71.7% for men**),
  - hours worked (**27.7 hours/week vs. 35.2** hours/week for men) and
  - pay (**13% difference** in base salary earnings from full-time work).
- Gender-skewed workforce increases the risk of workforce shortages.
  - Around 65% of occupations in shortage on the Skills Priority List have workforces where over 80% of the workforce are men or women.
- A result of this is while women have a **longer life expectancy at birth (85.2 years for women vs 81.3 years for men**) in 2020–21, median **superannuation** for women aged 60 to 64 years old was **$53,000 less than that of men**.
- The employment rate of **Aboriginal and Torres Strait Islander** people continues to significantly lag that of non-Indigenous people (**52.2% vs. 74.6%**), and the gap has not closed notably over the past 30 years.
- The employment rate for **people with disability** has been consistently lower than for those with no reported disability (**50% vs. 80%**), and has shown no improvement over 20 years.
- The unemployment rate for **15 to 24 year olds** is twice the unemployment rate for all Australians.

Definition of full employment

- The White Paper describes the Government's objective as sustained and inclusive full employment, which **is where everyone who wants a job should be able to find one without having to search for too long**.
- The Government has broader aspirations for full employment than statistical measures such as the NAIRU which has shortcomings as a measure of full employment.
- An estimate of the NAIRU can be useful to gauge macroeconomic conditions, or help inform macroeconomic policy. But it does not capture the full extent of spare capacity in the economy or the full potential of our workforce.
- The NAIRU should not be confused with, nor constrain, longer-term policy objectives.

Our involvement in the White Paper

- The department provided a secondee to Treasury, was an active member/participant in several regular inter-departmental committees and had officers engaging about content and drafting on a regular basis.
- The department co-wrote, drafted and provided comprehensive input and feedback on versions of the paper.
- The department led on several proposals announced as part of the White Paper (see table).

Next steps

- The department will focus on implementing the proposals announced as part of the White Paper (see table).
- The Government has work underway to improve employment services, consistent with the principles set out in the White Paper.
- In consultation with parents and stakeholders, the Government is developing a new voluntary pre-employment program for parents with young children to replace the ParentsNext program.

Government's jobs objectives

- The White Paper describes the Government's jobs objective as **a good, secure, fairly paid job for everyone who wants one, without having to look for too long**.
- This aligns with the Government's **workplace relations reforms**, both underway and passed, many of which have been aimed at **supporting the Government's gender equality and secure and fairly paid jobs objectives**.
- The workplace relations system sets the enabling environment for secure and fairly paid jobs.

Government's skills objectives

- The White Paper supports the key role that **Australia's training system plays in supporting labour market outcomes** for priority cohorts such as First Nations people, women, and students with disability, by reducing barriers to workforce participation.
- For Australia's national training system, the White Paper highlights the importance of:
  - An adaptable VET system that responds to emerging skills needs,
  - Ensuring that the VET, higher education and migration systems are working together to tackle skills challenges in a coordinated way,
  - The critical role of Jobs and Skills Australia in providing labour market forecasting to support education and training policy for the future, and
  - The importance of foundation skills, high quality careers advice, and breaking down barries to lifelong learning.

Employment services principles to guide future reforms.

Employment services principles
• 8 high-level principles to guide the direction of future reforms to employment services. • The principles highlight the need for a system that focuses on investing in people to support Australians to access secure and fairly paid job opportunities, address structural barriers to employment including skills, training and entrenched disadvantage, and assist employers to plan for and meet their labour and skill needs. • The 8 principles are: (1) Services are viewed as an investment that unlock individual potential, address employer needs and work with industry to bolster growth. (a) The system builds human capital and ensures job placements are appropriate. (b) Services help businesses and communities to grow by connecting people to jobs. (2) There is strong Australian Public Service stewardship in the system and the outcomes it delivers to ensure that individuals are not left behind. (3) Services protect the dignity and respect rights of individuals. (a) Services help individuals meet their employment and personal development goals. (b) Services are designed and delivered in a culturally responsive and inclusive way that meets communities' needs. (4) Services provide a pathway towards decent jobs that provide the flexibility and security that individuals need. (a) The Government may need to promote the creation of jobs to alleviate entrenched community disadvantage where labour markets are very thin and where individuals face very high barriers to work. (5) Employers use employment services to help meet their workforce needs, and can access guidance on innovative job design, recruitment practices and inclusive approaches to workforce development. (6) Employment services are designed through collaboration with individuals, employers and the community. (a) the participation of Indigenous Community Controlled Organisations, and community-based organisations, is boosted in the delivery of employment services. (7) Services help people at the earliest opportunity, informed by fit-for-purpose assessment processes. (8) Reforms are grounded in evidence, high quality evaluation and continuous learning and improvement. **Next steps** • The Select Committee and White Paper will both help inform future changes to employment services.

Table: Initiatives

Employment & Workforce initiatives
Local Jobs Program (SB23-000186)
• The program is an example of how we can use employment services to not only support and work with communities facing disadvantage, but also to support people and communities to maximise opportunities as they arise. Next steps • The Local Jobs Program is being enhanced with program eligibility to be broadened. • Staff from the APS will be deployed in three regions in Western Australia — Broome, Geraldton and Kalgoorlie to test new ways of collaborating and supporting communities through employment services.
Skills initiatives
Turbocharging TAFE Centres of Excellence and Advancing Higher Apprenticeships (EC23-004716)
• The Government announced additional investment to support skills development in the key priority areas of supporting the net zero transition, providing essential care and support services, and building Australia's digital skills capability. Next steps • A total of $41.2 million over five years will boost the capacity of up to six TAFE Centres of Excellence and support the development of higher apprenticeship pathways. Of this: ○ $31.6 million will be available to States and Territories to boost the capacity of Centres of Excellence (to be established under the National Skills Agreement) to rapidly build the partnerships with employers, unions, universities and others that will be required to lay the groundwork for increased take-up of higher apprenticeships. This would help meet critical skill needs, especially in the net zero, care and support, and digital sectors. • In addition, the Government has committed to the foundational work required to introduce a new advanced technical qualification type, equivalent to a degree at the AQF Level 7, but delivered by VET providers, initially through the TAFE Centres of Excellence.
Financial support for placements for students in care and teaching professions (scoping study) (SB23-000311)
• The White Paper highlights the need to grow and strengthen the care and support economy. Australia is experiencing persistent workforce shortages in key areas like teaching, early childhood education, healthcare and nursing. Next steps • The Government will explore options in consultation with States and Territories, as well as other stakeholders, to develop a scheme to provide financial support for students undertaking study in these important areas.
National Skills Passport (scoping) (SB23-000310)
• The White Paper announces work on a National Skills Passport that will include defining the scope, outcomes and benefits of what a passport could look like. Next steps • $7.5 million will support a business case and consultation to inform the government's decision making on implementing a National Skills Passport, with $1.8 million for DEWR. The Government will consult widely in scoping an integrated National Skills Passport to better understand the needs and demands on different parties.

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Australian Government

Employment White Paper

Working Future

The Employment White Paper – at a glance

Our vision is for a dynamic and inclusive labour market in which everyone has the opportunity for secure, fairly paid work and people, businesses and communities can be beneficiaries of change and thrive.

Our economy is changing …

Five major forces will shape Australia's economy in the coming decades.

- Our population is ageing. We can expect to live longer and spend more years in good health.
- The demand for quality care and support services is rising.
- The use of digital and advanced technologies is increasing.
- Global actions to address climate change mean Australia is one of the countries best positioned to benefit from the net zero transformation.
- Rising geopolitical risk and fragmentation is disrupting supply chains and increasing the importance of resilience.

These forces are reshaping our industrial base and changing how we live and work.

…along with our labour market

Australia's labour market has seen significant shifts in its composition, the jobs people are doing and their experiences at work. Today's labour market is far more inclusive, flexible, services-oriented and productive than in previous eras.

While a greater share of our population is in paid work than ever before, there's still considerable untapped potential with around 3 million Australians who would like more work. People's experiences in the labour market vary significantly and can be affected by where they live, their gender and if they experience disadvantage. Workforce shortages are holding back businesses and our economy and long-term solutions will be needed to meet growing workforce demands in sectors such as care and support services.

The White Paper provides a Roadmap to position the Australian labour market for the future, through investments in the skills and capabilities of our people, expanding opportunities to work, and boosting labour productivity.

Five ambitious labour market objectives to realise our vision

Delivering sustained and inclusive full employment

We want everyone who wants a job to be able to find one without searching for too long. A new and broader objective of sustained and inclusive full employment is at the heart of our agenda. It requires more than just strong macroeconomic management. We are placing a greater emphasis on addressing the sources of structural underutilisation in the labour market. This includes helping people to acquire the skills and capabilities needed for the jobs of the future and breaking down barriers that prevent people from realising their potential.

Promoting job security and strong, sustainable wage growth

A safe and harassment-free workplace, job security and flexibility with fair pay are the key parts of a decent job for many people. In the long term, real wage growth depends on productivity growth, a dynamic and competitive labour market and effective wage-setting institutions.

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Australia's system of minimum wages, bargaining and a culture of genuine workplace cooperation can support both higher productivity and higher wage growth for workers.

Reigniting productivity growth

Productivity growth is the key to delivering strong and sustainable wage growth over the long term, but it has been declining over recent decades.

Reigniting productivity growth requires a broad-based approach that promotes investments in human capital, infrastructure, competition and dynamism, and leverages the big transformations underway in our economy.

We are investing deeply in our best asset – our people – to drive future productivity growth. Workers will need the right skills and capabilities to be ready for the opportunities in the net zero and digital transformation and the jobs of the future.

Filling skills needs and building our future workforce

Preparing for the challenges and opportunities of the coming decades needs substantial growth in our high-skilled workforce. Responsive education and training systems, and a migration system which complements them, are pivotal to creating a resilient workforce.

Overcoming barriers to employment and broadening opportunity

The opportunities generated by Australia's sustained strong economy have not always been shared equally. Too many communities still face concentrated unemployment and entrenched disadvantage.

Targeted, place-based approaches can put opportunity in reach of more people, together with support from different services as they transition through life.

Our Roadmap

The Roadmap in this White Paper sets out new policies and new reform directions, as well as the work the Government has done and is doing, to achieve this vision. The Government's Roadmap is focused on 10 areas:

Strengthening economic foundations by placing full employment at the heart of our institutions and policy frameworks, progressing a five pillar productivity agenda and strengthening the foundations for secure, fairly paid jobs.

Modernising industry and regional policy so people, communities and businesses are positioned to withstand the challenges and reap the benefits as we strive to become a renewable energy superpower, realise the opportunities of technological change and broaden and deepen Australia's industrial base.

Planning for our future workforce by coordinating skill priorities and policies, and meeting workforce needs in the context of a growing care and support economy, the net zero transformation and technological change.

Broadening access to foundation skills by charting a course towards universal access to affordable, quality early childhood education and care, improving school outcomes and expanding access to adult learning opportunities that help people find and keep a secure, fairly paid job.

Investing in skills, tertiary education and lifelong learning by increasing the share of Australians studying in areas of high skills need, improving collaboration between the vocational and higher education sectors, and removing barriers to learning across the course of people's lives.

Reforming the migration system through better targeting skilled migration, improving the employment outcomes of international students and realising the employment potential of migrants.

Building capabilities through employment services by setting out clear principles for future reform and implementing changes in an evidence-based way that applies learnings from evaluations and accounts for the needs of local labour markets and individuals.

Reducing barriers to work by addressing disincentives to participate, improving the quality of support for people with disability, and promoting gender equality.

Partnering with communities to achieve genuine place-based change informed by community needs, deepening ties with social enterprise and partnering with First Nations people to support economic development.

Promoting inclusive, dynamic workplaces by working with employers to foster workplace diversity, collaborating with businesses through the employment services system and improving the quality and transparency of data to measure workplace performance.

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TONY BURKE MP
MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS
MINISTER FOR THE ARTS
LEADER OF THE HOUSE

EMPLOYMENT WHITE PAPER TO SECURE AUSTRALIAN JOBS

The Albanese Labor Government is working to ensure everyone in Australia can access secure jobs with fair pay, with the release of the Employment White Paper today.

The White Paper lays the foundation for a more inclusive and productive labour market that can meet the evolving demands of the future, for the benefit of all Australians.

It includes eight guiding principles for Government to strengthen the employment services system — with a focus on better supporting individuals, while collaborating with employers and communities.

This approach will help Australians to access quality job opportunities, address structural barriers to employment including skills, training and entrenched disadvantage, as well as assist employers to plan for and meet their labour and skills needs.

The principles will guide Government's consideration of the recommendations from the Parliamentary Inquiry into Workforce Australia Employment Services, scheduled for release later this year.

The Government is also making changes to the Local Jobs Program to ensure more people can find work, and the program meets community needs.

As part of these reforms, program eligibility will be expanded and governance strengthened, with staff from the Australian Public Service deployed in three regions in Western Australia — Broome, Geraldton and Kalgoorlie.

This will help Government to test new ways of collaborating and supporting communities through employment services.

Quotes attributable to Tony Burke, Minister for Employment and Workplace Relations:

"I want to make sure that for people who want to find work, we're removing barriers and getting them into jobs.

"We have record-low unemployment in Australia at the moment. But we can't look at that and just say, job done.

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"We need to make sure we use this opportunity to support some of the most disadvantaged people to connect with jobs.

"We want to design a system that is tailored to meet their needs too. If we do that we don't just help employers fill gaps with workers they're desperately looking for, but we change people's lives.

"We give people an opportunity that they so desperately want that makes a difference, not simply for their financial security, but also for their direct participation in Australia and in the economy."

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

25 September 2023

Turbocharging TAFE Centres of Excellence and accelerating apprenticeships

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Jim Chalmers MP
Treasurer
The Hon Jason Clare MP
Minister for Education

The Albanese Government will equip more Australians with the skills of the future by turbocharging TAFE Centres of Excellence and accelerating the take up of higher and degree apprenticeships in the priority areas of net zero, care, and digitisation.

In identifying the most important challenges and opportunities for the economy, particularly the transformation to net zero, the Employment White Paper outlines how the Commonwealth will increase funding to fast track up to six new TAFE Centres of Excellence under the five-year National Skills Agreement, which is currently being negotiated.

This extra funding will support partnerships between TAFEs, Jobs and Skills Councils, industry and universities - to establish TAFE Centres of Excellence, design and teach world leading curriculum and provide students with cutting edge skills.

In addition to the $325 million that has already been proposed by the Commonwealth Government under the National Skills Agreement for TAFE Centres of Excellence, the Government will commit an additional around $41 million, comprising of around $31 million to turbocharge the new TAFE Centres of Excellence and approximately $10 million to develop higher and degree apprenticeships.

It forms part of the Albanese Government's efforts to increase the share of Australians in areas of high skills needs, which is a key reform direction outlined in the White Paper. It also supports the Government's efforts to invest in skills, higher education and lifelong learning.

The intention is to create new degree apprenticeship qualifications and enable TAFEs to deliver new bachelor equivalent higher apprenticeships independent of universities, giving them capacity to provide students with opportunities to gain the advanced skills needed by industries.

The Government is aiming to double higher apprenticeship commencements in the priority areas identified in the White Paper over five years.

Higher apprenticeships are an innovative skills pathway, ensuring the education and training sector can respond to the skills that industry demands and is responsive and agile.

Industry needs will be built into the model by encouraging an employment relationship as part of the design meaning that students get the best of classroom and workplace learning and a line of sight to a meaningful job at the end of their training.

These reforms will mean that apprentices can get degree-level qualifications and university students can more easily get practical training and skills.

The Government's vision is for a dynamic and inclusive labour market where everyone has the opportunity for secure, fairly paid work and people, businesses and communities can be beneficiaries of change and thrive.

By equipping more Australians with the skills of the future and accelerating the take up of higher apprenticeships in key priority areas, we can help realise our vision for a brighter working future.

Quotes attributable to Treasurer Jim Chalmers:

"This is about producing more graduates with more of the skills they'll need to make the most of the big shifts that are shaping our economy into the future – whether it's the net zero transformation, growth in the care economy or adapting and adopting new technology.

"It will help to ensure employers get the people they need and workers are the beneficiaries of change in our economy. "We're turbocharging our TAFEs to deliver the highly-trained, highly-sought after workers that we need in the defining decade ahead.

"To deepen and broaden our industrial base, we need to deepen and broaden the skills of our people and the Employment White Paper is an important part of that conversation."

Comments attributable to Minister for Skills and Training Brendan O'Connor:

"As the economy continues to transform with the ageing of our population, with the transition from hydrocarbons to renewables, with the evolution of information technology to artificial intelligence, it will necessitate highly skilled workers with vocational training be complemented with cutting-edge research and knowledge.

"At its heart, these reforms are about what we need to do now and in the decade ahead, to set the vocational education and training sector up for success and we will continue to develop these reforms through the National Skills Agreement.

"For the workers of the future it doesn't necessarily have to be one or the other – TAFE or Uni – it can be a combination of technical skills development and conceptual knowledge.

"We want students of all ages to be able move more easily between vocational education and higher education to develop skills, boost productivity, and meet the skills challenge that confronts the whole of the economy."

Quotes attributable to Minister for Education Jason Clare:

“We live in a world where almost every single new job that’s created will require you to finish school and go to TAFE or uni.

“That means we need more people going to TAFE and uni and it means we need TAFEs and unis working closer together.

“That’s what this is all about, helping more Australians gets the skills they need to get the jobs the economy will need now and in the future.”

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

25 September 2023

National Skills Passport

The Hon Jim Chalmers MP
Treasurer
The Hon Jason Clare MP
Minister for Education
The Hon Brendan O'Connor MP
Minister for Skills and Training

The Albanese Government will progress a National Skills Passport, in consultation with industry and governments, as part of our efforts to help workers promote their qualifications and businesses find more skilled workers.

As a direct result of the Employment White Paper, the Government will prepare a business case to define the scope, outcomes and benefits of a National Skills Passport.

A National Skills Passport has the potential to make it easier for employees to demonstrate their skills, change jobs and upskill, while making it simpler for employers to hire new staff with the skills and qualifications they need.

This initiative forms part of our efforts to promote lifelong learning, which is a key reform direction outlined in the Employment White Paper.

A Skills Passport could combine a person's qualifications across VET and higher education to more effectively demonstrate their skills to employers.

The Government will consult widely with businesses, unions, tertiary institutions, states and territories and students in scoping an integrated National Skills Passport to better understand the needs and demands on different parties.

The Government is committing $9.1 million to support a business case and consultation to inform Government decision making.

The Government's vision is for a dynamic and inclusive labour market where everyone has the opportunity for secure, fairly paid work and people, businesses and communities can be

beneficiaries of change and thrive.

By better matching skilled workers with the businesses that need them most, we can help realise our vision for a brighter working future.

Quotes attributable to Treasurer Jim Chalmers:

“For more and more workers in the future, their education won’t finish when they graduate school or complete their apprenticeship – they’ll need to continue to re-train, renew and re-skill.

“Our goal is to make it easier for workers to have their qualifications recognised and easier for employers to find the well-trained, highly-qualified workers they need.

“It’s vital that we build a more agile and adaptable labour force. Our economy is rapidly changing, and the demands on workers and employers are changing too.

“We want to make it easier for more workers in more industries to adapt and adopt new technology and to grab the opportunities on offer in the defining decade ahead of us.”

Quotes attributable to Minister for Education Jason Clare:

“With more and more jobs requiring a post-school qualification, it is increasingly necessary for people to upskill and reskill throughout their careers.

“A National Skills Passport could make it easier for employees to demonstrate the skills they have, and for employers to have confidence that employees have the skills they need.”

Quotes attributable to Minister for Skills and Training Brendan O’Connor:

“The Albanese Government recognises the urgency of the skills crisis facing the nation and is building the skilled economy for the future.

“While our focus is on the skills shortages our economy is facing right now, we are also planning for the skills that will be needed in critical areas of emerging demand.

“Ensuring students’ skills are recognised so they can upskill, reskill and find work as the economy changes, is crucial.”

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Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

20 September 2023

Albanese and Cook Governments deliver more Fee-Free TAFE

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Roger Cook MLA
Premier of Western Australia
The Hon Simone McGurk MLA
Western Australian Minister for Training

The Albanese and Cook Governments will continue their partnership to deliver Fee Free TAFE and vocational education and training (VET) places to Western Australians over the next three years.

Under the joint partnership, a further 22,200 Fee-Free TAFE and VET places will be available for Western Australians from January 2024.

This injection of Fee-Free training places builds on the success of the initiative throughout 2023 and will continue to provide cost of living support for West Australians choosing to study in priority areas.

It continues the genuine collaboration and partnership between the Commonwealth and Western Australian governments to plug the skills gap and provide training opportunities for Australians.

Fee-Free places target areas of skills shortage such as early childhood education and care, health care, aged and disability care; technology and digital skills, hospitality and tourism, construction, agriculture, VET workforce, and defence industry.

This year saw a strong take up of Fee-Free places, with qualifications in Early Childhood Education and Care, Aged and Disability Care, Nursing, and Information Technology and Hospitality having the strongest enrolments, adding much-needed skills for these priority industries.

In 2023, fee free training is available across 130 courses including a range of qualifications and skill sets with all Western Australians eligible to access the program at WA TAFE colleges and training providers.

Quotes attributable to Minister for Skills and Training Brendan O'Connor:

"This is what genuine collaboration and partnership can achieve – real results for everyday Australians.

"Fee-Free TAFE and VET has been such a success, the Albanese Government is committing to a further 300,000 places beginning next year, with 22,200 of those places in Western Australia.

"This is a $44.5 million investment in skills and training in Western Australia.

"Fee-Free training offers a huge cost of living relief for students, grows the recruitment pool for businesses and eases the skills shortages that hold our economy back."

"In WA, plans are also underway to implement the Albanese Government's $8.2 million TAFE Technology Fund to improve training facilities in the state, yet another way we're supporting the training of workers for vital industries that are in demand now and in the future."

Quotes attributable to Premier of Western Australia Roger Cook:

"My Government has a track record on training – whether it's slashing TAFE fees, delivering free courses or investing almost $250 million into upgrades at TAFEs across the State.

"Our economic strength relies on our skilled workforce, so it's critical every Western Australian has access to our TAFE and vocational courses.

"This investment will give workers the skills they need to find quality work across our State.

"Through our partnership with the Albanese Government, the FEE FREE initiative helps to build our pipeline of skilled workers in in-demand occupations like construction, early childhood education, nursing and hospitality."

Quotes attributable to Training Minister Simone McGurk:

"Education and training can be life changing – and with Fee Free TAFE set to continue into 2024 there has never been a better time to try one of the free courses on offer.

"FREE IN '23 has already supported women and youth to overcome the cost barriers through the waiving of fees, which combined with additional wrap-around support for more vulnerable students has enabled Western Australia to smash its targets for fee free training enrolments.

"Continuing this successful initiative for Western Australians into 2024 and beyond will see more students graduating with industry relevant skills in the areas our economy needs most."

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

15 September 2023

Building a stronger workforce for a stronger industry

The Hon Brendan O'Connor MP
Minister for Skills and Training
Senator the Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

A food supply chain workforce capacity study will be undertaken by Jobs and Skills Australia to identify the best opportunities to grow a targeted workforce in the agriculture sector.

The Minister for Skills and Training, Brendan O'Connor, announced the new study today at the final meeting of the Agricultural Workforce Working Group.

The study will be undertaken between January and June 2024 and represents another successful outcome from the advocacy of the tripartite Agricultural Workforce Working Group.

Since its establishment at the Jobs and Skills Summit last year, the working group has pursued solutions to attract, skill and retain workers in agriculture and processing.

This has included advocating for the Ag Trade Apprenticeship Project currently being delivered by Skills Insight, the Agribusiness Jobs and Skills Council.

Tripartite engagement on agricultural workforce issues will continue through a quarterly Agricultural Workforce Forum.

Quotes attributable to Minister for Skills and Training, Brendan O'Connor:

"The capacity study will inform how the training, education and migration sectors can best work together to meet the workforce needs of agriculture and the food supply chain.

"The Albanese Government established Jobs and Skills Australia as an independent body to

provide advice to the government, playing a critical role in addressing Australia's current and emerging workforce skills and training needs.

"JSA's deep industry engagement and qualitative analysis will benefit the agricultural industry by identifying the immediate and emerging skills needs."

Quotes attributable to Minister for Agriculture, Fisheries and Forestry, Murray Watt:

"Agriculture is an industry of the future, offering opportunities to apply science and technology, manage the environment sustainably, and contribute to food security at home and around the world.

"To sustainably increase productivity, agriculture and the food supply chain will need a workforce with the right skills, in the right place, and at the right time – and that means having the best data and evidence available."

National Farmers Federation CEO Tony Mahar:

"The working group had played an important role ensuring that the sector's perspectives were considered across government.

"Challenges in the agricultural workforce are significant and longstanding.

"To truly move the dial a collaborative approach is best and that's what the working group has sought to do."

ACTU President Michele O'Neil:

"It's important that the decisions made about the jobs and skills needed in the agriculture industry are based on evidence.

"Unions welcome coming together with Government and employers to discuss ways forward for the agriculture industry and its workers."

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Speech

14 September 2023

Ministerial Statement - Revitalising National Planning in Vocational Education and Training

The Hon Brendan O'Connor MP
Minister for Skills and Training

Speaker –

Today I wish to outline two fundamental reforms implemented by our government in the Skills and Training portfolio.

These reforms will ensure that national planning for the skills our economy needs is timely, high quality, evidence-based and tested against the first-hand knowledge of industry.

The creation of Jobs and Skills Australia (JSA), and the creation of ten Jobs and Skills Councils (JSCs) are significant milestones in the skills and training portfolio.

They are strategically linked to provide effective, structured, national and sector-based planning to develop skills that are needed for a modern economy.

The design and scope of JSA and the JSCs are based on extensive national consultations and have strong support from a wide range of stakeholders.

This includes employers, trade unions, peak bodies, State and Territory governments, vocational education providers and universities.

Jobs and Skills Australia and the new Jobs and Skills Councils will work together and will play a critical role, in planning and guiding training and education priorities.

This will ensure workers have the right skills for secure work and for career advancement.

And that our country has the skilled workforce needed for current and emerging jobs.

Current challenges

Australia is facing one of its biggest economic challenges in decades due to the shortage of skilled workers across many areas of the economy.

We understand the extent and urgency of these challenges for Australian industries.

OECD data identified Australia as having the second-highest labour shortage amongst OECD countries.

And the Skills Priority List shows that occupations in shortage nearly doubled from 2021 to 2022, jumping from 153 to 286.

In March 2022 the former National Skills Commission predicted that over the next five years, 9 out of 10 new jobs would require post-school qualifications, half of which will require vocational training.

Jobs and Skills Australia's quarterly report released yesterday found that over the year to May 2023, 91 per cent of total employment growth was in occupations that require post-school qualifications.

Over half of this growth is in occupations that require vocational education and training pathways.

Skills planning framework for the future

We are embarking on building a new era of industry engagement in the skills and training portfolio.

Australian industries require meaningful engagement and the best possible skills planning framework to deal with skills challenges.

JSA and the JSCs have industries and experts at the core of their governance and work programs.

They will work directly with industry sectors on the planning and training required to address immediate, medium, and long-term skills needs.

And right at the heart of this is tripartism - employers, unions, and governments working in cooperation.

Speaker, creating improvements to address national skills needs requires more than the Commonwealth Government working in isolation, or with a few select and favoured partners.

We know that who you ask has a big influence on what answer you come up with. If voices are missing, solutions will be incomplete, at best.

The government's commitment to consultation and inclusion comes from an understanding that listening to a diversity of perspectives arrives at better answers.

Whether it is employers, unions, educators, or States and Territories, we are building relationships and have put in place the architecture for inclusive, tripartite governance.

Jobs and Skills Australia

Jobs and Skills Australia has replaced the National Skills Commission.

The Commission provided an important body of work, but it was limited to a narrower mandate and was not structured or resourced for deeper engagement with industries or State and Territory Governments.

A critical change, one that is central to the design of JSA, is ensuring that relevant industries and knowledgeable stakeholders have a seat at the table.

JSA is required, under the legislation, to have a governance structure that is tripartite and expert.

In the coming months, I will appoint a Ministerial Advisory Board to inform JSA's work priorities, strategies and governance.

The Board will include two representatives of States and Territories, four unions and four employer representatives, and up to four additional experts, at least one of which may be a person with lived experience of facing barriers to the labour market.

JSA has already emerged as a significant vehicle for informing policy and providing independent advice to the government on current and emerging workforce needs.

This advice can be relied upon by a wider group of stakeholders including industries, training and education providers and State and Territory governments, all of whom need quality evidence and analysis when planning and investing in skills.

Informed by this tripartite and inclusive approach, next month JSA will deliver a national Clean Energy Capacity Study.

This will outline the employment, upskilling and re-skilling opportunities that the transformation to a net zero economy will create.

And there are plenty of opportunities.

The government has made it a legislative requirement that JSA consult and publish an annual workplan.

JSA has consulted widely and will soon release its 2023-24 Workplan which will focus on the biggest challenges.

Core challenges for our economy such as the transformation to a net zero economy, the rapidly growing care and support sector, digitisation and the national need for digital skills are high priorities for JSA.

And if we're going to realise our sovereign capability ambitions, including under the AUKUS arrangement, we do need to have a higher education sector and a VET sector that works closely together and can provide the skills that are needed for our defence industry.

JSA is expanding its significant data-based capabilities to use deep industry engagement and qualitative analysis.

This will strengthen its independent, evidence-based analysis needed for national skills planning and to better support the skilled migration program.

JSA will provide insights into the development of higher apprenticeships and broader qualifications reform. It will inform the implementation of the 5-year National Skills Agreement.

The forthcoming Employment White Paper is also being informed by JSA's analysis.

JSA will undertake a body of work, including on opportunities to improve education and employment outcomes for people who have historically experienced labour market disadvantage and exclusion.

This may include people marginalised by age, health, gender, disability, culture, language, or socio-economic background.
Another key priority will be improving opportunities for First Nations' Australians.

JSA is taking an economy-wide perspective in identifying where skills shortages exist and projecting where they are likely to be in the future.

And they won't just focus on the where, but also the why and how shortages exist.

It's vital that government gets quality advice and analysis of our skills and workforce needs, informed by the best available data and the best on-the-ground intelligence.

This is the fundamental role of Jobs and Skills Australia.

Good analysis and forecasting are prerequisites to ensure we are prioritising and planning for the skills we need.

But data on its own doesn't tell the whole story.

That data needs to be tested and complemented with real-life industry experience.

I'm pleased to report that JSA is embracing this role and developing its strength in drawing on industry and education expertise, to build on its considerable technical proficiency.

Jobs and Skills Councils

Ten tripartite, industry-led Jobs and Skills Councils are now established.

JSCs will work hand in glove with JSA, providing on-the-ground industry perspective of the real economy.

JSA data and analysis will be integrated with the experiences of those running businesses who are often the first to identify emerging trends.

JSCs will lead workforce planning for their industries to identify immediate skills needs, as well as those needed in the future.

Jobs and Skills Councils have a new strategic role for industry.

They will shift the training pipeline from being slow to react to changes in the economy, to being ready and responsive in shaping skills as jobs transform and supporting the prosperity of the industries they represent.

The first major task of each Jobs and Skills Council is to consult across their industry sectors to develop workforce plans that address both existing and emerging skills needs.

They will use industry-based knowledge, understanding of trends and real-world experience.

JSCs will work with educators and training providers to develop world-leading qualifications for workers and employers.

By drawing on the best of industry knowledge and the expertise of educators, JSCs will be critical in delivering the skills our workforce and economy needs.

And JSCs are already making positive strides in meeting the high expectations of them.

The ten Jobs and Skills Councils include:
- Energy, Gas and Renewables.

- Agribusiness.
- Early Educators, Health, and Human Services.
- Arts, Personal Services, Retail, Tourism and Hospitality.
- Public Safety and Government.
- Manufacturing.
- Finance, Technology and Business.
- Mining and Automotive.
- Building Construction and Property, and;
- Transport and Logistics

The roles of JSCs and JSA are complementary and symbiotic.

JSA has a macro economy role, while JSCs have a deeper knowledge and connection to specific industry or industries.

JSA has deep data and analytical capabilities, while JSCs have deep connections to the real economy.

JSA can produce the data and JSCs can provide the context and the explanation as to what it may be telling us.

Each will inform and build on the other.

I see this as a partnership that can bring together the best on-the-ground experience, with economy-wide data and analysis, to provide powerful insights into our skills needs.

This coordination is an essential first step in determining job roles, skills needs and training pathways.

And the success of Jobs and Skills Councils relies on their relationship with stakeholders.

This engagement will be critical to ensuring that our education and training sectors are responsive to the evolving needs and expectations of industry, the economy and society.

Communication across JSCs will be vital to ensure a coherent training landscape.
For too long industry training bodies have operated in silos, leading to duplication and inefficiency.

Collaborating and sharing ideas across sectors will see benefits economy-wide that are greater than the sum of its parts.

And JSCs are off to a good start having already built a cohesive network, led by their new CEOs and Boards.

I had the pleasure of meeting with all the CEOs last month, and the sense of optimism and dedication to working together was very encouraging.

We want to achieve a training sector that anticipates the skills needs of industry and one which focuses on the needs of the learner.

To support this, together with my State and Territory colleagues, I established a tripartite, expert Qualifications Reform Design Group, Chaired by Craig Robertson, the CEO of the Victorian Skills Authority.
I have asked the group to make it easier for workers to gain transferable skills, so they have more mobility and more choice.

I would like to make it easier for students to gain recognition for what they have learned – be it on the job or as part of previous study.

I want to speed things up so we can respond more quickly as the economy shifts.

Currently, the average time to develop or update a qualification is 18 months - this is unacceptably long.

Future qualifications and updating of qualifications will be led and developed by JSCs.

It is my intention that they be supported by macro-reforms to processes that will emerge from the work of the Qualifications Reform Design Group.

World-leading qualifications are key to supporting workforce development and a stronger, more resilient, and productive economy.

At the recent Skills and Workforce Ministerial Council meeting, Ministers recommitted to the importance of this reform and expectations of a high-quality VET qualifications system.

We agreed that the system needs to be high-performing and easy to navigate, meeting the needs of employers and learners, now and in the future.

Tripartism and Governance

It is vital that the arrangements for JSCs are underpinned by an inclusive governance structure.

Employer organisations, unions and independent directors are represented in JSC governance arrangements through board composition and membership structures.

There is also an expectation that JSCs recognise and incorporate gender equality and diversity into all levels of their organisation, including their boards.

The government is committed to the inclusion and increased representation of First Nations peoples, women in non-traditional trades, people from culturally and linguistically diverse backgrounds, and people with disability.

In this regard, the JSCs will reflect their industries and wider society, giving inclusion, a voice and a space for all to be actively involved.

Conclusion

The government has an ambitious plan for Jobs and Skills Australia and the Jobs and Skills Councils.

We must grasp this opportunity to enshrine this once-in-a-generation transition to collaborative, high-quality skills and training policy design.

I thank the house.

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

12 September 2023

Skills assessment reform for migrants and local businesses

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Clare O'Neil MP
Minister for Home Affairs
The Hon Andrew Giles MP
Minister for Immigration, Citizenship and Multicultural affairs

The Albanese Government has released a discussion paper seeking feedback from stakeholders on the new standards for skilled migration assessing authorities.

The paper sets out draft principles and standards, outlines current skills assessment practices and proposed improvements to the way that skills assessments are conducted.

The current skills assessment process is complex, costly and lengthy, with the completed Migration Review calling for actions to improve and streamline the recognition of overseas skills to help migrants enter the labour market at a level commensurate with their qualifications.

Raising standards will have significant benefits for migrants, employers and industry and ensure skills assessments are being delivered optimally in terms of standards, timeframes, industry requirements and costs.

Skills assessments are required for certain visa subclasses to ensure prospective migrants have the skills, qualifications and experience to meet Australian occupational standards.

The paper is available at https://consultations.dewr.gov.au/best-practice-principles-and-standards-for-skilled-migration-assessing-authorities (https://consultations.dewr.gov.au/best-practice-principles-and-standards-for-skilled-migration-assessing-authorities) . Submissions close on Monday 23 October.

Quotes attributable to Minister O'Connor:

“Improving opportunities for Australians to acquire the skills that are in demand, but also working to ensure we have a targeted skilled migration system is an ongoing focus.

“A diverse workforce, which draws skilled workers from within Australia and overseas, will help build a solid foundation for continued economic growth.

“There is an international marketplace for skilled workers and we must ensure that we attract and retain the best and the brightest from around the world.”

Quotes attributable to Minister O’Neil:

“Improving skills assessments is a significant part of the work the government is doing as it develops the Migration Strategy, which will build a better targeted skilled migration system which delivers real benefits for migrants, Australian businesses and the entire Australian economy.

“This is another step in rebuilding a migration system which was left broken and dysfunctional by the previous government.”

Quotes attributable to Minister Giles:

“When the Albanese Government came into office, it was clear that the migration system was broken after a decade of mismanagement from the Liberals.

“We understand that there isn’t a binary choice between skilling up Australians and using our migration system to address skills shortages across the country.

“We’re committed to making sure our migration system works for all Australians, and improved skills assessment is a significant step towards achieving this goal.”

Net Zero (whole department)

- The Australian workforce is an important element in the transition to Net Zero, which will transform Australia's economy and labour market. The Department has an essential role in ensuring that workers and communities are supported.

What has been announced

Whole of APS actions:

- The **Clean Energy Workforce Capacity Study**, released on 3 October 2023, focusses on the transformation of the Australian workforce. It canvassed findings and opportunities ranging from emerging skills gaps and data improvement as well as considerations for industry through Jobs and Skills Councils, and the vocational education and training and higher education sectors around education and training pathways and reform opportunities.
- Th**e Employment White Paper**, released in September 2023, recognised that the net zero transformation will drive our economy and labour market in coming decades. This will mean shifts in industrial composition, in the jobs available, and in the skills needed to do them. The transformation is expected to have concentrated regional impacts.
- A **national Net Zero Agency** to:
    - Help investors and companies engage with net zero transformation opportunities.
    - Coordinate programs and policies across government to support regions and communities to attract and take advantage of new clean energy industries and set those industries up for success.
    - Support workers in emissions-intensive sectors to access new employment and skills as the transformation continues.
- DEWR is working closely with the Agency to align existing support across government, invest in peoples' skills and ensure secure jobs are available in regional communities. This includes taking a people-centred approach to understanding the needs of each region and ensuring subsequent responses are developed in close consultation with affected communities.

DEWR actions:

- **Local Jobs Program (SB23-000186 refers)** – Four new Australian Government Employment Facilitator services have been deployed in regions impacted by net zero, including Fitzroy (QLD), Gippsland (Vic), Hunter (NSW) and South-West WA. These staff are employed as APS officials and are additional to the contracted Employment Facilitators servicing these regions.

- **National Careers Institute** – continuation of the delivery of evidence-based information to people at all stages of their careers through the Your Career website, showcasing careers information on 1,200 occupations, education and training pathways, including financial and other supports.
- **A new National Skills Agreement** – will be leveraged to support the transition to net zero as an agreed inaugural national priority under a shared stewardship operating model, and through the establishment of TAFE Centres of Excellence.
    - TAFE Centres of Excellence and Higher Apprenticeships, including funding to support development of new higher and degree-equivalent apprenticeships in priority sectors like clean energy, announced as an outcome from the Employment White Paper.
- **New Energy Apprenticeships Program (NEAP)** encourages apprenticeship pathways in clean energy occupations to create a pipeline of skills to support the net zero transition. 10,000 apprentices will be supported to complete their training with a New Energy Apprentice Support Payment, valued at up to $10,000 over the duration of their apprenticeship to assist with the cost of living and access to clean energy industry mentoring support.
- **The New Energy Skills Program** contains three elements which include fit-for-purpose training pathways through development of resources to fast-track the uptake of existing clean energy training packages, a new mentoring program to appoint experienced mentors from industry to support new energy apprentices, and the Jobs and Skills Australia's clean energy capacity study.
- **Ten Jobs and Skills Councils (JSCs)** have been established to provide industry with a stronger, more strategic voice in ensuring Australia's VET sector delivers stronger outcomes for learners and employers, which includes an Energy, Gas and Renewables JSC. Powering Skills Organisation (CEO Anthea Middleton) JSCs will consult with their relevant industries to provide advice to Government to ensure Australia has an appropriately skilled workforce, including the workforce to support Australia's net zero transition.

Key Government Statements

- The measures support the Government's push for Australia to become a renewable energy superpower and realise the economic opportunities resulting from the global shift to clean energy, including jobs growth and economic investment across Australia, with a key focus on regional areas and ensuring Australia has a workforce skilled for current and emerging jobs.
- These measures support the Government's commitment at the Jobs and Skills Summit and are reiterated in the Employment White Paper. They take a coordinated approach with industry, unions, local government, and communities to assist affected workers and regional communities to prosper in a clean energy future.

Current status of the policy

Employment Group

- **Local Jobs Program (SB23-000186 refers)** – Employment Facilitators bring together local expertise and resources to improve labour market functioning and local delivery of a range of employment services. As the shift to a clean energy economy presents new opportunities across Australia, Employment Facilitators in all 51 regions are considering the local impacts and opportunities associated with the transformation of communities to a net zero economy. Four additional Employment Facilitators have been recruited and work is underway to recruit Support Officers with offers going out in early October.
    - A proportion of the Local Initiatives Fund, which provides flexible funding in each region, has been made available for local activities.
- **Worker Transitions (SB23-000192 refers)** – Retrenched workers and their partners continue to have immediate access to tailored employment services under the Early Access initiative and can directly register with a Workforce Australia Provider.

Skills Group

- Fee-free TAFE supports training places in areas of high demand and assists students by removing financial barriers to study. Priority sectors include construction and manufacturing.

Workplace Relations Group

- All programs and policies are being considered in the context of ensuring people can access safe and secure jobs and the process of transition respects the worker. Any closing entities will need to comply with requirements under the Fair Work legislation and any industrial instruments, including recent amendments to improve safety, security and fairness.

Stakeholders consulted

- To inform policy and program advice, DEWR consults with Commonwealth agencies (particularly DCCEEW, DISR, Treasury, PM&C and DITRDCA), State and Territory Governments, and industry and community stakeholders on a range of skills/training and workforce issues and opportunities related to the Net Zero transition.
- DEWR works closely with the Net Zero Economy Agency to engage with businesses, workers, and communities in regions particularly impacted by the transition. DEWR is actively building relationships to further enhance the Government's understanding of the eco-systems of local regions, including current and emerging skills needs and job opportunities.

Recent media on this policy

- **5 May 2023 – Prime Minister and Cabinet Media Release**: "*National Net Zero Authority*"
  See Attachment A

- **14 June 2023 – Prime Minister Media Release**: "*Appointment of Net Zero Economy Agency and Advisory Board*"
  See Attachment B

- **21 September 2023 – ABC news:** "*Net zero by 2035 would be 'monumentally' hard for Australia to achieve. But these experts argue it's critical*".
  - Net zero by 2050 has been enshrined into Australian law but some experts, including the Australian Academy of Technical Sciences and Engineering, think Australia should progress much quicker and suggest 2035 could be feasible with more aggressive policies. See *Attachment C*

Next steps, including consideration by Government where expected

- The Department will continue to work closely with the Agency (and subsequent Authority), other Commonwealth departments, State and Territory Governments, and other local stakeholders in relation to the range of workforce initiatives and to build on this as local communities and workers transition.
- In 2024, Government will consider the design of the second phase of the New Energy Apprenticeships Program in response to Jobs and Skills Australia's Clean Energy Capacity Study.

Expenditure/Budget

Table 1: Relevant Programs

Program	Description	Funding
Local Jobs Program	Additional facilitator services to support workers in regions impacted by the energy transition. Flexible funding pools to support small-scale investments to help worker and community transitions.	Reallocation of funding. *Includes Savings of $0.2 million over 2 years, from 1 July 2023 from within the Local Jobs Program.*
Early Access to Employment Services	Retrenched workers can access immediate access to Workforce Australia employment services.	$3.4 million from 1 July 2023 to 30 June 2025
New Energy Apprenticeships Program **New Energy Skills Program**	The New Energy Apprenticeships Program will support 10,000 New Energy Apprentices. The New Energy Skills Program contains three elements: 1) Fit-for-purpose training pathways to fast track the uptake of existing training packages in electric vehicles, renewables and hydrogen, resources will be developed for use by training providers. 2) A new mentoring program to appoint experienced mentors from industry to support New Energy Apprentices. 3) Jobs and Skills Australia Capacity Study	Total combined cost is $105.1 million over 9 years. Costs were revised through the 2023-24 Budget to the following due to a re-allocation of funding within the 2 measures: $87.3 million over 9 years for the New Energy Apprenticeships measure (previously announced as $95.6 million over 9 years) $17.8 million over 5 years for the New Energy Skills Program (previously announced as $9.6 million over 4 years)

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	10 October 2023

Department of Employment and Workplace Relations - Released under FOI

Attachment A – Media release: National Net Zero Authority – 5 May 2023

The Albanese Government will legislate a national Net Zero Authority to ensure the workers, industries and communities that have powered Australia for generations can seize the opportunities of Australia's net zero transformation.

The Authority will have responsibility for promoting the orderly and positive economic transformation associated with achieving net zero emissions.

The global transformation to a net zero economy is a massive source of economic opportunity for Australia, its regions, industries and workers.

The previous LNP Government put its head in the sand for a decade and ignored the pleas of communities, unions and business for coordination and support through this massive change.

In contrast, the Albanese Government is acting to capitalise on our potential as a renewable energy superpower.

The new legislated Net Zero Authority will:

1. Support **workers** in emissions-intensive sectors to access new employment, skills and support as the net zero transformation continues.
2. Coordinate programs and policies across government to support **regions and communities** to attract and take advantage of new clean energy industries and set those industries up for success.
3. Help **investors** and **companies** to engage with net zero transformation opportunities.

To kickstart the Authority's responsibilities immediately, the Government will recommend to the Governor-General the establishment of an Executive Agency from July 1 this year.

Initially housed in the Department of Prime Minister and Cabinet, the Agency will also develop advice to Government on the final design and establishment of the legislated national Net Zero Authority.

The Authority will work with state, territory and local governments, existing regional bodies, unions, industry, investors and First Nations groups to help key regions, industries, employers and others proactively manage the transformation to a clean energy economy.

The Government will also provide additional funding from the $1.9 billion Powering the Regions Fund to support existing industry – including rail and aviation – and new clean energy industries, with the creation of a $400 million Industrial Transformation Stream.

Over 150 countries have now committed to net zero by 2050, including almost all major economies and the majority of Australia's trading partners. With renewable energy the cheapest form of new energy, investor interest in Australian industries is following these trends.

The shift to net zero emissions by 2050 must happen fairly for Australians in emissions-intensive industries and the communities they live and work in.

The regions that have always powered Australia can power Australia into the future, but we need to seize those opportunities. This Authority is about leaving no-one behind as this global shift continues.

Attachment B – Media release: Appointment of Net Zero Economy Agency and Advisory Board – 14 June 2023

Prime Minister, Minister for Climate Change and Energy

The Albanese Government has today announced the Chair and Advisory Board of the Net Zero Economy Agency.

The Hon Greg Combet AM has been appointed as Chair of the Net Zero Economy Agency. As Chair, Mr Combet will guide the Agency to ensure that the workers, industries and communities that have powered Australia for generations, can seize the opportunities of the net zero transformation. The Chair will be supported by an Advisory Board to design and establish the legislated Net Zero Authority.

Members appointed to the Advisory Board:

- Professor Ross Garnaut AC - Professor Emeritus in Economics at the University of Melbourne and Professor Emeritus, College of Asia & the Pacific at ANU;
- Professor Paul Simshauser AM – CEO of Powerlink Queensland and Professor of Economics at Griffith University;
- Anthea Harris – CEO of the Australian Energy Regulator;
- Nicole Lockwood – Chair of Infrastructure WA, board member of NBN and former Shire President of Roebourne;
- Kellie Parker – CEO of Rio Tinto Australia;
- Michele O'Neil – President of the Australian Council of Trade Unions;
- Professor Robynne Quiggin - Pro-Vice Chancellor of UTS and part of Steering committee for the First Nations Clean Energy Network;
- Anna Skarbek – CEO of Climateworks Centre, Director of the Green Building Council of Australia, the Centre for New Energy Technologies, Impact Investment Group, and Sentient Impact Group;
- Tony Maher – General President of the Mining and Energy Union;
- Laura Tyler – Chief Technical Officer, BHP.

Mr Combet is uniquely qualified to lead the Agency, with expertise in government, investment, climate policy and industrial relations, as well as holding qualifications in coal mining engineering. He will begin the role on 10 July 2023.

Mr Combet is currently the Chair of IFM Investors and Industry Super Australia and formerly served as Minister for Climate Change and Energy Efficiency, Minister for Industry and Innovation, Minister for Defence Personnel, Science and Materiel, and was a leader of the Australian Council of Trade Unions.

Advisory Board members were appointed for their significant expertise across a range of areas including workplace relations, energy markets, regional development, First Nations engagement and economic development.

In addition to the Chair and Advisory Board, stakeholder reference groups will be established to guide the Agency's work with representatives to include regional experts, to engage with workers, industry and communities about the transition to net zero.

Last month the Government committed to legislate a national Net Zero Authority, which will work with state, territory and local governments, existing regional bodies, unions, industry, investors and First Nations groups to help key regions, industries, employers and others proactively manage the transformation to a clean energy economy.

To kickstart the Authority's responsibilities immediately, the Net Zero Economy Agency will start work from July this year.

Attachment C – ABC News: Net zero by 2035 would be 'monumentally' hard for Australia to achieve. But these experts argue it's critical – 21 September 2023

https://www.abc.net.au/news/2023-09-21/experts-say-net-zero-should-be-by-2035-for-australia/102881722

By political reporter Tom Lowrey

World leaders are gathering in New York to talk climate change, accepting an invitation from the United Nations for a "no-nonsense" summit aimed at sharpening the globe's efforts to counter global warming.

Key points:

- The Albanese government enshrined its net zero 2050 policy into law last year
- Foreign Minister Penny Wong is attending the summit
- Some experts argue Australia should aim to be net zero by 2035

But some experts are warning Australia's ambitions need to be scaled up dramatically — to help lead the world into a much faster slashing of emissions than what it currently planned.

Australia is taking its net zero by 2050 policy to the UN Climate Ambition Summit, which the Albanese government enshrined in law last year.

Foreign Minister Penny Wong is attending, a move criticised by the Greens, who argue the prime minister should be attending.

UN secretary-general Antonio Guterres has called on countries at the summit to bring "credible, serious and new climate action and nature-based solutions that will move the needle forward", arguing the goal of limiting warming to 1.5 degrees Celsius is "gasping for breath".

Some experts are now arguing Australia's ambition should be increased and accelerated dramatically — from net zero by 2050, to net zero by 2035.

Among them is the Australian Academy of Technical Sciences and Engineering (ATSE), made up of 900 scientists and engineers, who argue net zero by 2035 is "technically feasible" if the resources and policies required are put in place.

Even then, ATSE president Katherine Woodthorpe said it will be an extraordinary challenge to meet.

"It is absolutely feasible, but at huge effort," she said.

"But by the same token, if you don't focus on a huge effort it is easy to drift into complacency. And we won't even make the 2050 targets."

The group acknowledges Australia's current policies, aiming for net zero by 2050 and a 43 per cent reduction by 2030, broadly aligns with the commitments of other nations.

But it argues Australia should go further, pointing out that the country is the 14th largest emitter globally, with a disproportionate impact on the global climate.

Department of Employment and Workplace Relations - Released under FOI

Ms Woodthorpe said it is increasingly clear that 2050 won't be soon enough.

"2050 seemed acceptable — I mean, to scientists it still seemed a long way out — but even since those declarations were made, the evidence continues to mount that it's just not enough," she said.

"We just need to be more assertive, more aggressive in achieving those targets earlier, it's just critical."

What does net zero by 2035 look like?

Achieving net zero by 2050 will already require a remarkable economic shift — with a complete reworking of the energy grid, the transport sector, the resources industry and many other parts of the economy.

Doing so by 2035 would require all of that to happen in just over a decade, rather than the two and a half decades currently planned.

The Climate Council is also advocating for net zero by 2035, arguing the bulk of the change required to reduce emissions can't be put off for decades ahead.

The Council's 4esearch director Simon Bradshaw said a net zero economy will require a total transformation.

"We will have ended the reckless expansion of new fossil fuels, and shifted entirely to a 100 per cent renewable energy powered electricity system," he said.

"We will have also been building the clean, prosperous industries of the future — green steel, exporting clean energy, the export of various materials and components needed to support the world's decarbonisation efforts.

"This is the biggest economic opportunity we've ever faced."

Substantial changes to the power grid are seen as a big part of the equation, away from centralised generators near capital cities to decentralised generation — requiring power to be moved constantly around the country.

Electric cars would dominate personal transport, with alternative fuels needed for heavy vehicles.

Mr Bradshaw acknowledges there will be enormous challenges for those whose livelihoods are directly impacted by the transition away from carbon-intensive industries.

"It really does start with listening to communities about what they're going through and what they need," he said.

"But fundamentally, the sooner we get on the path of a clean future economy and bringing our emissions down, the sooner we're unlocking those opportunities for communities around the country, on their terms."

What about coal and gas? And nuclear?

Both the ATSE and Climate Council argue the opening of significant new coal and gas projects makes little environmental or economic sense.

The Minerals Council and other groups have argued all fuels, including coal and gas, have a role in reaching Australia's net zero targets.

Ms Woodthorpe said economics alone will largely end the expansion of the coal industry much further.

"The reality is that not only are we reducing our dependence on coal, but really importantly, so are our [overseas] markets," she said.

"To increase our coal supply to both ourselves and others at the moment seems economically and practically a mistake, as well as environmentally."

She said the role for gas as a transition fuel, and in providing peaking power supply, is clear — but the need for significant new gas projects is not.

"We have more than enough gas that we're pumping out of the ground at the moment to see us through the transition, we really don't need more," she said.

The federal opposition has called for a renewed considering of nuclear energy as an alternative zero-carbon power source, including the option of a "coal to nuclear" transition.

It suggests small, modular reactors could help take on the base load supply role played by coal, even taking the sites currently occupied by coal generators.

Some countries are pursuing small modular reactors as part of their transition, and some commercial reactors are in development.

Ms Woodthorpe said it simply is not feasible for Australia in the time frame required.

"If you're talking small modular reactors, there's none commercially available yet, we don't know when they'll be commercially available, and we don't know at what cost," she said.

"So to plan for implementing technologies that are developed outside Australia, that we have no input to, and we don't know when they'll be available or how much they'll cost just doesn't tick the boxes on practicality and economics."

Department of Employment and Workplace Relations - Released under FOI

Women Factsheet

Key Issues

Labour Force

- ABS Labour Force Survey figures for August 2023 show that **women's labour force participation remains at a near record high of 62.5 per cent.** While the female participation rate has improved, it remains 9.2 percentage points below the male participation rate of 71.7 per cent. ABS Labour Force Survey figures for August 2023 show that women make up 38.8 per cent of full-time workers in Australia, however 67.4 per cent of part-time workers.

Gender Pay Gap

- **As at May 2023, the gender pay gap in Australia was 13 per cent (record low)**, with women in full-time work earning an average of $252.30 per week less than men. This is down from 14.1 per cent 12 months prior. Women working full-time still earn less than men working full-time in every industry, even in those that are female dominated. The gender pay gap is even larger for some groups of women, such as women in regional areas and women with disability.

Gender Segregation

- **Australia has a highly gendered workforce with around 65 per cent of occupations in shortage on the Skills Priority List having workforces that are over 80 per cent men or women** - for example aged care is almost 90 per cent women. Women represent 29.6 per cent of all apprentices in training and just 8.1 per cent of all trade apprentices in male-dominated trades (NCVER March 2023 quarterly data).

Women in Leadership

- In 2021, although women accounted for 41 per cent of all levels of managers in Australia, less than one in five CEOs or business leaders were women. **Only one in four organisations had a gender-balanced leadership team** (refer KPMG (2022) She's Priced(less): The economics of the gender pay gap).

Workplace Sexual Harassment

- Workplace sexual harassment continues to be an unacceptable feature of Australian workplaces. Women who experience sexual harassment are more likely to switch to jobs that are gender segregated and have lower pay. In March 2020, the Australian Human Rights Commission released the Respect@Work: **Sexual Harassment National Inquiry Report. The report made 55 recommendations directed to all levels of government and the private sector for policy and legislative reforms to prevent and address workplace sexual harassment.**

Workforce Australia

- **In Workforce Australia women are over-represented among long-term participants, including those who have been in employment services for extremely long periods.** Women are at increased risk of remaining on income support long-term. Even after taking into account other factors such as age, parenting responsibilities, level of education and work experience, the gap is still there.

Achievements to date

Fair Work Act reforms (EC23-002734)

- The Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 introduced 10 days of paid family and domestic violence leave each year, which means victim/survivors don't need to choose between pay or safety.
- Reforms in the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 put gender equality at the heart of the workplace relations system, added new objects to the Fair Work Act 2009, reformed the equal remuneration provisions and improved access to flexible work arrangements.
- The Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023 provided stronger access to unpaid parental leave to help families share work and caring responsibilities.
- The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 will close loopholes that undermine pay and conditions through stronger protections against gender-based discrimination, a new definition of casual employment and enhanced dispute resolution.

New parents' program (SB23-000153)

- The government announced **during the 2023-24 Budget the decision to end the ParentsNext Program and replace it with a new voluntary service.** From 5 May 2023, all compulsory requirements for participants in ParentsNext were paused.
- **In partnership with community organisations and Services Australia the Department has recently undertaken a consultation process to design the new service.** The consultation process was an opportunity to better understand the needs of parents and how a new service can support them to plan for their future education and employment goals, build their capabilities and skills, and work toward the type of paid work they want, when they are ready.

Employment Services Reform (SB23-000181)

- **On 2 August 2022**, the **House Select Committee on Workforce Australia Employment Services was established** to inquire into and report on matters related to Workforce Australia.
- **On 16 September 2022**, **the Committee resolved** to include pre-employment and complementary programs within the scope of its inquiry, and to **specifically consider the role of ParentsNext**.
- The Committee has heard from many women's advocates including the National Council of Single Mothers and their Children, Equality Rights Australia, the BRAVE foundation and the National Women's Safety Alliance.
- **The Committee's interim report on ParentsNext was released in February 2023 and the final report is expected to be released in November 2023.**

Australian Skills Guarantee (SB23-000107)

- **The Australian Skills Guarantee (Skills Guarantee) will introduce new national targets to ensure one in 10 workers on eligible Commonwealth funded major projects are an apprentice, trainee or paid cadet.**
- Targets will apply to major Commonwealth construction and information and communications technology (ICT) projects with a total contract value of $10 million or more.
- **The Skills Guarantee will also include targets for women to ensure more women benefit from the economic opportunities created by government investment, gaining skills and qualifications, and secure careers.**
- Targets will be applied to Commonwealth tender processes from 1 July 2024.

Attachment A

What has the Government said about gender equality?

Media Article 'Gender pay gap drops to lowest level on record under Albanese Labor government'

> *"I am pleased to be part of a government that is driving action to close the gender pay gap by increasing the minimum wage for aged care workers, banning pay secrecy clauses and passing our Closing the Gender Pay Gap legislation. But there is still plenty of work to do for women whose weekly full-time income is still, on average, $252.30 lower per week than men."*

Cite Reference:	*Senator the Hon Katy Gallagher Minister for Women*	*17 August 2023*

Speech 'Apprenticeship Support Australia 25th Year Celebration Lunch'

> *"The Skills Guarantee will ensure one in 10 workers on major Commonwealth funded projects is an apprentice, trainee or paid cadet. It will also include targets for women to drive long-term sustainable change and reduce gender segregation in the apprenticeship system."*

Cite Reference:	*The Hon Brendan O'Connor MP, Minister for Skills and Training*	*31 August 2023*

Media Article 'Albanese Government to scrap ParentsNext program'

> *"Women around the country have been telling us that the former Government's ParentsNext program is punitive, counterproductive and causes harm. At the election we committed to listen to women's experiences and make decisions that make their lives better and fairer. That's why we will abolish ParentsNext from 1 July 2024.*

Cite Reference:	*The Hon Tony Burke MP, Minister for Employment and Workplace Relations and Senator the Hon Katy Gallagher Minister for Women*	*5 May 2023*

Gender pay gap drops to lowest level on record under Albanese Labor government

Release Date:
Thursday 17 August 2023
Media release
Listen

New data released by the Australian Bureau of Statistics (ABS) today shows that the national gender pay gap has dropped from 13.3% in November 2022 to 13% in May 2023, the lowest level on record.

At the election, Labor committed to help close the gender pay gap and make women's economic equality a priority of government.

Minister for Women, Senator the Hon Katy Gallagher, said that the figures released today show that Labor's efforts to drive a better deal for women have been working.

"I am pleased to be part of a government that is driving action to close the gender pay gap by increasing the minimum wage for aged care workers, banning pay secrecy clauses and passing our *Closing the Gender Pay Gap* legislation," said Minister Gallagher.

"But there is still plenty of work to do for women whose weekly full-time income is still, on average, $252.30 lower per week than men.

"That's why Albanese Government will release an Employment White Paper at the end of August and look to further reforms in the Workplace Gender Equality Act in early 2024 to further speed progress in closing the gender pay gap."

The ABS gender pay gap data can be found online at The ABS data gender pay gap

Speech - Apprenticeship Support Australia 25th Year Celebration Lunch

Ministers:
The Hon Brendan O'Connor MP
Minister for Skills and Training
31 August 2023

Acknowledgement of Country

I want to acknowledge the Wurundjeri and Woi Wurrung people of the Kulin Nation, and pay my respects to Elders past, and present.

And I extend that respect to any First Nations and Torres Strait Islander people here today.

I am proud to be part of a government that will give every Australian the opportunity to vote for constitutional recognition of Aboriginal and Torres Strait Islander people.

Introduction

We are here today to celebrate 25 years of achievement.

Since 1998, the Australian Apprenticeship Centre, and more recently, Apprenticeship Support Australia, has a played pivotal role in supporting apprentices to transition from training to tradesperson.

Yet right now, we face a dramatic skills shortage. The worst since WW2.

And in overcoming this shortage we must work together, and every group represented in this room has a part to play.

Government values greatly the role of stakeholders in determining practical and viable policy alternatives, and we recognise that those closest often have some of the most powerful insights into solving ongoing challenges.

Your unique positioning gives you the ability to envisage problems and propose solutions, ultimately having a deeply positive influence on the direction of future apprenticeship policy.

And this is coupled with a passion for VET, apprentices and trainees.

It’s become clear, without a properly funded VET sector, and a genuine support structure for apprentices and trainees, we will not keep up with changing industry needs.

Needs that are changing faster than ever. Industries are innovating rapidly, and our workforce needs to keep pace.

We must have the skills pool to face the global challenges of our time.

And to make a real difference one of the priority challenges is improving apprenticeship completion rates.

Apprenticeship completion rates

Recent data shows only 56 percent of apprentices complete their apprenticeships.

Just over half of apprentices are finishing their training at a time when we're grappling with the most serious skills shortage in decades.

I don't need to spell out just how important it is that we turn this around.

Now, I get the chance to meet and talk with great VET students, apprentices and trainees from all around the country.

And I'm under no illusions.

A lot of them are young and exploring their first career.

So naturally there will always be some apprentices who decide that it's not for them.

But we must remain ambitious and understand the reasons why many are not completing.

Of the 44 per cent of apprentices dropping out, it's a safe bet that some of them would have made great qualified tradespeople, had they just been better supported to finish.

That's why our government wants to offer more proactive support services over the life of apprenticeships.

This is particularly important in the first two years, when wages are typically at their lowest and apprentices are at the highest risk of dropping out.

Mentoring and in-training support is an important focus – especially for apprentices who experience additional barriers to finishing their training.

We are focusing our efforts on ensuring Australians have the skills in demand

Department of Employment and Workplace Relations - Released under FOI

now, and into the future, to support secure employment and address skills needs.

One-in-four apprentices drop out during their first year when wages are at their lowest.

This says to me they need more support.

So, for that reason we've expanded the list of occupations covered by the Australian Apprenticeship Priority List from 77 to 111.

This means more apprentices can access direct payments of up to $5,000 under the Apprentice Training Support payments, or up to $10,000 under the New Energy Apprenticeship program.

And it's not just trade apprentices and trainees that need extra support.

People training for vital jobs in our care sectors are another example of where we need thousands more skilled workers.

It's why we recently passed legislation that expands interest-free, income-contingent support loans to non-trade apprentices for the very first time.

This means approximately 35,000 additional apprentices and trainees in areas of skills shortage will become eligible for important cost-of-living support.

In addition to financial incentives, our government is strengthening apprenticeship services and supports to lift completion rates, but just as importantly make sure apprentices feel valued in the workplace.

In 2021, 14 percent of trade apprentices who dropped out did so because they didn't get on with their boss.

Not always but in many instances - that's a solvable problem.

They could switch employers and remain in an apprenticeship.

They could be better supported to adapt to a workplace, and employers could be mentored to improve their engagement with apprentices.

And we're focusing support on under-represented groups who face additional barriers to engaging and continuing apprenticeships.

Women in male-dominated trades, First Nations apprentices, apprentices in remote locations, and apprentices with disability.

Department of Employment and Workplace Relations - Released under FOI

We are also leveraging government investment in major projects to help train the next generation of skilled workers through the Australian Skills Guarantee.

The Skills Guarantee will ensure one in 10 workers on major Commonwealth-funded projects is an apprentice, trainee or paid cadet.

It will also include targets for women to drive long-term sustainable change and reduce gender segregation in the apprenticeship system.

And to access improved support, we are vastly improving access to TAFE courses needed to access apprenticeships, or complete them.

Conclusion

Many in this room have made a significant contribution to the skills development of Australians.

I commend your commitment to industry, employers and apprentices, and thank you for a generation long legacy of success.

Albanese Government to scrap ParentsNext program

Ministers:
Senator the Hon Katy Gallagher
Minister for Finance
Minister for Women
Minister for the Public Service
The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts
Date:5 May 2023

Women around the country have been telling us that the former Government's ParentsNext program is punitive, counterproductive and causes harm.

At the election we committed to listen to women's experiences and make decisions that make their lives better and fairer.

That's why we will abolish ParentsNext from 1 July 2024.

As a first step, from 5 May 2023, we will immediately pause all compulsory requirements for participants in ParentsNext.

More information here: www.dewr.gov.au/changes-parentsnext

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	09 October 2023

Economic Factsheet

Key points

- The Economic Fact Sheet is attached to this document in Attachment A. It provides an overview of the latest key economic and labour market statistics.
- Additional information about labour force participation trends and the characteristics of underutilised people is included in Attachment B.

Key data

- As shown in Chart 2 in Attachment A, Australia's economy grew 2.1 per cent over the year to the June quarter 2023, which is below the long-term annual average.
    - Since the December quarter 2019 (prior to COVID-19), Australia's real GDP has grown more than NZ, USA, Euro area, Japan, and UK.
    - Consumer confidence is subdued due to concerns about inflation and petrol prices. Business confidence is more positive thanks to solid profitability, trading, and employment, but still below the long-term average.
- As shown in Chart 4 in Attachment A, Australia's labour force participation rate in August 2023 (67.0 per cent) was above its pre-COVID rate and above other countries such as the UK and USA.
- As shown in Chart 5 in Attachment A, Australia's unemployment rate in August 2023 (3.7 per cent) was below its pre-COVID rate and below other countries such as the UK and USA.

Attachments

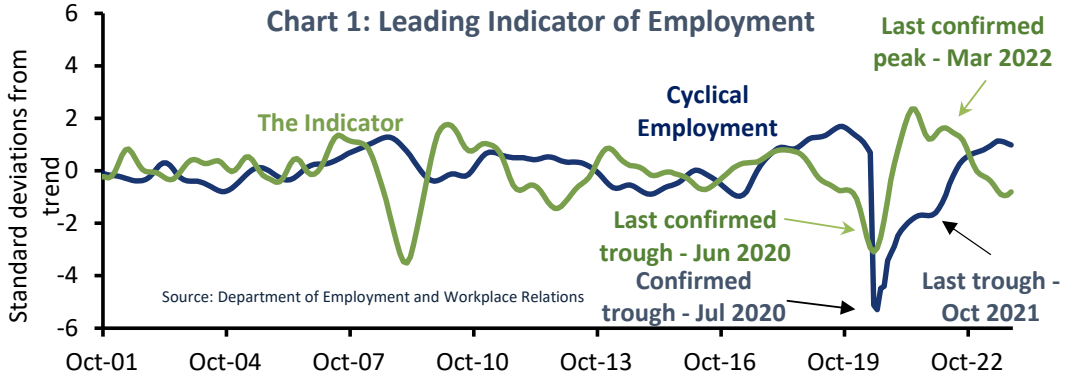
- Attachment A – Economic Fact Sheet
- Attachment B – Economic Fact Sheet additional information

ECONOMIC FACT SHEET

Data are seasonally adjusted unless otherwise stated **Last Updated: 19 October 2023**

Economic Outlook

The Monthly Leading Indicator of Employment (the Indicator) has risen for the second consecutive month in October 2023, after an upward revision for September 2023.Having fallen for 17 consecutive months to August 2023, the Indicator's latest two monthly rises, do not confirm a trough because the Indicator has risen for fewer than six successive months. The 17 consecutive declines confirms the Indicator's peak in March 2022 and signals a likely slowdown in the annual growth rate of employment in coming months.



Business and consumer sentiment remain subdued. Consumer confidence has improved slightly from its low a couple months ago but remains very subdued. Business confidence is more positive but remained below average in September. Reported business conditions fell but remain above the long-term average, indicating businesses continue to be more positive about current conditions than the future.

Table 1: Forecasts of Australia's unemployment rate and annual real GDP growth rate

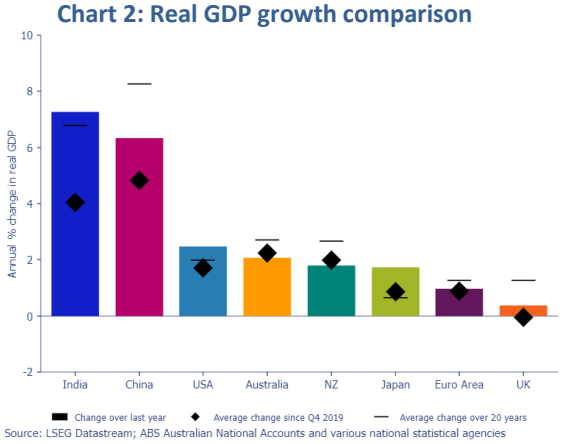
		2023–24	2024–25		June 2024	June 2025
Treasury	Annual real GDP growth (%)	1½	2¼	Unemployment rate (%)	4¼	4½
RBA		1	1¾		4¼	4½
OE		1¼	2¼		4½	4¼

Source: Treasury Budget 2023-24, Reserve Bank of Australia (RBA) August 2023 Statement on Monetary Policy, Oxford Economics (OE) Global Economics Model, June 2023.

Economic Growth

- Australia's economy grew 0.4 per cent in the June quarter 2023 and 2.1 per cent over the year, below the long-term annual average (2.7 per cent).
- Since Q4 2019 (prior to COVID-19), Australia's real GDP has grown more than NZ, USA, Euro area, Japan, and UK, but below China and India. [a]

Chart 2: Real GDP growth comparison

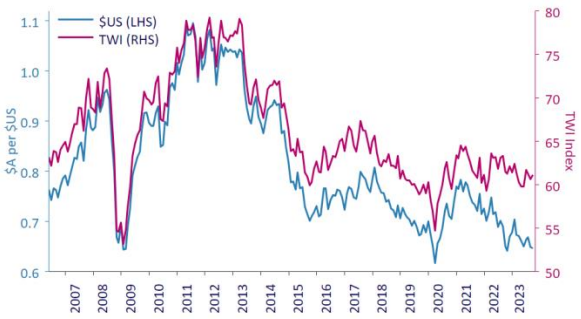


Source: LSEG Datastream; ABS Australian National Accounts and various national statistical agencies

Interest and Exchange Rates

- The RBA's Official (Cash) Interest Rate remained at 4.10 per cent per annum in October 2023, which is up from 0.10 per cent in April 2022.
- The Australian exchange rate was steady in September 2023 to finish the month at $0.65 against the USD and 61.1 for the Trade Weighted Index (TWI) and is roughly the same over the year against both.

Chart 3: Australian dollar exchange rates



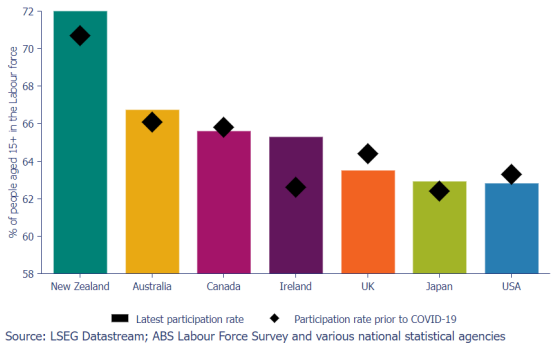
Source: LSEG Datastream; RBA. Data is in original terms

Department of Employment and Workplace Relations - Released under FOI

Labour Force Participation

- Australia's labour force participation rate (66.7% in September 2023) is above Canada, Ireland, the UK, Japan, and the USA, but below NZ.

Chart 4: Labour force participation[b] rate comparison



Source: LSEG Datastream; ABS Labour Force Survey and various national statistical agencies

Unemployment

- Australia's unemployment rate (3.6% in September 2023) is below Canada, the UK, Ireland and the USA, similar to NZ, but above Japan.

Chart 5: Unemployment rate comparison

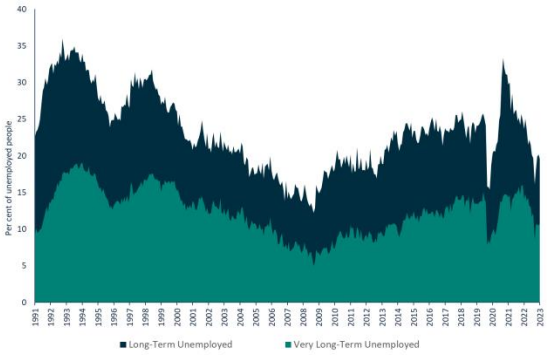


Source: LSEG Datastream; ABS Labour Force Survey, and various national statistical agencies

Long-term Unemployment

- There were 105,700 long-term unemployed (LTU) people in Australia, of whom 58,200 were very long-term unemployed (VLTU) in August 2023.
- Around 19.6% of unemployed people were LTU and 10.8% were VLTU.

Chart 6: LTU and VLTU incidence

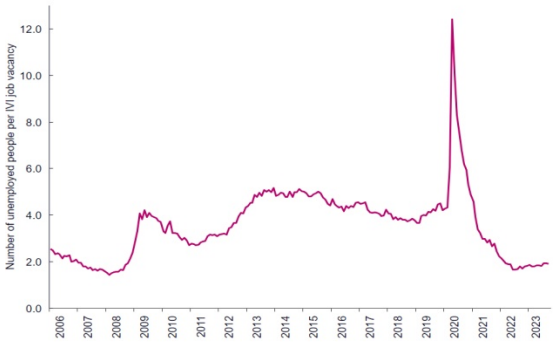


Source: calculated based on data from ABS Labour Force, Australia, Detailed.[c]

Labour Market Tightness

- The labour market is said to tighten if there are fewer unemployed people per job vacancy.
- While the ratio of unemployed persons to Internet Vacancy Index (IVI) job vacancies held steady at 1.9 in September 2023, it has been trending gradually upward since hitting a trough of 1.7 in July 2022.
- The ratio peaked at 12.3 at the start of the COVID-19 outbreak in April 2020.[d]

Chart 7: Unemployed per IVI job vacancy

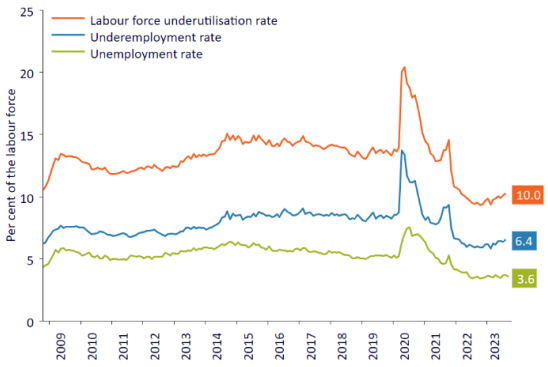


Source: LSEG Datastream; ABS Labour Force Survey and JSA Internet Vacancy Index

Underutilisation

- In August 2023 there were 1,451,800 underutilised people in Australia, of whom 520,500 were unemployed and 931,300 were underemployed.[e]
- The underemployment rate has been higher than the unemployment rate since January 2003.

Chart 8: Unemployment, Underemployment and Labour Force Underutilisation Rates



Source: LSEG Datastream; ABS Labour Force Survey

Notes

a) Real GDP is an inflation adjusted measure of economic growth (unlike nominal GDP), which is more useful for comparing over different time periods. China's GDP is measured in four quarter moving average terms to account for seasonality.

b) The labour force participation rate is the proportion of the population aged 15+ (or 16+ in the USA and UK) that is either employed or both available for and actively looking for work (i.e. unemployed).

c) People who have been unemployed for a year or more are LTU while people who have been unemployed for two years or more are VLTU.

d) The number of unemployed people was understated during COVID-19 because it doesn't include people who were stood down (but remained employed) or left the labour force during lockdowns.

e) Underemployment includes people employed part-time (fewer than 35 hours per week) who want to work more hours and people who usually work full-time (35 or more hours per week) but worked part-time hours in the reference week for economic reasons.

Department of Employment and Workplace Relations - Released under FOI 45 of 853

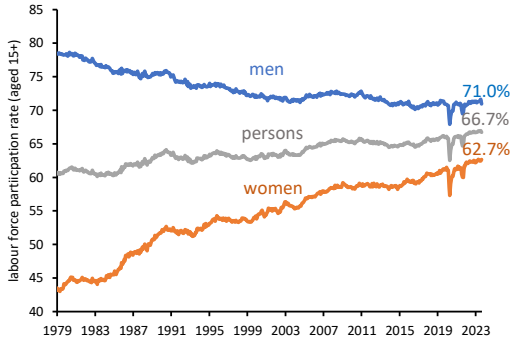
ATTACHMENT B: Economic Fact Sheet additional information

Data are seasonally adjusted unless otherwise stated **Last Updated: 19 October 2023**

Labour force participation trends

- In September 2023, around 71.0 per cent of men and 62.7 per cent of women aged 15+ were in the labour force.[a]

Chart B1: Labour force participation by gender

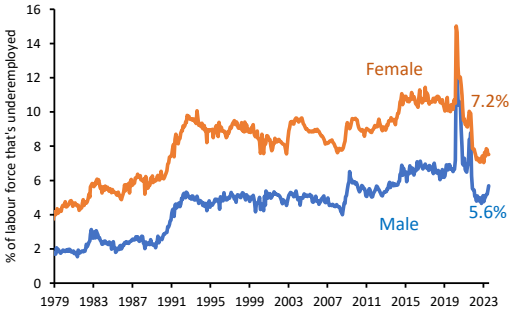


Source: ABS Labour Force Australia, September 2023

Underutilisation by sex

- Women and men tend to have similar unemployment rates, but women are much more likely to be underemployed.[b]
- In September 2023, the underemployment rate for men was 5.6 per cent while the underemployment rate for women was 7.2 per cent.

Chart B2: Underemployment rate by sex

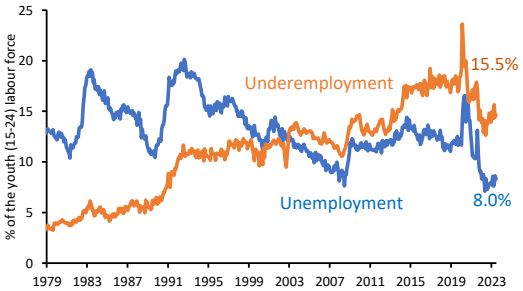


Source: ABS Labour Force Australia, September 2023

Youth underutilisation

- In September 2023, the youth (aged 15 to 24) unemployment rate was 8.0 per cent while the youth underemployment rate was 15.5 per cent.

Chart B3: Youth Underutilisation

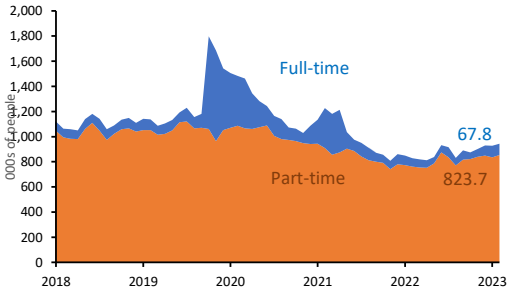


Source: ABS Labour Force Australia, September 2023

Underemployment by hours worked

- In September 2023, 823,700 underemployed people (92.4 per cent) were employed part-time but wanted to work more than their usual hours, while 67,800 (7.6 per cent) were employed full-time but worked fewer hours than usual due to economic reasons.[c,d,e]

Chart B4: Underemployed people by hours worked

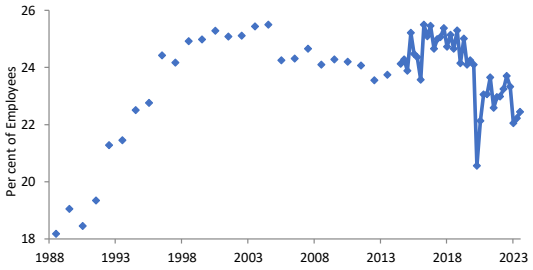


Source: ABS Labour Force Australia, September 2023. Data in original terms

Casual employees

- In August 2022, 17.3 per cent of casual employees[f] were underemployed compared with only 2.3 per cent of permanent employees.
- In August 2023, around 22.4 per cent of all employees were casuals, down from around 25.0 per cent in the two decades prior to COVID-19.

Chart B5: Casual employee incidence



Source: ABS Labour Force Australia, August 2023 and ABS Characteristics of Employment, August 2022. Data in original terms. Data prior to 2014 is only available annually)

Notes

a) The labour force participation rate is the proportion of the population that is either employed or both available for *and* actively looking for work (i.e. unemployed).

b) Note that this underemployment data is in original terms whereas the underemployment data in the main Fact Sheet is in seasonally adjusted terms, so they won't align perfectly.

c) A person is employed part-time if they work less than 35 hours per week. They're employed full-time if they work 35 or more hours per week.

d) This underemployment data is in original terms while the underemployment data in the main Fact Sheet is in seasonally adjusted terms, so they won't add up exactly.

e) The standard definition of underemployment reported above doesn't include people who worked full-time hours but still wanted additional hours, or people who usually work part-time hours but worked fewer hours than usual for economic reasons. These groups are included in the *extended* definition of underemployment.

f) The main indicator the ABS uses for casual employment is whether an employee is entitled to paid leave, which includes paid sick leave or paid annual leave.

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s. 22(1)
Date Last Cleared 11 October 2023

SB23-000080
Data for: XX Month to XX Month

* DEWR Closing the Gap

Key points

- The department is committed to the National Agreement on Closing the Gap (National Agreement) and to working in genuine partnership with First Nations people to achieve both the education and training, and employment targets it contributes toward.
- The department is taking a ground up approach to establishing partnerships and engagement arrangements and embedding priority reforms into the way we work.
- Engagement with the Coalition of the Peaks, Aboriginal and Torres Strait Islander peoples and organisations, and stakeholders at a range of levels is informing new programs and policies, and there will be stronger and deeper engagement progressively built into established programs.
- The department is working closely with the Department of the Treasury as it explores opportunities with the Coalition of the Peaks for an Economic Participation partnership – a key outcome of the Jobs and Skills Summit.

DEWR's key corporate activities

- Develop Reconciliation Action Plan (RAP) in 2023
- Appointed First Nations Senior Executive officer to oversee DEWR's CTG efforts
- Participate in Jawun Secondment and support SES to attend Garma festival
- Celebrate NAIDOC and Reconciliation Week
- A dedicated Yarning Room meeting facility
- Provide support through an Employee Network and Indigenous Liaison Officer
- Appointed two First Nations Co-champions

2023 Budget Announcements

EMPLOYMENT AND WORKFORCE

Partnerships and shared decision-making

- The Department is supporting the establishment of the National Indigenous Employment and Training Alliance, which will be a peak body for First Nations peoples' employment and training matters. This will enable formal partnerships to be established on policy development.

Time to Work Employment Services

- In the 2023–24 Budget the Government announced that the Time to Work Employment Service will be extended for a further year until 30 June 2024 to better service First Nations prisoners to connect with employment services and assist them to move from prison to work.
- The Department has been undertaking extensive engagement and collaboration with stakeholders nationwide to inform future servicing arrangements. This included engagement with people with lived experience of prison, justice advocates, and local community organisations and social enterprises.

ParentsNext

- The Government has announced that it will abolish ParentsNext from 1 July 2024, and develop a new voluntary program. As at 31 August 2023, First Nations participants comprised 21.3 per cent of the ParentsNext caseload (or 19,175 participants). The design of this new service is being informed by extensive consultation with parents, community groups, experts, service providers and others with an interest in supporting First Nations parents to achieve their education and employment goals.
- As compulsory requirements have been paused, ParentsNext providers are encouraged to actively engage with participants and other eligible parents to promote the benefits of participating in the program, such as the financial support available through the Participation Fund.

Continuity of employment services in Broome

- The Government is providing $5.6 million over five years to establish new employment servicing arrangements in the Broome Employment Region. DEWR has been working collaboratively with First Nations people and organisations to develop a service that better suits the local context and complex needs of the local community.
- This measure will support the continuity of service for participants as the current Workforce Australia Services provider in Broome exits the program and during the transition to new arrangements with a First Nations provider, supported by Australian Public Service personnel.

SKILLS AND TRAINING

Foundation skills

- In the 2023-24 Budget, the Government has committed $3.5 million to extend the **Foundation Skills for Your Future Remote Community Pilots** for a further 12 months while reforms to the foundation skills programs are implemented.
  - The pilots are underway in 4 locations including NT, SA, WA and northern Queensland, and have been designed and are being delivered in cooperation with communities and Aboriginal Controlled Community Organisations.
- As part of the 2023-24 Budget, the Government has committed to providing $436.4 million over 4 years to a redesigned **Skills for Education and Employment (SEE)** program.
  - The SEE program is providing ongoing language, literacy, numeracy and digital skills training that is accessible, flexible and delivers outcomes for participants in remote Australia.
  - Over the last 3 years Indigenous participation in the SEE program has remained consistent at approximately 6% of all SEE participants.
  - Commencing on 1 July 2024, the program will be delivered through a mix of national and local place-based solutions to improve access and delivery.
    - This will include a specific focus on First Nations people with approximately $46.0 million being set aside to support up to 2,000 First Nations people per year to access tailored LLND training. Training will be delivered through First Nations organisations in partnership with TAFE's and other RTOs or Adult and Community Education sector providers.

National Skills Agreement

- Closing the Gap has been agreed by Skills Ministers as an inaugural priority area for the new 5-years National Skills Agreement (NSA) which is being negotiated with state and territory government and is due to commence in January 2024.
- The NSA embeds shared stewardship across the sector to ensure that the design and delivery of VET to First Nations Australians is in full and genuine partnership.
- The NSA focuses on meeting Closing the Gap skills targets through growing the Aboriginal Community Controlled sector, establishing mechanisms to support cultural capability within RTOs, and supporting a First Nations VET Workforce.

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s. 22(1)
Date Last Cleared 11 October 2023

SB23-000080
Data for: XX Month to XX Month

Key facts and statistics

Vocational Education and Training (VET)

Proportion of VET students (2022)

- The proportion of First Nations students in VET increased slightly between 2018 and 2022.

	2018	2019	2020	2021	2022
Number ('000s)	138.4	148.6	143.8	155.9	161.7
% of all VET students	3.4%	3.5%	3.6%	3.6%	3.6%
% of VET students aged 25-34	3.2%	3.4%	3.4%	3.6%	3.6%

Qualification completion rates (2017-2018 reported and 2019-2020 projected)

- The gap between First Nation completion rates and the national average is expected to increase for learners who enrolled in 2019 and 2020.

	Observed		*Projected*	
	2017	**2018**	**2019**	**2020**
First Nations	33.6%	34.5%	33.8%	35.8%
National	46.1%	47.6%	48.4%	50.5%
Gap	12.5%	13.1%	14.6%	14.7%

Apprenticeships in-training (30 September 2022)

- The completion rate for First Nations apprentices in the 2017 commencing cohort is 49.3% (NCVER), which is 6.4 percentage points below the national average.

	All apprentices and trainees	Trade apprentices	Non-trade apprentices
Number ('000s)	21.8	11.2	10.6
% of all students	5.4%	4.8%	6.3%

Fee-Free Tafe (30 June 2023)

- To 30 June 2023, Fee-Free TAFE has supported over 214,000 student enrolments and almost 180,000 students to commence training nationally.
- In the same period, almost 7,000 First Nations Australians enrolled in a Fee-Free TAFE course, with First Nations learners making up almost 3.2% of the 214,000 Fee-Free TAFE enrolments up t o30 June 2023 nationally.

Fee-Free TAFE Priority Group	Total	Percentage
First Nations Australians	6,845	3.2

Employment, unemployment, and labour force participation rates (2021 Census)

- 253,644 people First Nations people aged 15-64 were employed.

	Employment to population ratio	Unemployment rate	Labour force participation
First Nations	52.2%	7.4%	59.7%
Non-First Nations	74.6%	3.9%	78.6%
Gap	22.4%p	3.5%p	18.9%p

DEWR Staff

First Nations employee headcount (31 March 2023)

Level	Number (proportion of all DEWR)	Target proportion
APS1 – APS3	4 (3.7%)	N/A
APS4 – APS6	50 (2.9%)	5% by 2024
EL1 – EL2	19 (1.1%)	5% by 2024
SES	2 (1.6%)	3% by 2024
Total headcount	75 (2.1%)	5% by 2030

*Target of 5 per cent for Total Headcount reflects a commitment by Government to increase First Nations representation in the APS by 2030, in alignment with Closing the Gap Priority Reform 3.

DEWR's Closing the Gap Targets

- DEWR shares responsibility for Targets 5, 6 and 7 with Department of Education, which is responsible for schools, youth and higher education actions.
- DEWR shares responsibility for Target 8 with the National Indigenous Australians Agency, which administers Indigenous-specific employment programs and remote area employment services.
- The Productivity Commission (PC)'s Closing the Gap dashboard update on 8 March 2023 indicates that while Target 8 is on track to be met by 2031, Targets 5, 6 and 7 are not on track.

	Target 5	Target 6	Target 7	Target 8
Action	Increase the proportion of First Nations people aged **20-24 years** who have **attained a year 12 or equivalent qualification** (i.e. Cert III or above qualification)	Increase proportion of First Nations people aged **25-34 years** who have **completed** a **Certificate III and above** qualification	Increase the proportion of First Nations people aged **15-24 years** who are **in employment, education or training**	Increase the proportion of First Nations people aged **25-64 years** who are **employed**
2031 Target	96%	70%	67%	62%
2016 Baseline (ABS Census)	63.2%	42.3%	57.2%	51%
Status as at 2021 Census (published by PC)	68.1%	47.0%	58.0%	55.7%
Estimated 2021 trajectory needed to achieve 2031 target (published by PC)	74.1%	51.5%	60.5%	54.7%

Closing the Gap Priority actions for 2023–as outlined in the *2023 Commonwealth Closing the Gap Implementation Plan*

Targets 5, 6 and 7

- A key priority of the **new National Skills Agreement** will be to work in partnership with first Nations people to increase access to culturally safe training and wraparound supports.
- The **National Study on Adult Literacy, Numeracy and Digital Literacy Skills** (the Foundation Skills Study), led by Jobs and Skills Australia, will incorporate a feasibility study into how best to assess the literacy, numeracy and digital literacy levels of First Nations people.
- First Nations Australians are one of nine priority groups that have priority access to the 180,000 **Fee-Free TAFE** and vocational education places available from 1 January 2023 to 31 December 2023. States and Territories have flexibility to engage Aboriginal Community Controlled RTOs to deliver this training.

Targets 7 and 8

- **Workforce Australia** is supported by bespoke programs (Self Employment Assistance, Time to Work Employment Service).
  - The Select Committee of the House of Representatives final report is due by end November 2023.
- The **Employment White Paper** (being led by Treasury), released on 25 September 2023, included a key economic outcome to examine options for a Closing the Gap Policy Partnership on economic participation (building on the outcome of the Jobs and Skills Summit). The Commonwealth (led by Treasury) is working with the Coalition of Peaks and the community-controlled sector experts they represent, to develop governance, membership and initial policy priorities for a potential partnership on economic participation.

Department of Employment and Workplace Relations - Released under FOI

VET Fast Facts - First Nations students 2022

Australian Government
Department of Employment and Workplace Relations

1. Estimated VET students - First Nations students

First Nations students: **161,655** (**3.6%** of all students)[a]

1.1 Students over time

	2018	2019	2020	2021	2022
Number ('000s)	138.4	148.6	143.8	155.9	161.7
% of all students	3.4%	3.5%	3.6%	3.6%	3.6%

1.2 Estimated students by training location

Delivery location	Number ('000s)	% of state who are First Nations	pp diff. from national
New South Wales	61.4	4.3%	+0.8 pp
Victoria	17.7	1.5%	-2.0 pp
Queensland	50.0	4.2%	+0.6 pp
South Australia	6.8	2.5%	-1.1 pp
Western Australia	16.9	3.6%	+0.0 pp
Tasmania	3.7	4.3%	+0.7 pp
Northern Territory	9.0	18.8%	+15.2 pp
Australian Capital Territory	2.5	2.8%	-0.8 pp
Total	**161.7**	**3.6%**	-

1.3 Estimated students by RTO type

Provider type	Number ('000s)	% of RTO type who are First Nations	pp diff. from national
TAFE	45.1	6.3%	+2.7 pp
Private training provider	103.5	3.0%	-0.6 pp
Community education provider	17.7	3.6%	+0.0 pp
School	6.9	6.7%	+3.1 pp
Enterprise provider	5.3	5.0%	+1.4 pp
University	4.4	6.4%	+2.9 pp
Total	**161.7**	**3.6%**	-

1.4 VET participation rate (% of cohort aged 15-64)

All Australians	25.0%
First Nations	26.2%

1.5 Estimated students by age

Age	Number ('000s)	% of age group who are First Nations	pp diff. from national
14 years and under	1.3	5.5%	+1.9 pp
15 to 24 years	66.1	4.8%	+1.2 pp
25 to 34 years	40.4	3.6%	+0.0 pp
35 to 44 years	25.8	3.1%	-0.5 pp
45 to 54 years	18.0	2.8%	-0.8 pp
55 to 64 years	8.6	2.2%	-1.4 pp
65 years and over	1.5	1.5%	-2.1 pp
Not known	0.1	1.1%	-2.5 pp
Total	**161.7**	**3.6%**	-

1.6 Estimated students by selected characteristics

Category	Number ('000s)	% of xtic who are First Nations[b]	pp diff. from national
Studying part-time	147.0	3.6%	+0.1 pp
Employed[a]	97.2	3.2%	-0.3 pp
Living outside major cities	89.6	7.0%	+3.4 pp
Female	81.0	3.8%	+0.3 pp
Living in most socio-economically disadvantaged areas	52.8	7.1%	+3.5 pp
Apprentice/trainee off-job training	21.7	5.4%	+1.8 pp
Identified as person with a disability[a]	14.5	8.1%	+4.5 pp
Total	**161.7**	**3.6%**	-

2. Training activity - First Nations students

First Nations: **138,865** program enrolments (**5.0%** of all enrolments), **31,000** program completions (**3.9%** of all completions)

2.1 Top 3 qualifications by program enrolments[c]

Course code	Qualification name	First Nations enrolments	% in course who are First Nations
BSB30120	Certificate III in Business	5,105	6.7%
CHC30121	Certificate III in Early Childhood Education and Care	4,325	6.1%
CHC33021	Certificate III in Individual Support	3,895	4.5%

2.2 Top 3 fields of education (FoE) by program enrolments

Field of education	First Nations enrolments	First Nations rank	VET rank[d]	% of FoE who are First Nations
Society and culture	25,505	1	2	5.4%
Engineering and related technologies	22,475	2	3	5.1%
Management and commerce	21,650	3	1	4.2%

First Nations students' greatest proportion of enrolments by FoE is in Agriculture (8.8%, VET rank 10). Their lowest proportion is in Natural Sciences (2.7%, VET rank 12).

2.3 Qualification completion rates (%)

	Observed		Projected	
Demographic	2017	2018	2019	2020
First Nations	33.6%	34.5%	33.8%	35.8%
National	46.1%	47.6%	48.4%	50.5%

2.4 Program completions by level of education (LoE)

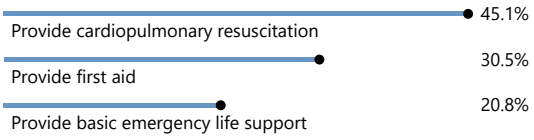
Level	2021	2022*
Diploma and above	2,380	2,755
Certificate IV	3,320	3,410
Certificate III	10,100	9,770
Certificate II	11,205	9,355
Certificate I	3,500	2,485
Accredited courses	1,060	970
Training package skill sets	2,285	2,255
Total	**33,845**	**31,000**

* Additional 2022 completions will be reported in the 2023 collection.

2.5 Students in subject-only training

	National	First Nations
Proportion (%) of students undertaking training outside of a program	66.7%	55.5%

2.6 Top 3 subject-only units of competency



3. Outcomes and satisfaction - First Nations students

3.1 Satisfaction outcomes for 2021 qualification completers (%)

Outcome	First Nations	National	pp diff. from national
Satisfied with overall quality of training	91.5%	88.9%	+2.6 pp
Achieved main reason for doing the training	86.8%	87.2%	-0.3 pp
Recommend their training provider	87.1%	84.4%	+2.8 pp

3.2 Employment outcomes for 2021 qualification completers (%)

Outcome	First Nations	National	pp diff. from national
Employed before training	57.8%	65.7%	-7.8 pp
Employed after training	71.3%	77.4%	-6.1 pp
Improved employment status after training	61.4%	65.0%	-3.6 pp
Of those not employed before training: employed after training	45.8%	49.6%	-3.8 pp

• Rounded components may not sum to rounded totals.
a. Understated with high numbers of students whose status is unknown.
b. xtic = characteristic
c. Enrolments include all courses that have been superseded by the qualification.
d. Ranking is by count of overall program enrolments in the field of education.

Sources: Sections 1-2: NCVER 2023, *Total VET students and courses 2022*, NCVER, Adelaide; Australian Bureau of Statistics (2022) *Estimates of Aboriginal and Torres Strait Islander Australians*; NCVER 2023, *VET qualification completion rates 2022*, NCVER, Adelaide; Section 3: NCVER 2022, *VET student outcomes 2022*, NCVER, Adelaide.

Contact Officer: s. 22(1)(a)(ii)

Last Updated 30/08/2023

SB23-000299
Data for: 30 September 2023

Alice Springs / Central Australia plan

What has been announced?

The *Better, Safer Future for Central Australia* package

The *Better, Safer Future for Central Australia* package, announced by the Prime Minister on 6 February 2023, is being developed to respond to the *Central Australian Regional Controller's Report into Alcohol Related Harm in Central Australian Communities.*

The Australian Government has committed $250 million through the plan, focusing on:

- Improved community safety and cohesion
- Job creation – particularly in the communities that surround Alice Springs – including urgent changes as part of replacing the Community Development Program (CDP)
- Better services – including improving health services in surrounding communities
- Preventing and addressing the issues caused by Foetal Alcohol Spectrum Disorders
- Investing in families – including by better supporting elders and parents, boosting domestic violence services
- On country learning – improving school attendance and completion through caring for culture and country.

Current status of the policy

What measures is DEWR implementing as part of the *Better, Safer Future for Central Australia?*

$155.9 million of the $250.0 million package was announced as part of the 2023-24 Budget, and included funding for community and regional infrastructure, youth services, and community safety measures. There are opportunities for communities to receive employment and training support through the remainder of the package.

DEWR is liaising with the National Indigenous Australians Agency (NIAA), the Northern Territory Government and other agencies to ensure coherent, community led solutions are implemented. We are exploring additional supports around future training and employment pathways.

What are the proposed changes to the Community Development Program?

Any questions relating to the Community Development Program (CDP), New Jobs Trials, the Indigenous Advancement Strategy (IAS), Tailored Assistance Employment Grants (TAEG), or the Indigenous Skills and Employment Program (ISEP) should be directed to the NIAA.

Stakeholders consulted

What have communities in Central Australia been saying they need*?*

The National Indigenous Australians Agency has been coordinating consultations, which have taken place in almost every remote community in Central Australia. Common themes include lack of basic services such as infrastructure (water, service delivery and overcrowded housing), disempowerment and voices being unheard.

- Communities acknowledge the role that jobs (employment) plays in making communities stronger.
- They would like more say over activities and how they are delivered.
- There is some frustration with the cultural competency of service providers, indicating a desire to be serviced directly by governments.
- They also want real jobs with real wages, with training delivered in community and clear employment pathways for young people (school leavers).
- There are jobs that could be done in community, by local people, if people had the right skills and/or equipment (tools).

Overwhelmingly, the Government has heard that communities want First Nations ownership of the solutions to these challenges, as well as shared governance and decision making.

DEWR Engagement

The department is conscious of the need to listen to community and ensure any response meets the needs and aspirations of the local people and organisations on the ground. Designing and delivering services in partnership with Aboriginal and Torres Strait Islander peoples is core to the *National Agreement on Closing the Gap*.

It is important that we balance expectations around the need to develop the package and ensuring sufficient community engagement. DEWR staff members have actively engaged with and listened to the requests from those with authority in their community. Out of the 19 communities consulted, DEWR visited the following 14 communities plus a number of outstations connected with each community:

- Alice Springs (Mparntwe)
- Areyonga
- Atitjere
- Haasts Bluff (Ikuntji)
- Kintore
- Laramba
- Santa Teresa
- Ntaria (Hermannsburg)
- Mount Liebig
- Papunya
- Ti Tree (6 Mile)
- Willowra
- Yuelamu
- Yuendumu.

To date, departmental officials have actively engaged through a range of governing and consultative forums, including:

- Interdepartmental committees
- The Social Order Response Implementation Council (which includes the Central Australia Regional Controller and the Alice Springs Mayor)
- The local Aboriginal Leadership Group for Central Australia
- Central Land Council Executive
- Bilateral discussions with each of the NT Government departments and the NIAA.

Any detailed questions around the Commonwealth's program of engagement or governance arrangements should be directed to the National Indigenous Australians Agency.

Does DEWR have a presence in Alice Springs?

The DEWR Northern Territory (NT) State Office has a presence in the NT – operating from Darwin. It services Alice Springs on a fly-in fly-out basis. Two DEWR staff were seconded to NIAA's Alice Springs office to assist with work on the Central Australia Plan.

Under the Local Jobs Program we have an Employment Facilitator (EF) based in Darwin and their Support Officer is based in Alice Springs. These roles help collect local labour market intelligence and identify potential labour market interventions, looking to help employers meet their labour shortages and address barriers for job seekers to take up work – (set out in the Local Jobs and Skills Plan which is developed with local stakeholders who meet monthly).

How many individuals are supported by DEWR in Central Australia?

In Central Australia, the Alice Springs Local Government Area (LGA) is the only location where Workforce Australia services are delivered. Those living in communities, outstations and the Alice Springs town camps are supported by the Community Development Program administered by the National Indigenous Australians Agency.

Number of individuals (% of total caseload) in the Alice Springs LGA (as at 30 September 2023).

Cohort	Workforce Australia Services		Workforce Australia Online		Transition to Work		ParentsNext	
	Number	%	Number	%	Number	%	Number	%
Total caseload	930	100.0%	110	100.0%	125	100.0%	185	100.0%
Indigenous	800	86.0%	60	54.5%	120	96.0%	165	89.2%
Under 25 years	135	14.5%	25	22.7%	120	96.0%	45	24.3%
Age 25 - 34	255	27.4%	30	27.3%	5	4.0%	95	51.4%
Female	470	50.5%	50	45.5%	60	48.0%	185	100.0%
Male	460	49.5%	65	59.1%	65	52.0%	5	2.7%
CALD	35	3.8%	15	13.6%	5	4.0%	5	2.7%
PWD	190	20.4%	10	9.1%	10	8.0%	15	8.1%
Homeless	190	20.4%	10	9.1%	20	16.0%	25	13.5%
Ex-offender	260	28.0%	10	9.1%	25	20.0%	15	8.1%
Parent	160	17.2%	10	9.1%	5	4.0%	185	100.0%
Mental Health*	45	4.8%	5	4.5%	5	4.0%	5	2.7%
Drug & Alcohol*	100	10.8%	5	4.5%	5	4.0%	5	2.7%

**Individuals identified as having mental health conditions or drug/alcohol issues are only those who have had diagnosed conditions confirmed through an Employment Services Assessment (known as an ESAt) conducted by Services Australia.*

Department of Employment and Workplace Relations - Released under FOI

BACKGROUND

Central Australian Regional Controller's Report into Alcohol Related Harm in Central Australian Communities

On 24 January 2023, the Prime Minister and the Chief Minister of the NT met with a number of stakeholders in Alice Springs regarding alcohol related harm and crime occurring in the town. As a result, immediate alcohol restrictions were implemented for three months, and the office of the Central Australia Regional Controller (OCARC) was established.

This report from the OCARC sets out alarming statistics for domestic violence and alcohol related harm. It is clear that action must be taken to address the unacceptable levels of harm being faced by residents in town camps and nearby remote communities, including the harm being suffered by visitors from outlying remote communities and including other states.

Many of these issues are not new to Central Australia, nor the NT more broadly. All are closely related to the disproportionate disadvantage that Aboriginal people face at every level in our society and are visible on essentially every social index, including but not limited to:

- overrepresentation in the criminal justice system and in detention
- poorer health outcomes, including life expectancy, child mortality rates, suicide rates, and child development
- higher rates of alcohol and other drug (AOD) addiction and misuse
- poorer education and training outcomes, and fewer employment opportunities

Alcohol prohibitions

The objecivet of the *Stronger Futures in the Northern Territory Act 2012 (Cth)* (the Stronger Futures Act) was to continue alcohol prohibitions introduced through the Northern Territory Emergency Response in prescribed areas and gave the Commonwealth Government powers to amend Northern Territory legislation applying to Community Living Areas and Town Camp Living Areas.

The Stronger Futures Act automatically expired in 2022. Communities that had a General Restricted Areas (GRA) in place prior to the Commonwealth Government's statutory interference continued to have alcohol restrictions (noting that these were not all uniform). Communities that did not have a previous GRA ceased to have alcohol restrictions unless they opted in to maintain restrictions through an interim alcohol protected area under the Liquor Act 2019.

Data and operational intelligence obtained through NT Government operations and regular statistical reporting has indicated that there has been an increase in alcohol-related harm from November 2022 to present that warrants consideration of urgent action, particularly as it relates to the consumption of takeaway alcohol.

Alcohol consumption is believed to have had a devastating impact on assaults, domestic violence, emergency department presentations and property offences.

Report recommendations

1. The NT Government make urgent amendments to the Liquor Act 2019 that will see town camps and nearby remote communities return to alcohol free areas, with a clear path forward if the community wishes to introduce responsible drinking options, upon the development of a Community Alcohol Management Plan.
2. The NT and Commonwealth Governments continue to work together to deliver needs-based funding to the relevant service providers in the Northern Territory as a matter of priority, so that the cycle of intergenerational trauma and disadvantage can truly begin to be broken.

Recent media on this policy

Nil

Next steps, including consideration by Government where expected

In consultation with local communities, the OCARC, NT and federal governments, DEWR is exploring additional supports around future training and employment pathways for Central Australia.

Last Cleared By	s. 22(1)(a)
Date Last Cleared	11 October 2023

Department of Employment and Workplace Relations - Released under FOI

Australian Government
Department of Employment and Workplace Relations

EMPLOYMENT AND WORKFORCE		
1.	SB23-000137	PALM Scheme Reforms
2.	SB23-000138	PALM Worker Exploitation
3.	SB23-000136	Linx Employment Compliance Action
4.	SB23-000128	Assurance - Digital Service Customer Centre Factsheet
5.	SB23-000129	Provider Performance Framework and Licensing – Workforce Australia Employment Services
6.	SB23-000131	ParentsNext – Program overview Factsheet
7.	SB23-000132	Provider own organisation and related entity referrals
8.	SB23-000133	Wage Subsidies data on cohorts and industries
9.	SB23-000134	TCF Suspensions and Cancellations
10.	SB23-000148	Whole of Workforce Australia Policy Factsheet
11.	SB23-000183	Time to Work Employment Services Budget Factsheet
12.	SB23-000185	Mutual Obligations Policy Factsheet
13.	SB23-000181	Employment Services Reform – Workforce Australia Inquiry, CDP and DES
14.	SB23-000127	Top Employers using Workforce Australia Services - Labour Hire analysis
15.	SB23-000155	Work for the Dole
16.	EC23-002571	Employment Fund
17.	SB23-000187	Ceasing the Entrepreneurship Facilitator Initiative
18.	SB23-000158	TCF
19.	SB23-000159	Mutual Obligation requirements and Centrelink-Managed Individuals
20.	SB23-000135	IT Issues in the Penalty Zone
21.	SB23-000182	Y Careers
22.	SB23-000144	Delivery of employment services

Last Cleared By s 22(1)
Date Last Cleared

SB23-000137
Data for: 30 September 2023

PALM Scheme Reforms

THE PALM SCHEME IS DELIVERING KEY GOVERNMENT REFORMS

- Reforms that strengthen PALM worker safeguards have been put in place through the new PALM scheme Deed and Guidelines (released on 26 June 2023).
- New processes and policies for an optimal, insourced delivery model of PALM domestic operations have been implemented during a time of program growth.
- DEWR is on track to deliver reform and achieve insourcing milestones.

PALM Scheme Deed and Guidelines

- New employer Deed and guidelines that improve PALM worker experiences and help stamp out exploitation have been rolled out.
- 100 per cent of SWP and PLS Approved Employers with active recruitments have signed and returned the new Deed.
- There are now more Approved Employers signed up to the PALM Deed and Guidelines than there were in the PALM scheme under the previous PALM Deed and Guidelines

Budget Measures

- The Australian Government is committed to improving and expanding the PALM scheme.
- The 2022-23 Budget gave effect to the Australian Government's election commitments.
- The 2023-24 Budget further expands and improves the PALM scheme in line with Australian and Pacific aspirations, including for the first time, the scheme will be funded on a sustainable basis.
- DEWR is working closely with DFAT on operationalising implementation of the reforms announced in the 2022-23 and 2023-24 Budget.

Transition to Optimal Delivery Model

- Extensive consultations with key stakeholders over 18 months informed the new PALM Deed and Guidelines.
- Separate consultations were undertaken on the new delivery model and consolidating the domestic delivery of the PALM scheme within DEWR.
- Insourcing of functions into DEWR supports rebuilding capability in the public service sector and rewinding outsourced service delivery.
- Since May 2023, 80 APS staff have been recruited.
- The transition process requires the completion of 1646 actions across 33 functions including 24 functions which were identified for insourcing.
- All actions for 11 of the 33 functions have been fully completed. Of the 24 functions currently delivered by the PLF, 3 have successfully been transferred to DEWR, with a further 4 expected to be transferred earlier than scheduled.
- The transfer of functions from the PLF has been undertaken during a time of program growth and implementing a range of reforms that deliver on the Government's commitment to strengthen worker safeguards.
- Insourcing of functions is on track for delivery by December 2023.

TIMELINE FOR PALM SCHEME REFORMS

OCT 2022

October Budget Measures

Allow long-term workers to bring their immediate family to Australia, where employer-sponsored, with access to additional social supports to ensure they have a positive experience.

Expand existing aged care pilots to support a further 500 PALM workers to complete their Certificate III in Individual support (Ageing)

Reimburse employers for upfront travel costs that cannot be recouped from seasonal workers, through no fault of the employer.

Relocate the Australian Agriculture Visa program under the PALM scheme.

MAY 2023

May Budget Measures

Strengthen oversight of domestic operations enabling better access to the PALM scheme for employers and workers

297.2 million over four years to support and strengthen the PALM scheme.

Additional resources to DEWR to strengthen the scheme's regional footprint to better assist employers, including small growers.

DEWR staff Recruitment

Recruitment of up to approx. 306 staff commences.

JUNE 2023

Jun | PALM Scheme Insourcing

Transfer of functions from PLF to DEWR commences. 24 PLF functions identified.

26 Jun | New PALM scheme Deed and Guidelines released.

424 PALM Deeds of Agreement were offered to existing SWP and PLS Approved Employers.

PALM Deed commencement | AE Flight Reimbursement

Approved Employers can seek reimbursement for outstanding flight costs when they are unable to recoup these costs from workers through deductions through no fault of their own.

PALM Deed commencement | Safeguards for Workers

Strengthened safeguards for PALM scheme workers introduced, including:

- Increase minimum hours
- Grievance Management Policy
- Union attendance at arrival briefings
- Minimum Net Pay
- Transparency of deductions
- Accommodation and Transport

SEP 2023

30 Sep| Status Update

1 of 24 functions transferred to DEWR with a further 3 awaiting transfer of PLF records.

166 of 306 positions in the Division have been filled, including 75 in state and territory offices.

55 New Approved Employers (not previously PLS or SWP AEs)

OCT 2023

1 Oct | Long-Term Worker Hours Safety Net Commences

All new and existing employers must offer fulltime work to long-term PALM scheme workers.

DEC 2023

31 Dec| PALM domestic operations insourced to DEWR

JAN 2024

Jan | Cultural Competency

AEs must demonstrate their cultural competency to recruit workers from the Pacific and Timor-Leste.

1 Jan | Phase 1 Short-Term Worker minimum hours

Can average 30 hours a week over 4 weeks until 30 June

JUNE 2024

30 Jun | Insourced Delivery Model Review Due

JULY 2024

1 Jul | Phase 2 Short-Term Worker minimum hours increases.

Employers must offer 30 hours every week to short-term PALM Scheme workers.

Impact of reforms

- The number of PALM scheme workers in Australia has grown from around 8,000 workers in March 2020 to 38,247 (as at 30 September 2023).
- The total number of Approved Employers has grown from 424 to 474 (446 of these are under the new Deed) (May to Sept)
- 57 new employers have applied to join the PALM scheme.

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s 22(1)
Date Last Cleared 16 October 2023

SB23-000138
Data as at 30 September 2023

PALM Worker Exploitation

- **The wellbeing of Pacific Australia Labour Mobility (PALM) scheme workers is of central importance to the Australian Government and to our Pacific and Timor-Leste partners.**
- **Exploitation of workers is not tolerated, including where employers coerce workers to leave the scheme or use their migrant status to threaten and coerce.**

Worker Protections

Worker protection measures

- Workers are employed under the same industry awards and legislation as Australian workers.
- Approved Employers (AEs) are vetted and must meet stringent criteria to participate in the scheme, including:
  - Australian workplace regulation laws
  - WH&S laws
  - Immigration requirements
  - Provision of sufficient hours of work
  - Accommodation standards.
- Rigorous monitoring and compliance framework including site visits, regular reporting requirements, and a 24-hour PALM support service line.

Strengthened worker safeguards and settings in the new PALM scheme Deed and Guidelines

Changes to the Deed and Guidelines will strengthen the Government's ability to target non-compliant employers and stamp out exploitation. These settings include:

- Increased transparency for workers regarding deductions and costs associated with accommodation and transport (from Deed execution)
- Employer-led worker portability (with worker agreement) to ensure workers are offered sufficient hours in line with Deed requirements (from Deed execution)
- Strengthening of minimum hour requirements and careful transition to these requirements to ensure employers can undertake workforce planning prior to the changes (minimum 30 hours per week every week from 1 July 2024; for long-terms workers, fulltime hours from 1 October 2023)
- Requirements for employers to have Welfare and Wellbeing Support Person and Welfare and Wellbeing Plan for all workers (Plan must be submitted by 1 October 2023)
- Requirement to invite the FWO and relevant unions to Arrival Briefings (From Deed execution for new arrivals; invitations must be extended by 1 October 2023 for current workers)
- New grievance management processes and strengthened monitoring processes (from Deed execution).

PALM scheme worker-focused Grievance Management Policy

Based on stakeholder feedback, the PALM scheme developed a standalone Grievance Management Policy. The Policy is essential for enhancing worker experiences in the program and delivering timely resolutions of worker grievances.

This policy delivers:

- Clear, worker-focused processes.
- Resolution timelines, with the aim of resolving grievances within 20 working days (there will be instances where a grievance is progressed for investigation or referral to another agency).
- A commitment to annually review the policy.

Planned Measures to Protect Workers

- Increasing workplace compliance activities
- Implementing recommendations of the Migrant Workers' Taskforce Report
- Enhancing existing measures.

How we know about worker exploitation

- Migrant Workers' Taskforce Report
- Harvest Trail Enquiry Report
- Academic Reports
- Contact with workers and Approved Employers
- Tip-offs and/or allegations
- Media
- DEWR's experience delivering the PALM scheme.

Allegations of PALM worker exploitation

- Media – 'Shanty town' shame (April 2023)
- Media – Linx and modern slavery (July 2023)
- Media - Labour Hire Firm allegedly underpaid 87 visa farm workers (November 2022)
- Media - Pacific Island farm workers in Bundaberg (September 2022)
- Senate Select Committee Hearing on Job Security (February and March 2022).

Examples of PALM worker exploitation

- Long hours
- Low earnings
- Unfair deductions
- Sexual exploitation
- Wage theft and underpayment
- Threats, including using migrant status to coerce
- Non-compliant accommodation.

PALM Monitoring Visits for 2022-23

as at 30 September 2023

Visit Type	2020-21	2021-22	2022-23	2023-24 (30/9)	Total
Worker Wellbeing	68	134	10	4	216
Recruitment	54	87	112	1	254
Assurance	1	13	306	110	430
Other	0	0	4	1	5
Dignitary	7	0	1	5	13
Total	**130**	**234**	**433**	**121**	**918**

1) *Assurance visits: Short-term stream, assurance visits are typically in response to a tip-off or allegation that is unable to be fully investigated by desktop analysis alone. Long-term stream, assurance visits involve assessing general compliance to the Deed, performance of the Approved Employer, and potential risks.*
2) *This only includes monitoring visits where dignitaries attended. Not all dignitary visits are recorded.*

Responses to PALM worker exploitation allegations

- Report to Australian Border Force (ABF), Fair Work Ombudsman (FWO), police and/or state labour hire regulators
- Investigate allegations
- Compliance action that can include suspension or termination from the scheme
- Encourage workers to contact DEWR and/or relevant agencies (as above).

Key PALM scheme measures that help to deliver on the Government's commitment to stamp out migrant exploitation:

- The Government's investment in insourcing recognises the APS as a trusted, efficient, and effective partner to deliver the scheme's domestic operations. Insourcing domestic delivery of the PALM scheme puts **APS staff at the centre of policy and robust program delivery** and fulfills the Government's election commitment to reduce waste, build capability, and reinvest in the APS. A regional presence of APS staff provides on-the-ground intel and responsiveness, increasing transparency.
- **Insourcing the domestic delivery** of the scheme enables an ongoing, sustainable funding model that is responsive to this demand driven scheme. It delivers the checks and balances required to ensure PALM scheme workers are protected, fulfilling the Government's commitment to **stamp out migrant exploitation**.
- Insourcing the PALM scheme domestic functions to the department responsible for workplace matters, enhances scheme operations and supports immediate linkages with other regulatory bodies, such as the Fair Work Ombudsman and policy regulators responsible for legislation to improve Australia's workplaces for Australian workers and migrant workers. This ensures timely advice and swift resolution of matters relating to migrant exploitation for PALM scheme workers.

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s. 22(1)(a)(ii)
Date Last Cleared

SB23-000136
Data: As at 30 September 2023

s. 47G(1)(a)

Last Cleared By s. 22(1)(a)(ii)
Date Last Cleared 11 October 2023

SB23-000128
Data for: 01 July 2022 to 30 September 2023

Assurance - Digital Service Contact Centre Factsheet

- The Department undertakes first and second line assurance activities on services delivered through the digital platform in Workforce Australia. These activities provide a high level of assurance to the department that policies within the digital space are being administered correctly.

DSCC First Line Assurance Activities (Contact Centres Branch)

Assurance Activity	Frequency	Description
Employment Fund Quality Assurance	Monthly – awaiting final tool build.	From 1 July 2022, the department undertook quality assurance checks on transactions in the Digital Employment Fund made for participants who are serviced through digital platforms in Workforce Australia Online services. The department's quality assurance checks were undertaken on a statistically valid sample of Digital Employment Fund transactions to ensure expenditure is appropriate and made in accordance with policy requirements. The learnings from the trial period have resulted in improved assurance tools being developed.
Capability Interview Quality Assurance	Monthly	Participants in Online Services are required to contact the department upon acquiring 3 demerit points to undertake a Capability Interview. The Capability Interview aims to assess whether the participant could meet their Job Plan requirements. Where a participant is assessed as not capable of meeting their requirements, all their demerit points are removed. Internal assurance of Capability Interviews is conducted to assure accurate completion of Capability Interviews requirements and appropriate follow up actions by Service Officers. Results of assurance checks are used to improve staff education and improve policy.
Job Search Quality Assurance	Awaiting recommencement	The department completed a trial of a new approach to reviewing a sample of the Workforce Australia participants in Online Services job search efforts with a view to implement ongoing checks. As this assurance activity hasn't been restarted yet since the trial there are no results just yet.
Complaints	Monthly	Complaints received through the contact centres are monitored and reviewed. Results of these learnings are used to inform and improve services.
Contact quality	Monthly	A selection of interactions for every Call Centre Staff member are quality checked to ensure: • Quality standards are met • Consistency across interaction management • A high level of customer service is provided, and • Policy and privacy requirements are met. Results of quality checks are used to provide feedback and education to staff, and increase overall interaction quality in the Contact Centres. Overall results of these learnings are used to inform and improve services.

DSCC Second Line Assurance Activities (Quality Assurance and Risk Management Branch)

Assurance Activity	Frequency	Description
Employment Fund Quality Assurance	Quarterly	After the initial Quality Assurance checks are completed, the Digital Assurance team will interrogate the available Digital Employment Fund expenditure population to identify outliers to departmental tolerance levels. Further investigation will be undertaken, where required. Historically, the data was collated and reviewed manually. In April 2023 a new Customer Relationship Management (CRM) system was implemented where employment fund data is automatically collected. This makes second line assurance of digital Employment Fund expenditure simpler and efficient to undertake. The department's seconnd line assurance reviews of the DSCC Employment Fund expenditure have not uncovered any issues in the way that the Employment Fund expenditure has been managed. The Employment Fund data shows that the top three areas by expenditure for the digital employment fund were for (in order), 'Work related licensing', 'Clothing and Personal Protective Equipment' and 'Petrol vouchers'. The results of the activity show that, despite these three categories being the highest expenditure, the highest expenditure per participant was for 'Relocation assistance'.
Capability Interview Quality Assurance	Quarterly	Quality Assurance and Risk Management Branch will review a statistically valid sample of Capability Interviews conducted by the department when available to assure there is 95% confidence of the assessment undertaken. Capability interview reviews will only be undertaken on participants who have remained in digital services for a period of 6 months continuously or longer. The Contact Centre Capability interviews Quality Assurance process commenced for Workforce Assurance in last quarter of the 2022-23 financial year and a review of those under second line assurance will be undertaken in the second quarter of the 2023-24 financial year, provided there is statistically valid sample available.
Job Search Quality Assurance	Quarterly	Quality Assurance and Risk Management Branch review a sample of Job Search Quality checks completed by the department. The review involves analysing relevant documentary evidence and assessor comments to determine whether the outcome was appropriate. This will be undertaken when the first line activity recommences.

Background

- Under Workforce Australia Online Services, the DSCC supports participants who have been assessed as job-ready and digitally literate. Participants have access to the tools they need to search for a job and meet their requirements in exchange for their income support payment.
- Following the establishment of the DSCC, the department put in place assurance activities to ensure the quality of the services being delivered by the DSCC.
- Through these assurance activities the department has been able to identify areas for improvement including:
  - Changes have been made to the complaints handling processes to ensure that there was a consistent whole of branch approach.
  - The development of a customer satisfaction survey.
  - Refining of the processes in relation to the administration of the Digital Employment Fund to ensure that any payment integrity issues can be identified quickly (there have been none).

Department of Employment and Workplace Relations - Released under FOI

Provider Performance Framework and Licensing – Workforce Australia Employment Services

Key Points

- Progress on Workforce Australia to date is mixed. In some areas we see the system is working as intended, in other areas we see room for significant improvement.
- From 4 July 2022 to 30 September 2023, 463,864 individuals have been referred to **Workforce Australia Online Services**, and 820,174 have been referred to **Workforce Australia Provider Services**.
- There has been some positive participant feedback gathered through surveys, in particular from those in **Workforce Australia Provider Services**. For example, 72% of participants are satisfied or very satisfied with the overall quality of service from their provider.
- However, individual provider performance remains very mixed, just 53% of participants in the bottom five rated providers were satisfied or very satisfied with their service. This compares to 86% of participants for the top five rated providers.
- **Workforce Australia Online** is showing mixed signs of participant satisfaction, with 62% of participants surveyed being satisfied or very satisfied with the overall quality of service.
- In their official performance ratings, the majority of providers were rated as 'moderate'. But too many continue to receive a low (49 out of 178). Areas of particular concern include an insufficient level of tailoring to individual circumstances, although this is improving.
- Of the **Workforce Australia Provider Services** participants who could have achieved a job placement or an outcome, 30% have achieved a placement, and 12% have achieved a 26-week outcome.
- Preliminary data of **Transition to Work (TtW)** indicates a relatively high satisfaction rate overall with **82.6%** of participant surveyed being satisfied or very satisfied with the overall quality of the services.
- [1]A big concern that we have heard from providers under the new system is around their own workforce pressures. In a way that is not dissimilar to what we see across the country generally, our providers are finding it difficult to attract and retain suitable staff.
- Many academics remain critical of an outsourced system in general, and many advocacy groups remain of the view that elements of Workforce Australia that are seen as more punitive, such as Work for the Dole, should be abolished.

[1] TtW data is indicative data only. The figure above reports on 9 months' of data until we can capture a full 12 months.

Department of Employment and Workplace Relations - Released under FOI 60 of 853

Overview and Ratings

- The Workforce Australia Services licensing system aims to drive high quality service delivery and support employment outcomes for Participants and Employers and is underpinned by the Workforce Australia Employment Services Provider Performance Framework.
- 178 Workforce Australia Services Licences were issued for an initial term of three years (to mid-2025).
- The Provider Performance Framework defines the Department's expectations about providers' delivery of services, indicates the measures of success, and holistically assesses provider performance.
- On 27 July 2023, providers received their first overall performance ratings based on data to 30 June 2023. On 4 August 2023, the results were published on the Provider Portal and departmental websites.
- Performance results for the June 2023 quarter were:
    - three licences rated high overall,
    - 125 licences rated moderate overall, and
    - 49 rated low overall, noting a low rating in one module leads to an overall rating of low.

Workforce Australia Services Provider Performance Framework

- The Provider Performance Framework comprises 5 modules. The 5 modules are:
    - Sustained Employment
    - Progress to Employment
    - Quality of Service to Participants
    - Quality of Service to Employers
    - Licensing Standards
- The 5 modules are underpinned by 13 performance measures. The measures include a range of both qualitative and quantitative metrics with varying frequencies of assessment depending on the type of measure.
- Provider performance is assessed at the Licence level and rated as High (exceeding expectations), Moderate (meeting expectations), or Low (not meeting expectations) according to the Provider Performance Framework.
- Ratings are determined through a process of aggregation of measure ratings:
    - Performance ratings are awarded for each measure,
    - The measure ratings are combined to determine module ratings, and
    - The module ratings are combined to determine the overall performance for a Licence.
- The performance framework makes certain that providers have a clear incentive to ensure all participants receive suitable services.

Annual Licence Review

- The first Annual Licence Review was due to be completed later this year and consider the Overall Performance Ratings for the period to September 2023.
- However, due to the first licence review timing and its proximity of the Select Committee Inquiry into Workforce Australia Services report release, the department decided that no review would take place in 2023.
- The new licence review approach will be communicated with Providers as soon as possible in 2024.

Department of Employment and Workplace Relations - Released under FOI

Related Questions received on notice

Table 1: related questions on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000202	O'Sullivan, Matt	Provider Performance Framework criteria	The Workforce Australia Employment Services Provider Performance Framework comprises of 5 modules with 13 performance measures.
SQ23-000205	Rice, Janet	Provider reporting	Reporting for the Provider Performance Framework will include an overall performance rating, as well as ratings for each module and measure at the licence level. Some measures will take more time than others for robust data at the licence level.
SQ23-000604 **(earlier question on same theme SQ22-001182)**	O'Sullivan, Matt	List of Providers and Stakeholders consulted on the provider performance framework	The Provider Performance Framework was informed by findings from the Employment Services Expert Advisory Panel in the *I Want to Work* report. The Provider Performance Framework was made available for public comment through the Exposure Draft for the New Employment Services Model which was published in June 2021. It was also presented to a transition consultation group; which included the National Employment Services Association, Jobs Australia and the National NEIS Association, and other stakeholders including the Australian Council of Social Service; in May 2022. A user-centred design research project considered the previous jobactive performance framework, as well potential new measures and approaches, and included providers, participants, businesses and departmental staff.
IQ22-000372	Charlton, Andrew	Metrics of the Performance Framework	Provider performance ratings against the Workforce Australia Provider Performance Framework will commence to be publicly available at the licence level from July 2023 (table attached with measure name and date ratings would be publicly available). Some performance measures will take longer for robust data to be available at the licence level.

Department of Employment and Workplace Relations - Released under FOI 62 of 853

Attachment A – Further background on performance by program and First Nations insights

Workforce Australia Services

- Performance results for the June 2023 quarter were three licences rated high overall, 125 licences rated moderate overall and 49 rated low overall. A low rating in one module leads to an overall rating of low.

Workforce Australia Online

- Of Workforce Australia Online participants surveyed in July 2023, 62.4% were satisfied or very satisfied with the overall quality of service.
- The proportion of participants who were in work or study three months after exiting services for Workforce Australia Online was 79.1% over the initial 9 month period.

ParentsNext

- Following the 5 May 2023 announcement of program changes, Service Australia will still identify participants who meet eligibility criteria, but only refer parents to a provider if they choose to participate.
- In the three months post 5 May 2023 announcement:
    - Referrals are down 68% (from 1,767 to 568 on average per month)
    - Commencements decreased by 71% from 2,224 to 652 per month
    - Participants actively engaging are down 20% (from 86,955 to 69,628)
- Engagement in the program declined across all participant cohorts:
    - The greatest decline has been for participants whose youngest child is under 12 months (38%) and Indigenous participants aged under 25 years (down 28%)
    - The smallest decline has been for participants who are refugees (down 13%) Indigenous persons who report being homeless (down 14%) and CALD participants who are not refugees (down 15%).

Transition to Work

- The TtW Performance and Quality Framework (the Framework) has been developed to support delivery of effective, high quality and professional services to Participants and employers in a timely manner.
- Comprising of five modules, the Framework consist of a range of measures and include both quantitative and qualitative metrics. The frequency of assessment of each measure is dependent on what is being measured.
- The first performance period for Transition to Work is 1 October 2022 to 30 September 2023. Performance reports for this period are being finalised and planned to release to providers in October 2023.

Department of Employment and Workplace Relations - Released under FOI

Local Jobs Program

- To date, a total of 82 activities (value of $197,353) have been reported including 7 complete ($5,356), 13 in progress ($50,225) and a further 62 ($141,771) in development.
- Employer connections are critical and the EFs have made over 2,885 connections in the past year.
- Taskforces have been engaged with 70% attendance over the last 12 months.

Yarrabah

- To date, Yarrabah Employment Services has supported Participants into 186 job placements and are tracking towards 263 potential Employment outcomes, including 109 26-week outcomes.
- Performance Period Two performance ratings for the provider were assessed as moderate for quality of service – employer, and high for quality of service – Participant.

B**roome**

- To ensure continuity of employment services in response to a servicing gap in the Broome Employment Region, a servicing arrangement with a new First Nations' provider will be operating from 1 November 2023.
- A performance framework will be developed to assess how well the provider is performing, which will inform the Department's decisions around potentially extending the term of the Deed. An Annual Performance Review will be conducted each year.
- The Performance Framework should encourage innovation and drive performance improvement through using a place-based approach appropriate to the Broome caseload.

Launch into Work

- The Launch into Work program was on hold until 2 December 2022, as a result of a government review of the program.
- The program is encountering difficulties in attracting and sourcing suitable and interested job seekers to participate in projects.
- Since the program recommenced there has also been an increase in the number of job seekers withdrawing from projects and/or turning down employment due to personal issues.

Cohorts - First Nations

- First Nations participants in Workforce Australia Services have so far achieved fewer job placements and outcomes than non-First Nations participants. From 4 July 2022 to 30 September 2023, 27.6% of First Nations and 31.0% of Non-First Nations participants have achieved a job placement of those who could have done so.
- First Nations participants have so far been equally as satisfied with Workforce Australia Services as Non-First Nation Participants.

Department of Employment and Workplace Relations - Released under FOI 64 of 853

- The first 9 months (September 2022 – May 2023) of survey data from Workforce Australia Services participants found that 73.5% of First Nations and 72.1% of Non-First Nations participants are satisfied or very satisfied with the overall quality of service.

Last Cleared By	s. 22(1)(a)
Date Last Cleared	19 October 2023

Department of Employment and Workplace Relations - Released under FOI 65 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000202

Senator Matt O'Sullivan on 15 February 2023, Proof Hansard page 33

Provider Performance Framework criteria

Question

Ms Crane: ... At the end of March, we expect all Workforce Australia services providers to have achieved our quality assurance framework certification. That includes audits around quality standards and audits around quality principles. The basis of that is to make sure that they have appropriate governance documentation in place, their systems, their training and other things that support them to deliver, and to assure themselves that they can do that appropriately for participants and are set up for continuous improvement. There is also an aspect of that which goes to their Right Fit for Risk assessment, ensuring that they've got the appropriate protections in place for their IT systems. That's the set-up piece. There is ongoing certification after that. In terms of the quality assurance, when it comes to licensing, the Provider Performance Framework was mentioned in a couple of the earlier responses. As part of the licensing review, there are five modules that providers are assessed against. Those modules look at things like sustained employment and progress to employment. There are quality aspects in there as well. That's quality servicing to participants, quality servicing to employers, and their licensing arrangements. It is picking up: have they been issued with breaches and is there anything happening there? The other aspect of quality goes to what we have talked about in the program. We monitor: do we have outliers in expenditure or do we have odd things happening in claiming practices? That happens as part of our program assurance. Certainly, the assurance pieces existed under jobactive. The licensing piece is new. The quality assurance framework existed under jobactive.
Senator O'SULLIVAN: Are you able to table the template and the criteria used by the department to assess providers?
Mr Smyth: We can give you the five performance modules. Sitting under those are 13 performance measures that we are going to assess against. We are happy to provide that to the committee.

Answer

The Workforce Australia Employment Services Provider Performance Framework comprises 5 modules with 13 performance measures.

Sustained Employment

- 26 Week Outcomes – All Participants
- 12 Week Outcomes – All Participants
- 26 Week Outcomes – Indigenous Participants
- 12 Week Outcomes – Indigenous Participants

Please note, a Licence will typically receive a rating against all 4 measures. In some instances, however, a Licence will only receive a rating against 2 measures when the data is functionally identical for the two 26 Week Outcomes measures and the two 12 Week Outcomes measures. This will occur for Providers with an entirely Indigenous Participant caseload (e.g. Indigenous specialists) or with no Indigenous caseload (e.g. Refugee specialist).

Progress to Employment

- Progress Payments
  - A quantitative measure of the Provider's success at achieving Progress Payments.
- User Views - Progress
  - A survey-based measure of Participant experience of progressing towards employment.
- Servicing Rate
  - A quantitative measure of the extent to which Providers deliver regular services each month to all Participants on their caseload.

Quality of Service to Participants

- Service Delivery Assessment – Participants
  - A qualitative departmental assessment of each Provider's quality of service to Participants.
- User Views - Quality
  - A survey-based assessment of Participant experience of the quality of service delivered by each Provider.
- Tailored Servicing
  - An assessment of the extent that Participants are receiving a service tailored to their unique circumstances based on the diversity of tasks and Points Targets under the Points Based Activation System and the quality review of the job search effort by Participants.

Quality of Service to Employers

- Service Delivery Assessment – Employers
  - A qualitative departmental assessment of each Provider's quality of service to Employers.
- Job Search Quality
  - An assessment of the Provider's success in supporting Participants to submit quality job applications to Employers.

Compliance with the licensing standards

- Program Assurance Activities and Breaches
  - Program Assurance activities and Breaches finalised in the rolling performance period up to the assessment point will contribute to the Provider's assessment against the module. The rating will be determined by the result from the Assurance Score assessment.

Further information about the Provider Performance Framework is available in Chapter 29. Provider Performance Framework pages 321 to 328 of the **Workforce Australia Guidelines** *Part B: Workforce Australia Services* available at the following link: https://www.dewr.gov.au/workforce-australia/resources/workforce-australia-guidelines-part-b-workforce-australia-services

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000205

Senator Janet Rice on 15 February 2023, Proof Hansard page 34-35

Provider reporting

Question

Senator RICE: Reporting to providers, and internal reporting. Who is the audience for the reporting you are doing? Is there any public reporting?
Ms Crane: I will cover off what I have here. I have others watching this session. If I miss anything, I am happy to take it on notice and we can provide that as well. If we start with what used to be the random sample survey, which is now the continuous assessment process, we send out those results. That would have been off the back of each of the rolling samples. That will be an assessment at the end of each month. Providers will have those results sent back to them. In those instances there is a period of working with the provider around: 'Here is what we have determined to be meeting or not meeting requirements and do you have the evidence?' We work through that process. That is the most visible piece of that. Outside of that, in a publishing sense, as some of the measures I talked about for the Provider Performance Framework become available, they will be provided to the providers through their provider lead. Some measures will take a lot longer to build up data from the surveys from participants. As an example, we need enough data there to be able to provide that to them. As that becomes available, it is provided to the provider and it will be made public once we have the full 12-month set of data. The intention is that will be published on the department's website for participants and others to see.
...
Senator RICE: Could you take on notice what the framework is and the various formats and various audiences that you are reporting. In particular, if you are saying that you can't give us any data until you have 12 months of data with the performance of the providers, what will be the framework for the data that is going to be provided, come the beginning of next year?
Ms Crane: We can certainly provide that.

Answer

The Workforce Australia Employment Services Provider Performance Framework comprises 5 modules with 13 performance measures.

Reporting for the Provider Performance Framework will include an overall performance rating, as well as ratings for each module and measure at the licence level. Some performance measures will take longer for robust data to be available at the licence level. Data for the Participant satisfaction rate which will be published subject to meeting minimum sample size criteria at the licence level.

The table below outlines when interim Provider performance ratings for the Provider Performance Framework are anticipated to be available to Providers and publicly on the department's websites.

Module	Measure	Estimated First Report Availability	
		Providers	**Departmental websites**
Sustained Employment (outcome rates)	26 Week Outcomes – All Participants	April 2023	July 2023
	26 Week Outcomes – Indigenous Participants	April 2023	July 2023
	12 Week Outcomes – All Participants	April 2023	July 2023
	12 Week Outcomes – Indigenous Participants	April 2023	July 2023
Progress to Employment	Progress Payments	July 2023	October 2023
	User Views – Progress	October 2023*	January 2024
	Servicing Rate	April 2023	July 2023
Quality of Services – Participant	User Views – Quality	October 2023*	January 2024
	Service Delivery Assessment – Participants	April 2023	July 2023
	Tailored Servicing	April 2023	July 2023
Quality of Services – Employer	Service Delivery Assessment – Employers	April 2023	July 2023
	Quality of Job Search	April 2023	July 2023
Licensing Standards	Assurance Activity Results	April 2023	July 2023

* dependent on sufficient participant response rates

Further information about the Provider Performance Framework is available in Chapter 29. Provider Performance Framework pages 321 to 328 of the **Workforce Australia Guidelines** *Part B: Workforce Australia Services* available at the following link: https://www.dewr.gov.au/workforce-australia/resources/workforce-australia-guidelines-part-b-workforce-australia-services

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000604

Senator Matt O'Sullivan provided in writing.

Also, refer to previous hearing Question No. SQ22-001182

List of Providers and Stakeholders consulted on the provider performance framework

Question

Can you provide a list of employment service providers and other stakeholders consulted on the changes to the provider performance framework? According to a previous response their views were gathered through a user centred design project in 2020. What did the user centred design entail?

Answer

The Workforce Australia Services Provider Performance Framework was informed by findings from the Employment Services Expert Advisory Panel in the *I want to Work* report.

The Provider Performance Framework was made available for public comment through the Exposure Draft for the New Employment Services Model which was published in June 2021.

Additionally, the provider performance framework was presented to a transition consultation group in May 2022. The consultation group included industry peak bodies such as the National Employment Services Association, Jobs Australia and the National NEIS Association as well as other stakeholders such as the Settlement Council of Australia, the Australian Council of Social Service and People with Disability Australia.

A user-centred design research project considered, amongst other things, the previous jobactive performance framework, potential new measures and approaches to measuring, including measuring quality of provider services. A range of stakeholders participated including providers, participants, businesses, and departmental staff.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ22-001182

Senator Matt O'Sullivan provided in writing.

Consultation With Providers in Change of Performance Framework for Workforce Australia

Question
What consultation was done beforehand with providers around the change in the performance framework, moving away from the jobactive star ratings model and towards the Workforce Australia five module framework?

Answer

Views on how to assess provider performance were gathered through a user centred design project in 2020. Views were gathered from providers, participants, businesses, and departmental staff.

These views informed the development of the Workforce Australia Services Provider Performance Framework.

Before the commencement of the program the department provided information to providers on the Workforce Australia Services Provider Performance Framework through the guidelines, a webinar, and an online training module.

House of Representatives Select Committee on Workforce Australia Employment Services

QUESTION ON NOTICE
Date of hearing: 03 November 2022

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. IQ22-000372

Dr Andrew Charlton MP on 03 November 2022, Proof Hansard page 14

Metrics of the Performance Framework

Question

Dr CHARLTON: Thank you very much to the department for the useful presentation. The presentation identified a number of performance management frameworks for providers and others, including metrics like employment outcomes, service quality et cetera. My first question is: are those metrics publicly available at the system level, if not at the provider level?

Ms Crane: The information on what will be looked at in the performance framework is available publicly. With the actual measures themselves, some of those will be phased in over time. Where they become available, yes, they will be provided to providers first and then publicly released. I will have to take on notice the dates, but, from recollection, it is around April next year that the first of them would start to be publicly available. The intent is that the provider would have access to that first. They are managing their business, and we want them to see and make adjustments. Then they would be externally available once we've done that. I should also flag that, as part of this, we will be wanting to make sure we've got the right measures, that the thresholds are appropriate and other things. A continuous review process is part of what we are looking at, and the threshold review will occur early next year.

Dr CHARLTON: What are the metrics that will become publicly available starting in April?

Ms Crane: I'd have to take that one on notice. I can have that available later in the session, if you need it.

Dr CHARLTON: If you could take that on notice, that would be great. You talked very helpfully about lots of the changes that have been made to the new system from the old system, and some of the motivations for those changes. Could you describe to us what metrics you would expect to improve as a result of those changes, and what metrics you will be looking at to observe that improvement in the current system?

Answer
Provider performance ratings against the Workforce Australia Provider Performance Framework will commence to be publicly available at the licence level from July 2023 (see table below).

Some performance measures will take longer for robust data to be available at the licence level.

Workforce Australia Employment Services Provider Performance Framework Performance Measure	**Performance ratings publicly available (date)**
12 Week Outcomes (All Participants, Indigenous Participants)	July 2023
26 Week Outcomes (All Participants, Indigenous Participants)	July 2023
Participant Servicing Rate	July 2023
Service Delivery Assessment (Participants)	July 2023
Tailored Servicing	July 2023
Service Delivery Assessment (Employers)	July 2023
Job Search Quality	July 2023
Assurance Activity Results	July 2023
Progress Payments	October 2023
User Views (Progress)	January 2024
User Views (Satisfaction)	January 2024

The Workforce Australia Employment Services Provider Performance Framework has been designed to encourage innovation, drive performance improvement, and ensure providers are fulfilling their Deed obligations and meeting the required standards. The Workforce Australia Employment Services Provider Performance Framework requires providers to demonstrate performance against all the following criteria:

- Success at moving participants into sustained employment
- Success at progressing participants towards employment
- Success at delivering high quality services to both participants and employers
- Compliance with Deed requirements

The Provider Performance Framework is designed to drive continuous improvements in performance by gradually changing performance thresholds over time. Performance thresholds will be evaluated annually between April and May each year, on a measure by measure basis to identify thresholds that would be appropriate to adjust. Providers will be advised of any adjustments for the upcoming financial year in June each year.

Department of Employment and Workplace Relations - Released under FOI

SB23-000131
Data for: 5 May 2023 to 30 September 2023

ParentsNext – Program overview Factsheet

Purpose of the program

ParentsNext is a voluntary pre-employment program that helps parents plan and prepare for employment before their youngest child starts school. Parents receive assistance from ParentsNext providers to help them identify their education and employment goals, improve their work readiness and link them to activities and services in the local community to help them achieve their goals.

How the program operates

- Participants who choose to take part in ParentsNext agree to a Participation Plan with their provider. This plan outlines their work or study goals and the activities they will undertake to reach those goals.
- Prior to 5 May 2023 Participation Plans had to be signed within 10 business days.
- Participation Plans are updated as required. For example, a participant's circumstances may change and their activities will be adjusted to accommodate this.
- Participants should meet quarterly with their provider to check in and adjust their work and study goals if necessary.
- Providers can access the ParentsNext Participation Fund – a flexible pool of funds to support participants with eligible goods and services prepare for employment.
- Common participant activities include researching study or career options; accredited and non-accredited education; paid employment; interventions like medical, health or counselling services; and child playgroup.
- The program does not require participants to look for work, however if a parent is ready to look for work, their provider can help them.
- Participants are only required to report income to Centrelink if they or their partner are working. There are no other reporting requirements.
- Providers are required to tailor the support they provide to cater for the individual's goals, circumstances, caring responsibilities and barriers. All providers are required to deliver culturally competent servicing to Aboriginal and Torres Strait Islander parents and parents from CALD backgrounds.
- ParentsNext providers are required to ensure that their sites and activities are family friendly.

Eligibility Criteria

Following the 5 May 2023 announcement of program changes, Service Australia will still identify participants who meet eligibility criteria, but only refer parents to a provider if they choose to participate.

Parents are eligible to participate in ParentsNext where they met EACH of the FIVE base criteria:

- reside in an Employment Region (regions where Workforce Australia services are delivered)
- have been receiving Parenting Payment continuously for the last 6 months
- have a youngest child who is between the age of 9 months and 6 years
- not reported any income or hours worked in employment in the past 6 months

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- are under 55 years of age.

And one of the following criteria:

- Early School Leaver (ESL) – under the age of 22 and have not completed Year 12 or higher
- 2 years on Income Support (2IS) – 22 years of age or older, have not completed Year 12 or equivalent, and have been receiving income support continuously for more than 2 years
- 4 years on Income Support (4IS) – has been receiving income support continuously for more than 4 years.

Any Parenting Payment recipient with a child under 6 years of age may also to volunteer to participate.

Announcement – 5 May 2023

- On 5 May 2023, the Australian Government announced that it will abolish ParentsNext from 1 July 2024. The program's end date prior to the announcement was 30 June 2024.
- From 5 May 2023 mutual obligations were lifted for ParentsNext participants. All outstanding compliance action was finalised and there are no payment suspensions or financial penalties for not complying with program requirements.
- All supports available through the current program remain in place, including financial supports.
- Under previous arrangements, participants with compulsory mutual obligation requirements were required to:
  - Attend an Initial Interview and quarterly appointments with a provider (additional appointments voluntary)
  - Negotiate and agree to a Participation Plan within 10 business days
  - Participate in an activity that would help them achieve their education and employment goals
  - Record attendance at activities and report any income that they or their partner earned each fortnight.

Caseload Trends from 5 May 2023

- Between 5 May 2023 and 30 September 2023, the ParentsNext caseload reduced by 8.4% (96,764 to 88,580)
- The number of active participants – defined as those who attended an appointment or activity, agreed to a Participation Plan or received assistance from the Participation Fund – was 69,628 in the three months since the program became voluntary, compared to 86,955 in the three months immediately after 5 May 2023.
- Analysis of participant and provider behaviour in the first three months post 5 May 2023 (compared to the three months prior to 5 May) shows that:
  - Referrals are down 68% (from 1,767 to 568 on average per month)
  - Commencements decreased by 71% from 2,224 to 652 per month
- Engagement in the program declined across all participant cohorts:
  - The **greatest decline** has been for participants whose youngest child is under 12 months (38%) and Indigenous participants aged under 25 years (down 28%)
  - The **smallest decline** has been for participants who are refugees (down 13%) Indigenous persons who report being homeless (down 14%) and CALD participants who are not refugees (down 15%).
- The proportion of participants using the Participation Fund increased by 5%.

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- Almost a quarter (23% or 16,235) of all active participants post 5 May have attended only one appointment. This compares to 12% (10,231) of active participants' only attending one appointment in the three months prior to program changes.
- Of the 1,371 new referrals since 5 May, 875 (64%) participants have actively participated in the program, with an additional 303 (22%) having a future appointment booked in.
- Active participation varied more *between* providers, rather than by geographic factors across Employment Regions.
- The average decrease in active participants across the top 10 contracts was 6%, as opposed to 20% across all contracts.

Site changes (as at 30 September 2023)

- Between 1 May 2023 and 30 September 2023, the Department of Employment and Workplace Relations has considered 39 requests[1] from 27 providers to change 72 ParentsNext sites:
  - 13 requests sought to reduce operating days/hours
  - 18 requests sought to increase operating days/hours
  - The remaining 41 requests related solely to relocation of sites.
- The department has also approved requests from 2 providers to deliver services from 5 sites virtually. These decisions have been made on a case-by-case basis, reflecting remote locations, lack of public transport and local participant preference:
  - Accoras – Jimboomba / Hillcrest (Brisbane South East); Boonah (Wivenhoe)
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Referral Process from 1 October 2023

A new referral and commencement process was implemented on 1 October 2023, which includes:

- Services Australia meeting with eligible parents, referring to a provider of choice and pre-applying exemption so payments are not impacted
- Provider contacting parent ahead of appointment, promoting program and confirming/rescheduling/cancelling appointment based on parent's choice
- Providers updating parent placement status to accurately reflect program participation
- Opportunity for providers to proactively engage participants into program.

Key Dates

- **January 2012 to April 2016** the Helping Young Parents trial assists 4,416 participants across 10 locations.
- **April 2016 to 30 June 2018** Grant-based ParentsNext pilot program operates in 10 LGAs assisting 25,338 parents.
- **July 2018** ParentsNext rolled out nationally as a two-steam program (targeted and intensive) with different eligibility criteria and servicing arrangements for each stream.
- **December 2018** the Senate referred ParentsNext to the Community Affairs References Committee.

[1] Requests do not constitute final decisions made. Some requests from providers sought to reduce operations at one site while simultaneously increasing operations at another (resulting in no net change).

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- **March 2019** the Community Affairs References Committee tabled its report including recommendations that the program cease in its current form.
- **April 2019** the Government announced changes to make reporting requirements simpler for participants.
- **October 2020** the Government announced policy changes from 1 July 2021 to the ParentsNext program, including a new Legislative Instrument.
- **February 2021** Parliamentary Joint Committee on Human Rights wrote to Minister Cash requesting further information about the Instrument and **March 2021** the Committee resolved to conduct a short inquiry.
- **1 July 2021** streamlining of eligibility criteria and expansion of Participation Fund to all participants and Outcome Payments to all providers.
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- **1 October 2023** new referral process introduced to support continued referrals to ParentsNext Providers for parents who want to participate.
- **30 June 2024** contracts with current ParentsNext providers expire.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	16 October 2023

Department of Employment and Workplace Relations - Released under FOI 23 77 of 853

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Department of Employment and Workplace Relations - Released under FOI

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Department of Employment and Workplace Relations - Released under FOI 80 of 853

- **March 2019** the Community Affairs References Committee tabled its report including recommendations that the program cease in its current form.
- **April 2019** the Government announced changes to make reporting requirements simpler for participants.
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Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	16 October 2023

Department of Employment and Workplace Relations - Released under FOI 81 of 853

ParentsNext - as at 30 September 2023

Current Caseload - as at 30 September 2023

ParentsNext caseload^ 88,580

Parenting Payment continuous 6 months
No income/employment continuous 6 months
Parent age < 55 yrs
Youngest child age between 9 months and 6 yrs

+

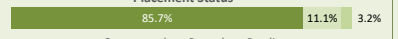
Age < 22 yrs , year 12 not completed (Early School Leaver*)

- Yes → Compulsory with no mutual obligations: 9,559 (10.8%)
- No → Income support 4+ yrs, completed year 12 (4IS)
  - Yes → Compulsory with no mutual obligations: 54,320 (61.3%)
  - No → Income support 2+ yrs, year 12 not completed, age 22+ yrs (2IS)
    - Yes → Compulsory with no mutual obligations: 24,013 (27.1%)
    - No → Voluntary: 688 (0.8%)

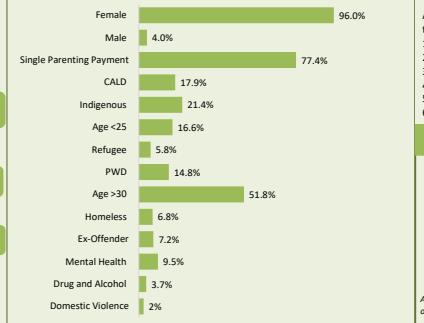
*Refers to participants who were under 22 years of age and had not completed the final year of school (or equivalent level of education) at referral. This is not the total number of ESL's on the ParentsNext caseload.

^ The caseload figure includes parents who have chosen to no longer participant in the program following the eligibility rulechanges announced on 5 May. Please also refer to the Active Participant section.

Placement Status



Characteristics



Domestic Violence characteristic was based on participants who self-identified family and domestic violence as a barrier to employment in their JSCI responses.

Active Participants

On 5 May 2023, the Australia Government announced an immediate lifting of all mutual obligation requirements for ParentsNext participants, and parents now have a choice on whether to commence or continue to be in the program and take part in any activities.

An **active participant** is any participant who has undertaken one or more of the following types of engagement in the last three months:
1 - commenced on the program
2 - agreed to a Participation Plan
3 - attended an appointment with the provider
4 - commenced a new activity
5 - participated in an activity
6 - utilised the Participation Fund

58,962 active participants* between 1 Jul 2023 and 30 Sep 2023

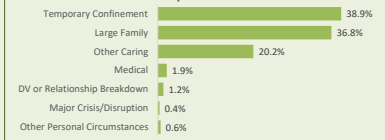


A participant may be counted in more than one of the above types of engagement, however is only counted once when determining the number of active participants

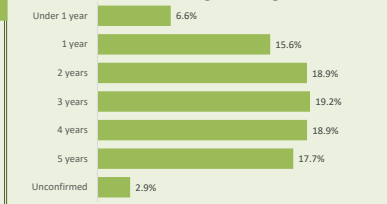
The figure for 'participated in an activity' may be under reported since participants are no longer compelled to log participation in activities in the system

11,329 participants with an exemption

Exemption Reason

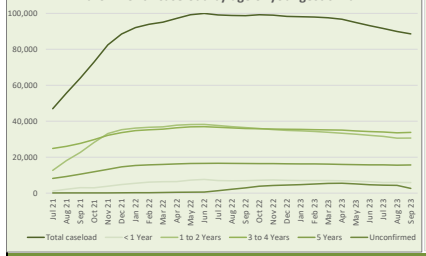


Youngest Child Age

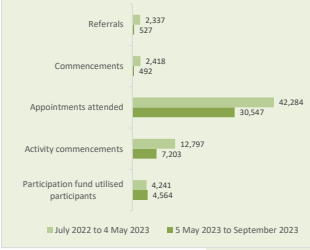


Caseload Trends - 1 July 2021 to 30 September 2023

End-of-month caseload by age of youngest child



Monthly averages pre and post 5 May



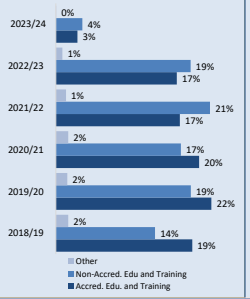
Referrals by referral reason, exits by exit reason and commencements



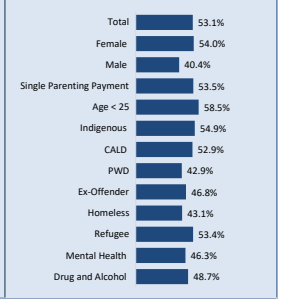
Education & Employment

Commenced education - 1 July 2018 to 30 September 2023

Commenced education by financial year



Commenced education by cohort

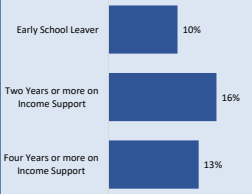


Current caseload with declared earnings in the last 28 days

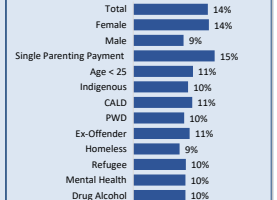
Please note that updated declared earnings data is unavailable this month due to loss of access to the data from Services Australia.

The department is in discussion with Services Australia to get the access reinstated as soon as possible.

Declared earnings by referral reason (as at 30 June 2023)

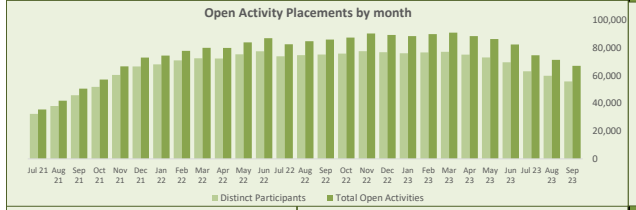


Declared earnings by cohort (as at 30 June 2023)

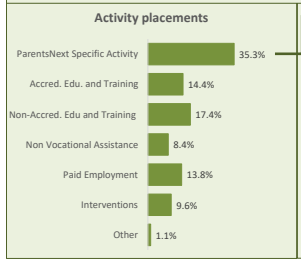


Activity Placements - 1 July 2021 to 30 September 2023

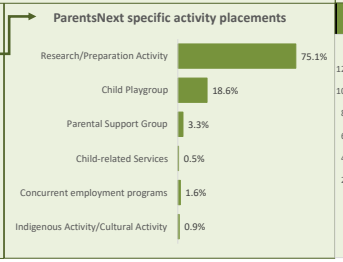
Open Activity Placements by month



Activity placements

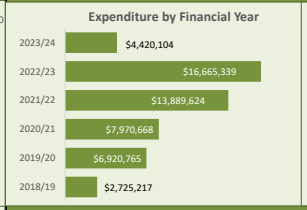


ParentsNext specific activity placements

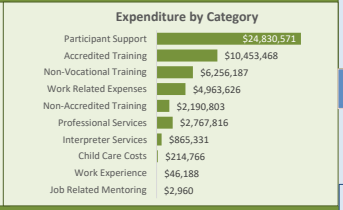


Participation Fund - 1 July 2018 to 30 September 2023

Expenditure by Financial Year

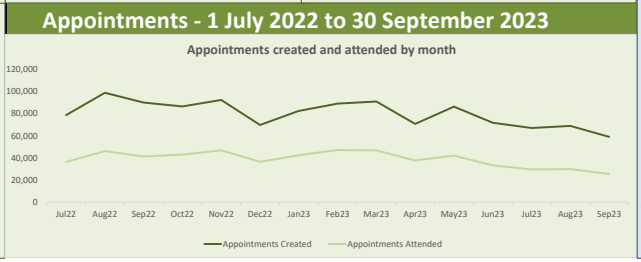


Expenditure by Category



Appointments - 1 July 2022 to 30 September 2023

Appointments created and attended by month



ParentsNext - as at 30 September 2023

Caseload

Current v program-to-date (PTD) caseload							
	Current Caseload*					PTD participants serviced^	
Cohort	Total current caseload*	Percentage of caseload	Commenced	Pending	Paused	PTD participants serviced^	Percentage of all participants serviced
Participation requirement							
Total	**88,580**	**100.0%**	**75,884**	**2,861**	**9,835**	**237,970**	**100.0%**
Compulsory	87,892	99.2%	75,231	2,828	9,833	236,905	99.6%
Voluntary	688	0.8%	653	33	2	5,460	2.3%
Referral reason							
Early School Leaver (ESL)**	9,559	10.8%	8,196	435	928	24,024	10.1%
Income Support 2+ Years (2IS)	24,013	27.1%	21,122	763	2,128	37,327	15.7%
Income Support 4+ Years (4IS)	54,320	61.3%	45,913	1,630	6,777	89,766	37.7%
JSCI (ceased from 1 July 2021)	0	0.0%	0	0	0	113,847	47.8%
YCS (ceased from 1 July 2021)	0	0.0%	0	0	0	32,118	13.5%
Participant Characteristics							
Female	85,011	96.0%	72,654	2,733	9,624	222,624	93.6%
Male	3,568	4.0%	3,229	128	211	15,341	6.4%
Single Parenting Payment	68,552	77.4%	59,260	2,445	6,847	186,547	78.4%
Indigenous	18,968	21.4%	15,891	833	2,244	42,652	17.9%
CALD	15,886	17.9%	13,512	260	2,114	50,109	21.1%
Refugee	5,179	5.8%	4,276	66	837	15,194	6.4%
Persons with Disability	13,133	14.8%	11,175	491	1,467	41,619	17.5%
Ex-offender	6,382	7.2%	5,483	301	598	19,735	8.3%
Homeless	6,033	6.8%	5,071	382	580	17,316	7.3%
Mental Health	8,382	9.5%	7,286	309	787	18,548	7.8%
Drug and Alcohol	3,261	3.7%	2,866	120	275	8,888	3.8%
Domestic Violence	2,103	2.4%	1,812	98	193	4,726	2.0%
Under 25	14,718	16.6%	12,617	692	1,409	45,070	18.9%

** Includes commenced, pending and paused participants*

^ Distinct counts of participants who have commenced in the program

*** Refers to participants who were under 22 years of age and had not completed the final year of school (or equivalent level of education) at referral*

Current Caseload by state	
State	Caseload
ACT	723
NSW	28,216
NT	733
QLD	21,671
SA	6,827
TAS	2,769
VIC	18,270
WA	9,371

Participants, commencements and exits by financial year			
Financial Year	Distinct participants	Commencements	Exits
2018-19	93,303	93,443	27,120
2019-20	106,984	36,081	37,792
2020-21	108,476	37,248	37,378
2021-22	115,422	71,149	20,821
2022-23	122,467	26,026	32,163
2023-24 (to 30 September 2023)	92,151	1,320	6,599

Participation Fund Expenditure by Financial Year*	
FY	Expenditure
2018/19	$ 2,725,216.83
2019/20	$ 6,920,765.18
2020/21	$ 7,970,667.70
2021/22	$ 13,889,623.66
2022/23	$ 16,665,339.45
2023/24 (to 30 Septemnber 2023)	$ 4,420,103.65

Program-to-date exits*		
Exit description	Number of exits	% of exits
Youngest PP Child not under 6	82,853	51%
Parenting Payment Cancelled	43,616	27%
New child in care	10,773	7%
Employment	12,772	8%
Other reasons	11,859	7%
Total	**161,873**	**100%**

**Excludes the 32,807 participants that exited when the program eligibility rules changed on 1 July 2021*

Program-to-date PF Expenditure by Category*		
Category	Expenditure	% of total
Participant Support	$ 24,830,571.27	47.2%
Accredited Training	$ 10,453,468.23	19.9%
Non-Vocational Training	$ 6,256,186.62	11.9%
Work Related Expenses	$ 4,963,625.79	9.4%
Non-Accredited Training	$ 2,190,803.29	4.2%
Professional Services	$ 2,767,815.83	5.3%
Interpreter Services	$ 865,330.97	1.6%
Child Care Costs	$ 214,766.29	0.4%
Work Experience	$ 46,188.18	0.1%
Job Related Mentoring	$ 2,960.00	0.0%
Total	**$ 52,591,716.47**	**100.0%**

**Administrative data (inclusive of GST)*

FY-to-date attendance		
Engagement Measure	FY-to-date	This month
Total Attendance Rate[1]	56.9%	56.2%
Activity attendance rate [1]	64.1%	66.4%
Appointment attendance rate [1]	56.2%	55.5%

[1] Includes all compulsory and voluntary requirements

Current caseload by highest education		
Level	Participants	Percentage of Current Caseload
University	4,624	5.2%
Trade or TAFE	35,228	39.8%
Secondary School	11,328	12.8%
Years 10-11	26,275	29.7%
Years 1-9	9,311	10.5%
None	740	0.8%
Unknown	1,074	1.2%

Current caseload by age		
Age group	Participants	Percentage of Current Caseload
21 and under	4,780	5.4%
22 to 24 years	9,938	11.2%
25 to 29 years	23,292	26.3%
30 to 34 years	22,101	25.0%
35 to 39 years	16,161	18.2%
40 to 44 years	9,178	10.4%
45 to 49 years	2,518	2.8%
50 to 54 years	607	0.7%
55 and over	5	0.0%

Activity Placements

	Current Activity Placements*		Activity placements by financial year#						
Activity Category	Placements	Percentage of all placements	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Total
ParentsNext Specific Activity	**19,177**	**28.7%**	**23,380**	**38,986**	**38,816**	**59,634**	**51,250**	**6,329**	**218,395**
Research/Preparation Activity	13,093	19.6%	0	15,389	25,642	44,120	38,762	**5,151**	129,064
Child Playgroup	4,702	7.0%	14,094	14,913	7,936	11,283	9,844	**673**	58,743
Parental Support Group	972	1.5%	2,013	2,320	1,527	2,081	1,419	**363**	9,723
Concurrent employment programs	288	0.4%	2,488	2,212	1,434	829	921	**117**	8,001
Child-related Services	77	0.1%	4,479	2,448	641	389	173	**25**	8,155
Indigenous Activity/Cultural Activity	42	0.1%	306	1,704	1,636	932	117	**0**	4,695
Blanks	3	0.0%	587	442	181	343	281	**29**	1,863
Accredited Education and Training (Vocational)	**1,000**	**1.5%**	**19,728**	**26,247**	**23,844**	**21,458**	**22,538**	**3,793**	**117,608**
Pre-Year 12 Schooling	71	0.1%	187	212	173	145	125	1,006	862
Secondary School - Year 12	71	0.1%	288	322	177	125	108	20	1,028
Accredited Units/ Skills Sets	1,636	2.4%	1,500	3,275	4,711	5,716	5,689	217	21,897
Certificate 1 and 2	596	0.9%	2,086	2,730	1,964	1,849	1,378	8	10,224
Certificate 3	4,875	7.3%	7,650	10,266	8,689	7,591	9,137	1,449	44,782
Certificate 4	2,058	3.1%	2,908	3,584	3,011	2,772	3,228	632	16,135
Diploma/ Advanced Diploma/ Associa	1,037	1.6%	2,301	2,827	2,549	1,650	1,569	300	11,196
University	1,014	1.5%	2,808	390	276	211	158	21	3,864
Non-Accredited Education and Training (Vocational)	**13,531**	**20.2%**	**14,264**	**23,326**	**21,210**	**27,344**	**25,746**	**4,684**	**116,574**
Non Vocational Assistance	**3,829**	**5.7%**	**18,223**	**21,679**	**18,573**	**16,332**	**10,274**	**1,153**	**86,234**
Part Time/Casual Paid Employment	**11,358**	**17.0%**	**7,232**	**12,986**	**16,416**	**21,534**	**21,929**	**2,435**	**82,532**
Interventions	**7,431**	**11.1%**	**6,752**	**12,370**	**14,015**	**15,489**	**14,590**	**1,653**	**64,869**
Other	**1,530**	**2.3%**	**2,487**	**2,597**	**2,361**	**2,118**	**1,533**	**93**	**11,189**
Total	**66,875**	**100.0%**	**92,066**	**138,191**	**135,235**	**163,909**	**147,860**	**20,140**	**697,401**

** Includes all activity placements for participants on the current ParentsNext caseload*

 # Includes all referrals to activities made by ParentsNext providers

Education and Employment Outcomes

Outcomes by financial year						
	Commenced education	Completed education	Declared earnings (up to 30 June 2023)	Exited due to employment	Education outcome claim^	Employment outcome claim
2018-19 distinct participants	28,610	6,568	13,484	1,098	106	501
2019-20 distinct participants	37,692	7,586	18,807	2,098	643	1,282
2020-21 distinct participants	35,673	6,427	24,312	2,416	431	1,453
2021-22 distinct participants	39,279	7,973	25,146	1,733	553	2,655
2022-23 distinct participants	37,065	5,821	33,644	3,930	563	4,693
2023-24 distinct participants	7,629	355	N/A	326	139	1,087
Total outcome events	**243,264**	**38,969**	**N/A^**	**11,601**	**2,435**	**11,671**
Total distinct participants with outcome	**126,377**	**30,547**	**78,194**	**11,479**	**2,392**	**11,480**

^Participants' providers are eligible for an education outcome claim if the participant completes a Certificate III (or above) course, the Skills for Education and Employment (SEE) program or Year 12, and the education is of a higher level than any previously attained education. Prior to July 2021, only participants in the intensive stream were eligible for education outcome claims.

^ Declared earnings figures are derived from Centrelink reporting. Individual Centrelink reporting events are not an appropriate measure of the program

Program outcomes by cohort					
Characteristic	Commenced education	Completed education	Declared earnings (up to 30 June 2023)	Declared earnings in the last 28 days* (as at 30 June 2023)	Exited due to employment
Female	120,172	29,277	74,150	12,622	11,021
Male	6,200	1,269	4,044	370	458
Single Parenting Payment	99,883	24,455	64,512	10,906	9,952
Indigenous	23,434	5,238	11,878	2,018	1,406
CALD	26,483	6,134	13,144	1,867	1,703
Ex-Offender	9,234	1,978	4,680	718	475
Homeless	7,466	1,405	3,407	542	314
Persons with Disability	17,834	3,880	8,876	1,318	951
Refugee	8,113	1,737	3,568	538	386
Mental Health	8,579	1,874	4,310	852	529
Drug and Alcohol	4,376	966	2,044	336	207
Under 25	26,387	6,473	13,010	1,770	1,603
Total	**126,377**	**30,547**	**78,194**	**12,992**	**11,479**

** Only includes participants on the current ParentsNext caseload with declared earnings in the last 28 days*

Please note that declared earnings data is only up to 30 June 2023 and updated was unavailable this month due to loss of access to the data from Services Australia.

Provider Appointments		
Month commencing	Appointments Created	Appointments Attended
Jul22	78,608	36,239
Aug22	98,740	46,014
Sep22	89,880	41,153
Oct22	86,461	42,866
Nov22	92,261	46,789
Dec22	69,670	36,368
Jan23	82,393	42,299
Feb23	88,947	47,018
Mar23	90,912	46,678
Apr23	70,578	37,572
May23	86,248	41,971
Jun23	71,702	33,177
Jul23	66,949	29,492
Aug23	68,780	29,735
Sep23	58,922	25,464

Current exemptions	
Exemption type	Participants
Temporary Confinement	4,403
Large Family	4,170
Other Caring	2,294
Medical	216
DV or Relationship Breakdown	136
Other Personal Circumstances	41
Major Crisis/Disruption	67
Total	**11,329**

Department of Employment and Workplace Relations - Released under FOI

ParentsNext Budget and Expenditure at 30 September 2023

The ParentsNext Estimates Model (FEM) is used to generate the Budget and forward estimates for ParentsNext. The ParentsNext FEM:
- was developed by Department of Employment and Workplace Relations and is approved and monitored by the Department of Finance.
- is subject to continual review and amendments to incorporate, for example, new policy decisions and financial trends.
- informed by Treasury and Department of Social Services parenting single and partnered recipients forecasts.

Estimates are updated three times per year, Additional Estimates, Budget and MYEFO. Funding for ParentsNext is published twice a year in the Employment and Workplace Relations PBS and Employment and Workplace Relations PAES.

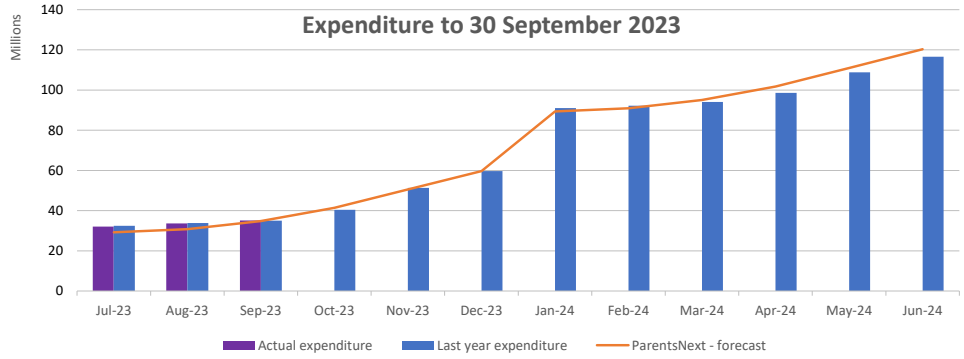
Expenditure to 30 September 2023

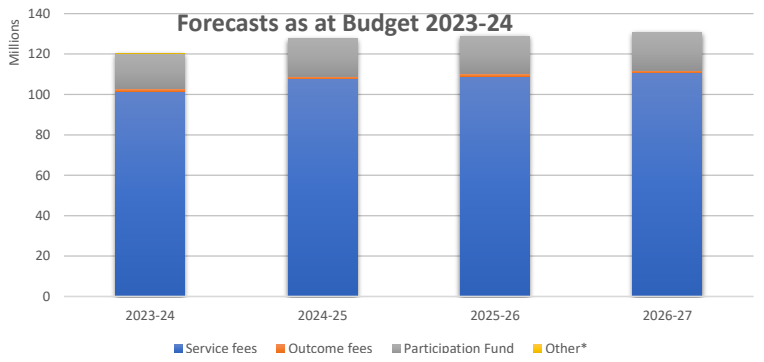
	2018-19 ($m)	2019-20 ($m)	2020-21 ($m)	2021-22 ($m)	2022-23 ($m)	2023-24 ($m)	Total ($m)
Service fees	76.676	79.175	86.321	97.532	100.175	30.222	**470.101**
Outcome fees	0.171	0.519	0.531	0.934	1.447	0.388	**3.989**
Participation Fund***	2.316	6.247	7.204	12.264	14.711	4.388	**47.131**
Other*	0.264	0.738	- 0.305	0.359	0.285	0.121	**1.462**
Total - Expenditure**	**79.427**	**86.679**	**93.750**	**111.089**	**116.619**	**35.118**	**522.682**

Forecasts as at Budget 2023-24

	2023-24 ($m)	2024-25 ($m)	2025-26 ($m)	2026-27 ($m)	Total ($m)
Service fees	101.489	107.682	108.862	110.676	**428.709**
Outcome fees	1.294	1.386	1.404	1.425	**5.509**
Participation Fund	17.439	18.440	18.585	18.672	**73.136**
Other*	0.087	-	-	-	**0.087**
Total - Expenditure**	**120.309**	**127.508**	**128.851**	**130.773**	**507.441**

*Other includes Small Budget Measures and Programmes (e.g. Evaluation, Communications and Insurance).
**The sum of sub-totals displayed may not equal grand totals due to rounding.
***Cost Centre A6269 ParentsNext WS (PF) from December 2022 is $260,254 is currently sitting under Workforce Australia. This cost center will soon move under ParentsNext.







ParentsNext Provider Analysis as at 30 September 2023

53 ParentsNext Providers delivering across
51 Employment Regions

Data by Provider

Provider	Org Code	Contracted Regions	No. of Sites	Caseload	For profit	Delivering Workforce Australia Services	Indigenous Organisation
Access Community Services Limited*	ACOL	3	12	1,377			
Accoras	OOET	4	21	3,183			
APM Employment Services	BBXY	4	10	2,197	Yes	Yes	
ASURIA PEOPLE SERVICES PTY LIMITED	VVCH	6	25	4,475	Yes	Yes	
ATWORK AUSTRALIA PTY LTD	WKFC	1	11	585	Yes	Yes	
Axis Employment	CAXI	4	29	1,860			
Bamara	UUEK	5	35	2,795	Yes		Yes
Bridging the Gap Inc.	BROC	1	5	982			
CAMPBELL PAGE LIMITED	OASI	1	12	755			
CatholicCare*	OODO	1	6	743			
CATHOLICCARE VICTORIA*	CCKD	3	12	1,501			
CHESS Connect*	CCWN	1	15	557			
Communicare Inc*	EVOF	3	15	1,845			
Community Solutions*	CINC	2	12	1,319			
Complete Personnel*	MARA	1	3	461	Yes		Yes
CVGT Employment	CNTG	4	29	4,450		Yes	
Djerriwarrh Employment & Education Services	FFLT	1	11	1,576			
G-Force Employment Solutions	UUDN	1	3	845			
Jobfind Centres	HOST	1	6	718	Yes	Yes	
JOBLINK PLUS LIMITED	VCAF	4	54	2,661		Yes	
JOBS QUEENSLAND LIMITED	QJOB	1	3	288			
KornarWinmil Yunti Aboriginal Corporation*	VVEB	1	1	119			Yes
Kuditj Pty Ltd*	PPTY	2	12	1,158			Yes
Kullarri Regional Communities Indigenous Corporation	KKAM	1	1	150			Yes
Max Employment	LEON	2	11	1,079	Yes	Yes	
Mission Australia	MISN	11	70	8,778			
Multicultural Australia Ltd*	MULT	3	14	1,990			
My Pathway	MMEG	3	14	1,911	Yes		
Northern Joblink Limited	OOEO	4	24	2,122			
OCTEC LIMITED	FORB	10	83	7,191			
Olympus Solutions Limited*	NNEX	4	29	3,300			
Roseberry Qld*	OOEY	1	6	360			
Sarina Russo Job Access	THEO	2	9	1,362	Yes	Yes	
SETTLEMENT SERVICES INTERNATIONAL LIMITED	OOEX	2	17	1,784			
SMYL Community Services	STHM	5	75	2,827	Yes		
SYC Ltd	STYC	6	13	2,795		Yes	
The Personnel Group Ltd	PEAW	1	13	791			
The Salvation Army Employment Plus	SALV	1	5	789		Yes	
The Trustee for Designer Life (Queensland) Trust	RRYQ	2	15	1,696	Yes	Yes	
Training Alliance Group Australia Pty Ltd	QQNR	1	7	1,113	Yes	Yes	
Uniting (Victoria and Tasmania) Limited*	WUAC	1	4	456			
UnitingSA*	NPNT	2	16	1,123			
VERTO LTD	CNTC	2	16	1,035		Yes	
Wesley Employment & Training*	WEMI	7	38	3,816			
Wesley Mission Queensland*	HHCO	1	4	908			
Women's Health and Family Services*	VVEE	1	5	711			
Worklinks Qld Ltd	WWLK	1	3	474			
WORKSKIL AUSTRALIA LTD.	VVEC	2	8	1,029		Yes	
Workskills Tasmania	ZTPS	1	12	677		Yes	
WORKWAYS AUSTRALIA LIMITED	WRKW	1	5	598		Yes	
Wugu Nyambil	UUFL	1	1	104		Yes	Yes
YFS Ltd*	MMRN	1	8	710			
yourtown	BOYT	1	9	451			
Total		**51**	**877**	**88,580**	**12**	**17**	**6**

* 18 Providers exclusively deliver the ParentsNext program (i.e. Providers do not deliver any other services on behalf of DEWR)

Department of Employment and Workplace Relations - Released under FOI

Data by Region

Region	State	No. of Providers	No. of Sites	Region with 1 provider	Caseload
Adelaide North	SA	5	24		3,644
Adelaide South	SA	2	7		1,432
Ballarat	VIC	1	3	CatholicCare Victoria	758
Barwon	VIC	1	3	G-Force Employment Solutions	845
Bendigo	VIC	1	4	Axis Employment	607
Brisbane South East	QLD	8	42		4,255
Broome	WA	1	1	Kullarri Regional Communities Indigenous Corporation	150
Cairns	QLD	4	14		1,853
Capital Region	ACT/NSW	2	18		1,253
Central West	NSW	2	23		1,182
Darling Downs	QLD	2	12		1,738
Darwin (includes Alice Springs)	NT	2	6		733
Esperance	WA	1	1	SMYL Community Services	61
Far West Orana (includes Broken Hill)	NSW	2	26		973
Fitzroy	QLD	3	20		1,607
Geraldton	WA	1	1	Communicare Inc	388
Gippsland	VIC	2	8		1,281
Gold Coast	NSW/QLD	3	16		1,683
Goulburn/Murray	NSW/VIC	2	22		1,628
Great Southern - Wheatbelt	WA	1	50	SMYL Community Services	696
Hobart and Southern Tasmania	TAS	2	19		1,290
Hunter	NSW	4	28		2,771
Illawarra South Coast	NSW	3	21		1,908
Inner Metropolitan Melbourne	VIC	2	11		1,198
Kalgoorlie	WA	1	1	SMYL Community Services	197
Mackay	QLD	2	8		768
Mid North Coast	NSW	4	38		1,851
Mid North SA	SA	1	9	yourtown	451
Murray and South East	SA	2	15		720
Murray Riverina	NSW	1	9	Mission Australia	1,080
New England and North West	NSW	3	37		1,455
North and North Western Tasmania	TAS	2	13		1,479
North Coast	NSW	3	18		1,206
North Eastern Melbourne	VIC	2	7		2,069
North West Country SA	SA	2	4		580
North Western Melbourne	VIC	4	12		2,057
Perth - North	WA	4	23		2,740
Perth - South	WA	5	41		4,357
Somerset	QLD	4	23		2,998
South Coast of Victoria	VIC	1	5	Axis Employment	384
South Eastern Melbourne and Peninsula	VIC	3	15		3,424
South West WA	WA	1	13	SMYL Community Services	782
Sydney East Metro	NSW	4	21		1,979
Sydney Greater West	NSW	5	40		5,180
Sydney North and West	NSW	4	35		1,961
Sydney South West	NSW	6	32		5,615
Townsville (includes Mt Isa)	QLD	3	8		1,689
Western Melbourne	VIC	4	20		3,454
Wide Bay and Sunshine Coast	QLD	3	19		2,742
Wimmera Mallee	NSW/VIC	2	17		879
Wivenhoe	QLD	3	14		2,549
Total		**53**	**877**	**12 ERs, 8 providers**	**88,580**

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Australian Government
Department of Employment and Workplace Relations

2023-24 ParentsNext program changes announcement, timeframe of communication

Below are the actions and related communications the department has taken since 4 May 2023

Date	Actions
4 May 2023	• All compulsory requirements for ParentsNext Participants were lifted.
	• Website announcement for media was made live at link www.dewr.gov.au/ParentsNext/announcements/changes-parentsnext.
5 May 2023	• Joint Media release from the Hon Katy Gallagher, Minister for Women and the Hon Tony Burke MP, Minister for Employment and Workplace Relations, announcing the ParentNext program will be abolished and compulsory requirements participants would be lifted. • CEO letter sent to all ParentsNext Providers (see **Attachment E**).

	• Knowledge Base Articles for the National Customer Service Line were published.
	• Communications were sent to all referred participants (commenced, pending, suspended, voluntary) via their chosen communication method:
	  ○ SMS at 9am EST (for all states except WA) and 12pm EST (for WA)
	  ○ email at 9am EST.
	• All participants received an inbox message on their Workforce Australia Online account.

	• Social media messaging was placed on the DEWR ParentsNext Facebook page, Workforce Australia Facebook page and the DEWR LinkedIn page. • Provider Portal notice was released to inform providers staff of the changes.
	• ESSWeb notice for provider staff was issued.
5-6 May 2023	• All demerits were removed from ParentsNext participants returning them all to the Green Zone.
11 May 2023	• Formal letter issued to providers to inform them of key changes to the program following the 2023-24 Budget
16 June 2023	• Formal letter issued to providers to inform them of work underway to revise measurements of provider performance following the 5 May 2023 announcement.

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18-19 July 2023	• Communications were sent to participants via their chosen communication method (SMS, email or Workforce Australia inbox) about the benefits of participating in ParentsNext.
24 August 2023	• A Letter of Direction was issued to providers to inform them of a new referral process and new performance measures to be implemented from 1 October 2023. These changes gave effect to the ParentsNext Interim Arrangements New Policy Proposal.
8 September 2023	• Webinar with providers to answer questions about new referral process and performance measures.
26 September 2023	• A Letter of Direction was issued to ParentsNext providers to inform them of the requirements to apply exemptions to the current caseload. These exemptions gave effect to the ParentsNext Interim Arrangements New Policy Proposal. These exemptions ensure accurate calculation of service fees in time for 1 January 2023.
27 September 2023	• Supporting information was published for providers regarding the 26 September 2023 Letter of Direction.
1 October 2023	• New referral process commences.

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Provider Own Organisation and Related Entity Referrals

Key Points

- Workforce Australia Services, ParentsNext, and Transition to Work providers can refer participants to their own organisation or related entity to address vocational and non-vocational needs and for job placement. Refer to:
  - **Table 1** for number and proportion of providers that refer to own/related entity by referral type.
  - **Attachment A** for a list of related entities self-reported by Workforce Australia Services and ParentsNext providers.
- Providers are expected to give participants choice in the services, activities and providers they engage with, including when the services or activities are provided by a provider's own organisation or related entity. Each referral should be made in collaboration with the participant and must be appropriate to the individual's needs.
- The department has collated a list of self-reported provider related entities which will be updated regularly to enable accurate reporting of related entity expenditure.
- The department is undertaking monitoring and a review of own organisation and related entity referrals to activities, support and is considering changes to the current arrangements.
- The department has current controls in place to monitor, limit or prohibit own/related entity and subcontractor referrals which are detailed in the Background information below.
- Where poor provider behaviour regarding own organisation and related entity referrals has been identified, the department has taken action under the Breach Management Framework.

Workforce Australia Services

- From 1 July 2022 to 30 September 2023, under the Employment Fund, the total value of own organisation and related entity commitments was $56,452,331:
  - $44,667,314 own organisation commitments
  - $11,785,017 related entity commitments
- Refer to **Table 2** for further information and **Attachment B** for a breakdown by provider in each Employment Region.
- Employment Fund commitments for own organisation for the period up to 30 June 2023 to the September quarter have remained fairly steady, with only a slight decrease from 25% to 23%. Similarly, for related entity expenditure there was a reduction from 6.8% to 5.2%. Refer to **Table 3** for further information.
- At 30 September 2023, there had been a total of 740 job placements recorded with providers' own organisations or related entities, and 1,933 placements with another provider or a related entity of another provider. These represent 0.8% of all placements recorded under Workforce Australia Services.
- Further detail to be taken on notice.

ParentsNext

- From 1 July 2022 to 30 September 2023, under the Participation Fund, the total value of own organisation and related entity commitments was $3,042,483, which includes:
  - $2,288,678 own organisation commitments
  - $753,805 related entity commitments
- Refer to **Table 2** for further information. If a breakdown by provider is requested, this is to be taken on notice.

Career Transition Assistance and Employability Skills Training

- At 30 September 2023 (a breakdown by contract type is provided in **Tables 4 and 5**)
  - 9 providers that deliver Workforce Australia Services can self-refer in 18 Employment Regions to Career Transition Assistance.
  - 10 providers that deliver Workforce Australia Services and/or Transition to Work can self-refer in 21 Employment Regions to Employability Skills Training.
- At 30 September 2023, there had been 1,540 own organisation commencements under Career Transition Assistance and 1,303 under Employability Skills Training at a total of $2,435,400 and $967,025 respectively.
- At 30 September 2023, there had been 106 related entity commencements under Career Transition Assistance and 395 under Employability Skills Training at a total Employment Fund commitment value of $155,520 and $292,425 respectively.
  - Refer to **Attachment C** for a breakdown by provider.

Recent media

Date and Source	Subject	Question	Cleared Department Response
26 August 2023 The Saturday Paper Exclusive: Millions skimmed off government welfare contracts | The Saturday Paper	Workforce Australia Services providers Employment Fund usage on own-organisation and related entities.	• The Saturday Paper (Rick Morton) writes, "I'm just following up on some discussions at senate estimates (30 May 2023) in which officials noted they were working on being able to report not only the spend of Workforce Australia providers on own entity claims from the Employment Participation Fund but also the spend on related entities. The figure of $23.9 million is for own entity, as I understand it. Does the Department have a figure yet for related entities? I am writing a news feature for this weekend's The Saturday Paper and I have a rough figure, but guidance would be appreciated so that it is accurate. In addition (I think this is in addition) does the Department have a figure on the value of outcome or commencement payments made to the 56 per cent of providers who have made job placements from their caseload with own or related entities?"	The updated Employment Fund data to 30 June 2023 is $33.6 million for own organisation and $9.2 million for related entity. In relation to the 56% of Workforce Australia Services providers who have reported they have placed participants from their caseload into jobs within their own organisation or a related entity, the department does not have readily available information about the number of job placements and any associated outcome payments associated with this. Workforce Australia Services providers do not receive a payment when a participant is placed into a job. Outcome payments may be claimed by providers when participants sustain employment for 4, 12 and 26 weeks and meet the minimum requirements for those outcome payments. This means not all job placements will be eligible for an Outcome payment where the participant does not work enough hours in the job or receive sufficient earnings to attract an Outcome payment.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000736	Rice, Janet	Own or related entity organisations	Request for an update to Senate Question Number 1989, including more recent data since 31 March 2023, all related entity data available by provider and employment region and number of referrals to EST and CTA. The department provided data updated to 30 June 2023 including data for related entities.
IQ23-000276	Hill, Julian	Employment Fund category	Request for related entity and own organisation data for the first 12 months of the program, including total expenditure, total number of participants assisted, total transactions and average cost per transaction by Employment Fund category. Response in progress.

Key data on extent of own and related entity referrals

Table 1 - Number and proportion of current providers have that referred to own organisation or related entity by referral type from 1 July 2022 – 30 September 2023

Program	Job Placements	Activities to address vocational non-vocational needs	Services that attract reimbursement under the Employment Fund / Participation Fund
Workforce Australia Services	42 (95% of providers)	43 (100% of providers)	39 (89% of providers)
Transition to Work	19 (51% of providers)	37 (100% of providers)	N/A
ParentsNext	26 (49% of providers)	53 (100% of providers)	34 (64% of providers)

Notes:

1. Related entities are identified via departmental review of the Australian Business Register and other sources and confirmed with providers, current as at 12 July 2023.
2. Data only includes providers with a current licence.

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Table 2 – Own organisation and related entity commitments through the Employment Fund and Participation Fund from 1 July 2022 - 30 September 2023

Program	Total commitments	Commitments excl wage subsidies	Total value of own organisation commitments	Percentage of total commitments to own organisation	Percentage of providers that claimed against own organisation	Average total commitments to own organisation	Maximum total commitments to provider's own organisation
Workforce Australia Services Employment Fund	$300,043,497	$181,891,125	$44,667,314	24.6%	86.4%	$1,175,456	$9,270,654
ParentsNext Participation Fund	$21,085,443	$21,085,443	$2,288,678	10.9%	57%	$76,289	$352,289
Program	**Total commitments**	**Commitments excl wage subsidies**	**Total value of related entity commitments**	**Percentage of total commitments to related entities**	**Percentage of providers that claimed against related entities**	**Average total commitments to related entities**	**Maximum total commitments to provider's related entities**
Workforce Australia Services Employment Fund	$300,043,497	$181,891,125	$11,785,017	6.5%	40.9%	$654,723	$7,063,895
ParentsNext Participation Fund	$21,085,443	$21,085,443	$753,805	3.6%	21%	$68,528	$601,675

Table 3 – Own organisation and related entity commitments through the Employment Fund 1 July 2022 to 30 June 2023 and 1 July 2023 to 30 September 2023

	Own Organisation	Related Entity	Total (Including external expenditure)	Percentage Own Organisation	Percentage Related Entity
1 July 2022 – 30 June 2023	$33,616,329	$9,213,104	$134,542,908	25.0%	6.8%
1 July 2023 – 30 September 2023	$44,525,132	$11,665,953	$181,891,125	24.5%	6.4%

Notes:

1. Calculations of own organisation and related entity commitments excludes Wage Subsidies which cannot be claimed for own organisation or related entity job placements. Not all commitments result in a claim for reimbursement.
2. Own organisation commitments are commitments where the provider ABN matches the supplier ABN. ParentsNext Participation Fund own organisation commitments also include commitments flagged in the system as 'own organisation' by the provider, as the supplier ABN details are not populated for most ParentsNext Participation Fund commitments.
3. Related entity commitments include amounts where the supplier ABN matches related entity ABN's identified via departmental review of the Australian Business Register and other sources and confirmed with providers, current as at 12 July 2023.
4. Average does not include providers with nil commitments to own organisation or related entity.

Table 4 – Workforce Australia Services providers that can self-refer to Employability Skills Training or Career Transition Assistance (point in time) as at 30 September 2023

	Employability Skills Training	Career Transition Assistance
Total number of providers eligible for self-referral	6 (14% of 43 Workforce Australia Services providers)	9 (21% of 43 Workforce Australia Services providers)
Employment Regions in which Workforce Australia Services provider can self-refer	15 (29% of 51 regions)	18 (35% of 51 regions)
Employment Regions in which the provider is subject to a 50% referral cap	11	10
Employment Regions in which the provider is exempt from the referral cap as they are the only activity provider	4	8

Notes:

1. There is a total of 51 Employment Regions across Australia.
2. Referral Cap only applies to the delivery of Training Block 2 as Training Block 1 attracts no government funding. EST has two training blocks, one helps individuals develop workplace based soft skills and advanced job search skills to improve their prospects of employment. The other (Training Block 2) helps individuals understand different industries in their local labour market, build industry specific skills, and experience what it's like in an industry before committing to it.
3. Excludes related entities.

Table 5 – Workforce Australia – Transition to Work providers that can currently self-refer to Employability Skills Training (point in time) as at 30 September 2023

	Employability Skills Training
Total number of providers eligible for self-referral	8 (22% of 37 Transition to Work providers)
Employment Regions in which the Transition to Work provider can self-refer	13 (25% of 51 regions)
Employment Regions in which the provider is subject to a 50% referral cap	10
Employment Regions in which the provider is exempt from the referral cap as they are the only activity provider	3

Notes:

1. There is a total of 51 Employment Regions across Australia.
2. Excludes related entities.
3. Transition to Work providers became subject to a 50% Referral Cap from March 2023, when Transition to Work referrals started occurring within the Department's IT Systems.

Background

- Workforce Australia Services, Transition to Work and ParentsNext providers can refer a participant to their own organisation, related entity, or sub-contractor to:
    - participate in activities to address non-vocational barriers
    - gain the skills they need to improve their employment prospects
    - place a participant in employment (including labour hire).

- The current policy settings enable participants to access:
    - coordinated wrap around support with a provider with whom they have an established relationship
    - timely professional services (e.g. mental health counselling), particularly in regional or other areas with no or limited availability
    - more flexible, rolling course commencements compared to other training organisations (such as TAFEs).

Department Controls

- Subject to specific rules, own organisation and related entity referrals can result in a progress or outcome payment to the provider, or payment for the activity, goods, or services delivered.
- The Department has in place controls to monitor, limit or prohibit own/related entity and subcontractor referrals, including:
    - a prohibition on providers claiming Wage Subsidies with their own/related entities
    - a 50 per cent referral cap for Workforce Australia Services providers with an Employability Skills Training or Career Transition Assistance contract in the same Employment Region where multiple providers operate
    - policy controls relating to payment structures, such as limiting progress payments to once for a participant within each 24-month period of service, and preventing the churn of participants through a job for multiple employment outcome payments
    - policy controls relating to Employment Fund reimbursement, for example
        - a capped maximum standard rate for professional services delivered by staff employed by the provider's own organisation or a related entity
        - prohibition of purchases associated with the provision of employment services, and any services considered core services under the Deed (including for own organisation or related entity suppliers)
    - IT system controls that prevent inappropriate referrals and reimbursement in some instances
    - regular desktop monitoring and assurance activities.

Department Action

- Non-compliance is assessed under the:
    - Department's Breach Management Framework – consequences include recovery of payments, the imposition of additional documentary evidence and restricting access to categories of expenditure under the Employment Fund/Participation Fund.
    - Performance Framework – with implications for future licensing decisions and/or contracts.

Career Transition Assistance and Employability Skills Training

- CTA participants are fully funded by the Australian Government.
- For participants referred to EST Training Block 1, providers must use their own revenue to cover the cost of the program ($1250) as they are expected to deliver the type of support covered by this training block directly (job search and workplace skills support and training).
- For EST Training Block 2, which is more industry-specific training, participants are partially funded by the Government ($950), and EST providers may charge the referring Workforce Australia provider up to $300 per participant (total payment to the EST provider of up to $1250). Effective 14 August 2023, Workforce Australia Services providers can use the Employment Fund to pay for the up to $300 participant cost (prior to 14 August 2023, Workforce Australia Services provider were required to use their own revenue).

Attachment A

List of Related Entities of Workforce Australia Services and ParentsNext Providers [1]

Provider Name	Business Name (as self-reported by the provider)	Workforce Australia Services	ParentsNext
AMES Australia	Kare One Pty.Ltd.	●	
Access Community Services Limited	Access Community Enterprises Limited		●
APM Employment Services	The Trustee for ITR Unit Trust trading as ITR Unit Trust (Innovative Training and Recruitment Pty Ltd)	●	●
	Konekt Australia Pty Ltd Trading As Konekt Workcare	●	●
	Ingeus Australia Pty Ltd Trading As Assure Programs	●	●
	Management Consultancy International Pty Ltd Trading As MCI Achieve	●	●
	Generation Health Pty Ltd	●	●
	Integrated Care Pty Ltd	●	●
	MCI Institute Pty Ltd	●	●
	Early Start Australia Pty Ltd	●	●
	APM Ontrac Pty Ltd	●	●
	Konekt Pty Ltd	●	
	The Interact Group Pty Limited	●	●
	Konekt Employment Pty Ltd	●	●
	Integra Choice and Control Pty Ltd	●	●
Wesley Mission Australia	The Uniting Church in Australia Property Trust (Q.)		●
Jobfind Centres	Learning Sphere Training Solutions Pty Ltd	●	●
	VFA Learning	●	●
	Real Futures Pty Ltd	●	●

[1] List of related entities that each Provider has declared and does not reflect actual referrals to related entities.

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Provider Name	Business Name (as self-reported by the provider)	Workforce Australia Services	ParentsNext
Australia Pty Ltd	Angus Knight Learning Pty Ltd	●	●
	The Trustee for Kinsei Trust	●	●
Max Employment	Injurynet Australia Pty Ltd	●	●
	Assymmetrics Pty Ltd	●	●
	Stirling Institute of Australia Pty Ltd	●	●
MTC Australia	MTC Recruitment Ltd	●	
	Warakirri College Ltd	●	
IntoWork (trading as IntoJobs)	iTFE	●	
	FindStaff	●	
	MRAEL Ltd	●	
	MAS National	●	
My Pathway	Community Apprenticeships Australia Pty Ltd		●
	My Pathway Facility Services		●
	EMG Workforce Pty Ltd		●
Job Futures	BRACE Education Training and Employment	●	
	Community Solutions Group	●	
	Endeavour Foundation Group	●	
	Ability Options Ltd	●	
	IMPACT Community Services Ltd	●	
	ON-Q Human Resources Limited (trading as BUSY Health)	●	
	Skill360 Australia Ltd	●	
	The Trustee for One Stop Group Business Trust	●	
	The BUSY Group Ltd (trading as BUSY At Work)	●	
	Indigenous Workstars	●	
	Five Bridges Ltd	●	
	Look Now Pty Ltd	●	
	Youth Projects Ltd	●	
	MTC Australia Limited	●	
	NIRRUMBUK ENVIRONMENTAL HEALTH AND SERVICES PTY LTD	●	
	DJARINGO PTY LTD	●	

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Provider Name	Business Name (as self-reported by the provider)	Workforce Australia Services	ParentsNext
NIRRUMBUK ABORIGINAL CORPORATION	KULLARRI BUILDING PTY LTD	●	
	Nudj Plumbing Service Pty Ltd	●	
Jobs Statewide Employment Services	Skills Training and Placement People Incorporated (trading as Rexcel Training (RTO))	●	
Olympus Solutions Ltd	Ability Options		●
On-Q Human Resources Ltd	Skill360 Australia Ltd	●	
	The BUSY Group Ltd (trading as BUSY At Work)	●	
	The Trustee for One Stop Group Business Trust	●	
	Job Futures Ltd	●	
Settlement Services International Limited	Metro Assist Limited		●
Kuditj Pty Ltd	Jobtrain WA Pty Ltd		●
Training Alliance Group Australia Pty Ltd	Training Alliance Group Pty Ltd	●	●
	ABV Training & Consulting	●	●
	Mining Transport and Construction Services Pty Ltd	●	●
Impact Services Pty Ltd	TASSK Pty Ltd	●	
The Salvation Army Employment Plus	The Trustee for THE SALVATION ARMY (NSW) PROPERTY TRUST	●	●
	The Trustee for The Salvation Army (VIC) Social Work	●	●
	SALVOS STORES	●	●
		●	●
	The Trustee for THE SALVATION ARMY (NSW) SOCIAL WORK	●	●
	The Trustee for THE SALVATION ARMY (NT) SOCIAL WORK	●	●

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Provider Name	Business Name (as self-reported by the provider)	Workforce Australia Services	ParentsNext
	The salvation army (vic) general work	●	●
	THE SALVATION ARMY (NSW) SOCIAL WORK	●	●
	The Trustee for THE SALVATION ARMY (QLD) GENERAL WORK	●	●
	The Trustee for THE SALVATION ARMY (SA) PROPERTY TRUST	●	●
	SALVATION ARMY HOUSING (VICTORIA)	●	●
	The Trustee for THE SALVATION ARMY (NT) GENERAL WORK	●	●
	Salvos Legal Limited	●	●
	SALVATION ARMY HOUSING	●	●
	The Trustee for THE SALVATION ARMY (NT) PROPERTY TRUST	●	●
	The Trustee for THE SALVATION ARMY (TASMANIA) PROPERTY TRUST	●	●
	THE TRUSTEE FOR THE SALVATION ARMY (TAS) SOCIAL WORK	●	●
	The Trustee for THE SALVATION ARMY (WA) SOCIAL WORK	●	●
	Salvos Legal (Humanitarian) Limited	●	●
Yilabara Solutions	NSW Aboriginal Land Council	●	
	Birribee Housing*	●	
Sureway Employment and Training Pty Ltd	Sureway Skills Training Pty Ltd	●	
	Anacacia Private Equity III LP	●	
	Galloway Group Pty Ltd	●	
	Sureway Group Pty Ltd	●	
	Sureway Health and Wellbeing Pty Ltd	●	
Sarina Russo Job Access	Sarina Russo Schools Australia Pty Ltd	●	●
	Voice-Psychologists & Allied Professionals	●	●
	SARINA RUSSO JOB ACCESS (AUSTRALIA) PTY. LTD.	●	●
G-Force Employment Solutions	Gforce corporate and finance pty ltd		●
Bamara	Asuria		●
	The Trustee for Australian Employment & Training Solutions Unit Trust		●
Joblink Plus Ltd	Health and Wellbeing Plus	●	●
	ATAC - PROFESSIONAL SERVICES	●	●

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Provider Name	Business Name (as self-reported by the provider)	Workforce Australia Services	ParentsNext
	JLP DRIVER TRAINING PTY LTD	●	●
Asuria People Services Pty Ltd	Bamara	●	●
	The Trustee for Australian Employment and Training Solutions	●	●
KornarWinmil Yuni Aboriginal Corporation	KWY Aboriginal Corporation		●
AimBig Employment	Rehab Management (AUST) Pty Ltd	●	
	ARRIBA GROUP PTY LTD	●	
	LIVEBIG PTY LTD	●	
		●	
Matchworks	IPA PERSONNEL SERVICES PTY LTD	●	
	GenU Training	●	
	Karingal INC	●	
	St Laurence Community Services INC	●	
WDEA Works	BALANCE TRAINING SERVICES PTY. LTD.	●	
Atwork Australia Pty Ltd	Workfocus Australia Pty Ltd	●	●

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Attachment B

Employment Fund

A breakdown of Employment Fund commitments to a Provider's own organisation and related entities, by Provider in each Employment Region, is in Table 1.

Table 1: Workforce Australia Services Employment Fund Own Organisation and Related Entity Commitments and Value of Commitments, 1 July 2022 to 30 September 2023

Employment Region	Provider	Own Organisation Commitments		Related Entity Commitments	
		Number	Value	Number	Value
Adelaide North	APM EMPLOYMENT SERVICES	—	—	1,314	$372,810
	ATWORK AUSTRALIA PTY LTD	4,063	$984,598	—	—
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	1,241	$297,576	14	$7,134
	WORKSKIL AUSTRALIA LTD.	1,491	$354,845	—	—
Adelaide South	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	1,687	$404,716	19	$8,822
	SYC LTD	540	$154,306	—	—
	WISE EMPLOYMENT LTD	1,308	$311,311	—	—
	WORKSKIL AUSTRALIA LTD.	413	$93,292	—	—
Ballarat	ASURIA PEOPLE SERVICES PTY LIMITED	614	$149,496	130	$83,490
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	978	$227,534	78	$84,673
Barwon	ATWORK AUSTRALIA PTY LTD	1,816	$429,726	—	—
	JOBFIND CENTRES	3,740	$931,060	66	$97,053
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	858	$201,852	71	$87,342
Bendigo	APM EMPLOYMENT SERVICES	—	—	1,355	$340,239
	CVGT EMPLOYMENT	—	—	—	—
Brisbane South East	JOB FUTURES	8	$2,318	974	$307,986
	MATCHWORKS	1,758	$719,102	—	—
	ON-Q HUMAN RESOURCES LIMITED	922	$267,428	42	$14,830
	THE SALVATION ARMY EMPLOYMENT PLUS	1,108	$284,383	76	$159,117

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	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	3,042	$967,351	—	—
	WES.JOBS	2	$ 902	—	—
	WORKWAYS AUSTRALIA LIMITED	1	$ 107	—	—
Broome	NIRRUMBUK ABORIGINAL CORPORATION	1	$7,623	52	$54,899
Cairns	APM EMPLOYMENT SERVICES	5	$1,510	1,757	$473,296
	INDIVIDUAL EMPOWERMENT NETWORK PTY LTD	17	$15,550	—	—
	MAX EMPLOYMENT	1,270	$492,032	—	—
Capital Region	APM EMPLOYMENT SERVICES	11	$ 567	1,531	$389,307
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	1,918	$457,315	239	$148,171
	THE SALVATION ARMY EMPLOYMENT PLUS	596	$144,504	57	$110,966
Central West	JOBLINK PLUS LIMITED	192	$53,113	136	$31,824
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	793	$185,915	54	$41,978
	VERTO LTD	12	$2,112	—	—
Darling Downs	AIMBIG EMPLOYMENT PTY LTD	—	—	87	$15,641
	JOB FUTURES	10	$1,683	468	$135,898
	SARINA RUSSO JOB ACCESS	1,940	$492,125	11	$3,731
Darwin (includes Alice Springs)	AMES AUSTRALIA	—	—	—	—
	APM EMPLOYMENT SERVICES	—	—	380	$91,134
	INTOJOBS	2	$ 179	—	—
Esperance	APM EMPLOYMENT SERVICES	—	—	174	$41,829
Far West Orana (includes Broken Hill)	BEST EMPLOYMENT	1	$ 69	—	—
	VERTO LTD	9	$5,247	—	—
Fitzroy	INTOJOBS	9	$1,042	—	—
	JOB FUTURES	12	$1,705	248	$70,761
	MAX EMPLOYMENT	1,328	$475,979	2	$1,520
Geraldton	WORKSKIL AUSTRALIA LTD.	303	$82,752	—	—
Gippsland	JOBFIND CENTRES	3,319	$844,408	5	$54,082
	THE SALVATION ARMY EMPLOYMENT PLUS	258	$63,034	45	$86,111
	WORKWAYS AUSTRALIA LIMITED	7	$ 554	—	—
Gold Coast	APM EMPLOYMENT SERVICES	1	$ 550	453	$119,771

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	ETC	231	$140,408	—	—
	FAMILY SERVICES AUSTRALIA	626	$152,343	—	—
	JOB FUTURES	20	$6,370	1,094	$327,148
	ON-Q HUMAN RESOURCES LIMITED	540	$158,726	18	$6,966
Goulburn/Murray	ASURIA PEOPLE SERVICES PTY LIMITED	690	$164,756	32	$19,360
	CVGT EMPLOYMENT	—	—	—	—
	MADEC AUSTRALIA	1,273	$308,052	—	—
Great Southern - Wheatbelt	ATWORK AUSTRALIA PTY LTD	4,656	$1,247,398	-	-
Hobart and Southern Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	920	$244,598	88	$56,320
	MAX EMPLOYMENT	843	$317,072	—	—
	WORKSKILLS TASMANIA	—	—	—	—
Hunter	JOBLINK PLUS LIMITED	3,446	$520,163	2,732	$843,515
	THE SALVATION ARMY EMPLOYMENT PLUS	2,403	$609,063	99	$146,935
	VERTO LTD	5	$1,199	—	—
Illawarra South Coast	APM EMPLOYMENT SERVICES	1	$ 633	1,199	$286,409
	ATWORK AUSTRALIA PTY LTD	4,651	$1,133,772	—	—
	MAX EMPLOYMENT	1,435	$393,667	—	—
	YILABARA SOLUTIONS	14	$1,262	—	—
Inner Metropolitan Melbourne	APM EMPLOYMENT SERVICES	—	—	1,802	$465,510
	JOBFIND CENTRES	8,616	$2,089,738	43	$75,793
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	599	$143,760	—	—
	WORKSKIL AUSTRALIA LTD.	1,846	$413,542	—	—
Kalgoorlie	TRAINING ALLIANCE GROUP AUSTRALIA PTY LTD	528	$145,846	13	$3,785
	WAALITJ FOUNDATION LIMITED	—	—	—	—
Mackay	AIMBIG EMPLOYMENT PTY LTD	—	—	88	$21,793
	INTOJOBS	5	$1,415	—	—
	WES.JOBS	1	$ 130	—	—
Mid North Coast	ETC	621	$292,746	—	—
	TURSA EMPLOYMENT & TRAINING	423	$285,894	—	—
Mid North SA	ATWORK AUSTRALIA PTY LTD	1,525	$402,593	—	—

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	WORKSKIL AUSTRALIA LTD.	331	$78,543	—	—
Murray and South East	INTOJOBS	—	—	8	$13,200
	SYC LTD	915	$211,103	—	—
Murray Riverina	APM EMPLOYMENT SERVICES	—	—	1,277	$315,567
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	975	$227,306	87	$27,241
New England and North West	BEST EMPLOYMENT	171	$44,172	—	—
	JOBLINK PLUS LIMITED	636	$153,263	226	$129,350
	JOBS AUSTRALIA ENTERPRISES	5	$5,198	—	—
North and North Western Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	495	$125,630	22	$13,310
	ATWORK AUSTRALIA PTY LTD	976	$242,600	—	—
	CVGT EMPLOYMENT	—	—	—	—
	MAX EMPLOYMENT	1,127	$345,636	—	—
North Coast	TURSA EMPLOYMENT & TRAINING	268	$147,293	—	—
	VERTO LTD	8	$3,707	—	—
North Eastern Melbourne	AMES AUSTRALIA	—	—	—	—
	SARINA RUSSO JOB ACCESS	1,275	$330,070	—	—
	SYC LTD	1,059	$234,584	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	1,008	$243,462	52	$91,686
	WCIG	1,298	$364,595	—	—
North West Country SA	APM EMPLOYMENT SERVICES	—	—	644	$150,625
	WORKSKIL AUSTRALIA LTD.	356	$85,424	—	—
North Western Melbourne	AMES AUSTRALIA	1	$ 61	—	—
	ASURIA PEOPLE SERVICES PTY LIMITED	824	$197,887	33	$20,625
	JOBFIND CENTRES	6,076	$1,472,704	16	$65,580
Perth - North	ATWORK AUSTRALIA PTY LTD	10,627	$2,650,021	—	—
	IMPACT SERVICES PTY LTD	90	$21,540	54	$20,774
	WORKSKIL AUSTRALIA LTD.	587	$146,036	—	—
Perth - South	MATCHWORKS	3,614	$1,702,875	—	—
	WISE EMPLOYMENT LTD	674	$185,130	—	—
	WORKSKIL AUSTRALIA LTD.	1,753	$382,877	—	—

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Somerset	APM EMPLOYMENT SERVICES	4	$ 941	3,022	$812,789
	ETC	408	$329,021	—	—
	MTC AUSTRALIA	2,453	$647,270	—	—
	ON-Q HUMAN RESOURCES LIMITED	757	$201,382	38	$6,462
South Coast of Victoria	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	549	$128,175	88	$73,230
	WDEA WORKS	665	$158,429	97	$19,929
South Eastern Melbourne and Peninsula	INTOJOBS	28	$6,511	28	$46,200
	MATCHWORKS	2,072	$576,488	—	—
	SYC LTD	1,633	$374,781	—	—
	WISE EMPLOYMENT LTD	2,606	$618,527	—	—
South West WA	APM EMPLOYMENT SERVICES	—	—	1,698	$428,525
	MAX EMPLOYMENT	795	$230,216	—	—
Sydney East Metro	APM EMPLOYMENT SERVICES	—	—	3,422	$889,262
	ASURIA PEOPLE SERVICES PTY LIMITED	1,239	$306,821	203	$129,195
	ATWORK AUSTRALIA PTY LTD	4,773	$1,046,342	—	—
	MAX EMPLOYMENT	1,577	$553,838	—	—
	MTC AUSTRALIA	3,379	$903,616	—	—
Sydney Greater West	AMES AUSTRALIA	—	—	—	—
	ASURIA PEOPLE SERVICES PTY LIMITED	1,153	$277,964	137	$87,065
	ATWORK AUSTRALIA PTY LTD	4,906	$1,133,602	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	2,404	$610,275	61	$101,439
Sydney North and West	APM EMPLOYMENT SERVICES	—	—	1,580	$396,150
	GLOBAL SKILLS	—	—	—	—
	JOB FUTURES	73	$14,780	1,510	$355,051
	WISE EMPLOYMENT LTD	2,343	$612,692	—	—
Sydney South West	GLOBAL SKILLS	—	—	—	—
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	389	$92,618	—	—
	MATCHWORKS	2,541	$1,018,036	—	—
	SARINA RUSSO JOB ACCESS	2,520	$633,091	10	$3,000
Townsville (includes Mt Isa)	JOB FUTURES	23	$7,283	224	$71,692

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	MAREEBA SHIRE JOB TRAINING ASSOC INC	—	—	—	—
	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	2,046	$663,106	—	—
Western Melbourne	MATCHWORKS	1,858	$770,422	8	$1,346
	MEGT (AUSTRALIA) LTD	3	$ 228	—	—
	SARINA RUSSO JOB ACCESS	2,508	$619,626	18	$19,100
	SYC LTD	1,960	$382,775	—	—
	WISE EMPLOYMENT LTD	1,369	$328,025	—	—
Wide Bay and Sunshine Coast	APM EMPLOYMENT SERVICES	1	$ 99	4,670	$1,184,460
	JOB FUTURES	3	$1,002	248	$69,641
	MAX EMPLOYMENT	4,758	$1,451,621	—	—
	ON-Q HUMAN RESOURCES LIMITED	335	$100,855	—	—
Wimmera Mallee	CVGT EMPLOYMENT	—	—	—	—
	MADEC AUSTRALIA	1,901	$442,201	—	—
Wivenhoe	APM EMPLOYMENT SERVICES	—	—	1,228	$306,211
	ETC	308	$163,902	—	—
	FAMILY SERVICES AUSTRALIA	290	$72,292	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	1,203	$298,099	134	$248,364
Yarrabah	WUGU NYAMBIL	11	$2,030	—	—
TOTAL		**166,515**	**$44,667,314**	**37,889**	**$11,785,017**

Notes:

- The use of Own Organisations or Related Entities is not prohibited under the Employment Fund, except where claims are related to a Wage Subsidy.
- Not all commitments result in a claim for reimbursement.
- 'Own Organisation' commitments are commitments where the provider ABN matches the supplier ABN. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028.
- 'Related entities' are identified via departmental review of the Australian Business Register and other sources and confirmed with providers, current as at 12 July 2023.

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Attachment C

Career Transition Assistance (CTA) and Employability Skills Training (EST)

Tables 2 and 3 below provide details of commencements and payments where the referring Workforce Australia or Transition to Work provider and the EST or CTA provider were the same organisation (i.e. where the referring activity provider matches the training provider). It also includes commencements and payments to related entities. Details of commencements, rather than referrals, have been provided as payments are only made where referrals commence.

In some Employment Regions, there is only a single provider of EST or CTA. In these cases, a referring provider will have no option other than to refer to their own organisation or a related entity where they have determined that EST or CTA is the most suitable activity for the participant.

Table 2: CTA Own Organisation and Related Entity Commencements and Payments, 4 July 2022 to 30 September 2023

		Own Organisation		Related Entity	
Employment Region	**Provider**	**Commencements**	**Payment Amount**	**Commencements**	**Payment Amount**
Adelaide North	APM Employment Services	76	$130,860	—	—
	WORKSKIL AUSTRALIA LTD.	86	$143,460	—	—
Adelaide South	WORKSKIL AUSTRALIA LTD.	52	$83,880	—	—
Ballarat	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	34	$47,700
Brisbane South East	The Trustee for Designer Life (Queensland) Trust	151	$225,720	—	—
Broome	NIRRUMBUK ABORIGINAL CORPORATION	8	$10,080	—	—
Central West	Sureway Employment and Training Pty Ltd	92	$139,680	—	—
Fitzroy	IntoJobs	41	$61,380	—	—
Geraldton	WORKSKIL AUSTRALIA LTD.	88	$132,480	—	—
Gold Coast	APM Employment Services	53	$84,060	—	—
Illawarra South Coast	APM Employment Services	48	$76,140	—	—
Mid North Coast	ETC	97	$160,020	—	—
Murray Riverina	Sureway Employment and Training Pty Ltd	67	$110,340	—	—
North Eastern Melbourne	Sarina Russo Job Access	—	—	28	$43,920
North West Country SA	WORKSKIL AUSTRALIA LTD.	52	$77,400	—	—
Somerset	ETC	56	$89,460	—	—
Sydney East Metro	APM Employment Services	224	$370,800	—	—

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	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	41	$59,580
Sydney North and West	APM Employment Services	104	$171,000	—	—
	Global Skills	8	$12,780	—	—
	JOB FUTURES	—	—	3	$4,320
Sydney South West	Global Skills	3	$4,860	—	—
	Jobs Statewide Employment Solutions	16	$21,780	—	—
Townsville (includes Mt Isa)	The Trustee for Designer Life (Queensland) Trust	117	$167,400	—	—
Wivenhoe	ETC	54	$88,560	—	—
	Family Services Australia	47	$73,260	—	—
TOTAL		**1,540**	**$2,435,400**	**106**	**$155,520**

Notes:
- Excludes claims manually processed by the department prior to 20 April 2023.
- 'Own Organisation' is classified as the arranging provider ABN and the referring provider ABN being the same. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028.
- 'Related entities' are identified via departmental review of the Australian Business Register and other sources and confirmed with providers, current as at 12 July 2023.

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Table 3: EST Own Organisation and Related Entity Commencements and Payments, 4 July 2022 to 30 September 2023

Employment Region	Provider	Own Organisation		Related Entity	
		Commencements	Payment Amount	Commencements	Payment Amount
Adelaide North	APM Employment Services	9	$8,175	—	—
	Jobs Statewide Employment Solutions	55	$39,875	—	—
Adelaide South	Jobs Statewide Employment Solutions	51	$38,700	—	—
Brisbane South East	JOB FUTURES	—	—	7	—
	The Salvation Army Employment Plus	42	$34,275	—	—
Cairns	Jobfind Centres	8	$3,425	—	—
Capital Region	APM Employment Services	38	$30,850	—	—
Darwin (includes Alice Springs)	Bamara	7	$5,150	—	—
Esperance	Training Alliance Group Australia Pty Ltd	1	—	—	—
Fitzroy	IntoJobs	124	$82,350	—	—
	JOB FUTURES	—	—	49	$38,300
Gold Coast	APM Employment Services	23	$18,850	—	—
Goulburn/Murray	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	30	$23,250
Hobart and Southern Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	40	$30,875
Illawarra South Coast	APM Employment Services	12	$9,150	—	—
Inner Metropolitan Melbourne	APM Employment Services	96	$64,700	—	—
Kalgoorlie	Training Alliance Group Australia Pty Ltd	73	$45,900	—	—
Mackay	IntoJobs	40	$32,375	—	—
Murray and South East	IntoJobs	75	$65,425	—	—
New England and North West	JOBLINK PLUS LIMITED	2	—	—	—
	Jobs Australia Enterprises	1	$950	—	—
North Eastern Melbourne	Sarina Russo Job Access	—	—	2	$1,525
Perth - South	Training Alliance Group Australia Pty Ltd	12	$6,900	—	—
Somerset	APM Employment Services	103	$76,600	—	—
South Coast of Victoria	WDEA Works	194	$154,200	—	—
Sydney East Metro	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	32	$25,525
	MTC Australia	22	$12,000	—	—

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Sydney Greater West	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	54	$40,975
	The Salvation Army Employment Plus	47	$40,150	—	—
Sydney North and West	APM Employment Services	76	$59,250	—	—
Sydney South West	Sarina Russo Job Access	—	—	149	$120,350
Townsville (includes Mt Isa)	JOB FUTURES	—	—	4	$2,850
	The Trustee for Designer Life (Queensland) Trust	174	$126,300	—	—
Western Melbourne	JOB FUTURES	—	—	26	$7,250
	Sarina Russo Job Access	—	—	2	$1,525
Wivenhoe	APM Employment Services	18	$11,475	—	—
TOTAL		**1,303**	**$967,025**	**395**	**$292,425**

Notes:
- Excludes claims manually processed by the department prior to 20 April 2023 and Transition to Work data prior to 27 February 2023.
- Count of commencements includes both Training Block 1 and Training Block 2.
- 'Own Organisation' is classified as the arranging provider ABN and the referring provider ABN being the same. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028 or Workforce Australia – Transition to Work Deed 2022-2027.
- 'Related entities' are identified via departmental review of the Australian Business Register and other sources and confirmed with providers, current as at 12 July 2023.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000736

Senator Janet Rice provided in writing.

Own or related entity organisations

Question

Please provide an update to Senate Question Number 1989, including:
a) Any more recent data available since 31 March 2023;
b) All related entity data available, including a breakdown by provider, in each employment region, of referrals to related organisations, including:
   I. The value and number of referrals to Employability Skills Training, and;
   II. The value and number of referrals to Careers Transition Assistance.

Answer

Data has been updated to 30 June 2023 and includes related entities.

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Employment Fund

A breakdown of Employment Fund commitments to a Provider's own organisation and related entities, by Provider in each Employment Region, is in Table 1.

Table 1: Workforce Australia Services Employment Fund Own Organisation and Related Entity Commitments and Value of Commitments, 4 July 2022 to 30 June 2023

		Own organisation		Related entity	
Employment Region	**Provider**	**Number of commitments**	**Value of commitments**	**Number of commitments**	**Value of commitments**
Adelaide North	APM EMPLOYMENT SERVICES	—	—	903	$261,385
	ATWORK AUSTRALIA PTY LTD	3,043	$718,233	—	—
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	927	$222,216	—	—
	WORKSKIL AUSTRALIA LTD.	1,055	$245,064	—	—
Adelaide South	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	1,406	$337,276	—	—
	SYC LTD	440	$115,711	—	—
	WISE EMPLOYMENT LTD	1,111	$264,028	—	—
	WORKSKIL AUSTRALIA LTD.	337	$72,858	—	—
Ballarat	ASURIA PEOPLE SERVICES PTY LIMITED	508	$123,359	130	$83,490
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	837	$194,354	8	$48,591
Barwon	ATWORK AUSTRALIA PTY LTD	1,344	$317,456	—	—
	JOBFIND CENTRES	2,772	$693,150	45	$70,816
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	684	$162,552	9	$37,450
Bendigo	APM EMPLOYMENT SERVICES	—	—	1,119	$283,379
Brisbane South East	JOB FUTURES	7	$2,227	726	$229,913
	MATCHWORKS	1,242	$599,177	—	—
	ON-Q HUMAN RESOURCES LIMITED	637	$192,607	37	$13,147
	THE SALVATION ARMY EMPLOYMENT PLUS	854	$218,993	68	$145,884
	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	2,054	$659,267	—	—
	WES.JOBS	2	$902	—	—
	WORKWAYS AUSTRALIA LIMITED	1	$107	—	—
Broome	NIRRUMBUK ABORIGINAL CORPORATION	1	$7,623	46	$50,074

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Cairns	APM EMPLOYMENT SERVICES	5	$1,510	1,076	$299,111
	INDIVIDUAL EMPOWERMENT NETWORK PTY LTD	5	$5,031	—	—
	MAX EMPLOYMENT	824	$313,566	—	—
Capital Region	APM EMPLOYMENT SERVICES	11	$567	1,201	$315,193
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	1,703	$407,515	52	$100,970
	THE SALVATION ARMY EMPLOYMENT PLUS	409	$99,613	41	$82,948
Central West	JOBLINK PLUS LIMITED	148	$45,288	111	$26,280
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	558	$133,115	11	$24,508
	VERTO LTD	8	$1,496	—	—
Darling Downs	AIMBIG EMPLOYMENT PTY LTD	—	—	76	$12,843
	JOB FUTURES	10	$1,683	388	$113,698
	SARINA RUSSO JOB ACCESS	1,513	$383,368	7	$2,466
Darwin (includes Alice Springs)	APM EMPLOYMENT SERVICES	—	—	304	$74,403
	INTOJOBS	2	$179	—	—
Esperance	APM EMPLOYMENT SERVICES	—	—	142	$34,929
Far West Orana (incl Broken Hill)	BEST EMPLOYMENT	1	$69	—	—
	VERTO LTD	5	$2,486	—	—
Fitzroy	INTOJOBS	9	$1,042	—	—
	JOB FUTURES	12	$1,705	221	$63,555
	MAX EMPLOYMENT	880	$332,631	2	$1,520
Geraldton	WORKSKIL AUSTRALIA LTD.	212	$53,268	—	—
Gippsland	JOBFIND CENTRES	2,287	$572,603	5	$54,082
	THE SALVATION ARMY EMPLOYMENT PLUS	172	$42,060	39	$76,963
	WORKWAYS AUSTRALIA LIMITED	2	$123	—	—
Gold Coast	APM EMPLOYMENT SERVICES	1	$550	423	$110,877
	ETC	180	$110,450	—	—
	FAMILY SERVICES AUSTRALIA	235	$59,081	—	—
	JOB FUTURES	16	$4,051	884	$265,426
	ON-Q HUMAN RESOURCES LIMITED	440	$132,407	15	$5,349
Goulburn/Murray	ASURIA PEOPLE SERVICES PTY LIMITED	514	$122,826	32	$19,360
	MADEC AUSTRALIA	1,025	$248,398	—	—

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Great Southern - Wheatbelt	ATWORK AUSTRALIA PTY LTD	3,525	$931,638	—	—
Hobart and Southern Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	655	$172,716	88	$56,320
	MAX EMPLOYMENT	645	$250,112	—	—
Hunter	JOBLINK PLUS LIMITED	2,540	$367,493	1,968	$590,293
	THE SALVATION ARMY EMPLOYMENT PLUS	1,819	$460,568	91	$135,254
	VERTO LTD	4	$759	—	—
Illawarra South Coast	APM EMPLOYMENT SERVICES	1	$633	885	$212,726
	ATWORK AUSTRALIA PTY LTD	3,705	$893,760	—	—
	MAX EMPLOYMENT	1,054	$276,371	—	—
	YILABARA SOLUTIONS	12	$1,150	—	—
Inner Metropolitan Melbourne	APM EMPLOYMENT SERVICES	—	—	1,207	$315,304
	JOBFIND CENTRES	6,081	$1,468,999	26	$52,107
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	580	$139,200	—	—
	WORKSKIL AUSTRALIA LTD.	1,116	$255,424	—	—
Kalgoorlie	TRAINING ALLIANCE GROUP AUSTRALIA PTY LTD	466	$128,179	13	$3,785
Mackay	AIMBIG EMPLOYMENT PTY LTD	—	—	49	$12,097
	INTOJOBS	5	$1,415	—	—
	WES.JOBS	1	$130	—	—
Mid North Coast	ETC	475	$256,068	—	—
	TURSA EMPLOYMENT & TRAINING	291	$176,313	—	—
Mid North SA	ATWORK AUSTRALIA PTY LTD	1,170	$303,781	—	—
	WORKSKIL AUSTRALIA LTD.	240	$58,191	—	—
Murray and South East	SYC LTD	646	$147,623	—	—
Murray Riverina	APM EMPLOYMENT SERVICES	—	—	1,042	$255,687
	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	795	$186,306	4	$7,007
New England and North West	BEST EMPLOYMENT	136	$35,333		
	JOBLINK PLUS LIMITED	532	$128,833	174	$104,300
	JOBS AUSTRALIA ENTERPRISES	5	$5,198	—	—
North and North Western Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	378	$96,627	22	$13,310
	ATWORK AUSTRALIA PTY LTD	753	$178,637	—	—
	MAX EMPLOYMENT	755	$222,872	—	—

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North Coast	TURSA EMPLOYMENT & TRAINING	153	$72,263	—	—
	VERTO LTD	1	$187	—	—
North Eastern Melbourne	SARINA RUSSO JOB ACCESS	1,090	$282,105	—	—
	SYC LTD	904	$200,236	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	759	$183,468	41	$75,999
	WCIG	589	$170,435	—	—
North West Country SA	APM EMPLOYMENT SERVICES	—	—	485	$116,813
	WORKSKIL AUSTRALIA LTD.	195	$48,415		
North Western Melbourne	AMES AUSTRALIA	1	$61	—	—
	ASURIA PEOPLE SERVICES PTY LIMITED	611	$145,534	33	$20,625
	JOBFIND CENTRES	4,355	$1,051,565	16	$65,580
Perth - North	ATWORK AUSTRALIA PTY LTD	8,972	$2,196,033	—	—
	IMPACT SERVICES PTY LTD	—	—	2	$754
	WORKSKIL AUSTRALIA LTD.	347	$87,587	—	—
Perth - South	MATCHWORKS	2,318	$1,319,443	—	—
	WISE EMPLOYMENT LTD	575	$145,890	—	—
	WORKSKIL AUSTRALIA LTD.	1,307	$286,305	—	—
Somerset	APM EMPLOYMENT SERVICES	3	$586	2,256	$612,213
	ETC	265	$236,143	—	—
	MTC AUSTRALIA	1,832	$485,350	—	—
	ON-Q HUMAN RESOURCES LIMITED	620	$165,452	33	$5,323
South Coast of Victoria	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	449	$105,495	15	$53,476
	WDEA WORKS	521	$123,749	88	$18,321
South Eastern Melbourne and Peninsula	INTOJOBS	28	$6,511	—	—
	MATCHWORKS	1,432	$408,223	—	—
	SYC LTD	1,370	$311,953	—	—
	WISE EMPLOYMENT LTD	2,102	$495,427	—	—
South West WA	APM EMPLOYMENT SERVICES	—	—	1,272	$324,846
	MAX EMPLOYMENT	550	$172,456	—	—
Sydney East Metro	APM EMPLOYMENT SERVICES	—	—	3,086	$817,636
	ASURIA PEOPLE SERVICES PTY LIMITED	924	$229,813	203	$129,195
	ATWORK AUSTRALIA PTY LTD	3,766	$797,336	—	—

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	MAX EMPLOYMENT	1,094	$392,624	—	—
	MTC AUSTRALIA	2,922	$779,561	—	—
Sydney Greater West	ASURIA PEOPLE SERVICES PTY LIMITED	919	$223,017	137	$87,065
	ATWORK AUSTRALIA PTY LTD	3,840	$845,984	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	1,793	$454,791	39	$68,928
Sydney North and West	APM EMPLOYMENT SERVICES	—	—	1,313	$331,719
	JOB FUTURES	71	$14,300	1,061	$249,036
	WISE EMPLOYMENT LTD	1,892	$465,232	—	—
Sydney South West	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	349	$83,202	—	—
	MATCHWORKS	1,952	$803,991	—	—
	SARINA RUSSO JOB ACCESS	2,039	$515,421	—	—
Townsville (incl Mt Isa)	JOB FUTURES	23	$7,283	204	$65,587
	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	1,369	$466,806	—	—
Western Melbourne	MATCHWORKS	1,297	$432,265	2	$152
	MEGT (AUSTRALIA) LTD	3	$228	—	—
	SARINA RUSSO JOB ACCESS	1,951	$495,871	18	$19,100
	SYC LTD	1,636	$314,229	—	—
	WISE EMPLOYMENT LTD	1,140	$273,605	—	—
Wide Bay and Sunshine Coast	APM EMPLOYMENT SERVICES	1	$99	3,740	$957,626
	JOB FUTURES	2	$282	185	$52,760
	MAX EMPLOYMENT	3,644	$1,104,215	—	—
	ON-Q HUMAN RESOURCES LIMITED	285	$86,836	—	—
Wimmera Mallee	MADEC AUSTRALIA	1,582	$370,081	—	—
Wivenhoe	APM EMPLOYMENT SERVICES	—	—	1,045	$259,436
	ETC	191	$125,149	—	—
	FAMILY SERVICES AUSTRALIA	116	$29,167	—	—
	THE SALVATION ARMY EMPLOYMENT PLUS	939	$233,871	119	$214,117
Yarrabah	WUGU NYAMBIL	11	$2,030	—	—
TOTAL		**125,934**	**$33,616,329**	**29,083**	**$9,213,104**

Notes:
- The use of Own Organisations or Related Entities is not prohibited under the Employment Fund, except where claims are related to a Wage Subsidy.
- Not all commitments result in a claim for reimbursement.

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- ‘Own Organisation’ is classified as the supplier ABN and the provider ABN being the same. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028.
- ‘Related entities’ are identified via Departmental review of the Australian Business Register and other sources and confirmed with providers.

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Career Transition Assistance and Employability Skills Training

Career Transition Assistance (CTA) and Employability Skills Training (EST) programs have their own appropriations, with Workforce Australia providers unable to use the Employment Fund to pay for participants referred to these programs. For CTA, participants are fully funded by the Australian Government. For participants referred to EST Training Block 1, providers must use their own revenue to cover the cost of the program (refer Hansard, 15/2/2023, p.20). For EST Training Block 2, which is more industry-specific training, participants are partially funded by the Government.

Tables 2 and 3 below provide details of commencements and payments where the referring Workforce Australia or Transition to Work provider and the EST or CTA provider were the same organisation (i.e. where the referring activity provider matches the training provider). It also includes commencements and payments to related entities. Details of commencements, rather than referrals, have been provided as payments are only made where referrals commence.

In some Employment Regions, there is only a single provider of EST or CTA. In these cases, a referring provider will have no option other than to refer to their own organisation or a related entity where they have determined that EST or CTA is the most suitable activity for the participant.

Table 2: CTA Own Organisation and Related Entity Commencements and Payments, 4 July 2022 to 30 June 2023

		Own organisation		Related entity	
Employment region	**Provider**	**Number of commencements**	**Payment amount**	**Number of commencements**	**Payment amount**
Adelaide North	APM EMPLOYMENT SERVICES	66	$110,160	—	—
	WORKSKIL AUSTRALIA LTD.	80	$129,420	—	—
Adelaide South	WORKSKIL AUSTRALIA LTD.	43	$70,380	—	—
Ballarat	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	25	$35,820
Brisbane South East	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	141	$209,880	—	—
Broome	NIRRUMBUK ABORIGINAL CORPORATION	5	$6,300	—	—
Central West	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	73	$110,880	—	—
Fitzroy	INTOJOBS	23	$32,220	—	—
Geraldton	WORKSKIL AUSTRALIA LTD.	63	$95,580	—	—
Gold Coast	APM EMPLOYMENT SERVICES	38	$58,680	—	—
Illawarra South Coast	APM EMPLOYMENT SERVICES	34	$43,380	—	—
Mid North Coast	ETC	73	$125,460	—	—

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		Own organisation		Related entity	
Employment region	**Provider**	**Number of commencements**	**Payment amount**	**Number of commencements**	**Payment amount**
Murray Riverina	SUREWAY EMPLOYMENT AND TRAINING PTY LTD	64	$91,620	—	—
North Eastern Melbourne	SARINA RUSSO JOB ACCESS	—	—	28	$42,840
North West Country SA	WORKSKIL AUSTRALIA LTD.	37	$49,500	—	—
Somerset	ETC	46	$74,160	—	—
Sydney East Metro	APM EMPLOYMENT SERVICES	183	$297,540	—	—
	ASURIA PEOPLE SERVICES PTY LTD	—	—	40	$56,160
Sydney North and West	APM EMPLOYMENT SERVICES	79	$124,200	—	—
	GLOBAL SKILLS	8	$12,780	—	—
	JOB FUTURES	0	$0	2	$3,060
Sydney South West	GLOBAL SKILLS	3	$4,860	—	—
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	6	$8,100	—	—
Townsville (includes Mt Isa)	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	103	$140,040	—	—
Wivenhoe	ETC	45	$71,820	—	—
	FAMILY SERVICES AUSTRALIA	37	$55,260	—	—

Notes:
- Excludes claims manually processed by the department prior to 20 April 2023.
- 'Own Organisation' is classified as the arranging provider ABN and the referring provider ABN being the same. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028.
- 'Related entities' are identified via Departmental review of the Australian Business Register and other sources and confirmed with providers.

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Table 3: EST Own Organisation and Related Entity Commencements and Payments, 4 July 2022 to 30 June 2023

		Own organisation		Related entity	
Employment region	**Provider**	**Number of commencements**	**Payment amount**	**Number of commencements**	**Payment amount**
Adelaide North	APM EMPLOYMENT SERVICES	9	$8,175	—	—
	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	32	$22,525	—	—
Adelaide South	JOBS STATEWIDE EMPLOYMENT SOLUTIONS	26	$19,075	—	—
Brisbane South East	JOB FUTURES	—	—	7	$0
	THE SALVATION ARMY EMPLOYMENT PLUS	42	$34,275	—	—
Cairns	JOBFIND CENTRES	7	$2,475	—	—
Capital Region	APM EMPLOYMENT SERVICES	27	$22,275	—	—
Esperance	TRAINING ALLIANCE GROUP AUSTRALIA PTY LTD	1	$0	—	—
Fitzroy	INTOJOBS	104	$69,650	—	—
	JOB FUTURES	—	—	49	$38,300
Gold Coast	APM EMPLOYMENT SERVICES	16	$12,200	—	—
Goulburn/Murray	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	24	$19,050
Hobart and Southern Tasmania	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	33	$25,725
Illawarra South Coast	APM EMPLOYMENT SERVICES	12	$9,150	—	—
Inner Metropolitan Melbourne	APM EMPLOYMENT SERVICES	76	$50,575	—	—
Kalgoorlie	TRAINING ALLIANCE GROUP AUSTRALIA PTY LTD	57	$34,075	—	—
Mackay	INTOJOBS	34	$27,800	—	—
Murray and South East	INTOJOBS	62	$50,825	—	—
New England and North West	JOBLINK PLUS LIMITED	2	$0	—	—
	JOBS AUSTRALIA ENTERPRISES	1	$950	—	—
North Eastern Melbourne	SARINA RUSSO JOB ACCESS	—	—	2	$1,150
Somerset	APM EMPLOYMENT SERVICES	80	$59,625	—	—
South Coast of Victoria	WDEA WORKS	194	$153,075	—	—
Sydney East Metro	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	29	$21,525
	MTC AUSTRALIA	13	$4,575	—	—

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		Own organisation		Related entity	
Employment region	**Provider**	**Number of commencements**	**Payment amount**	**Number of commencements**	**Payment amount**
Sydney Greater West	ASURIA PEOPLE SERVICES PTY LIMITED	—	—	48	$29,900
	THE SALVATION ARMY EMPLOYMENT PLUS	47	$40,150	—	—
Sydney North and West	APM EMPLOYMENT SERVICES	66	$51,625	—	—
Sydney South West	SARINA RUSSO JOB ACCESS	—	—	108	$86,650
Townsville (includes Mt Isa)	JOB FUTURES	—	—	4	$2,850
	THE TRUSTEE FOR DESIGNER LIFE (QUEENSLAND) TRUST	141	$98,850	—	—
Western Melbourne	JOB FUTURES	—	—	7	$3,625
	SARINA RUSSO JOB ACCESS	—	—	2	$1,525
Wivenhoe	APM EMPLOYMENT SERVICES	9	$6,300	—	—
Total		**1,058**	**$778,225**	**313**	**$230,300**

Notes:
- Excludes claims manually processed by the department prior to 20 April 2023 and Transition to Work data prior to 27 February 2023.
- Count of commencements includes both Training Block 1 and Training Block 2.
- 'Own Organisation' is classified as the arranging provider ABN and the referring provider ABN being the same. This may include entities under the same ABN that do not deliver services under the Workforce Australia Services Deed of Standing Offer 2022-2028.
- 'Related entities' are identified via Departmental review of the Australian Business Register and other sources and confirmed with providers.

Wage Subsidies Data on Cohorts and Occupations

- Individuals participating in provider-led employment services are eligible to attract a wage subsidy when they meet time in service requirements. Time in service requirements for individuals include:
  - a minimum of 6 months in provider-led services, or
  - a minimum of 12 months in online services (prior to commencing with a provider), or
  - from day one in provider led services for Indigenous Participants.

Top 10 wage subsidised occupations

Occupation	All job placements						Wage subsidies		% of eligible placements subsidised				
	Number	% of all placements	% Male	% Female	% Indigenous	% Aged 50+	Number	% of subsidies	Total	Male	Female	Indigenous	Aged 50+
Total	**268,678**	**100.0%**	**55.2%**	**44.8%**	**16.3%**	**18.4%**	**21,908**	**100.0%**	**10.8%**	**12.4%**	**8.8%**	**11.9%**	**9.7%**
Factory Process Workers	25,006	9.3%	73.2%	26.8%	14.5%	14.9%	4,159	19.0%	21.9%	22.0%	21.6%	21.6%	21.9%
Construction and Mining Labourers	21,184	7.9%	94.0%	6.0%	25.9%	12.2%	2,084	9.5%	12.8%	12.7%	14.4%	15.3%	13.1%
Cleaners and Laundry Workers	23,675	8.8%	32.4%	67.6%	20.3%	23.4%	2,020	9.2%	10.4%	13.6%	9.0%	10.6%	10.6%
Drivers and Storepersons	15,774	5.9%	83.8%	16.2%	12.2%	26.1%	1,531	7.0%	13.1%	13.1%	12.9%	14.8%	13.8%
Other Labourers	13,329	5.0%	76.6%	23.4%	23.0%	17.9%	1,343	6.1%	12.9%	12.9%	12.7%	14.0%	12.9%
General-Inquiry Clerks, Call Centre, Receptionists	13,652	5.1%	26.5%	73.5%	11.6%	20.8%	1,253	5.7%	12.1%	15.4%	10.9%	10.5%	12.4%
Food Preparation Assistants	12,356	4.6%	41.9%	58.1%	16.8%	16.0%	1,109	5.1%	12.2%	13.4%	11.4%	12.1%	12.1%
Hospitality Workers	16,056	6.0%	30.2%	69.8%	16.6%	10.6%	1,055	4.8%	8.8%	9.1%	8.7%	10.1%	8.8%
Sales Assistants and Salespersons	21,917	8.2%	34.9%	65.1%	13.0%	14.4%	946	4.3%	5.8%	6.4%	5.4%	6.1%	5.6%
Mobile Plant Operators	6,172	2.3%	91.6%	8.4%	18.3%	20.5%	743	3.4%	16.0%	15.9%	17.1%	16.8%	16.5%
Remaining Occupations	*99,557*	*37.1%*	*52.4%*	*47.6%*	*14.7%*	*20.2%*	*5,665*	*25.9%*	*7.6%*	*8.9%*	*6.2%*	*9.1%*	*6.6%*

Notes:
1. Workforce Australia Services and Transition to Work data only
2. Providers select the occupation from a pre-populated list in the IT system

- The ten occupations that received the most wage subsidies account for 74.1% of all subsidies and 62.9% of all job placements.
- 10.8% of eligible job placements received a wage subsidy. This was higher for men (12.4%) than women (8.8%). This is largely driven by male-dominated occupations being most likely to use wage subsidies.
- Job placements for Indigenous participants received wage subsidies at a higher than average rate (11.9%), while placements for mature age participants were less likely than average to be subsidised (9.7%).
- The subsidy rate often varies for different cohorts for the same occupation groups; however, this is not universal nor always in the same direction. For example, men are significantly more likely than women to receive a wage subsidy for placements in some large female-dominated occupations (cleaners and laundry workers, general inquiry clerks, call centre workers/receptionists, and food preparation assistants), while women have a higher subsidy rate than men as construction and mining labourers and mobile plant operators, which are heavily male-dominated occupations. This demonstrates that wage subsidies can assist participants into occupations that they may not typically work in, including highly gendered work.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
PQ23-000295	Senator Janet Rice	Wage subsidy usage by industry/sector	How data is collected and breakdown by industry
SQ23-000739	Senator Janet Rice	Wage subsidy programs	Number of participants and agreements by subsidy program

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MINISTER REPRESENTING THE MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

Senate

Parliamentary Question

Question Number: **1992**
Question Date: **12 April 2023**
Table Office Due Date: **12 May 2023**

Senator Janet Rice asked the Minister representing the Minister for Employment and Workplace Relations in writing, on 12 April 2023:

Does the Department collect data on the industries or sectors in which wage subsidies are used.

Minister representing the Minister for Employment and Workplace Relations has provided the following answer to the Senator's question:

Yes. Industry data is collected by the Workforce Australia Employment Services Provider from the employer when creating the work placement for each wage subsidy agreement. This information is recorded in the Department's IT system. While the industry of the employment is recorded, it may not account for the occupation the participant is placed in. For example, the employer may be in the construction industry, but the participant may be working as a cleaner or in office administration.

Number of wage subsidies approved under Workforce Australia by Employer Industry as at 31 March 2023

Employer Industry	Agreements
Other Services	3,442
Manufacturing	1,701
Accommodation and Food Services	1,478
Construction	1,157
Transport, Postal and Warehousing	979
Retail Trade	964
Health Care and Social Assistance	496
Administrative and Support Services	462
Agriculture, Forestry, Fishing	409
Multiple Industries	283
Wholesale Trade	266
Professional, Scientific, Technical Services	234

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Education and Training	163
Rental, Hiring and Real Estate Services	140
Mining	124
Information Media and Telecommunications	77
Electricity, Gas, Water, Waste Services	65
Financial and Insurance Services	49
Arts and Recreation Services	45
Public Administration and Safety	43
Total	**12,577**

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000739

Senator Janet Rice provided in writing.

Wage subsidy programs

Question

Please provide the following figures:
Total number of participants in the following wage subsidy programs from 2020 to the latest available date:
a) Long Term Unemployed
b) Indigenous
c) Parents
d) Young People

Answer

Table 1 presents the total number of wage subsidy participants and agreements by wage subsidy program for the period 1 January 2020 to 30 June 2022.

These wage subsidy programs were in place under jobactive. Since 1 July 2022 they have been replaced by Workforce Australia Wage Subsidies and Youth Bonus Wage Subsidies. Under Workforce Australia, there are no longer specific wage subsidies targeting long-term participants, Indigenous and parents.

Table 1: Wage subsidy participants and agreements by wage subsidy program and year, 1 January 2020 to 30 June 2022

Year	Agreement Type	Participants	Agreements
2020	Indigenous	6,569	6,889
	Long Term Unemployed	4,551	4,735
	Parents	2,430	2,503
	Restart	8,336	8,665
	Youth	3,123	3,224
	Youth Bonus	8,875	9,266
2020 Total		**33,839**	**35,282**
2021	Indigenous	9,526	10,012
	Long Term Unemployed	9,677	10,104
	Parents	4,160	4,295
	Restart	14,015	14,495
	Youth	5,340	5,510
	Youth Bonus	11,724	12,230
2021 Total		**54,373**	**56,646**
2022 (Jan-Jun)	Indigenous	3,021	3,054
	Long Term Unemployed	3,285	3,332
	Parents	1,230	1,237
	Restart	4,929	4,993
	Youth	1,559	1,577
	Youth Bonus	2,789	2,827
2022 (Jan-Jun) Total		**16,812**	**17,020**
Grand Total		**98,770**	**108,948**

Table 2 presents the total number of participants and wage subsidy agreements for Workforce Australia Wage Subsidies and Youth Bonus Wage Subsidies for the period 1 July 2022 to 31 March 2023.

Table 2: Workforce Australia wage subsidy participants and agreements by wage subsidy program, 1 July 2022 to 31 March 2023

Year	Agreement Type	Unique participants	Wage subsidy agreements
Jul 2022- Mar 2023	Workforce Australia Services	9,044	9,271
	Youth Bonus	3,236	3,306
Grand Total		**12,278**	**12,577**

Note: Participants can be supported by wage subsidies across multiple subsidy types and start years. Thus the yearly total participant count may differ from the sum of participants by wage subsidy type, and Grand Total participant count may differ from the sum of the yearly total participant count.

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TCF Suspensions and Cancellations

Targeted Compliance Framework

- As a condition of receiving most unemployment payments, participants must meet their mutual obligation requirements (such as meeting their points target and/or minimum job search requirement each month, attending compulsory provider appointments or mandatory activities).
- Failure to meet these requirements may result in the participant having compliance action applied under the Targeted Compliance Framework (TCF).
- The TCF is not designed to punish people, but to encourage engagement. It achieves this by applying demerits, temporary payment suspensions with back-pay, and, in some circumstances, lasting financial or payment cancellations.

  *Refer to **SB23-000158** for further detail on the TCF.*
- The Targeted Compliance Framework comprises of three zones:
  - the Green Zone, where participants are meeting all of their requirements,
  - the Warning Zone, where participants have 1 to 5 demerits, and
  - the Penalty Zone, where participants have 5 demerits in the previous 6 months and been found capable of meeting their requirements.
- Participants in the **Penalty Zone are subject to Financial Penalties** for further instances of non-compliance.

Payment suspensions and demerits

- A Payment Suspension is a **temporary hold** on a person's payment until they re-engage with their requirements.
  - 39.5 per cent of Workforce Australia Online participants have had a payment suspension, largely related to not meeting the monthly points target.
  - while 70.4 per cent of Workforce Australia Services participants have had a payment suspension, largely related to not attending provider appointments.
- If a person has a valid reason for not meeting their requirements, or re-engages within two business days, their payment is not suspended.
  - One third (**31.6 per cent**) of participants reengage in the two business day resolution time, and therefore avoid receiving a payment suspension.
  - The median suspension duration is 4 business days and over 80 per cent (84.4 per cent) of participants reengage and have their payment suspension lifted in under 10 days.
  - Approximately **95 per cent** of payment suspensions are resolved within 28 days.
  - In Workforce Australia Services homeless, ex-offender, indigenous and drug and alcohol cohorts typically have a higher likelihood of being suspended (greater than 90 per cent).
  - Data also reflects that for provider serviced participants males aged 25-34 years, had a higher likelihood of being suspended (87.9 per cent).
    - For further cohort data see Attachment B.

- There is generally no financial loss or delay to a payment as a result of a payment suspension.
- This is because suspensions are usually resolved before a person's payment day.
- If payment is delayed, full payment is restored and the participant will be back-paid any missed payment:
  - when they give a reasonable excuse for not meeting their requirement or
  - when they meet their reengagement requirement
- A Demerit will be applied if a participant does not meet a mutual obligation requirement and did not have a reasonable excuse for meeting that requirement.

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- Post program monitoring survey results for those who have their payment cancelled for not re-engaging indicates that the large majority (over 80 per cent) were employed three months after exiting the caseload.

TCF Safeguards – the Warning Zone

- The TCF has strong safeguards, including:
- If participants miss a requirement without notifying prior to the appointment time and given a reasonable excuse for not attending, they have two business days ('resolution time') to contact their provider, or for online participants the Digital Services Contact Centre, to resolve the non-compliance before their payment is suspended.
    - For example, if a participant were to miss a compulsory provider appointment 11am on a Thursday without having previously notified their provider and given a reasonable excuse for not attending, the provider attempts to contact the participant at 11:30am to discuss the reason for them not attending.
    - If the provider cannot contact the participant, they must enter a result of Did Not Attend – Invalid in the department's IT system by close of business on the day the requirement was missed.
    - As this provider attempted and failed to contact the participant at 11:30am, they would generally enter the result at this time. Once the Did Not Attend – Invalid result is entered, the IT system will generate and send the participant a notification stating they must contact their provider in the next two business days ('resolution time') to avoid having their payment being put on hold.
    - If the participant fails to contact their provider to either give a valid reason for not attending or to arrange a reengagement appointment within the two business days (for this example, Thursday afternoon, Friday and Monday morning), their payment will be put on hold at approximately 11:30am on Monday.
    - Their payment will remain on hold until they contact their provider and either give a valid reason for not attending or attend a reengagement appointment.

- Two reviews of a participant's capacity to meet their requirements,
    - the Capability Interview after three demerits and
    - the Capability Assessment after 5 demerits,
- This is to ensure only those who persistently fail to meet their requirements are at risk of potential financial penalties for not meeting their requirements and reduction or loss of payment.
- The department undertakes a range of program assurance activities to monitor key aspects of the TCF, including:
    - ongoing monitoring of payment suspensions,
    - reviewing, and removing applied demerits where these have been applied in error and
    - reviewing samples of applied financial penalties to ensure that these have been applied correctly.

Financial penalties – the Penalty Zone

- A Participant will generally only be subject to a financial penalty for failing to meet requirements after:
    - their sixth instance of non-compliance, and
    - only after they have been assessed –
        - once by their provider and
        - once by Services Australia

to ensure that their compulsory requirements are appropriate and achievable based on their personal circumstances.

Concerns around high levels of payment suspensions

- The department is aware of concerns around the high rate of payment suspension in Workforce Australia.
- The department is analysing the application of the TCF for a number of vulnerable cohorts who are over represented in the Warning and Penalty zones, particularly Indigenous participants, but also parents and people with disabilities.
- This work will underpin future thinking for requirements and compliance models for vulnerable cohorts in employment services.
- The department has been proactively working with employment service providers across the country to conduct in-depth insight sessions on:
    - tailoring of the Points Based Activation System (PBAS) to individual participant circumstances
    - the correct application of the TCF to avoid payment suspensions
    - identifying areas for improvement and
    - highlighting the importance for more flexible approaches to servicing for vulnerable participants that encourages engagement.
- The department recently engaged an Indigenous organisation to undertake a review of TCF and PBAS participant products, to ensure they are appropriate for First Nations participants.
- The department continues to support employment service providers and the Digital Services Contact Centre (DSCC) to better tailor requirements and apply the TCF to avoid payment suspensions.

Key Issues

- The Australian Council of Social Service (ACOSS) wrote to Minister Burke and Minister Shorten on 23 August 2023 expressing concern over the high rate of payment suspensions in Workforce Australia.
- ACOSS has also advised they intend launching a media campaign highlighting the impact and harshness of payment suspensions reported in the department's public data. To date, there has been no distinct ACOSS driven media relating to payment suspensions.
- Participants with significant or multiple barriers to employment, including ex-offenders, those with drug or alcohol addiction, early school leavers or people with disability to employment tend to have higher rates of payment suspensions.

Resolution Processes

- If a participant has concerns about a payment suspension, they can contact their provider or the DSCC for online participants or the National Customer Service Line (NCSL) to discuss the circumstances relating to the payment suspension. Payment suspensions are also appealable through Services Australia's internal review process, the Administrative Appeals Tribunal and court system.
- The department undertakes a range of program assurance activities to monitor key aspects of the TCF, including ongoing monitoring of payment suspensions, reviewing, and removing applied demerits where these have been applied in error and reviewing samples of applied financial penalties to ensure that these have been applied correctly. Where incorrect application of the TCF is identified, the department rectifies any issues, including lifting payment suspensions, removing demerits, and revoking financial penalties and advises providers of these actions where appropriate.

Attachments

- Attachment A: ACOSS letter to Minister Burke re payment suspensions
- Attachment B: Targeted Compliance Framework Datasheet – Workforce Australia Participants as at 30 September 2023
- Attachment C: Targeted Compliance Framework Diagram

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	18 October 2023

Australian Council of Social Service

23 August 2023

Hon Tony Burke, MP
Minister for Employment and Workplace Relations
Parliament House
Canberra ACT 2600

Via email: tony.burke.mp@aph.gov.au

URGENT

Dear Minister,

URGENT ACTION NEEDED ON INCOME SUPPORT PAYMENT SUSPENSIONS

ACOSS writes to set out again our grave concern about the high rates of payment suspensions confirmed by the data for the period 1 April 2023-30 June 2023 published last Friday. As was the case with Robodebt, the widespread use of unfair and automated payment suspensions in employment services is administratively unjust and is causing harm and acute distress to people many of whom are in vulnerable circumstances.

Urgent action is required.

We have previously outlined our major concerns about the high rates of income support payment suspensions and the harm and damage to people to yourself, to the House of Representatives Workforce Australia Select Committee, your advisors and the Department. We have urged Government action be taken and we put forward proposals to finding solutions to reduce their incidence and harmful effects.

We now believe it is necessary to pause the use of all income support payment suspensions until a fair, workable alternative to the present system of unjust and automated suspensions is put into place.

Locked Bag 4777, Strawberry Hills NSW 2012
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The following features of an alternative system are key:

- Decisions to suspend a person's payment should be made by appropriate personnel at Services Australia;
- Suspensions should not be used as the first resort, especially for minor infractions such as missing a provider appointment, and providers should have more discretion not to apply them;
- Proper administrative law processes including human rights protections, should be adopted to ensure that the suspension is the least restrictive measure necessary, taking into account any personal vulnerabilities and the impact of a suspension on individual and their family financial circumstances (such as the risk of not being able to pay rent) and the seriousness of the breach.

It is intolerable that the widespread use of payment suspensions has brought us to the stage where almost half of all people on unemployment payments in Workforce Australia were impacted over the past three months. From 1 April 2023-30 June 2023 there were:

- 436,635 suspensions that affected 239,805 (45%) of the 538,995 of the participants in Workforce Australia;
- Overall, 44% of the suspensions were for not being able to complete Points under the points-based activation model on time; and
- 52% were for providers reporting people had not attended appointments.

We note that the ALP National Platform includes the following commitment, which we strongly endorse:

> *Labor also recognises that current aspects of the mutual obligations system can be punitive, cause stress and anxiety, and be a barrier to attaining employment. Therefore, Labor will review the nature and extent of mutual obligations and develop a revised approach that provides the help people need and is based on trust and shared accountabilities for government, service providers and job seekers.*

Too much time has already been lost, and too many people have been impacted, to ask people to wait for a comprehensive solution.

You will be aware that people affected by these payment suspensions are trying to deal with the cost-of-living crisis on a grossly inadequate income support payment. We again urge Government to address the inadequate level of JobSeeker and related payments.

In light of this we believe that the responsible action is to pause payment suspensions until a fair and human rights compatible solution is implemented and the Digital Protections Framework is in place and provides access to administrative review.

We seek your urgent response to these concerns.

We also seek a meeting with you to explain further the harm that is being caused to people by the current payment suspensions and the urgency of the need for protective action to be taken.

Yours sincerely,



Dr Cassandra Goldie
CEO, ACOSS

Targeted Compliance Framework Datasheet – Workforce Australia

Participants as at 30 September 2023

Targeted Compliance Framework - Zones[1,2,3,4]																
	Sep-23	Green Zone	Warning Zone	Penalty Zone	All Zones	Green Zone	Warning Zone Participants By Demerit Count						Penalty Zone Participants By Penalty Count			
					Participants	Participants	1	2	3`	4	5`	All	0	1	2	All
Workforce Australia Online	***All Participants***	***72.1%***	***27.9%***	***0.0%***	***88,650***	***63,945***	***14,800***	***9,165***	***570***	***165***	***5***	***24,700***	***5***	***0***	***0***	***5***
	Female	73.8%	26.2%	0.0%	**39,335**	29,020	6,350	3,760	160	40	0	**10,310**	5	0	0	**5**
	Female: Age Under 25 Years	70.4%	29.6%	0.0%	**10,610**	7,470	1,825	1,235	60	20	0	**3,145**	0	0	0	**0**
	Female: Age 25-34 Years	69.5%	30.5%	0.0%	**11,510**	8,000	2,060	1,370	65	15	0	**3,510**	5	0	0	**5**
	Female: Age 35-44 Years	73.9%	26.1%	0.0%	**7,015**	5,185	1,150	650	25	5	0	**1,830**	0	0	0	**0**
	Female: Age 45-54 Years	77.7%	22.3%	0.0%	**5,545**	4,310	875	350	10	5	0	**1,235**	0	0	0	**0**
	Female: Age 55+ Years	87.2%	12.8%	0.0%	**4,645**	4,050	440	155	5	0	0	**595**	0	0	0	**0**
	Male	70.8%	29.2%	0.0%	**49,270**	34,890	8,445	5,400	410	120	5	**14,380**	5	0	0	**5**
	Male: Age Under 25 Years	69.3%	30.7%	0.0%	**11,155**	7,735	1,945	1,320	120	35	0	**3,420**	5	0	0	**5**
	Male: Age 25-34 Years	66.4%	33.6%	0.0%	**18,090**	12,015	3,420	2,390	195	60	5	**6,070**	5	0	0	**5**
	Male: Age 35-44 Years	70.3%	29.7%	0.1%	**9,745**	6,850	1,720	1,085	70	15	5	**2,895**	5	0	0	**5**
	Male: Age 45-54 Years	76.7%	23.3%	0.0%	**5,895**	4,520	890	460	20	10	0	**1,375**	0	0	0	**0**
	Male: Age 55+ Years	85.9%	14.0%	0.0%	**4,385**	3,765	470	140	5	0	0	**615**	0	0	0	**0**
	Indigenous	62.0%	38.0%	0.0%	**6,610**	4,100	1,390	1,030	70	20	0	**2,510**	0	0	0	**0**
	CALD	76.1%	23.9%	0.0%	**13,725**	10,450	2,070	1,085	85	30	5	**3,275**	0	0	0	**0**
	PWD	73.7%	26.4%	0.1%	**4,825**	3,555	795	465	15	5	0	**1,275**	5	0	0	**5**
	Homeless	66.0%	33.9%	0.0%	**4,400**	2,905	855	600	30	10	0	**1,490**	0	0	0	**0**
	Ex-Offender	60.0%	40.0%	0.0%	**4,705**	2,825	1,095	725	55	5	0	**1,880**	0	0	0	**0**
	Refugee	66.4%	33.6%	0.0%	**1,860**	1,235	345	260	15	5	5	**625**	0	0	0	**0**
	Parent	74.2%	25.8%	0.0%	**8,455**	6,275	1,385	765	25	5	0	**2,180**	0	0	0	**0**
	High JSCI	72.7%	31.8%	0.0%	**110**	80	20	15	5	0	0	**35**	0	0	0	**0**
	Mental Health	70.5%	29.5%	0.0%	**4,605**	3,245	845	480	25	5	0	**1,360**	0	0	0	**0**
	Drug and Alcohol	64.1%	35.9%	0.0%	**2,145**	1,375	420	325	15	10	5	**770**	0	0	0	**0**
	Allowance Group: JobSeeker Payment	72.4%	27.6%	0.0%	**75,675**	54,780	12,515	7,715	500	150	5	**20,885**	5	0	0	**5**
	Allowance Group: Youth Allowance	68.0%	31.9%	0.0%	**7,295**	4,960	1,340	920	60	10	0	**2,330**	0	0	0	**0**
	Allowance Group: Other	73.9%	26.1%	0.0%	**5,680**	4,200	945	525	10	5	0	**1,485**	0	0	0	**0**
	Partial Capacity to Work	71.9%	28.2%	0.0%	**5,755**	4,135	1,000	590	30	5	0	**1,625**	0	0	0	**0**
	Education: less than year 12	68.4%	31.6%	0.0%	**14,705**	10,060	2,735	1,760	120	25	5	**4,645**	5	0	0	**5**
	Education: Completed Year 12	70.2%	29.8%	0.0%	**18,635**	13,080	3,230	2,120	160	45	0	**5,555**	0	0	0	**0**
	Education: Non-School qualification	73.8%	26.2%	0.0%	**55,310**	40,805	8,835	5,285	290	90	5	**14,500**	5	0	0	**5**
Workforce Australia Services	***All Participants***	***55.2%***	***43.8%***	***1.0%***	***276,935***	***152,950***	***63,490***	***44,340***	***8,775***	***4,125***	***540***	***121,275***	***1,635***	***690***	***380***	***2,710***
	Female	59.7%	39.7%	0.6%	**129,485**	77,310	28,280	18,275	3,165	1,430	200	**51,350**	515	215	95	**825**
	Female: Age Under 25 Years	49.7%	49.2%	1.1%	**16,970**	8,430	4,275	3,110	620	305	45	**8,350**	120	50	30	**195**
	Female: Age 25-34 Years	51.9%	47.2%	0.8%	**28,935**	15,030	7,050	5,215	925	420	55	**13,665**	140	65	25	**235**
	Female: Age 35-44 Years	56.6%	42.7%	0.7%	**31,990**	18,110	7,365	4,900	915	410	60	**13,650**	145	60	25	**230**
	Female: Age 45-54 Years	62.6%	36.9%	0.5%	**29,555**	18,500	6,365	3,735	540	240	35	**10,915**	100	30	15	**140**
	Female: Age 55+ Years	78.3%	21.6%	0.1%	**22,035**	17,245	3,225	1,315	165	60	5	**4,765**	15	10	5	**25**
	Male	51.3%	47.4%	1.3%	**147,420**	75,620	35,210	26,065	5,610	2,695	340	**69,920**	1,120	480	285	**1,885**
	Male: Age Under 25 Years	45.0%	53.1%	1.8%	**20,330**	9,155	5,010	4,150	1,055	515	65	**10,795**	225	100	55	**375**
	Male: Age 25-34 Years	43.7%	54.5%	1.7%	**41,550**	18,175	10,745	8,790	2,000	1,005	125	**22,665**	425	180	105	**710**
	Male: Age 35-44 Years	46.8%	51.8%	1.4%	**34,790**	16,270	8,850	6,885	1,490	715	85	**18,020**	285	130	80	**495**
	Male: Age 45-54 Years	55.0%	44.2%	0.8%	**28,250**	15,535	6,750	4,470	830	365	60	**12,480**	145	60	35	**240**
	Male: Age 55+ Years	73.2%	26.5%	0.3%	**22,500**	16,480	3,855	1,765	230	100	5	**5,960**	45	10	10	**60**
	Indigenous	43.0%	55.4%	1.5%	**52,910**	22,775	14,325	11,340	2,330	1,165	155	**29,310**	450	230	145	**820**
	CALD	64.8%	34.6%	0.6%	**50,160**	32,520	9,955	5,780	1,055	485	65	**17,335**	205	60	45	**310**
	PWD	56.1%	43.1%	0.8%	**83,810**	47,030	19,205	13,115	2,475	1,160	190	**36,145**	390	160	85	**635**
	Homeless	44.6%	53.9%	1.5%	**38,770**	17,285	10,160	8,080	1,735	820	120	**20,910**	370	130	75	**575**
	Ex-Offender	41.2%	57.1%	1.7%	**52,775**	21,720	14,170	11,850	2,640	1,275	205	**30,145**	535	240	130	**905**
	Refugee	62.2%	37.1%	0.7%	**15,480**	9,625	3,315	1,925	330	160	20	**5,750**	70	20	15	**105**
	Parent	60.9%	38.5%	0.5%	**44,700**	27,240	9,615	6,110	1,000	435	50	**17,215**	155	60	30	**245**
	High JSCI	50.9%	48.0%	1.1%	**89,670**	45,655	21,855	16,100	3,245	1,560	245	**43,010**	600	260	145	**1,010**
	Mental Health	53.3%	45.9%	0.8%	**39,305**	20,955	9,445	6,605	1,335	565	85	**18,030**	195	85	35	**315**
	Drug and Alcohol	43.1%	55.5%	1.5%	**27,510**	11,845	7,395	5,850	1,315	605	95	**15,265**	250	100	55	**400**
	Allowance Group: JobSeeker Payment	54.8%	44.2%	1.0%	**226,115**	123,835	52,155	36,685	7,285	3,430	455	**100,010**	1,370	575	330	**2,270**
	Allowance Group: Youth Allowance	47.1%	51.3%	1.6%	**17,785**	8,385	4,450	3,405	810	405	55	**9,125**	160	80	35	**280**
	Allowance Group: Other	62.8%	36.8%	0.5%	**33,030**	20,735	6,890	4,250	680	290	30	**12,140**	105	35	15	**155**
	Partial Capacity to Work	56.6%	42.7%	0.7%	**52,855**	29,920	12,115	8,040	1,610	695	100	**22,565**	230	105	35	**370**
	Education: less than year 12	51.2%	47.5%	1.3%	**111,470**	57,120	26,990	19,520	4,155	1,990	295	**52,950**	815	375	215	**1,405**
	Education: Completed Year 12	56.8%	42.3%	0.9%	**40,855**	23,220	9,130	6,240	1,270	585	65	**17,285**	220	85	50	**355**
	Education: Non-School qualification	58.3%	41.0%	0.8%	**124,490**	72,560	27,335	18,560	3,345	1,550	185	**50,980**	600	230	115	**950**

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Participants can belong to more than one demographic cohort.*
3. *Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.*
4. *Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).*

Department of Employment and Workplace Relations - Released under FOI

Events for the period 1 July 2022 to 30 September 2023

Payment Suspensions and Resolution Time for the Period 1 July 2022 to 30 September 2023 [1,2,5,7,8]							
	Resolution Time					Immediate Payment Suspension	**All Payment Suspensions**
	All Resolution Time Events	Avoided Payment Suspension		Payment Suspension			
Workforce Australia Online	299,820	110,140	36.7%	189,675	63.3%	0	189,675
Workforce Australia Services	2,453,475	828,405	33.8%	1,625,075	66.2%	15,435	1,640,510

Capability Interviews for the period 1 July 2022 and 30 September 2023[1,4]													
	Total Completed Interviews	Capable		Not Capable - All		Reasons for Not Capable Outcome							
						Errors in Requirements		Ongoing Circumstances		Disclosed new information		Eligibility change	
Workforce Australia Online	3,155	1,820	57.7%	1,335	42.3%	40	3.0%	165	12.4%	900	67.4%	230	17.2%
Workforce Australia Services	72,780	41,155	56.5%	31,625	43.5%	6,140	19.4%	4,580	14.5%	11,340	35.9%	9,565	30.2%

Capability Assessments for the period 1 July 2022 and 30 September 2023[1,3,4]													
	Total Completed Assessments	Capable		Not Capable - All		Reasons for Not Capable Outcome							
						Errors in Requirements		Ongoing Circumstances		Disclosed new information		Eligibility change	
Workforce Australia Online	45	35	77.8%	5	11.1%	0	-	0	-	5	100.0%	5	100.0%
Workforce Australia Services	10,680	6,445	60.3%	4,235	39.7%	55	1.3%	425	10.0%	1,965	46.4%	1,795	42.4%

Financial Penalties for the period 1 July 2022 to 30 September 2023[1,8]						
	Penalty Zone Financial Penalties			Work Refusals	Unemployment Failures	**Total**
	1st Penalties Applied	2nd Penalties Applied	3rd Penalties Applied	Penalties Applied	Penalties Applied	**Penalties Applied**
Workforce Australia Online	0	0	0	0	1,855	1,855
Workforce Australia Services	2,440	1,095	360	275	620	4,790

Participants with Exemptions at 29 September 2023

Exemptions from Mutual Obligations as at 29 September 2023[1,9,10,11,12]						
	Workforce Australia Online		**Workforce Australia Services**		**Transition to Work**	
	Number Applied	**Percentage**	**Number Applied**	**Percentage**	**Number Applied**	**Percentage**
INP: Incapacitated (via the MC screen)	6,490	56.3%	43,070	67.4%	0	-
AOA: Customer Overseas	1,855	16.1%	4,615	7.2%	100	44.4%
MPC: Major personal crisis	370	3.2%	2,915	4.6%	70	31.1%
PHS: Home Schooling	355	3.1%	2,565	4.0%	0	-
LF4: Large Family	245	2.1%	2,465	3.9%	5	2.2%
DSP: Claiming DSP	660	5.7%	1,875	2.9%	0	-
ISI: Temp Incap - Serious Illness	580	5.0%	1,305	2.0%	0	-
CAR: Caring responsibilities	325	2.8%	1,265	2.0%	15	6.7%
FCR: Foster Carer	150	1.3%	1,175	1.8%	0	-
OSC: Other Special Circumstances	200	1.7%	1,040	1.6%	35	15.6%
Other	310	2.7%	1,605	2.5%	10	4.4%
Total	**11,535**	**100.0%**	**63,880**	**100.0%**	**225**	**100.0%**

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Resolution Time is only available to participants who are not in the Penalty Zone. Non-compliance events raised for participants in the Penalty Zone result in an immediate Payment Suspension.*
3. *Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.*
4. *Where a Capability Interview or Assessment has more than one reason for the participant being found Not Capable, only the primary reason is reported here.*
5. *Immediate Payment Suspension refers to those participants who have had non compliance raised whilst in the penalty zone. In this scenario, the non compliance event is not subject to the '2 day resolution time' rule and suspension occurs immediately.*
6. *Figures are of non-compliance events that have been finalised as at the report date.*
7. *Job seekers whose income support payment is put on hold often reengage before they miss a payment and are back paid any missed payments once they do reengage. Some participants who receive payment suspensions have stopped needing employment services but have not informed their provider.*
8. *Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).*
9. *The exemptions data is not fully comparable to those previously provided due to a change to the reporting populations for income support recipients, which now include all current (such as those on zero rate of payment) and suspended recipients.*
10. *Where multiple exemptions exist, the first recorded exemption is reported.*
11. *Temporary Incapacity Exemption Type does not include serious illness.*
12. *All Other Combined Exemption Type includes for example Distance Education Child, Dependant Child Exemption TPP, Carer Exemption Non-Parent relative.*

Department of Employment and Workplace Relations - Released under FOI 134 of 853

Participants and Events for the period 1 July 2022 to 30 September 2023

Applied Demerits and Payment Suspensions By Cohort for the period 1 July 2022 to 30 September 2023[1,2,3]									
		Cohort Flow Caseload	Applied Demerits			Payment Suspensions			
			Events	Participants	Percentage of Cohort	Events	Participants	Percentage of Cohort
Workforce Australia Online	***All Participants***	**283,335**	**153,145**	**85,060**	**30.0%**	**189,675**	**111,900**	**39.5%**
	Female	130,170	66,015	37,390	28.7%	78,150	47,665	36.6%
	Female: Age Under 25 Years	35,730	18,735	10,805	30.2%	22,625	13,675	38.3%
	Female: Age 25-34 Years	34,875	20,840	11,695	33.5%	23,705	13,955	40.0%
	Female: Age 35-44 Years	22,195	12,320	6,775	30.5%	14,325	8,470	38.2%
	Female: Age 45-54 Years	19,560	9,280	5,405	27.6%	11,035	7,200	36.8%
	Female: Age 55+ Years	17,805	4,840	3,130	17.6%	6,465	4,830	27.1%
	Male	153,070	87,100	47,660	31.1%	111,500	64,220	42.0%
	Male: Age Under 25 Years	36,120	20,250	11,280	31.2%	26,240	15,140	41.9%
	Male: Age 25-34 Years	51,495	34,925	18,800	36.5%	42,695	23,480	45.6%
	Male: Age 35-44 Years	29,925	18,320	9,980	33.4%	23,450	13,295	44.4%
	Male: Age 45-54 Years	19,970	9,370	5,400	27.0%	12,610	8,065	40.4%
	Male: Age 55+ Years	15,560	4,240	2,730	17.5%	6,505	4,900	31.5%
	Indigenous	18,665	14,880	7,665	41.1%	19,375	9,995	53.5%
	CALD	47,505	20,280	11,780	24.8%	28,900	18,105	38.1%
	PWD	16,375	8,125	4,775	29.2%	13,180	8,930	54.5%
	Homeless	13,320	9,065	4,930	37.0%	12,055	6,715	50.4%
	Ex-Offender	13,705	11,195	5,780	42.2%	15,240	8,015	58.5%
	Refugee	6,320	3,870	2,140	33.9%	6,410	3,805	60.2%
	Parent	17,905	14,680	7,895	44.1%	17,265	10,140	56.6%
	High JSCI	3,000	380	250	8.3%	1,065	860	28.7%
	Mental Health	13,145	7,870	4,295	32.7%	10,520	6,345	48.3%
	Drug and Alcohol	6,270	4,785	2,510	40.0%	6,335	3,465	55.3%
	Allowance Group: JobSeeker Payment	136,000	135,780	75,390	55.4%	166,175	98,110	72.1%
	Allowance Group: Youth Allowance	17,075	14,005	8,090	47.4%	19,205	11,465	67.1%
	Allowance Group: Other	130,260	3,355	1,885	1.4%	4,295	2,665	2.0%
	Partial Capacity to Work	16,595	9,340	5,240	31.6%	12,965	8,225	49.6%
	Education: less than year 12	47,280	29,935	15,950	33.7%	39,670	22,555	47.7%
	Education: Completed Year 12	60,380	34,805	19,270	31.9%	42,930	25,090	41.6%
	Education: Non-School qualification	175,665	88,345	49,955	28.4%	105,570	63,525	36.2%
Workforce Australia Services	***All Participants***	**580,820**	**948,980**	**297,720**	**51.3%**	**1,640,510**	**408,895**	**70.4%**
	Female	280,080	394,750	130,970	46.8%	675,955	180,610	64.5%
	Female: Age Under 25 Years	43,495	67,105	22,180	51.0%	122,090	33,540	77.1%
	Female: Age 25-34 Years	58,815	101,685	33,045	56.2%	182,400	44,685	76.0%
	Female: Age 35-44 Years	65,615	106,995	34,805	53.0%	186,100	46,435	70.8%
	Female: Age 45-54 Years	60,390	83,580	29,115	48.2%	132,170	39,000	64.6%
	Female: Age 55+ Years	51,760	35,385	15,330	29.6%	53,195	22,640	43.7%
	Male	300,705	554,210	166,780	55.5%	964,520	228,335	75.9%
	Male: Age Under 25 Years	50,885	93,145	28,550	56.1%	167,730	42,700	83.9%
	Male: Age 25-34 Years	79,650	174,805	52,045	65.3%	311,310	70,050	87.9%
	Male: Age 35-44 Years	66,875	144,435	42,805	64.0%	257,975	57,570	86.1%
	Male: Age 45-54 Years	54,660	97,835	30,950	56.6%	160,900	41,460	75.9%
	Male: Age 55+ Years	48,645	43,985	17,470	35.9%	66,600	24,980	51.4%
	Indigenous	95,755	245,170	66,480	69.4%	456,255	87,540	91.4%
	CALD	114,600	136,140	49,155	42.9%	219,435	70,950	61.9%
	PWD	164,595	283,215	92,790	56.4%	490,020	130,180	79.1%
	Homeless	73,225	176,955	51,740	70.7%	329,710	71,095	97.1%
	Ex-Offender	94,695	253,075	69,480	73.4%	466,805	91,580	96.7%
	Refugee	33,250	48,795	16,770	50.4%	76,900	23,490	70.6%
	Parent	94,855	131,180	45,760	48.2%	213,230	61,050	64.4%
	High JSCI	174,835	351,120	107,030	61.2%	587,765	136,365	78.0%
	Mental Health	77,765	144,315	45,500	58.5%	257,650	63,910	82.2%
	Drug and Alcohol	49,855	131,450	35,170	70.5%	236,025	44,935	90.1%
	Allowance Group: JobSeeker Payment	477,615	831,405	261,020	54.7%	1,429,735	354,165	74.2%
	Allowance Group: Youth Allowance	49,010	83,035	26,840	54.8%	153,305	42,210	86.1%
	Allowance Group: Other	54,200	34,540	13,615	25.1%	57,470	18,905	34.9%
	Partial Capacity to Work	105,980	179,830	58,545	55.2%	320,430	84,200	79.4%
	Education: less than year 12	231,315	448,960	133,040	57.5%	797,665	184,330	79.7%
	Education: Completed Year 12	94,345	131,865	45,160	47.9%	227,085	66,125	70.1%
	Education: Non-School qualification	253,970	367,160	123,515	48.6%	611,165	167,670	66.0%

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Cohort Flow Caseload captures any participant that was commenced and compellable at any stage during the reporting period. Demographic data is as at the participant's first commencement date in the period or the start of the period if they commenced prior.*
3. *Participants can belong to more than one demographic cohort.*

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Participants and Events for the period 1 July 2022 to 30 September 2023

Transition To Work Payment Suspensions By Cohort for the period 1 July 2022 to 30 September 2023[1,2]			
		Events	Participants
Transition to Work	***All Participants***	**8,225**	**7,560**
	Female	3,485	3,190
	Female: Age Under 22 Years	2,640	2,430
	Female: Age 22+ Years	845	770
	Male	4,740	4,365
	Male: Age Under 22 Years	2,640	2,430
	Male: Age 22+ Years	1,475	1,360
	Indigenous	3,450	3,450
	CALD	470	470
	PWD	1,630	1,630
	Homeless	2,155	1,980
	Ex-Offender	1,500	1,375
	Refugee	210	200
	Parent	35	30
	High JSCI	800	735
	Mental Health	820	740
	Drug and Alcohol	285	265
	Allowance Group: JobSeeker Payment	2,320	2,125
	Allowance Group: Youth Allowance	5,900	5,445
	Allowance Group: Other	5	5
	Partial Capacity to Work	995	900
	Education: less than year 12	6,080	5,610
	Education: Completed Year 12	880	795
	Education: Non-School qualification	1,250	1,145

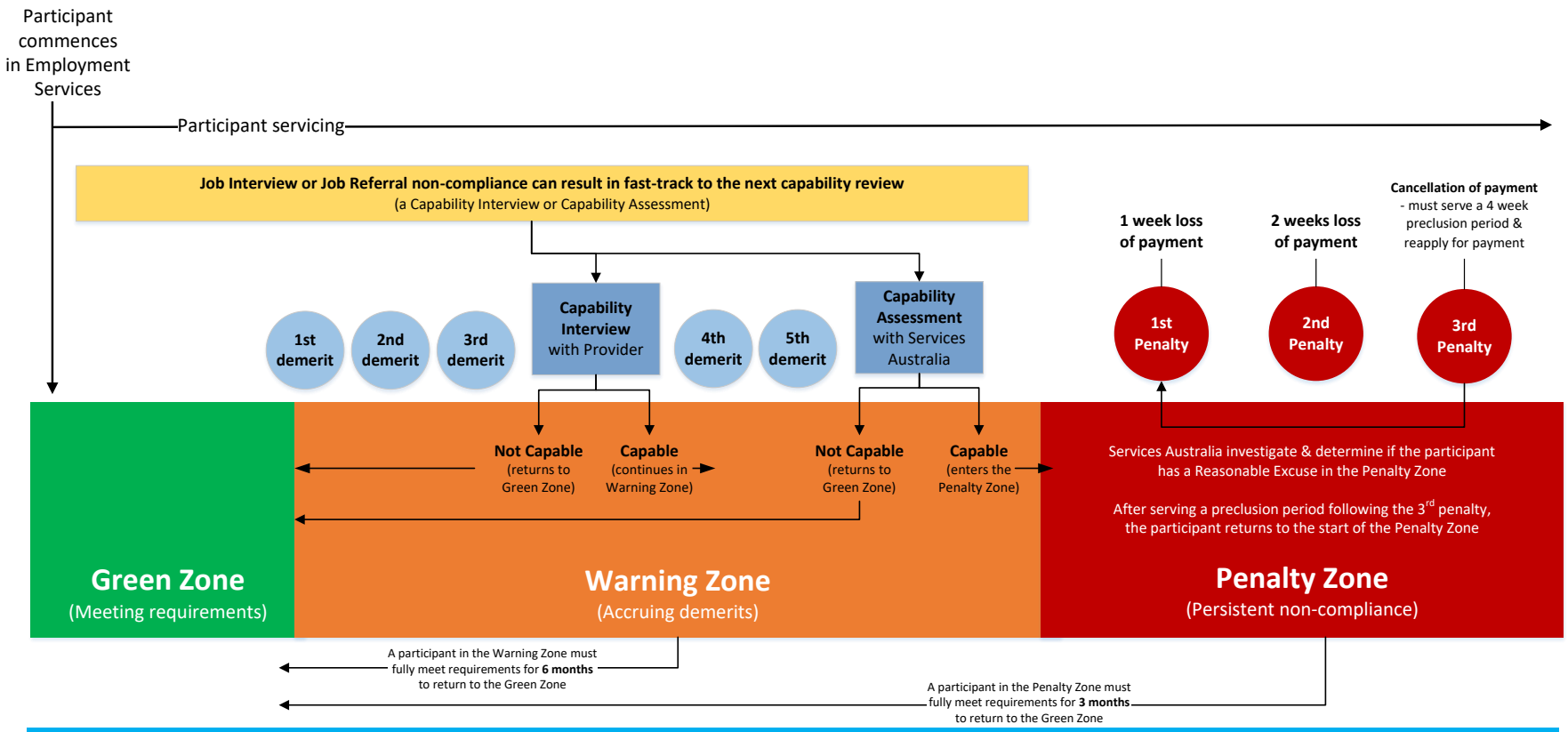
Applied Demerits and Payment Suspensions By Event Type for the period 1 July 2022 to 30 September 2023[1]							
		Applied Demerits			Payment Suspensions		
		Events	Percentage of Event Total	Participants	Events	Percentage of Event Total	Participants
Workforce Australia Online	***All Participants***	**153,145**	**100.0%**	**85,060**	**189,675**	**100.0%**	**111,900**
	Provider Appointment	420	0.3%	420	4,665	2.5%	4,615
	Points Based Period	129,590	84.6%	73,920	139,810	73.7%	84,655
	Job Plan / Participation Plan	22,080	14.4%	21,530	37,960	20.0%	35,540
	Job Referral	0	-	0	0	-	0
	Job Interview	0	-	0	0	-	0
	Activity	1,055	0.7%	740	7,240	3.8%	5,225
	Third Party Appointment	0	-	0	0	-	0
Workforce Australia Services	***All Participants***	**948,980**	**100.0%**	**297,720**	**1,640,510**	**100.0%**	**408,895**
	Provider Appointment	368,160	38.8%	171,430	1,058,340	64.5%	340,765
	Points Based Period	571,425	60.2%	241,175	560,285	34.2%	249,770
	Job Plan / Participation Plan	1,900	0.2%	1,865	3,670	0.2%	3,610
	Job Referral	2,195	0.2%	2,040	3,250	0.2%	3,045
	Job Interview	845	0.1%	830	3,480	0.2%	3,205
	Activity	4,460	0.5%	2,015	11,480	0.7%	5,140
	Third Party Appointment	0	-	0	0	-	0
Transition to Work	***All Participants***				**8,225**	**100.0%**	**7,560**
	Provider Appointment				8,225	100.0%	3,190

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Participants can belong to more than one demographic cohort.*

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Targeted Compliance Framework



Valid Reason - If a participant has a valid reason for missing a requirement, they do not need to re-engage and do not get a demerit.
Resolution Time - If a participant misses a requirement, they have 2 business days to contact their provider to discuss and, if required, address the failure to avoid having their payment suspended.
Suspending payment - This is a hold put on the participant's income support payment after 2 business days until they meet their re-engagement requirement or provide a valid reason. When they meet their re-engagement requirement, the hold on their payment stops. Payment suspension does not mean their payment is stopped or cancelled. However they are prevented from receiving their next payment whilst non-compliance is outstanding. When the non-compliance is resolved they are back paid in full. If they fail to resolve the non-compliance within 28 days (2 payment reporting periods) Services Australia commences their payment cancellation review.
Applying demerits - These are applied when a participant doesn't meet a requirement and doesn't have a valid reason. Applying demerits means the participant moves further through the TCF (Green, Warning and Penalty Zones). *These zones do not exist in legislation but rather are used as an administrative tool to communicate the operation of the TCF to job seekers.* Each demerit has a lifespan of 6 months. This means the demerit expires 6 months after it is applied, and the IT system removes it from the participant's record.
Financial penalties - Under the TCF participants have protections in place before a financial penalty is applied. This ensures only those participants who are persistently non-compliant incur financial penalties for failing to meet their requirements. Most participants do meet their requirements and very few incur financial penalties.
Capability Reviews - These are review points that take place after a certain number of demerits are applied. Capability Reviews provide an opportunity for a discussion with the participant about circumstances that may be impact their ability to meet requirements and to ensure they are capable of meeting the requirements that have been set for them.
Unemployment and work refusal failures - There are serious penalties if a participant fails to accept or commence a suitable job, if they are dismissed from a job due to misconduct, or if they leave a suitable job. Providers report these failures via the department's IT system to Services Australia for them to make the assessment on whether to apply the penalty. All financial penalty decisions are made by Services Australia. A provider can never take income support off a participant.

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Whole of Workforce Australia Policy Factsheet

Policy objectives and design

- The key policy objectives for Workforce Australia are to:
  - ensure resources are directed to those requiring the most support;[1]
  - support eligible individuals to find secure employment through online or provider-led services;
  - focus providers on supporting high need individuals, reducing the risk of these individuals becoming or remaining long-term unemployed; and
  - provide employers with candidates that have the skills they need.
- Workforce Australia focuses on investing in individuals who need the most support, so they can build their skills, capabilities and address their complex needs to prepare for and move towards employment.

Services and programs under Workforce Australia

- The scope of Workforce Australia includes all employment services and labour market programs delivered by the department that support individuals and businesses.
- Workforce Australia includes the two mainstream services (Online Services and Provider Services), Transition to Work, and a range of targeted and complementary labour market programs.
- An overview of supports administered by the department for individuals and businesses, including employment services and labour market programs is available at Attachment A.

Aims of Workforce Australia for Individuals, Businesses and Providers

- Workforce Australia supports individuals by providing:
  - supports targeted to individuals' needs, with assessments and safeguards to ensure participants receive timely and appropriate levels of servicing, and access to more individualised supports depending on their needs and eligibility;
  - personalised pathways to employment, providing individuals with more flexibility in how they choose to get job-ready and meet their mutual obligations, together with more job and skilling pathways.
- Workforce Australia supports businesses by:
  - aligning participant employment pathways to address skill needs within the local labour market, matching employers with candidates who have the skills they need, and boosting the productive capacity of the workforce;
  - delivering tailored workforce solutions and streamlined services for recruitment.
- For providers, Workforce Australia introduces a new provider payment model, Performance Framework, and licensing system to help ensure providers deliver quality and user-centred services that meet the needs of individuals and businesses.

[1] Adapted from the Request for Proposal for the New Employment Services Model (2021).

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Are skills programs included under Workforce Australia?

- Skills programs are currently not included under Workforce Australia.
- Any changes to what is included as part of Workforce Australia is a decision for government.

What is the government doing to address systemic issues in the employment services system?

- Reforms and incremental changes to employment services have improved outcomes for individuals, and Workforce Australia builds on existing progress.
- Workforce Australia introduced several changes from jobactive to better address these systemic issues. For example:
    - During jobactive, it was reported that several providers would focus their resources on individuals who were more likely to find work in return for outcome payments. This meant that for some individuals who were more disadvantaged, they did not receive the level of support they needed.
    - Under Workforce Australia, the introduction of Online Services enables job-ready individuals to self-manage their job search. This focuses providers on supporting those who are more disadvantaged.
    - The new provider payment model also incentivises providers to deliver more upfront and sustained investments to support disadvantaged individuals, particularly those who are long-term unemployed, to prepare for and progress towards employment.
    - The department also continues to monitor the activities of providers in how they use resources like the Employment Fund, noting concerns of own-entity referrals and referrals to irrelevant training.
- These systemic issues in employment services are curently being examined as part of the ongoing Workforce Australia Select Committee Inquiry.
    - The Committee will examine the first 12 months of the new Workforce Australia system and has committed to review all aspects of the program including its implementation, performance and appropriateness. The Committee will report back to Parliament by the end of November 2023.
    - The department is continuing to support the work of the Committee.
- The department continues to closely monitor the implementation of Workforce Australia to ensure it delivers quality services and outcomes for individuals and businesses, consistent with the objectives and principles of Workforce Australia.

Is the department likely to make further changes to the system?

- Any further changes to Workforce Australia will be a decision of Government.
- The recently released Employment White Paper sets out a set of principles to guide any future reforms to employment services.
- There are several processes underway that provide further opportunities for changes or improvements to Workforce Australia policy including the Workforce Australia Select Committee Inquiry, and policy work to inform reforms for the Disability Employment Services and Community Development Programme.
- The department takes a continuous improvement approach to the policy design of Workforce Australia.

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Recent media on this policy

- Selected recent media articles:
    - Job services must shift from merely clipping tickets to actually changing lives – Paul Karp, The Guardian, 25 September 2023.
    - Labour urged to return employment services to public sector amid warning over mutual obligations – Luke Henriques-Gomes, The Guardian, 17 May 2023.

Attachments

Attachment A – Supports administered for individuals and businesses by the Department of Employment and Workplace Relations – updated August 2023.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	09 October 2023

Supports administered for individuals and businesses by the Department of Employment and Workplace Relations – 24 August 2023

Mainstream Services

Employability Skills Training
A pre-employment program to help individuals develop the skills that employers want, build job search and workplace skills, and explore career options. Training can also include industry specific skills, helping individuals to be more competitive in their local labour market.
Eligibility: Available to all Transition to Work participants, all other Workforce Australia participants on income support and with mutual obligation requirements, and Disability Employment Services participants.
End date: Ongoing
Budget: $380.5 million for 2023-24 to 2026-27
Assisted: 9,872 participants in 2022-23

Observational Work Experience
Enables individuals to undertake short-term, unpaid, observational work experience placements to build soft skills or gain a better understanding of the workplace or potential career opportunities.
Eligibility: Individuals 15 years and over and registered with Workforce Australia Services (including online services), Transition to Work or Disability Employment Services. Placements must be no longer than 4 weeks in duration and must not involve more than 50 hours attendance per fortnight (8 hours per day).
End date: Ongoing

Skills for Education and Employment
Assists individuals with literacy, numeracy or digital skill needs by delivering foundation skills training, both standalone and embedded in vocational education courses.
Eligibility: From 15 years to Age Pension age, registered as an individual with working rights in Australia and suitable for training without barriers that would prevent successful participation.
End date: Ongoing
Budget: $125.4 million for 2022-23
Assisted: 19,914 participants in 2022-23

Workforce Australia Employment Services
Employment service that helps Australians to find and keep a job, change jobs or create their own job.
Workforce Australia Online:
Individuals who are assessed as job-ready self-manage their search for employment.
Workforce Australia Services:
Individuals who need, or would like, personalised case management support are supported by a provider to become job-ready and connected with suitable employment.
Eligibility: Everyone who has a myGov account can access Workforce Australia Online for Individuals using a computer or mobile device, including services such as online learning and job matching.
Individuals in receipt of an eligible income support payment will access additional services and resources online or from a provider depending on assessed need. Some individuals not in receipt of an income support payment, such as vulnerable youth, will also be able to access Workforce Australia Services.
End date: Ongoing
Budget: $6,232.3 million for 2023-24 to 2026-27
Assisted: 540,340 participants in Workforce Australia Services and 250,435 participants in Workforce Australia Online in 2022-23
NB: Individuals may be counted in both Workforce Australia Services and Workforce Australia Online

Workforce Specialists
A panel of Workforce Specialists has been established to deliver a range of strategic projects to meet the workforce needs of identified key industries and occupations. Projects will typically have a broad geographical, industry or occupation focus, and seek to leverage existing initiatives at the national, state and territory government levels.
Eligibility: Individuals in Workforce Australia Services, Workforce Australia Online and Transition to Work are eligible to participate in Workforce Specialist projects.
End date: Ongoing
Budget: $49.9 million for 2023-24 to 2026-27
Assisted: N/A (new program)

Self-Employment

Self-Employment Assistance
Helps individuals establish and operate a small business by: understanding self-employment; testing a business idea; developing or adjusting a business plan; and keeping it viable.
This is achieved through: Exploring Self-Employment Workshops; Business Plan Development; Small Business Training; Business Advice Sessions; and Business Health Checks and Small Business Coaching.
Eligibility: Individuals must not: be in education or employment for more than 25 hours per week; be prohibited by law from working in Australia; be an undischarged bankrupt; be on a working holiday, visitor or tourist visa; and must be at least 15 years of age.
End date: Ongoing
Budget: $762.5 million for 2023-24 to 2026-27
Assisted: 16,732 participants in 2022-23

Selfstart
The SelfStart Hub provides information and links to resources to help start and run a business, including planning, validating business ideas, finding local support and perfecting business idea pitches.
Eligibility: Anyone can access the SelfStart Hub.
End date: Ongoing

Workplace Relations

Office of the Federal Safety Commissioner (OFSC)
The Office of the Federal Safety Commissioner (OFSC) acts to improve workplace health and safety (WHS) practices on building and construction sites across Australia. It does this through the administration of the Australian Government Building and Construction Work Health and Safety Accreditation Scheme (the Scheme). Subject to certain financial thresholds, only builders that are accredited under the Scheme can enter into head contracts for building work that is funded directly or indirectly by the Australian Government.
End date: Ongoing

Regional Programs

Harvest Trail Services
Connect workers with businesses in harvest areas across Australia. The Harvest Trail Information Service (THIS) is a national call centre that provides information about jobs, towns and crops, and fair and safe work to workers and employers. The HTS refers workers to the HTS providers in the 16 HTS areas across Australia for job placement.
Eligibility: Australian citizens or permanent residents, eligible working holiday makers or overseas students with a visa with appropriate working rights, temporary work visa holders with general work rights.
End date: Ongoing
Budget: $42.7 million for 2023-24 to 2026-27
Assisted: 9,080 work placements in 2022-23

Local Jobs Program
Brings together expertise, resources and funding at the local level to accelerate reskilling and upskilling of job seekers to meet the needs of local businesses. An Employment Facilitator in each region oversees the delivery of the Local Jobs Program. From July 2023, each Employment Facilitator has a $30,000 flexible funding pool to support local solutions. The Local Recovery Fund supports activities that address priorities in a Local Jobs Plan. The National Priority Fund supports initiatives that address structural barriers to employment and complement job creation.
Eligibility: Employment Facilitators can engage with any stakeholder. Individuals in Workforce Australia, ParentsNext and Transition To Work are eligible to participate in Local Recovery Fund activities. National Priority Fund initiatives can assist individuals, business and communities.
End date: June 2025
Budget: $94.6 million for 2023-24 to 2024-25
Assisted: N/A

Mature Age

Career Transition Assistance
Helps individuals 45 years and over to build confidence and skills to become more competitive in their local labour market. The program is voluntary and provides practical assistance to help individuals improve their digital literacy and relate their skill set to new employment opportunities.
Eligibility: All individuals 45 years and over in Workforce Australia and Disability Employment Services.
End date: Ongoing
Budget: $19.7 million for 2023-24 to 2026-27
Assisted: 5,265 participants in 2022-23

Mature Age Hub
Provides information on the programs available to mature age individuals to reskill and find employment and to businesses to recruit mature age workers.
Audience: Everyone – but specifically targeted to businesses and individuals 45 years and over.
End date: Ongoing

Skills Checkpoint for Older Workers
Provides career advice and guidance to transition to a new role within a current industry or to a new career.
Eligibility: 40 year and over, employed and at risk of unemployment, or recently unemployed (within 12 months) and not registered for assistance with an Australian Government employment services provider.
End date: Ongoing
Budget: $7.657 million for 2023-24

Youth

Job Jumpstart
Resources to support individuals with their job search and employment planning. Targeted to young people 15 to 25 years.
Eligibility: Everyone.
End date: Ongoing

Workforce Australia - Transition to Work
Targeted pre-employment and employment service to support disadvantaged young people who are at risk of not making a successful transition from school to work. Participants receive intensive support from youth specialist providers to finish their education, connect with further education or training, develop skills to get a job, address employment issues and connect with community organisations and other government agencies to access support.
Eligibility: Individuals 15 to 24 years who meet one of the following categories: on activity tested income support and assessed as being at high risk of not successfully transitioning to employment; not on income support and not awarded a year 12 Certificate/Certificate III or higher; not on income support and disengaged from education/training/employment, or First Nations people irrespective of level of education or receipt of income support.
End date: Ongoing
Budget: $1,324.3 million for 2023-24 to 2026-27
Assisted: 52,792 participants in 2022-23

Special Programs

Launch into Work
Funds businesses to deliver pre-employment projects that prepare job seekers for entry level roles in their business. Projects include training, practical workplace activities and mentoring tailored to the specific role. The program primarily focuses on creating long-term employment pathways for women; however, anyone can participate.
Eligibility: Individuals in Workforce Australia, Transition to Work and ParentsNext provider services. Individuals are selected based on their values and attributes and must meet any other entry level requirements related to the role.
End date: 30 June 2028
Note: Program was not operating for most of 2021-22 due to COVID.
Budget: $79.3 million for 2023-24 to 2026-27
Assisted: N/A

Remote Community Pilots
Deliver tailored and flexible foundation language, literacy, numeracy and digital literacy skills assessment and training that meets local community needs. The Pilots aim to improve the skills of community members and to identify approaches to inform future program delivery.
Eligibility: Community members 15 years and over who have left school.
End date: 20 June 2024

Resources

Employer Liaison Officers
Provides a personalised concierge service to help industry peaks and large employers in accessing the government's diverse array of employment and training programs and supports, as well as facilitating the collaborative design of workforce solutions.
Eligibility: All businesses.

Jobs Hub
Helps individuals understand industries with entry level jobs, find vacancies and tailor their applications for these roles.
Eligibility: Everyone.

Labour Market Insights
Is a website that provides data and information about the Australian labour market. The content on this website is being transitioned to the Jobs and Skills Australia website.
Eligibility: Everyone.

National Careers Institute
Ensures people have access to accurate careers information and support irrespective of their age or career stage. The 'Your Career' website provides comprehensive career information to help support people to make decisions about their training, education, and employment pathways. This website assists people adapt to changes in the labour market and make informed education, training and career decisions as the economy transitions to Net Zero.
Eligibility: All Australians.
Budget: $5.1 million for 2023-24
Assisted: Over 5 million visited site since it was launched.

Voluntary Work
A work experience placement that provides individuals the opportunity to gain skills that will directly improve their employability prospects, benefit the individual and the local community, and offer no financial gain to the volunteer organisation. Individuals can find their own Voluntary Work, or a provider can source and support the placement.
End date: Ongoing

Wage Subsidies
Financial incentives of up to $10,000 (GST inc) for businesses who hire eligible individuals in ongoing work.
Eligibility: Individuals 15-24 years are eligible for the Youth Bonus Wage Subsidy after 6 months of continuous participation in Workforce Australia Services, Transition to Work, or after 12 months participation in online services and commencing with a provider. Participants 25 and over are eligible for the Workforce Australia Services Wage Subsidy after 6 months of continuous participation in Workforce Australia Services or on commencement with a provider after 12 months participation in Workforce Australia Online. First Nations participants in Workforce Australia Services or Transition to Work are eligible immediately.
End date: Ongoing
Budget: $108.3 million for 2023-24 to 2026-27
Assisted: 16,243 participants in 2022-23

Work for the Dole
Helps individuals gain skills and core competencies alongside gaining work-like experience.
Eligibility: Individuals 18 years and over, in receipt of income support, and registered with Workforce Australia Services.
End date: Ongoing
Budget: $154.9 million for 2023-24 to 2026-27
Assisted: 5,991 participants in 2022-23

Fair Entitlements Guarantee
Fair Entitlement Guarantee (FEG) is a legislative safety net scheme of last resort, which covers employee entitlements for eligible employees who lose their job through insolvency of their employer.
Eligibility: Subject to meeting eligibility requirements, FEG may apply to a person if their employer enters liquidation or bankruptcy, and the person has certain unpaid employment entitlements owing to them.
End date: Ongoing

Fair Entitlements Guarantee Recovery Program
The FEG Recovery Program is designed to increase the recovery to the Commonwealth of amounts advanced under FEG. Under the FEG Recovery Program, liquidators of companies and bankruptcy trustees (where FEG advances have been made) can apply for funding to pursue recovery proceedings, such as litigation, to increase the returns available to creditors in the external administration.
Eligibility: Liquidators of insolvent entities where employment entitlements have been paid under FEG can apply for funding assistance.
End date: Ongoing

Norfolk Island Employment Services
Norfolk Island has a unique arrangement in place to meet the unique needs of the local context and caseload. While some services are similar to Workforce Australia on mainland Australia, such as face-to-face servicing of individuals, certain operational and servicing requirements differ.
Eligibility: Individuals who live on Norfolk Island.
End date: Ongoing
Budget:$ $1.1 million for 2023-24 to 2026-27

Yarrabah Employment Services
The department worked with the Yarrabah Aboriginal Shire Council to co-design and build a model for the delivery of employment services in Yarrabah.
The Council has a unique arrangement in place, where employment services are delivered in line with Workforce Australia but under a separate Yarrabah Employment Service Deed. While some services are similar, such as face-to-face servicing of individuals, activity and reporting requirements, certain operational and servicing requirements differ due to the unique aspects of the Aboriginal Community of Yarrabah.
Eligibility: Available to individuals who live in the Aboriginal Shire of Yarrabah and East Trinity, including Giangarra, Koombul, Bessie Point and Second Beach, or are in the Cairns Employment Region and have a physical address in the Aboriginal Shire of Yarrabah. All eligible individuals in this location will access Yarrabah Employment Services. They will not be eligible for the Workforce Australia Online for Individuals.
End date: Ongoing
Budget: $5.2 million for 2023-24 to 2026-27
Assisted: 904 participants in 2022-23

Skills and Training Incentive
Eligible individuals can access this incentive to co-fund training identified through their Skills Checkpoint assessment and Career Plan.
Eligibility: 40 years and over, employed or recently unemployed (within 12 months) and not registered with an employment services provider are eligible for the Incentive. Participants must have completed the Skills Checkpoint for Older Workers Program.
End date: 30 June 2024
Budget: $17.4 million for 2023-24 to 2026-27

Pacific Australia Labour

Pacific Australia Labour Mobility (PALM) scheme
Helps eligible Australian businesses to recruit workers from Pacific-island countries and Timor-Leste to meet workforce shortages in rural and regional Australia and contributes to the economic development of the participating countries through remittances and building skills. PALM scheme employers are able to recruit for seasonal or short-term jobs for up to 9 months or for longer-term roles for up to 4 years in a range of industries including agriculture, meatworks, aged care, accommodation and hospitality. PALM scheme workers are protected by the same workplace rights and laws as Australian workers.
Eligibility for employers: based on a set of eligibility criteria and integrity checks employers must meet to ensure they are able to fulfil the requirements of the scheme and must be restricted to rural and regional postcodes, except for employers in the agriculture sector, where there are no postcode restrictions. All PALM scheme employers must undertake labour market testing to ensure Australians have priority for local jobs.
End date: Ongoing

Parents/Carers

ParentsNext
A pre-employment program that aims to help Parenting Payment recipients to plan and prepare for work by the time their youngest child starts school.
From 5 May 2023, the program is voluntary and does not have mutual obligation requirements.
Eligibility: Parents and carers who have been receiving Parenting Payment for at least the last 6 months, have not earned income in the past 6 months, and care for a child over 9 months old and under 6 years of age. Parents and carers can also volunteer if they are in receipt of Parenting Payment and caring for a child under 6 years of age.
End date: 30 June 2024
Budget: $507.4 million for 2023-24 to 2026-27
Assisted: 122,467 participants in 2022-23

Time to Work Employment Service
A national voluntary in-prison employment service for Aboriginal and Torres Strait Islander peoples. The service assists adult, sentenced Aboriginal Torres Strait Islander prisoners to access the support they need to better prepare them to find employment and reintegrate into the community upon their release from prison.
The department has contracted providers to deliver the service in 65 non-remote prisons while the servicing of 8 remote prisons is managed by the National Indigenous Australians Agency. Services are available in all states and territories.
Eligibility: A prisoner must: self-identify as Aboriginal or Torres Strait Islander; be over 18 years of age, and be sentenced and within one-to-four months of their release from prison.
End date: 30 June 2024
Budget: $3.7 million for 2023-24
Assisted: 2,618 participants in 2022-23

Foundation Skills for Your Future
Provides support to employed or recently employed Australians to identify and address language, literacy, numeracy and digital literacy skills needs. It aims to help individuals upskill or reskill for new roles, obtain and retain employment and undertake further education and training. The training is provided in the workplace or in a traditional vocational education and training setting.
Eligibility: Employed and recently unemployed Australians (in the past 9 months and not registered as a job seeker).
End Date: 30 June 2024

Skills Assessment Pilots
The pilots provide free and fast-tracked skills assessments and subsidised employability training to support onshore migrants with the skills Australia needs to stay and work in priority occupations. Tests new ways of delivering skills assessments to improve workforce participation of skilled migrants and address skills shortages.

Eligibility: Onshore migrants subject to certain criteria.

Budget: $7.3 million for 2023-24

Jobs and Skills Councils
Being established to provide industry with a stronger, more strategic voice in ensuring Australia's vocational education and training sector delivers stronger outcomes for learners and employers. As a national network of industry owned and industry led organisations, the Councils will provide strategic leadership in addressing skills and workforce challenges, aligning effort across industries to improve system responsiveness, build stakeholder confidence and drive high quality outcomes across the vocational education and training sector for learners and business. The Councils will identify skills and workforce needs for their sectors, map career pathways across education sectors, develop contemporary training products, support collaboration between industry and training providers to improve training and assessment practice, and act as a source of intelligence on issues affecting their industries. They will be progressively operational from mid-2023.
Eligibility: Businesses and industry stakeholders can engage with their respective Councils.
Budget: $441.8 million for 2023-24 to 2026-27

Explanatory notes

- Program descriptions and eligibility is based on information available on the department's website.
- The budget represents data as at the 2023-24 May Budget.
- The number of participants assisted is based on the reporting period of 2021-22.
- Program end date is based on reported date in the portfolio budget guide and by program areas.

Department of Employment and Workplace Relations - Released under FOI

Time to Work Employment Services Budget Factsheet

What has been announced

In the 2023–24 Budget, the Australian Government announced that the Time to Work Employment Service (TWES) would be extended until 30 June 2024. TWES is a national, voluntary in-prison employment service that assists adult Aboriginal and Torres Strait Islander peoples to access the support they need to better prepare them to find employment.

Current status of the policy

The one-year extension of TWES has been implemented. The department is continuing to work in partnership with stakeholders to develop policy options regarding the future of the program.

Stakeholders consulted

A discussion paper was released on 17 July 2023, with a total of 39 submissions received from a range of stakeholders (peak bodies, advisory groups, TWES providers, state and local governments, Workforce Australia providers, employers, Employment Facilitators and members of the public).

Consultations were also held with every state and territory justice department (including selected correctional centres), justice reform advocates, people with lived experience of prison, academics, drug and alcohol services, community organisations, first language services, employers and social enterprises.

Summary of Stakeholder Feedback

Key stakeholder feedback received focused on:

- addressing structural and systemic barriers such as the use of police checks; the ability to expunge criminal history; and onerous and restrictive parole conditions;
- potentially expanding the eligibility of any future service to include those on remand and in juvenile justice;
- the need for people centred support to mentor and support prisoners access vocational and non-vocational supports both pre and post release; and
- better alignment, tailored and coordination of services in each prison (noting service scope, availability and intensity differs by jurisdiction), between the Commonwealth, state governments, and corrections management.

Next steps, including consideration by Government where expected

Continue to work in partnership with stakeholders to develop policy options regarding the future of First Nations prison employment services.

Expenditure/Budget

Table 1: Time to Work Employment Service in non-remote areas - Extension Funding

	2022-23 ($m)	2023-24 ($m)	Total ($m)
Departmental	0.110	1.118	1.228
Departmental – Capital	0.172		0.172
Administered	0.025	3.639	3.664
Services Australia	0.023	0.600	0.623
Total	0.330	5.357	5.687

Source: Department of Employment and Workplace Relations Portfolio Budget Statement 2023-24

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	09 October 2023

Mutual Obligations Policy Factsheet

Balancing mutual obligations to drive participation

- Social security policy settings link eligibility for unemployment payments to mutual obligation requirements as a condition of receiving income support.
- For unemployment payments, this may mean people can have payments suspended if they do not meet requirements.
- There is evidence that well-designed activity requirements improve labour market outcomes.
- However, if requirements are too onerous or are not accompanied by genuine quality support to find suitable employment, they can have harmful effects.
- The type of activity requirements also matter. Well-designed requirements can support better outcomes for both job seekers and employers.
- Whereas poorly-designed requirements can tie up:
  - job seekers in low quality programs that exhaust both time and financial resources to attend, reducing capacity to search for suitable work.
  - employers in high administrative burden from large volumes of low-quality or unsuitable applications submitted for the purpose of meeting requirements rather than genuine applications for work.

Mutual Obligation Requirements

Most people who receive unemployment payments are required to meet mutual obligation requirements as a condition of receiving income support.

Mutual obligations apply to:

- JobSeeker Payment,
- Youth Allowance (other),
- Parenting Payment (once the youngest child turns 6 years old) and
- Special Benefit (nominated visa holders)

- Mutual *obligations for eligible Parenting Payment recipients with a child aged under 6 years have been paused under ParentsNext since 5 May 2023.*

Requirements generally include:

- agreeing to a Job Plan,
- actively looking for work,
- attending provider appointments,
- participating in activities that increase the likelihood of their finding work, and
- being prepared to accept any offer of suitable employment.

- Suitable employment includes all work a person is able to do, not just that they prefer.
- Mutual obligation requirements must be appropriate and achievable for a person's individual circumstances.

Setting mutual obligation requirements

Mutual obligation requirements are included in a Job Plan

- Most participants in employment services are required to enter into a Job Plan that details their mutual obligation requirements.
  - Participants can enter a Job Plan with a person (a provider, the Digital Services Contact Centre, or Centrelink),
  - or those in Workforce Australia Online can choose to enter a Job Plan online.
- Participants must always be given the option of entering a Job Plan with a person, rather than online.

Individual circumstances must be considered when setting requirements

- Mutual obligation requirements must be appropriate and achievable for a person's individual circumstances.
- Providers must consider individual circumstances including;
  - a person's age,
  - any medical conditions,
  - caring responsibilities,
  - the state of the labour market,
  - participation opportunities for the person,
  - the length of travel time and
  - the costs of complying with requirements.
- Where participants in Workforce Australia Online seek a review of a Job Plan that they chose to enter online, these factors must also be considered.

Temporarily unable to meet mutual obligation requirements

- Where a person is temporarily unable to meet requirements, for example due to illness or incapacity, Services Australia may grant an exemption, generally for up to 13 weeks at a time (subsequent exemptions may be granted if needed).

Different requirements across services

- Specific requirements vary depending on which employment service the person has been referred to.

Workforce Australia Services and Online

- Generally meet their mutual obligation requirements through the Points Based Activation System (PBAS) with a monthly points requirement
- Requires participation in activation points where individuals will be referred to a suitable activity if they have not already engaged in an activity.
  - generally to Employability Skills Training after 4 months for those in Workforce Australia Online or
  - generally to Work for the Dole after 6 months for those in Workforce Australia Services

Transition to Work

- Eligible youth may be referred where they participate in 25 hours per week of appropriate activities.

Disability Employment Services (DES)

- Individuals may be referred to DES if their primary barrier to employment is disability.
- DES participants may be required to look for a specified number of jobs, attend appointments with providers and participate in activities.

Questions on DES should be referred to the Department of Social Services.

Community Development Program (CDP)

- Individuals in remote Australia may be referred to the CDP where they may be required to look for work and attend appointments with providers.
  - Participation in activities in CDP has been voluntary since May 2021.

Questions on CDP should be referred to the NIAA

Department of Employment and Workplace Relations - Released under FOI

Fully meeting requirements

- Some cohorts of unemployment payment recipients are able to 'fully meet' their mutual obligation requirements if they are undertaking 30 hours per fortnight of approved combinations of paid work, approved voluntary work or approved study.

International approaches

- Most countries' income support systems are quite different to Australia's and have an unemployment insurance model. Countries with similar income support systems include the United Kingdom and New Zealand.
    - New Zealand Jobseeker Support recipients must look for work of at least 30 hours, attend appointments with Work and Income New Zealand, and participate in activities as required. Partners of Jobseeker Support recipients are also generally required to meet obligations.
    - In the United Kingdom, requirements similarly involve looking for work and attending appointments with a Work Coach
- The OECD has described Australia's compliance system as the 'most lenient' in the OECD. The United Kingdom and New Zealand both have much more stringent penalties for not meeting requirements (penalties for a first failure are equivalent to a seventh or an eighth failure in Australia respectively).
- A 2022 OECD report also ranked job search requirements and monitoring in the United Kingdom and New Zealand as stricter than Australia's.

Key Government statements

Prime Minister Media Release 'Extending the financial safety net for single parents' – Department of the Prime Minister and Cabinet, 8 May 2023

- Mutual obligation requirements will remain in place for recipients of Parenting Payment (Single) to encourage single parents to participate in employment, study or training, and maintain connections with the labour force so they can return to work when their children are older.

Shadow Minister for Employment and Workplace Relations Media Release 'Albanese's abolition of ParentsNext will punish vulnerable young parents' – Senator the Hon Michaelia Cash, 5 May 2023

- Prime Minister Albanese does not believe in the concept of mutual obligation. This is the basic principle that if you are receiving assistance, you should be looking for work or preparing for work. The Coalition, in contrast, believes in mutual obligations because we know that the best form of welfare is a job.

Statements raised in context of the Select Committee related to mutual obligations and compliance have included:

- Mutual obligation requirements and activation should focus less on punitive action and more on supporting people to get the support that they need.
- The system should move away from 'work first' principles should better support human capital development to lead to more individually tailored services that build up participants through training and education and lead to better long-term employment.
- A different approach is needed for those furthest from the labour market (e.g. with complex barriers and/or very long term unemployed).

Department of Employment and Workplace Relations - Released under FOI

EXTENDING THE FINANCIAL SAFETY NET FOR SINGLE PARENTS

MEDIA RELEASE

08 May 2023

Prime Minister, Minister for Finance, Minister for Women, Minister for Social Services

The Albanese Labor Government is committed to helping single parents balance their work and family responsibilities.

The Federal Budget 2023-24 will expand access to financial support by raising the age cut-off for the Parenting Payment (Single) from 8 to 14.

Many single parents – overwhelmingly women – face difficulty balancing caring responsibilities and work.

These difficulties do not end when their child turns eight.

We also know that many single mothers have experienced violence from a previous partner and are at greater risk of financial hardship.

They need more support.

This Budget will extend the Parenting Payment (Single), so eligible carers can access that support until their youngest dependent child turns 14.

From 20 September 2023, and subject to the passage of legislation, single parents will no longer have to transfer to JobSeeker when their youngest child turns eight.

These parents will continue to receive the higher support, with a current base rate of $922.10 per fortnight (95 per cent of the Age Pension), until their youngest child turns 14.

With these changes, eligible single parents currently on JobSeeker will receive an increase to payments of $176.90 per fortnight.

By 14, children have typically settled into high school and need less parental supervision, and single parents are in a much stronger position to take on paid work.

More than 90 per cent of parents who will benefit from this change are single mothers.

Labor's Budget changes will provide additional financial support to at least 57,000 single principal carers, including 52,000 women and around 5,700 First Nations carers.

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This represents a $1.9 billion investment through to 2026-27.

Mutual obligation requirements will remain in place for recipients of Parenting Payment (Single) to encourage single parents to participate in employment, study or training, and maintain connections with the labour force so they can return to work when their children are older.

Our Budget is all about helping families deal with day-to-day financial pressures while creating more economic security for them over the long term. This change extends that support to some of the families who need it the most.

Quotes attributable to Prime Minister Anthony Albanese:

"Single parents carry the world on their backs.

"They sacrifice so much to give their children a better life.

"This is about giving them the greater security and better support they deserve.

"No one held back and no one left behind has always been the principle that guides me.

"This change to single parent payments is about making things fairer for parents who are already doing it tough.

"I know this will make a big and immediate difference for tens of thousands of mums, dads and children right across Australia."

Quotes attributable to Minister for Social Services, Amanda Rishworth:

"No parent should have to choose between meeting their children's needs and their family's safety or economic security.

"Reduced opportunities to participate in paid work, coupled with the additional costs associated with raising children, make single parent households more vulnerable to economic insecurity.

"Labor's changes will support more single parents and their children to ensure they have the safety net they need and that they are supported to re-enter the workforce when their children get older.

"We will always seek to do more to provide a safety net to those who need it."

MEDIA RELEASE – Albanese's Abolition of ParentsNext Will Punish Vulnerable Young Parents

by admin | May 5, 2023 | Media Release | 0 comments

Senator the Hon Michaelia Cash
Shadow Attorney-General
Shadow Minister for Employment and Workplace Relations
Deputy Leader of the Opposition in the Senate
Senator for Western Australia

MEDIA RELEASE
5 MAY 2023

ALBANESE'S ABOLITION OF PARENTSNEXT WILL PUNISH VULNERABLE YOUNG PARENTS

In an astonishing attack of some Australia's most vulnerable people, the Albanese Government has today confirmed it will abolish the ParentsNext program, which keeps young parents, the overwhelming majority of whom are young women and single parents, connected to the workforce.

Shadow Minister for Employment and Workplace Relations, Senator the Hon. Michaelia Cash, condemned the Albanese Government's move, highlighting the importance of the program.

"The ParentsNext program is designed to help young parents, particularly mothers, remain connected to the workforce. The program helps participants develop skills, undertake training or work experience, and can help arrange financial support for job preparation skills, training and other work-related expenses," she said.

"By abolishing ParentsNext, the Albanese Government is punishing some of Australia's most vulnerable people and will destroy their connection to the workforce. It is disappointing that Labor is giving up on helping these young Australians find work and consigning many of them to a lifetime of welfare." Senator Cash said.

Senator Cash highlighted that the abolition of ParentsNext demonstrates that the Albanese Government is slowly dismantling the system of mutual obligations, where those who receive unemployment assistance have the obligation to look for a job. "Prime Minister Albanese does not believe in the concept of mutual obligation. This is the basic principle that if you are receiving assistance, you should be looking for work or preparing for work. The Coalition, in contrast, believes in mutual obligations because we know that the best form of welfare is a job." Senator Cash said.

"The ParentsNext program went to the heart of what the previous Coalition Government was committed to achieving. We want all Australians to have the chance to participate in the workforce and enjoy the benefits and confidence this brings. As we know – the longer a person spends out of the workforce, the harder it is to return." Senator Cash said.

"Under the former Coalition Government, between 1 July 2018 and 28 February 2022, 203,986 ParentsNext participants took part in the program, and began to plan for education and employment." Senator Cash said.

SB23-000181
Data for: as at 30 September 2023

Employment Services Reform - Workforce Australia Inquiry, CDP and DES Factsheet

What has been announced

- On 2 August 2022, the House Select Committee on Workforce Australia Employment Services was established to inquire into and report on matters related to Workforce Australia Employment Services which is due to report on 30 November 2023.
- The Employment White Paper that was released on 25 September 2023 articulated 8 key principles which will guide the Government's approach to reforming employment services.

The 8 principles of employment services reform

1. Services are **viewed as an investment** that unlock individual potential, address employer needs and work with industry to bolster growth.
    a. the system builds human capital and ensures job placements are appropriate.
    b. services help businesses and communities to grow by connecting people to jobs.
2. There is **strong Australian Public Service stewardship** in the system and the outcomes it delivers to ensure that individuals are not left behind.
3. Services **protect the dignity and respect rights** of individuals.
    a. Services help individuals meet their employment and personal development goals.
    b. Services are designed and delivered in a culturally responsive and inclusive way that meets the communities' needs.
4. Services provide a **pathway towards decent jobs** that provide the flexibility and security that individuals need.
    a. The Government may need to support the creation of jobs to alleviate entrenched community disadvantage where labour markets are very thin and where individuals face very high barriers to work.
5. Employers **use employment services to help meet their workforce needs**, and can access guidance on innovative job design, recruitment practices and inclusive approaches to workforce development.
6. Employment **services are designed through collaboration** with individuals, employers and the community.
    a. the participation of Indigenous Community Controlled Organisations, and community-based organisations, is boosted in the delivery of employment services.
7. Services **help people at the earliest opportunity**, informed by fit-for-purpose assessment processes.
8. Reforms are grounded in **evidence, evaluation and continuous learning and improvement**.

Department of Employment and Workplace Relations - Released under FOI

Key Government statements

Why do employment services need to be reformed?

- Employment services exist to help ensure that **Australians who want to work can experience the benefits of having a decent job**.
- At their best, employment services also play an important role in the Australian Government's efforts to **achieve productivity gains** throughout the economy, **address intergenerational disadvantage**, and **promote social inclusion** for marginalised Australians.
- Achieving those objectives requires an employment services system which appropriately **invests in developing the human capital** of Australians, **supports the demand side** of the labour market and **recognises the importance of communities**, including community-based organisations, in addressing local labour market issues.
- While the introduction of Workforce Australia represented progress on each of those dimensions, there remains significant scope for improvement in our mainstream employment services.
- The first-principles Inquiry undertaken by the House Select Committee into Workforce Australia Employment Services has heard evidence that the employment services system could be further strengthened in many areas, including by:
    - better supporting frontline workers to establish effective working relationships with those who use the system
    - investing further in services that meet the needs of Australian businesses
    - undertaking structural reforms to better support the department to function as a steward of the national employment services system, including by increasing its proximity to those who use the system

Select Committee report and other associated reforms

- The department is awaiting the report from the House Select Committee, which is due to be handed down by 30 November 2023.
    - The department will ensure any reforms implemented in response to the Committee's recommendations are designed in consultation with users of the system. An example where this is already occurring is our **participatory design** process currently underway in response to the Committee's Interim report on ParentsNext.
    - The Government's response to the report will also ensure that the employment services system remains **participant-informed** and **evidence-based** into the future.
        - This will require structures which help users articulate their service needs, including where they are not being met.
        - To improve the quality of evidence and foster a culture of continuous learning and improvement, the evaluation of employment services will be based on rigorous methods (such as randomised controlled trials) developed in partnership with the newly established Australian Centre for Evaluation.
- The Australian Government is also undertaking significant employment services **reforms in other portfolios**.
    - The Department of Social Services is currently leading a phased approach to reforming disability employment. This includes the design of **a new specialist disability employment services** model to replace the current DES program. The new model will ensure that people with disability are not left behind and employers can utilise an untapped workforce.

Department of Employment and Workplace Relations - Released under FOI 151 of 853

- The National Indigenous Australians Agency is also working on **replacing CDP** with a new program that offers **real jobs, proper wages, and decent conditions** - developed in partnership with First Nations people. The new program will aim to give more control to communities to determine local projects that support employment, economic development and participation. The department is working closely with NIAA and has provided three (3) staff to assist in the development of the program.

Current status of the Inquiry

- The Select Committee tabled its interim report into ParentsNext, 'Your Future Planning' on 1 March 2023 and is due to hand down its final report by end November 2023. The Committee has signalled it has held its last public hearings to the inquiry.

Stakeholders consulted

- The Select Committee operates independently of the department. As at, 26 September 2023, the Select Committee has published 295 submissions over the course of the Inquiry, 81 regarding ParentsNext and 214 regarding Workforce Australia. This includes 14 submissions from State and Commonwealth Government entities.

Recent media on this policy

- *Labor eyeing changes to 'punitive' mutual obligations for jobseekers, draft party platform suggests* – Paul Karp, The Guardian, 19 July 2023.
- *Exclusive: Millions skimmed off government welfare contracts* – Rick Morton, The Saturday Paper, 26 August 2023.
- *Job services must shift from merely clipping tickets to actually changing lives* – Paul Karp, The Guardian, 25 September 2023.

Next steps, including consideration by Government

- The Select Committee is due to hand down its final report on the Workforce Australia employment services system during November 2023, and will continue to operate until 31 December 2023.
- The Government's response will be evidence-based and will be informed by our stakeholders.

Expenditure/Budget

- Nil

Related questions received on notice

- The department received two Questions on Notice relating to the Workforce Australia Inquiry, however both were referred to Minister Burke's office to respond to. These were:
  - SQ23-000579: Workforce Australia Employment Services direction from the Minister
  - SQ23-000198: Direction on outcomes for the Select Committee on Workforce Australia Employment Services to achieve.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	

Department of Employment and Workplace Relations - Released under FOI 152 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Minister for Employment and Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000198

Senator Matt O'Sullivan on 15 February 2023, Proof Hansard page 31

Direction on outcomes for the Select Committee on Workforce Australia Employment Services to achieve

Question

Senator O'SULLIVAN: Has Minister Burke provided any direction to the chair of that committee in terms of the outcomes that the committee should be trying to achieve?
Senator Watt: Not that I'm aware of.
Senator O'SULLIVAN: Can you take that on notice?
Senator Watt: I am happy to do that.

Answer

Please refer to the answer to SQ23-000589.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Minister for Employment and Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000579

Senator Matt O'Sullivan provided in writing.

Workforce Australia Employment Services direction from the Minister

Question

Has the Minister provided any direction to the chair of the Committee on Workforce Australia Employment Service in terms of the expectations of the inquiry it is conducting? Please provide a copy of all correspondence between the Minister's Office and the Committee chair about this inquiry or in relation to Employment Services.

Answer

The only direction to the Chair of the Committee is contained in the terms of reference which were moved by the Minister in his capacity as Leader of the House and carried by the House of Representatives.

The only alteration was when the Minister amended the terms of reference on 10 May 2023 and that resolution was carried by the House of Representatives.

Any further correspondence between Minister Burke and the Committee Chair is expected to be made public on the Committee's webpage.

Top employers using Workforce Australia – labour hire analysis

- Job placements have been recorded for over 107,000 employers (by ABN) between 1 July 2022 and 30 September 2023. The top ten employers, shown below, account for 3.5% of all job placements recorded to date.
- Six of the top ten employers are labour hire companies. The remaining four are large retail or hospitality employers with wide geographical coverage.
- Labour hire companies account for 15.0% of total job placements recorded in Workforce Australia to date. This compares to around 2.3% of jobs across the economy.
- Placements with labour hire companies were more likely to be provider-sourced than placements with non-labour hire companies. In Workforce Australia to date 39.3% of all job placements for labour hire companies were recorded as provider-sourced placements, compared to 23.8% for non-labour hire companies.
- The reason for the much higher prevalence of labour hire placements in Workforce Australia is likely related to:
    - Workforce Australia participants on average tending to have lower skills, less work experience, and more work barriers than the general working population. This profile better matches the type of work often offered by labour hire firms.
    - Providers may find it easier to deal with a smaller number of large labour hire companies, as opposed to a larger number of individual employers.

Job placements recorded by providers, as at 30 September 2023

Employer	Labour hire company	ABN	Workforce Australia Services	Transition to Work	Total	Provider-sourced placements
Woolworths Group Limited	N	88000014675	1,620	419	2,039	14.6%
Coles Supermarkets Australia Pty Ltd	N	45004189708	1,463	288	1,751	12.8%
Programmed Skilled Workforce Limited	Y	66005585811	1,261	120	1,381	62.6%
Randstad Pty Limited	Y	28080275378	826	47	873	35.2%
Hays Specialist Recruitment (Australia) Pty Limited	Y	47001407281	660	10	670	11.2%
Kmart Australia Limited	N	73004700485	459	132	591	12.2%
Australian Leisure and Hospitality Group Pty Limited	N	37067391511	499	69	568	18.5%
Tailored Workforce Trust	Y	50624417887	471	55	526	88.4%
The Trustee for Arthur Tzaneros Discretionary Trust & The Trustee for Luke Webber Trust	Y	30815135117	467	43	510	43.5%
Probe Asia Pacific Pty Ltd	Y	86082618148	473	20	493	66.7%

Notes:

- The top 10 employers is based on the sum of job placements for both Workforce Australia Services and Transition to Work, and so may differ to the top 10 employers for either program individually.
- Job placements are not recorded for Workforce Australia Online.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000598	O'Sullivan, Matt	Top 10 employers using Workforce Australia	Data on job placements by ABN, to 31 December 2022, for top 10 ABNs
SQ23-000195	Payman, Fatima	Wage subsidies to labour Hire companies	The total value of wage subsidies flowing to labour hire companies since the start of Workforce Australia
SQ23-001140	O'Sullivan, Matt	Workforce Australia Services	Information about how the department is raising awareness of Workforce Australia with employers and incentivising engagement

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000598

Senator Matt O'Sullivan provided in writing.

Top 10 employers using Workforce Australia

Question

Please provide a list of the top 10 employers using Workforce Australia nationally and a list of the top 10 employers for each State and Territory? Please also provide the number of placements per employer in this document.

Answer

Workforce Australia Provider Services

Tables 1 to 9 provide the top 10 employers for Workforce Australia Provider Services nationally and for each State and Territory.

Table 1: National Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	790
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	649
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	583
RANDSTAD PTY LIMITED	28080275378	322
KMART AUSTRALIA LIMITED	73004700485	289
TAILORED WORKFORCE TRUST	50624417887	281
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	280
AUSTRALIAN LEISURE AND HOSPITALITY GROUP PTY LIMITED	37067391511	236
BUNNINGS GROUP LIMITED	26008672179	205
AUSTRALIAN POSTAL CORPORATION	28864970579	199
Total		**3,834**

Table 2: ACT Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
SAFE HANDS 002 PTY LTD	62641521664	22
CANBERRA LABOUR HIRE PTY LTD	74637334466	19
RANDSTAD PTY LIMITED	28080275378	17
WOODWARD RECRUITMENT PTY LTD	78630181725	14
OX TRAFFIC PTY LTD	74624852302	9
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	9
SIMS, CATHY	94109047938	8
ADECCO INDUSTRIAL PTY LTD	39004366634	7
THE TRUSTEE FOR THE HALE DISCRETIONARY TRUST	41866092196	7
CHEMOGAH PTY. LIMITED	18008655954	6
Total		**118**

Table 3: NSW Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	318
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	209
DEPARTMENT OF EDUCATION	40300173822	122
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	104
MAKIBE AUSTRALIA PTY LTD	69614572191	78
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	78
THE TRUSTEE FOR ARTHUR TZANEROS DISCRETIONARY TRUST & THE TRUSTEE FOR LUKE WEBBER TRUST	30815135117	76
APG HIRE PTY LTD	92619657555	75
KMART AUSTRALIA LIMITED	73004700485	74
WORKFORCE RECRUITMENT AND LABOUR SERVICES PTY LTD	33142782296	71
Total		**1,205**

Table 4: NT Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
IE PROJECT GROUP PTY LTD	31651078358	12
NORTHERN TERRITORY OF AUSTRALIA	84085734992	12
AKRON GROUP NT PTY LTD	60158046425	8
PARADISE LANDSCAPING (NT) PTY LTD	48009629261	8
MCDONALD FARDONE TRUST	31264903423	7
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	7
TANGENTYERE COUNCIL ABORIGINAL CORPORATION	81688672692	7
VOYAGES INDIGENOUS TOURISM AUSTRALIA PTY LTD	82146482591	7
GOAL INDIGENOUS SERVICES NT PTY LTD	34630598337	6
CORESTAFF NT PTY LTD	79129495263	5
Total		**79**

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Table 5: QLD Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	233
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	178
AUSTRALIAN LEISURE AND HOSPITALITY GROUP PTY LIMITED	37067391511	112
AWX STAFF PTY LTD	58155858692	107
DEPARTMENT OF EDUCATION	76337613647	107
WorkPac Pty Ltd	52111076012	98
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	87
LABOUR SOLUTIONS AUSTRALIA PTY LTD	76008137782	76
PRIMO FOODS PTY LTD	67002781142	75
KMART AUSTRALIA LIMITED	73004700485	71
Total		**1,144**

Table 6: SA Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
DATACOM CONNECT PTY LTD	16103112303	76
ZANCOTT RECRUITMENT PTY LTD	13125300263	66
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	65
RANDSTAD PTY LIMITED	28080275378	64
BENTORAH PTY LTD	36654089540	57
ON THE RUN PTY LTD	19638356466	55
VITERRA OPERATIONS PTY LTD	88007556256	49
RECRUITCO PTY LTD	49109192467	43
THE TRUSTEE FOR ARTHUR TZANEROS DISCRETIONARY TRUST & THE TRUSTEE FOR LUKE WEBBER TRUST	30815135117	42
MADEC AUSTRALIA	48086804015	39
Total		**556**

Table 7: TAS Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	62
COMPLETE WORKFORCE SOLUTIONS PTY LTD	34148076466	53
CORESTAFF TAS PTY LTD	74123569264	41
SELECT LABOUR SOLUTIONS (TAS) PTY LTD	97643089678	40
RANDSTAD PTY LIMITED	28080275378	32
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	24
DEPARTMENT FOR EDUCATION, CHILDREN AND YOUNG PEOPLE	26237631294	23
WOOLWORTHS GROUP LIMITED	88000014675	22
S D REID HOLDINGS PTY LTD	54078444032	20
SEARSON BUCK GROUP PTY LTD	88626465512	17
Total		**334**

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Table 8: VIC Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
TAILORED WORKFORCE TRUST	50624417887	238
WOOLWORTHS GROUP LIMITED	88000014675	128
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	114
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	100
AWX LABOUR PTY LTD	31168589357	90
SERCO CITIZEN SERVICES PTY LTD	89062943640	87
OZSTAFF HOLDINGS PTY LTD	27603140834	81
HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED	47001407281	70
TOLL PERSONNEL PTY LIMITED	66110880503	69
STAFF AUSTRALIA PAYROLL SERVICES PTY LTD	84081960867	65
Total		**1,042**

Table 9: WA Workforce Australia Provider Services Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	159
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	103
DEPARTMENT OF EDUCATION	69769481770	65
WOOLWORTHS GROUP LIMITED	88000014675	60
SKILLFORCE RECRUITMENT PTY LTD	70142956170	49
KMART AUSTRALIA LIMITED	73004700485	49
THE TRUSTEE FOR EPA TRUST	15991007655	43
STAFF AUSTRALIA PAYROLL SERVICES PTY LTD	84081960867	43
INDUSTRIAL PEOPLE PTY LTD	68121930532	42
INTERSTATE ENTERPRISES PTY LTD	93095898605	42
Total		**655**

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Workforce Australia Transition to Work

Tables 10 to 18 provide the top 10 employers for Workforce Australia Transition to Work nationally and for each State and Territory.

Table 10: National Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	184
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	115
KMART AUSTRALIA LIMITED	73004700485	88
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	55
HUNGRY JACK'S PTY LTD	25008747073	44
MCDONALD'S AUSTRALIA LIMITED	43008496928	38
THE REJECT SHOP LIMITED	33006122676	30
ENDEAVOUR GROUP LIMITED	77159767843	29
YOURTOWN	11102379386	25
AUSTRALIAN LEISURE AND HOSPITALITY GROUP PTY LIMITED	37067391511	25
Total		**633**

Table 11: ACT Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

There are no employers provided for the ACT under the TtW program, as no employer in ACT achieved more than 5 job placements between 4 July 2022 and 31 December 2022.

Table 12: NSW Workforce Australia Transition to Work Job Placements for Top 15 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	70
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	32
KMART AUSTRALIA LIMITED	73004700485	24
GRAINCORP OPERATIONS LIMITED	52003875401	17
MCDONALD'S AUSTRALIA LIMITED	43008496928	17
ENDEAVOUR GROUP LIMITED	77159767843	15
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	14
QSR PTY LTD	63089163682	13
HUNGRY JACK'S PTY LTD	25008747073	9
CONSEP PTY. LIMITED	74053177898	8
THE REJECT SHOP LIMITED	33006122676	8
BUNNINGS GROUP LIMITED	26008672179	8
PAYCE FOUNDATION LTD	76611793107	8
WORKFORCE RECRUITMENT AND LABOUR SERVICES PTY LTD	33142782296	8
TROJAN WORKFORCE NO 4 PTY LTD	44096722959	8
Total		**259**

Note: 15 Employers are provided for NSW as the 6 lowest employers all had the same number of job placements.

Table 13: NT Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
TOP END CONSULTING PTY LTD	36139170077	9

Note: No other employers are provided for NT under the TtW program, as no other employer in NT recorded more than 5 job placements between 4 July 2022 and 31 December 2022.

Table 14: QLD Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	42
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	27
YOURTOWN	11102379386	19
KMART AUSTRALIA LIMITED	73004700485	18
AUSTRALIAN LEISURE AND HOSPITALITY GROUP PTY LIMITED	37067391511	14
COLLINS RESTAURANTS MANAGEMENT PTY. LTD.	24093912979	13
The Trustee for CITY BEACH TRUST	11885795792	13
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	11
MCDONALD'S AUSTRALIA LIMITED	43008496928	11
DAY FAMILY TRUST NO2	69266947510	10
Total		**178**

Table 15: SA Workforce Australia Transition to Work Job Placements for Top 11 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
PROTECH SOUTHERN REGION PTY LTD	96156026489	18
RANDSTAD PTY LIMITED	28080275378	13
ON THE RUN PTY LTD	19638356466	13
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	12
WOOLWORTHS (SOUTH AUSTRALIA) PTY LIMITED	34007873118	11
HUNGRY JACK'S PTY LTD	25008747073	10
WOOLWORTHS GROUP LIMITED	88000014675	10
KMART AUSTRALIA LIMITED	73004700485	9
PEREGRINE CORPORATION PTY LTD	76101751400	8
WALSH, STEVEN	14584746885	8
THE FOURTH FORCE PTY LTD	22084438773	8
Total		**120**

Note: 11 Employers are provided for SA as the 3 lowest employers all had the same number of job placements.

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Table 16: TAS Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
NEXT GENERATION RECRUITMENT PTY LTD	47601576452	7
FORTH FARM PRODUCE PTY. LTD.	25009527913	7

Note: No other employers are provided for Tasmania under the TtW program, as no other employer in Tasmania recorded more than 5 job placements between 4 July 2022 and 31 December 2022.

Table 17: VIC Workforce Australia Transition to Work Job Placements for Top 13 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
WOOLWORTHS GROUP LIMITED	88000014675	45
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	31
KMART AUSTRALIA LIMITED	73004700485	26
STAFF AUSTRALIA PAYROLL SERVICES PTY LTD	84081960867	14
SACCO GROUP PTY LTD	33603186232	11
THE TRUSTEE FOR HORNER RECRUITMENT SYSTEMS TRUST	99060659182	10
THE REJECT SHOP LIMITED	33006122676	9
LABOUR SOLUTIONS GROUP PTY LTD	48169848104	9
ONSITE RECRUITMENT PTY LTD	41162612240	8
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	8
DRAKE AUSTRALIA PTY LTD	42004939771	8
LAMRIT TRUST	46924785634	8
MCDONALD'S AUSTRALIA LIMITED	43008496928	8
Total		**195**

Note: 13 Employers are provided for Victoria as the 5 lowest employers all had the same number of job placements.

Table 18: WA Workforce Australia Transition to Work Job Placements for Top 10 Employer ABNs between 4 July 2022 and 31 December 2022.

Employer Name	Employer ABN	Job Placements
PROGRAMMED SKILLED WORKFORCE LIMITED	66005585811	15
GERALDTON FISHERMENS CO-OPERATIVE LTD	52425663385	15
AHS HOSPITALITY PTY LTD	97100437349	11
COLES SUPERMARKETS AUSTRALIA PTY LTD	45004189708	11
KMART AUSTRALIA LIMITED	73004700485	10
WOOLWORTHS GROUP LIMITED	88000014675	10
HUNGRY JACK'S PTY LTD	25008747073	8
INTERTEK MANAGEMENT SERVICES (AUSTRALIA) PTY LTD	93164446815	7
FREO HAND CAR WASH & DETAILING PTY LTD	83613758204	6
ALLY FASHION PTY LTD	93097575294	6
Total		**99**

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000195

Senator Fatima Payman on 15 February 2023, Proof Hansard page 28-29

Wage subsidies to labour hire companies

Question

Senator PAYMAN: ... What is the total value of wage subsidies flowing to labour hire companies since the Workforce Australia system was introduced?
Ms M Ryan: We would have to take that on notice.
Mr Smyth: We would have to take that on notice because that would then go to ABNs and whether we were able to determine whether somebody was a labour hire firm or not. It is not an easy process in that regard.
Ms James: From our systems point of view, we are measuring and recording outcomes in jobs and where the system—not 'we', but the system—is agnostic as to who the job is with, subject to the related parties piece, which is a limited exception. If a worker is placed with a labour hire firm, that is an outcome. If they are placed with a big corporate, that is an outcome. Even if they are placed as a contractor, that is an outcome. So the system is agnostic to that. It is not that we are unable to drill into some of these things, but the system is not necessarily going to make that available to us. We may need to do manual work to go through that.
I speak from experience. When I was at the Fair Work Ombudsman, our system didn't record complaints from employees at labour hire companies. That wasn't necessary for us to resolve the matter and so it wasn't something we recorded. When senators and others became interested in that question, it was difficult for us to get data. That may be the case here. We are happy to take your question on notice and come back with what we are able to provide.

Answer

From 4 July 2022 to 31 December 2022, $1,187,723 in wage subsidies has been paid to labour hire companies. This is 23.9% of all wage subsidy expenditure ($4,972,950) for the same period.

Program	Wage subsidy expenditure (4 July 2022 to 31 December 2022)	Expenditure on placements with labour hire companies	Proportion of expenditure to labour hire companies
Workforce Australia	$4,556,455	$1,138,772	25.0%
Transition to Work	$399,363	$48,951	12.3%
ParentsNext	$17,132	$0	0%
Total	**$4,972,950**	**$1,187,723**	**23.9%**

The list of labour hire companies used for this reporting was compiled from multiple sources including:

- extracts from labour hire company registers and licence schemes in ACT, Qld, Vic and SA
- desktop reviews and internet searches to determine the nature and business of the employer including ABN Look-up, ABR Explorer and ASIC data where relevant
- results from assurance and other monitoring where an employer has been identified as operating a labour hire company.

The list is intended to serve as an indication that an employer is potentially or likely operating as a labour hire company but is not exhaustive, as the definition of what is considered a labour hire company and which employers must be licensed differs between jurisdictions.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-001140

Senator Matt O'Sullivan provided in writing.

Workforce Australia Services

Question

1. Government wants businesses to employ job seekers from the Workforce Australia caseload, yet it removed the advertising budget and didn't provide replacement funding. This showed a lack of understanding of the need to raise awareness and incentivise employers to engage with Workforce Australia service providers, given the change of service name and other changes made in relation to service delivery. How does this now affect how the Department reaches out to businesses?
2. How is the Department planning and assisting to address the demand side to ensure business' needs are met? Or there will continue to be an expectation that businesses engage with Workforce Australia with no proactive promotion of a system that is not known to employers?
3. The Government wants employment service providers to support the most disadvantaged, long-term unemployed jobseekers into employment, yet only made modest commitments to increase spending on mental health supports. With mental health the number one barrier for the long-term unemployed, and long waitlists for services, how will this matter be addressed?
4. How many participants have been assisted through Wage subsidies in Workforce Australia in the last 12 months? How does this compare with the wage subsidies assistance provided under jobactive for the same period in previous years?

Answer

1. The Department is actively promoting Workforce Australia to businesses. In mid-June, the department launched its 'Workforce Australia for Business' advertising campaign. The paid programmatic video and audio, as well as promotion on LinkedIn, Instagram and Facebook.

   The Department continually supports the delivery of Workforce Australia, and promotes business engagement with its programs and services by:

   - promoting Workforce Australia programs and services through digital channels (websites, newsletter and social media)
   - providing a suite of resources such as informational videos, factsheets, postcards and flyers and a stakeholder kit to assist third parties to promote the service
   - participating in local initiatives and events such as attending roundtables and negotiations, workshops and public forums.
   - engaging directly with businesses and industry bodies through the Employment Facilitator network, based in 51 regions across Australia.
   - partnering, cooperating and collaborating with various business and industry bodies in the development of new programs (e.g. the new service for parents, Broome) or responding to local or industry labour shortages, through Launch into Work, Workforce Specialists, and the Local Jobs Program.

   Data to date shows that businesses are engaging well with the Workforce Australia Business Platform.

Table 1 - Unique business lodging a vacancy on the Workforce Australia for Business Platform

Vacancy Creation Financial Year	Vacancy Count	ABNs
2015/16	70,981	8,438
2016/17	63,121	10,307
2017/18	61,646	10,995
2018/19	56,864	11,835
2019/20	39,695	9,243
2020/21	94,561	22,699
2021/22	120,839	20,694
2022/23*	101,335	17,003

** Does not include data for June 2023 as it is not yet available.*

2. Workforce Australia supports business and industry to tailor solutions for job seekers aimed at helping to find and hire the right people with the right skills. The Department provides a free service for businesses to lodge their vacancies directly on the Workforce Australia for Business Online platform.

   The Workforce Australia brand and identity system creates a streamlined experience for businesses, ensuring they know they are using or receiving Australian Government employment services.

   Employer servicing has been included in the Workforce Australia Services Provider Performance Framework to provide a stronger focus on the quality of services that businesses receive. Decisions about licence extensions may be impacted by the quality of services provided to businesses.

   The Joint Charter for Workforce Australia sets out the principles and joint expectations for the department and providers contracted to delivery employment services. This includes:

   - Tailored and outcome focused service delivery that considers business needs
   - Outcome focused delivery and decisions that consider the needs of business and
   - Leveraging collaborative partnerships to benefit individuals and businesses.

   The Department continues to refine the way it collaborates and communicates with business and industry so that they are aware of and have access to Workforce Australia supports, based on feedback and process reviews.

3. Workforce Australia Services Providers must help participants by offering or referring them to services that meet their specific needs and that support them to achieve sustainable employment.

   Providers have access to a flexible pool of funds to offer support tailored to the needs of participants. This includes professional services for

   - the prevention, detection and management of mental and substance abuse disorders,
   - drug and alcohol counselling and rehabilitation,
   - mental health and family counselling,
   - anger management,
   - personal development for addressing self-esteem and confidence issues and
   - vocational rehabilitation for participants to re-enter employment.

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Professional Services must be delivered by either a qualified psychologist who is currently registered as a psychologist with the Australian Health Practitioner Regulation Agency (AHPRA) or a qualified allied health professional who has a degree or graduate diploma relevant to the services they are delivering in either:

- allied health services or behavioural sciences
- social work
- rehabilitation counselling
- other allied health qualifications.

Where the allied health qualification relates to a field that requires professional registration to practise, the allied health professional must be currently registered with the relevant authority.

Providers can refer a participant to an external provider or their own organisation, related entity or sub-contractor to deliver professional services to address mental health concerns (e.g. counselling). Own organisation and related entity referrals can help participants access coordinated wrap around support in a timely manner.

In addition, the Select Committee on Workforce Australia Employment Services is currently examining the extent to which Workforce Australia Employment Services leaves no one behind, respects individuals' diverse needs and its support for long term unemployed people. The Select Committee will provide its final report with recommendations to Parliament by 30 November 2023.

4. Since the commencement of Workforce Australia up until 31 March 2023 (9 months), 12,389 participants have been assisted into ongoing employment with 12,688 wage subsidy agreements. In comparison 35,898 participants were assisted into ongoing employment through 36,960 wage subsidy agreements under jobactive in the previous 9 month period.

   It is difficult to make a direct comparison of wage subsidy take-up between jobactive and Workforce Australia as the policy settings, including eligibility, are not the same. Eligibility for wage subsidies under Workforce Australia is targeted to the provider-serviced caseload who have met time in service requirements. By contrast, under jobactive, wage subsidy eligibility included Stream A participants, who had the least barriers to employment. Under Workforce Australia participants with low barriers to employment are serviced in Workforce Australia Online, and are not eligible to access wage subsidies.

   The policy changes for Workforce Australia were developed to ensure wage subsidies were used in line with the policy intent – as an intervention to place the most disadvantaged individuals into employment that may not have occurred otherwise, and to reduce the rates of wage subsidies being used for job placements that would have occurred anyway (deadweight loss) highlighted in the jobactive evaluation.

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SB23-000155
Data for: 4 July 2022 to 30 September 2023

Work for the Dole

First Assistant Secretary s. 22(1)(a)(ii)

Key points

- Work for the Dole activities provide participants with work-like experiences that benefit or contribute to the community.
- Work for the Dole is the Mandatory Activity for participants in Workforce Australia Services who have not met the activation requirement by their activation point.
  - Participants in Workforce Australia Services began to reach their first activation point from January 2023.
  - Participants can undertake an alternate activity if it better suits their individual circumstances, even once they reach the activation point.
  - Work for the Dole can also be undertaken voluntarily at any time in Workforce Australia Services.
  - Participants accrue points towards their Points Based Activation System target whether it is being undertaken as a Mandatory Activity or voluntarily.
  - Participation in Work for the Dole is for a minimum of 8 weeks.
- Workforce Australia Services providers engage Host Organisations in their Employment Regions to deliver Work for the Dole activities that suit the individual needs of their caseload. Hosts are generally charities or not-for-profit organisations.
  - Providers can also host their own Work for the Dole activities if they meet the Host Organisation eligibility criteria.
- Providers can tailor an appropriate number of activity hours to a person's individual circumstances, rather than having a 'set' number of hours prescribed.
- Activities can include training to provide participants with the opportunity to obtain a license, qualification, micro-credential, or other recognised skill.
- Activities should provide participants with the opportunity to develop some or all of the 10 core competencies identified by Jobs and Skills Australia:
  - Digital engagement
  - Initiative and innovation
  - Learning
  - Numeracy
  - Oral communication
  - Planning and organising
  - Problem solving
  - Reading
  - Teamwork
  - Writing.
- Further background information on Work for the Dole is provided at **Attachment A**).

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Suitability

- Providers must ensure activities are safe for participants and consider the participant's suitability in relation to their individual circumstances, including any cultural and religious beliefs.
- Participants should discuss with their provider if they do not feel their individual circumstances are being taken into consideration. If they are not satisfied with the response from their provider, they should contact the National Customer Service Line.
- Providers are also required to adhere to specific guidelines when identifying suitable Host Organisations to deliver Work for the Dole activities.
    - For example, providers cannot engage Host Organisations to deliver Work for the Dole activities if the Host Organisation condones any form of discrimination, including on the grounds of religion, race, ethnic group, language, sex, or disability.

Select Committee for Workforce Australia Employment Services

- Many submissions and witnesses appearing at the Select Committee have called on the Government to abolish the Work for the Dole program, particularly ACOSS, the Anti-Poverty Centre and the Australian Unemployed Workers Union, likening the program to 'modern day slave labour'. Work for the Dole activities cannot involve tasks or replace duties that would otherwise have been undertaken by paid workers.

Key facts, figures or dates

Commencements and activities under Workforce Australia

	Participant Commencements		Approved Activities
FY	Referred	Commenced	Total
2023-24 (to 30 September 2023)	14,321	9,605 ○ 5,627 Mandatory (58.6%) ○ 3,978 Voluntary (41.4%)	2,104

*Total referred includes participants who have not yet started at their activity.

Incidents

- From 1 July 2022 to 30 September 2023, there have been a total of 78 incidents (**0.93** per cent of participants) of the 8,391 unique participants who have participated in Work for the Dole under Workforce Australia.
    - Incidents involving injuries included fractures, strains to muscles, sprains scratches, cuts and sunburn.
    - Incidents not involving injury may include, for example, feeling faint, experiencing chest pains, falling or tripping and near misses, however, the participant has not reported sustaining an injury because of the incident.
- For more information, refer to SB23-000196.

Funding / Expenditure

BUDGET AND FORWARD ESTIMATES AS AT 2023-24 BUDGET

$'000s			
2023-24 Budget	2024-25 Estimate	2025-26 Estimate	2026-27 Estimate
$37,169	$37,012	$39,962	$40,777

YEAR TO DATE EXPENDITURE:

- Total expenditure to 30 September 2023 for Work for the Dole under Workforce Australia is $6.7 million.
- Actual expenditure is lower than the forecasted expenditure amount due to the greater flexibility for participants to satisfy their activation requirement through alternate activities such as such as Employability Skills Training, Self-Employment Assistance Small Business Training, Career Transition Assistance, Skills for Education and Employment or accredited training courses.

$'000s			
2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24
$6,270	$13,792	$4,054	$2,647

Media

Structure of the Program

- On 24 May 2023 Minister Burke made a statement during a 2GB radio interview regarding the current structure of Work for the Dole. He noted his concerns that there is no prospect of a job at the end of a placement, suggesting wage subsidies could be an option to increase permanent employment prospects.

Remuneration

- Many media outlets refer to Work for the Dole as a form of labour. Income support payments are not a wage for participating in activities such as Work for the Dole. In return for income support payments, individuals are expected to do all that they are able to in order to look for work or build their capacity to work. Participants in Work for the Dole receive a fortnightly $20.80 Approved Program of Work Supplement, administered by Services Australia.

Mutual Obligations

- The Guardian published an article in July 2023 referring to the expectation that the Government will axe requirements such as Work for the Dole following the commitment to review welfare rules for unemployed people.

Relevant QoNs and Parliamentary Questions

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000199 (February 2023)	O'Sullivan, Matt	WfD Placements for the last 5 years, broken down by gender and state and territory?	There have been 311,165 Work for the Dole commencements from 1 July 2017 to 31 December 2022. There were 310,082 commencements in the last 5 years of jobactive to 30 June 2022, and 1,083 in the first 6 months of Workforce Australia to 31 December 2022. Table 1 of the response provided a breakdown by Financial Year, State/Territory and Gender.
SQ23-000582 (February 2023)	O'Sullivan, Matt	WfD Placements for the last 5 years, broken down by financial year and region?	Table 1 of the response provided a breakdown by Financial Year and Employment Region.
SQ23-000581 (February 2023)	O'Sullivan, Matt	What changes have been made to the Work for the Dole program? Are more changes expected to the way the program is operating? Has the Department been commissioned to do additional work in relation to the Work for the Dole as part of briefings provided on how the Work for the Dole fits into the Workforce Australia model?	Greater flexibility for Providers to tailor the number of hours Participants need to do Work for the Dole, more formalised training and a simplified payment model.
SQ23-001143 (February 2023)	O'Sullivan, Matt	There are 7 questions in this QoN, which refer to other QoNs for answers except the Work for the Dole funding allocation for 2023-24; 2024-25 and 2026-27	Table in response document outlines the funding forecast for Work for the Dole as at the 2023-24 Budget and refers to other QoNs for responses to the other questions.
SQ23-000658 (May 2023)	Cash, Michaelia	Work for the Dole Program – How long has WfD been around and how many participants since that time	Work for the Dole commenced in 1997 and has been a feature of Employment Services in different iterations since that time. There have been over 1.57 million commencements between 1 July 1997 and 31 March 2023. The response to the QoN also provides a breakdown of commencements by Financial Year.

SQ23-000660 (May 2023)	Cash, Michaelia	Support for Participants (list of alternative activities and number of Participants in them) – includes data on Work for the Dole commencements	Workforce Australia Services participants can choose to complete a Work for the Dole activity at any time during their Period of Service. Between 1 July 2022 and 31 March 2023 there were 4,316 commencements in Work for the Dole under Workforce Australia.
SQ23-000665 (May 2023)	Cash, Michaelia	Response to the Select Committee on Workforce Australia Employment Services (refers to SQ23-000583)	The office of the Minister for Employment and Workplace Relations prepared the response to SQ23-000583.
SQ23-000669 (May 2023)	Cash, Michaelia	Correspondence from DEWR to MO on WfD (includes question on Core Competencies and job readiness)	Response provides advice that the department regularly provided information to the Minister and his staff on portfolio related matters and provides an overview of the core competencies and the results of the Post Program Monitoring survey relating to work readiness skills. Note: s. 22(1)(a)(ii) presented a paper on Work for the Dole at the Portfolio Business Meeting on 3 July 2023, after the date of this QoN.
SQ23-000674 (May 2023)	Cash, Michaelia	Work for the Dole – Post-program 2021 Survey	Response provides a summary of the Activities Skills and Satisfaction Surveys as well as the results from the January – December 2021 survey.
SQ23-000675 (May 2023)	O'Sullivan, Matt	Work for the Dole – Completion Data (how many WfD Participants go on to employment)	Response provides a summary of the Activities Labourforce Survey as well as the results from the January – December 2021 survey.
SQ23-000678 (May 2023)	Rice, Janet	List of registered Work for the Dole sites and host organisations	A list of organisation that were recorded in the department's IT system as hosting currently approved Work for the Dole activities on 31 March 2023. The table provided includes the organisation name, activity locality and state.
SQ23-000740 (May 2023)	Rice, Janet	Total number of costs of Job Seeker recipients participating in EST, CTA, JobTrainer, SEE and Work for the Dole	For Work for the Dole there have been 4,316 commencements and expenditure of $3.06m.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

ATTACHMENT A – WORK FOR THE DOLE BACKGROUND

- There are 2 types of Work for the Dole activities, Work for the Dole Placements and Work for the Dole Projects.
    - Work for the Dole Placements involve placing single participants into individual roles within a Host Organisation and have been available since 4 July 2022.
    - Work for the Dole Projects involve placing groups of participants in community projects developed specifically as a Work for the Dole activity and have been available since 4 October 2022.
- Participants must be aged 18 years and over, registered in Workforce Australia Services and in receipt of income support to undertake Work for the Dole. Work for the Dole may be undertaken voluntarily at any time while in Workforce Australia Services or as the Mandatory Activity.
- Work for the Dole activities must only be hosted by:
    - not-for-profit organisations/charities
    - local, state, territory or Australian Government organisations or agencies, or
    - a not-for-profit arm of for-profit organisations

  except in specific circumstances, such as Community Support Projects.

Self-Referral

- Some providers, who are also not-for-profit organisations and meet the Host Organisation eligibility requirements, can host their own Work for the Dole activities, however, the uptake of this in Workforce Australia has been low. In addition, providers who are also a Registered Training Organisation may deliver training elements within their activities. Arrangements are in place to ensure other organisations continue to have access to undertake these roles.
- A provider who is also a Registered Training Organisation (RTO) may deliver training for up to 50 per cent of their Work for the Dole activities.
- A provider may not deliver training on a Work for the Dole activity where they are both the arranging provider and the Host Organisation.
- Providers can not create Work for the Dole activities that result in a benefit or gain to the Provider. Work for the Dole Fees paid for activities cover the running costs of the activity only such as Risk Assessments, provision of Personal Protective Equipment and induction training.

Work for the Dole participation requirements

- Under Workforce Australia, participants serviced by a Workforce Australia Employment Services Provider generally have a Mandatory Activity Requirement at 6 months, or at 3 months if they were referred from Workforce Australia Online after 12 months, and then every 6 months if they have not been intensively engaged in services. Work for the Dole is the default activity for eligible participants who have a Mandatory Activity Requirement.

- All placements in Work for the Dole must be for a minimum of 8 weeks. Participants undertaking Work for the Dole to meet their Mandatory Activity Requirement are required to participate for a minimum of 8 weeks to meet their requirement.
    - Participants undertaking Work for the Dole on a voluntary basis may remain in the activity for longer than 8 weeks should they choose to do so.
- There are 2 participation requirement categories for Work for the Dole:
    - 15 - 25 hours per week for participants with full-time requirements
    - 7.5 - 15 hours per week for participants who are:
        - aged 18-59 who have partial capacity to work or are Principal Carers
        - aged 60 – up to Age Pension
        - Disability Support Pension (DSP) recipients under 35 who have participation requirements.

Work for the Dole Placement Fees

- Providers are paid a **Work for the Dole Placement Fee** of **$500** per participant commencement.
- At a minimum, **50 per cent** of this fee must be passed on to the Host Organisation and can only be spent on Work for the Dole activities.

Work for the Dole Projects Fund

- **Work for the Dole Project Funding** is allocated every financial year and is based on a provider's predicted caseload, per Employment Region.
- Project funding allocations will be reviewed at least once every 6 months and adjusted to incorporate any caseload variability where necessary.
- Providers may request additional Project funding where there is a demonstrated need.
- Providers must not use the Work for the Dole Projects Fund to cover management fees, administration fees, or handling costs.
- All Work for the Dole Project Funding must be acquitted at the end of each acquittal period (1 July – 31 December (Interim Acquittal) and 1 January – 30 June (Final Acquittal). The acquittal report must include all expenditure incurred during a particular acquittal period for all the Work for the Dole Projects in an Employment Region.
- Departmental staff are responsible for reviewing and approving acquittal reports. Once approved, a Provider may then receive any final amounts they may be owed in relation to their Project/s. Payments (or recoveries) are triggered following approval of the Final Acquittal.

Safety and Insurance

- Providers and Host Organisations have a legal requirement to ensure the workplace and the activity being carried out meets all work health and safety (WHS) obligations under relevant legislation and program requirements.
- The department purchases personal accident insurance and public and product liability insurance to cover participants who undertake activities such as Work for the Dole (refer to SB23-000196 for more information).
- Providers must confirm that associated Host Organisations have current and appropriate insurance to cover any risks associated with the Work for the Dole activity.
- Work Health and Safety matters are a critical priority for the program. Providers are responsible for ensuring all activities have an Activity Risk Assessment prior to starting. In addition, providers must complete a Participant Risk Assessment for each participant before they can be referred to an activity.
- Providers must also consider the individual circumstances of participants when placing them in an activity. This includes ensuring they comply with the Direction on Face-to-Face Service Delivery which outlines that it is not reasonable to require participants to undertake face -to-face activities (such as Work for the Dole) where they have genuine COVID concerns.

Research

- Post Program Monitoring (PPM) results under jobactive consistently showed that most Work for the Dole participants in jobactive were satisfied that they operated in a safe work environment, had good supervision, and were pleased with the quality of their Work for the Dole activity.
- Departmental evaluation research also found that many participants appreciated the social interactions of their Work for the Dole placement and recognised the community benefit of the program.
- The department's 2021 PPM survey of Work for the Dole participants found that:
    - 76.3% reported improved desire to find a job
    - 75.6% reported an improvement in their ability to work with others
    - 69.5% reported an improvement in their work-related skills
    - 84.5% felt they were being provided with a safe work environment
    - 83.5% were satisfied that they were helping the local community
- It is expected that PPM results for participants undertaking Work for the Dole in Workforce Australia Services will be published in May 2024.

jobactive commencements and activities

	Participant Commencements		Approved Activities
FY	Total	Unique	Total
2015-16	135,638	106,618	17,352
2016-17	135,035	94,719	13,127
2017-18	101,958	70,741	12,048
2018-19	107,534	68,113	9,214
2019-20	74,457	49,573	6,783
2020-21*	7,411	6,216	1,870
2021-22	18,692	14,202	3,336
Total	580,725	276,093	63,730

- *Lower participant commencements and Work for the Dole activities in 2020-21 and 2021-22 reflect the suspension of Work for the Dole from March 2020 – September 2020 and ongoing impacts of COVID outbreaks.
- The number of participant commencements under Workforce Australia can not be compared to participant commencements under jobactive due to significant changes in the activation model.

Topic	Supplementary Budget Estimates - WAID FAS Brief - Employment Fund
First Assistant Secretary	s. 22(1)(a)(ii)

Key points

- The Employment Fund is a flexible pool of funds available to Workforce Australia Employment Services Providers (Providers) and the Digital Services Contact Centre (DSCC) to offer support that is tailored to participants, employers, and the local labour market.
- The Employment Fund can be used to purchase goods and services to help participants secure sustainable employment and to also support them once they have a job.
- It is at the discretion of the Provider and the DSCC to determine what support can be provided based on individual circumstances.
- All purchases must meet the Employment Fund principles, including funding integrity and value for money, and must satisfy specific category requirements as outlined in guidelines.
- The Employment Fund is demand driven, with notional credits allocated to the Provider or the DSCC as new participants commence in Workforce Australia.

Employment Fund Credits

Service Type	Credit Amount
Online Employment Fund	$300 allocated once per Period of Service two months after commencement.
Provider Employment Fund	$1,600 credited once per Period of Service on commencement.

- These credits are not quarantined to any one participant. They can be used flexibly to provide support to any eligible participant being serviced by a Provider or the DSCC.
- A Provider must first pay for eligible purchases and then claim reimbursement through the Employment Fund. The Employment Fund cannot be used for any services Providers are contracted to deliver, for gifts or incentives.
- For participants in the Online Service, the DSCC assesses the request and makes the purchase on behalf of the participant—participants cannot be reimbursed directly.
- Offerings between the Provider and Online Employment Funds differ—see Attachment A for further detail on categories.
    - The Online Employment Fund is focused on items that help participants move quickly into employment, such as work-related licences, clothing and police checks.
    - The Provider Employment Fund covers a broader range of vocational and non-vocational supports, including the Workforce Australia Services Wage Subsidy.

Use of Own Organisation

- The use of Own Organisations or Related Entities is not prohibited under the Employment Fund, except where claims relate to a Wage Subsidy.
- For the Provider Employment Fund, own organisation referrals primarily relate to accredited training and services delivered by qualified psychologists and allied health professionals.
    - Not all Providers have their own training organisation or employ qualified psychologists and allied health professionals.
- The Employment Fund does not prevent or limit referrals to a Provider's own business.
    - However, certain assistance types have a limit on the fees that can be charged by a Provider's own business, for example the Indigenous pre-placement training capped at $1,650 per participant. These are enforced in the IT system.
- Since 1 July 2022, the proportion of all commitments attributed to a Provider's own organisation is **24.6 per cent** and commitments to a related entity is **6.5 per cent.**
- For the Online Employment Fund, all purchases are via external suppliers.

Recent program changes

- Use of the Employment Fund is reviewed regularly to ensure the settings remain current and are meeting the needs of employers and participants.
- In April 2023, the Employment Fund was opened up to allow for claiming of police checks for participants who are referred to a Work for the Dole placement.
- From August 2023, Workforce Australia Services Providers are now able to claim the $300 Employability Skills Training (EST) charge for Block 2 through the Employment Fund. The change is expected to result in better outcomes for participants due to the quality controlled program delivery and direct links between EST Block 2 and in-demand industries in local areas.

Key facts, figures or dates

Employment Fund Appropriation

Service Type	2022-23 ($m)	2023-24 ($m)	2024-25 ($m)	2025-26 ($m)	2026-27 ($m)
Online Employment Fund	$11.4	$38.6	$69.5	$70.9	$68.8
Provider Employment Fund*	$88.1	$137.5	$258.4	$266.1	$262.8
Total Budget	**$99.5**	**$176.1**	**$327.9**	**$337.0**	**$331.6**

Numbers may not sum due to rounding.
**Includes the Workforce Australia Services Wage Subsidy.*

Employment Fund Commitments (as at 30 September 2023)

Service Type	Credits	Committed**	Participants Assisted	Average per Participant
Online Employment Fund	$49,458,375	$1,824,850	3,003	$608
Provider Employment Fund*	$727,568,400	$300,043,497	258,823	$1,159
Total	**$777,026,775**	**$301,868,347**	**261,826**	**$1,153**

**Includes the Workforce Australia Services Wage Subsidy.*
***Commitments include reimbursed and non-reimbursed commitments. Not all commitments eventuate to a claim for reimbursement.*

- See Attachment B for breakdown of commitments.

Media

- 26 August 2023 – Rick Morton *The Saturday Paper*. The article focuses on the use of Own Organisation and Related Entities in relation to outcome payments and the Employment Fund, as well as use of wage subsidies to labour hire companies.

Relevant QoNs and Parliamentary Questions

PDR Link	Submitted By	Subject	Answer Summary
SQ22 - 001057	Rice, Janet	Providers Referral Cap	Department monitors CTA/EST referral cap. Employment Fund breakdown of commitments by Category.
SQ22 - 001190	O'Sullivan, Matt	Rationale for removal of Indigenous Mentoring category	Employment Fund can't be used for core servicing. Employment Fund can be used for culturally appropriate pre-placement training.
SQ23 - 000603	O'Sullivan, Matt	Employment Fund for online participants	Breakdown of Employment Fund data for online participants up to 31 December 2022.
PQ23 - 000292	Rice, Janet	Breakdown by Employment Regions and Provider of Own Organisation referrals	Data on Employment Fund commitments (number and value) by Employment Region and Provider. Also includes data on CTA and EST.
SQ23-000670	Rice, Janet	Effectiveness of the Employment Fund and evaluation criteria	Methodology for assessing the effectiveness of the Employment Fund will look at the types of support provided, expenditure patterns and qualitative data. Specifies that a causal link between use of Employment Fund and outcomes has not been possible. Includes Employment Fund category data as at 31 March 2023.
SQ23-000671	Rice, Janet	Digital Employment Fund purchase requirements.	The Employment Fund for Workforce Australia Online participants has the same principles as provider services however with less categories of support. List of Digital Employment Fund principles and categories provided.
SQ23-000673	Rice, Janet	Digital EF Credits and amount committed as at 31 March 2023; Department's understanding as to why only small proportion of credits used	There has been a steady increase to expenditure since the start of Workforce Australia. Not all Online participants will need support from the Employment Fund. The DSCC approve or decline requests based on the principles, operational guidelines and individual circumstances. Eligible participants can view information about categories of support and the request process on the Workforce Australia website.
SQ23-000736	Rice, Janet	Updated data - Breakdown by Employment Regions and Provider of Own Organisation and Related Entity referrals	Updated data on Employment Fund commitments (number and value) by Employment Region and Provider as at 30 June 2023. Also includes data on CTA and EST.
SQ23-001141	O'Sullivan, Matt	Employment Fund (Indigenous Mentoring; Soft Skills; Digital Employment Fund categories; Employment Fund funding allocation).	Indigenous mentoring and soft skills are core servicing and Employment Fund can't be used for these purposes, but providers receive upfront payments which can be used as providers see fit. List of Digital Employment Fund categories and funding allocation provided.

PDR Link	Submitted By	Subject	Answer Summary
IQ23-000233	Hill, Julian	Select Committee: Indigenous Mentoring and payments	The Provider Payment model is designed to incentivise personalised support and outcomes for those hardest to help. Employment Fund can't be used for core servicing, but providers receive upfront payments which can be used as providers see fit.
IQ23-000236	Hill, Julian	Select Committee: Employment Fund flexibility.	The Employment Fund remains flexible. Indigenous mentoring and soft skills are core servicing and Employment Fund can't be used for these purposes, but providers receive upfront payments which can be used as providers see fit.
IQ23-000254	Pratt, Louise	Extent and nature of poverty in Australia: Employment Fund	Use of the Employment Fund has increased since the start of Workforce Australia. Credits are notional and not all support provided to participants can be seen in Employment Fund data. Provider payment model incentivises providers to support participants.
IQ23-000255	Pratt, Louise	Extent and nature of poverty in Australia: Employment Fund, jobseekers telecommunications	Contains an overview of the Online and Provider Employment Fund, program data and notes that 636 complaints have been recorded in the CRM relating to Employment Fund. Category data for Online and Provider Employment Fund supplied as at 31 July 2023.
IQ23-000276	Hill, Julian	Select Committee: Employment Fund category	[Due to Select Committee 27 October 2023] Data for the first 12 months of Workforce Australia broken down by category and own/related entity commitment value.

Other documentation

- **Attachment A** - Employment Fund Categories – Provider and Online
- **Attachment B** - Employment Fund data as at 30 September 2023.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023
Division	| Emp & W | Workforce Australia for Individuals

Attachment A—Employment Fund categories

The Provider Employment Fund has 13 categories, and the Online Employment Fund has 11 categories. A summary is below.

Category	Provider Employment Fund	Online Employment Fund
Accredited Training • Cost of accredited training delivered by a current Registered Training Organisation, who has the specific unit or course on their scope of registration as listed on training.gov.au, that isn't fully funded elsewhere, such as through JobTrainer.	✔	✔
Activity Costs • Costs for Activities, such as risk assessments or additional insurance costs and costs related to delivery of a Non-Government Program approved by the department.	✔	✘
Certified Interpreters • Costs for certified interpreter services delivered to Pending and Commenced Participants.	✔	✘
Cohort Specific Training • Costs for culturally appropriate pre-placement training for Indigenous Participants. Capped at $1,650 (GST inclusive) per Participant, per financial year when delivered by a Provider's Own Organisation or Related Entity. • Costs for post-placement non-accredited Workplace English Language and Literacy Training for Refugee Participants.	✔	✘
Communication and Technology • Costs for phones, data and phone credit vouchers and hardware/software packages.	✔	✔ Phone credit and internet data only

Department of Employment and Workplace Relations - Released under FOI

Category	Provider Employment Fund	Online Employment Fund
Non-Vocational Support • Costs relating to medical and health issues, rent and crisis accommodation, food vouchers and other costs inhibiting a Participant's ability to find and keep a job.	✔	✘
Professional Services • Professional services delivered by a suitably qualified psychologist or allied health professional, who is registered with the relevant authority where required to practice. • Capped standard rates apply when services are delivered by staff employed by a Provider's Own Organisation or Related Entity.	✔	✘
Provider Indigenous Mentoring Capability • Assistance to build a Provider's Indigenous mentoring capability. Requests to access this category must be pre-approved by the department.	✔	✘
Relocation Assistance • Costs relating to Participants who are relocating to take up a job. Must be more than 90 minutes away from current residence. • Allowable costs include removalists, travel, disturbance costs and short-term accommodation.	✔	✔
Transport • Costs for Driving Lessons, Licence Tests, Public and Private Transport Assistance (e.g. public transport, fuel, and taxi vouchers).	✔	✔ Driver's Licence, Petrol vouchers and Public transport only
Wage Subsidy	✔	✘

Department of Employment and Workplace Relations - Released under FOI

Category	Provider Employment Fund	Online Employment Fund
Work-Related Items • Costs directly related to training, participation in programs or Employment. These include work-related clothing and Personal Protection Equipment, tools, books, equipment and workplace checks (pre-employment medicals, police checks, Working with Children checks etc.).	✔	✔ Clothing and Personal Protective Equipment, Police checks, Working with Children, Working with Vulnerable People and NDIS screening checks only
Work-Related Training and Licensing • Costs for work-related licences and work-related non-accredited training that focuses on practical skills acquisition relevant to a particular job, employer, or industry.	✔	✔

Department of Employment and Workplace Relations - Released under FOI

Employment Fund - 30 September 2023 (all $ amounts except credits are GST inclusive)

The Digital Services Contact Centre and Providers can access the Employment Fund to purchase a wide range of relevant goods and services to help participants find and retain a job – including wage subsidies, work related items, training courses, professional services or access to accredited interpreters.

Australian Government | Workforce Australia

Participants Assisted[a][e]	
Workforce Australia Services	258,823 *44.1% of 586,612 participants*
Workforce Australia Online	3,003 *1.0% of 296,119 participants*

Total Credits[b]	
Workforce Australia Services	$ 727,568,400
Workforce Australia Online	$ 49,458,375

Total Commitment Amount[c]	
Workforce Australia Services	$ 300,043,497
Workforce Australia Online	$ 1,824,850

Total Remaining[d]	
Workforce Australia Services	$ 427,524,903
Workforce Australia Online	$ 47,633,525

Employment Fund: Workforce Australia Services

Employment Fund Category	Assistance Type	Commitment Amount	Commitment Amount %	Participants Assisted[a]	Participants Assisted %[e]	Average Per Participant	External %[f]	Own Org %[g]	Related Entity %[f]
Accredited training		$ 26,070,232	8.7%	32,413	5.5%	$ 804	69.9%	18.5%	11.5%
Activity costs		$ 350,023	0%	297	0.1%	$ 1,179	98.7%	0.4%	0.9%
Certified interpreters		$ 2,096,988	0.7%	13,804	2.4%	$ 152	100.0%	0.0%	0.0%
Cohort specific training		$ 2,016,703	0.7%	2,327	0.4%	$ 868	43.3%	55.2%	1.5%
	- Indigenous training	$ 2,015,476	0.7%	2,322	0.4%	$ 867	43.3%	55.2%	1.5%
	- Refugee training	$ 1,226	0.0%	5	0.0%	$ 245	100.0%	0.0%	0.0%
Communication and technology		$ 6,565,833	2.2%	41,099	7.0%	$ 160	99.9%	0.1%	0.0%
	- Hardware and software packages	$ 1,356,186	0.5%	3,577	0.6%	$ 379	99.9%	0.0%	0.1%
	- Mobile phones	$ 4,543,916	1.5%	32,339	5.5%	$ 141	99.9%	0.1%	0.0%
	- Phone credit and internet data	$ 665,731	0.2%	10,961	1.9%	$ 61	99.8%	0.2%	0.0%
Non vocational support		$ 3,759,866	1.3%	11,648	2.0%	$ 237	98.8%	0.3%	0.9%
	- Food	$ 1,494,302	0.5%	11,606	2.0%	$ 129	99.9%	0.1%	0.0%
	- Medical expenses	$ 661,107	0.2%	2,008	0.3%	$ 329	98.5%	1.5%	0.1%
	- Other support	$ 757,908	0.3%	2,433	0.4%	$ 312	95.5%	0.1%	4.4%
	- Rent and crisis accommodation	$ 846,549	0.3%	897	0.2%	$ 944	100.0%	0.0%	0.0%
Professional services		$ 53,640,944	17.9%	58,548	10.0%	$ 916	15.0%	70.1%	14.8%
Relocation assistance		$ 494,759	0.2%	286	0.0%	$ 1,730	99.9%	0.1%	0.0%
	- Disturbance costs	$ 14,151	0.0%	24	0.0%	$ 590	100.0%	0.0%	0.0%
	- Removalist costs	$ 234,279	0.1%	85	0.0%	$ 2,756	100.0%	0.0%	0.0%
	- Short-term accommodation	$ 163,876	0.1%	129	0.0%	$ 1,270	99.7%	0.3%	0.0%
	- Travel costs	$ 82,453	0.0%	151	0.0%	$ 546	100.0%	0.0%	0.0%
Transport		$ 23,636,178	7.9%	93,020	15.9%	$ 254	99.0%	0.9%	0.1%
	- Driving lessons	$ 5,500,386	1.8%	12,049	2.1%	$ 457	96.6%	3.4%	0.0%
	- Driving licences	$ 1,541,980	0.5%	10,918	1.9%	$ 141	99.1%	0.1%	0.8%
	- Other transport costs	$ 8,789,945	2.9%	33,469	5.7%	$ 263	99.7%	0.2%	0.1%
	- Petrol	$ 7,803,867	2.6%	55,851	9.5%	$ 140	99.9%	0.1%	0.0%
Wage Subsidy		$ 118,152,372	39.4%	14,788	2.5%	$ 7,990	100.0%	0.0%	0.0%
Work related items		$ 33,232,653	11.1%	121,049	20.6%	$ 275	99.4%	0.1%	0.5%
Work-related training and licencing		$ 30,026,946	10.0%	67,842	11.6%	$ 443	95.3%	2.8%	1.9%
	- Licences, tickets and cards	$ 25,471,704	8.5%	59,396	10.1%	$ 429	95.1%	3.0%	1.9%
	- Non-accredited training	$ 2,502,261	0.8%	6,165	1.1%	$ 406	94.8%	1.8%	3.4%
	- Work related training	$ 2,052,982	0.7%	5,849	1.0%	$ 351	99.3%	0.5%	0.3%
Total		**$ 300,043,497**	**100%**	**258,823**	**44.1%**	**$ 1,159**	**81.2%**	**24.6%**	**6.5%**

Notes

(a) Total number of participants assisted may differ to the sum of participants assisted by service type or category. Participants can be supported by EF across multiple service types or categories

(b) Credits are GST free

(c) Committed amounts include reimbursed and non-reimbursed commitments and are GST inclusive

(d) Remaining balance reflects the amount remaining if all commitments are spent. Not all commitments eventuate

(e) Calculated by number of unique EF participants divided by number of unique commenced participants. Denominator includes all participants who have commenced on the program caseload since 4 July 2022

(f),(g) Identification of own organisation and related entity spending is based on the ABN of the supplier and varies slightly from the definitions contained in the Workforce Australia Services Deed of Standing Offer 2022-2028. Where the supplier ABN and provider ABN are the same, this will be reported as own organisation, even where the supplier business does not deliver services under the Deed. Related entity spending is where the supplier has been identified by the provider as being a related entity as defined in the Workforce Australia Services Deed of Standing Offer 2022-2028, but the entity but does not share the same ABN

(h) The figures in the expenditure column relate to actual expenditure extracted from SAP for the period 1 July 2022 to 30 September 2023 and includes accruals

(i) Online participants have access to a smaller range of Employment Fund categories as they are more job-ready and better able to self-manage their pathway to employment

Participants Assisted by Cohort

Cohort	Participants Assisted %[e]
Total	**44.1%**
Female	40.9%
Male	46.8%
Indigenous	52.1%
CALD	38.5%
PWD	44.2%
Homeless	53.4%
Ex-Offender	52.5%
Refugee	43.0%
Parent	40.0%
Mental Health	46.2%
Drug/Alcohol	54.5%
Time Reg <12 mths	34.4%
Time Reg 12-23 mths	42.9%
Time Reg 24-59 mths	44.9%
Time Reg 60+ mths	50.2%
Age <25	42.1%
Age 25 - 34	47.2%
Age 35 - 44	47.0%
Age 45 - 54	45.9%
Age 55 - 64	38.3%
Age 65+	24.1%

Wage Subsidy Expenditure

Contract Type	Agreement Type	Number of Agreements	Expenditure[h]
WFA Services	WFA Services Wage Subsidy	16,225	$ 29,021,502
WFA Services	Youth Bonus Wage Subsidy	3,931	$ 7,131,341
TtW 2022	Youth Bonus Wage Subsidy	1,754	$ 4,869,141
ParentsNext	WFA Services Wage Subsidy	131	$ 260,254
ParentsNext	Youth Bonus Wage Subsidy	28	$ 61,049
Total		**22,069**	**$ 41,343,287**

Employment Fund: Workforce Australia Online

Employment Fund Category	Commitment Amount	Commitment Amount %	Participants Assisted[a]	Participants Assisted %[e][i]	Average Per Participant
Accredited Training	$ 209,588	11.49%	177	0.1%	$ 1,184
Clothing and Personal Protective Equipment	$ 217,326	11.91%	616	0.2%	$ 353
Driver's Licence	$ 1,159	0.06%	9	0.0%	$ 129
Petrol vouchers	$ 58,561	3.21%	591	0.2%	$ 99
Phone credit and internet data	$ 465	0.03%	25	0.0%	$ 19
Police check	$ 26,200	1.44%	583	0.2%	$ 45
Public transport	$ 3,265	0.18%	50	0.0%	$ 65
Relocation assistance	$ 313,050	17.15%	118	0.0%	$ 2,653
Workplace checks	$ 50,965	2.79%	378	0.1%	$ 135
Work related licensing	$ 859,823	47.12%	1253	0.4%	$ 686
Work related training	$ 84,448	4.63%	113	0.0%	$ 747
Total	**$ 1,824,850**	**100%**	**3,003**	**1.0%**	**$ 608**

Ceasing the Entrepreneurship Facilitator Initiative

What has been announced

- The 'Ceasing Entrepreneurship Facilitators' measure was announced as part of the 2023-24 Budget, achieving savings of $22.8 million over four years from 1 July 2023.
- Ceasing the Entrepreneurship Facilitators program reduced duplication across small business assistance and self-employment support programs.
- It also streamlined services to better align self-employment support with current economic and labour market conditions.
- Providers were notified and issued a Notice of Termination on 11 May 2023.

Key Government statements

- The Entrepreneurship Facilitators program and the Self-Employment Assistance program were providing similar support. As a result, the Government ceased the Entrepreneurship Facilitators program from 1 July 2023 with the expectation that the required assistance for eligible people will be provided through the Self-Employment Assistance program *(Ministerial Correspondence May – June 2023)*.

Current status of the policy

- The department is using the Reasonable Cost Framework to assess any reasonable and unavoidable costs incurred as a direct result of the cessation of the program.
    - As at 25 September 2023, 14 of the 18 Organisations have submitted a claim.
    - Of the 14 submissions made there are 103 claims totalling $1,032,210.81.
    - The department is currently assessing claims and anticipates the process to be finalised by the end of 2023.

Outcomes and Evaluation

- Entrepreneurship Facilitators were introduced in the 2016–17 Budget and expanded in the 2018-19 Budget. Entrepreneurship Facilitators delivered services in 23 locations across Australia.
    - These regions were selected based on labour market disadvantage including high youth and mature age unemployment.
- Between 1 July 2022 and 30 June 2023, Entrepreneurship Facilitators self-reported assisting 4,615 participants in a Workshop, making 27,069 referrals to other services and providing general advice to 23,549 people.
    - These participants cannot be tracked by the department.
- Evaluation of previous self-employment programs have found that this support is generally effective in assisting people interested in starting their own business. However, a 2016-2019 evaluation of the Entrepreneurship Facilitator initiative found that the Entrepreneurship Facilitators' service offer was not able to demonstrate a significant impact on small business

creation. It also found that Entrepreneurship Facilitators were seen by New Business Assistance with NEIS providers (precursor to the Self-Employment Assistance program) as being in direct competition with their services.

Stakeholders consulted

- Providers delivering the Entrepreneurship Facilitators program were consulted on the Reasonable Cost Framework.

Recent media on this policy

- NA

Next steps, including consideration by Government where expected

- The department will advise Organisations who submitted a claim of the outcomes of the assessment of the Reasonable Costs Framework, once completed.
- Self-Employment Services remain in place across all Employment Regions to support people looking to start a new small business.
- Local Jobs Employment Facilitators remain in place to consider place-based support and self-employment as a solution for local labour market conditions.

Expenditure/Budget (if relevant)

Table 1: Entrepreneurship Facilitator Funding

	2022–23 ($'000)	2023–24 ($'000)	Total ($'000)
Entrepreneurship Facilitators	4,496.50	452.20*	4,948.70

*Projected cost for Reasonable Cost Framework.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
PQ23-000301	Sharkie, Rebekha	Entrepreneurship Facilitator Services	Due to duplication in services and availability of Self-Employment Assistance program, the Entrepreneurship Facilitator program was ceased
SQ23-001146	O'Sullivan, Matt	Entrepreneurship Facilitators	The decision to cease the program was informed by a range of considerations including the 2016–2019 Evaluation Report, and the range of other supports available.
SQ23-000679	Payman, Fatima	Programs that assist entrepreneurship	The Department provided a list of 18 supports available to people who wish to explore self-employment or needing help to establish or run a small business.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Department of Employment and Workplace Relations - Released under FOI

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

House of Representatives

Parliamentary Question

Question Number: **220**
Question Date: **21 June 2023**
Table Office Due Date: **18 August 2023**

Rebekha Sharkie MP asked the Minister for Employment and Workplace Relations, in writing on 21 June 2023:

(1) Will the Minister reinstate the Entrepreneurship Facilitator Services cut from the May 2023 budget; if not, will the Minister introduce another program to assist businesses reach their economic potential?
(2) Did the Minister undertake an analysis of the Entrepreneurship Facilitator Services?

Minister Burke has provided the following answer to the Member's question:

Consistent with the Australian Government's commitment to budget repair and responsible spending, the Government has had to make difficult decisions. The Entrepreneurship Facilitators program and the Self-Employment Assistance program were similar programs that provided similar services. As a result, the Government ceased the Entrepreneurship Facilitators program from 1 July 2023 with the required assistance for eligible people continuing through the Self-Employment Assistance program. This is not a criticism of any of the individuals involved.

The Self-Employment Assistance program is delivered from more than 570 sites across Australia. This program has limited eligibility requirements and includes access for existing small businesses in need of support. The Self-Employment Assistance Program is highly flexible and can be targeted and tailored depending on needs.

The Entrepreneurship Facilitators program was reviewed through analysis of participation data and stakeholder surveys.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-001146

Senator Matt O'Sullivan provided in writing.

Entrepreneurship Facilitators

Question

1. The Government announced in the budget that it will save $22.8 million over 4 years by ceasing the Entrepreneurship Facilitators Program from 1 July this year. How many entrepreneurship facilitators are impacted by this decision?
2. I understand some facilitators were only 1 year into their contract period. What is the justification for ceasing their contract without any consideration for the outcomes they are achieving in their region?
3. I understand in some regions there were significant outcomes achieved for young Australians. The importance of self-employment pathways for these young people has been disregarded. How does the Department expect this assistance will now be provided given this cut?

Answer

1. 18 organisations deliver the Entrepreneurship Facilitator program across 22 regions.

2. The decision was informed by a range of considerations including the *Encouraging Entrepreneurship and Self-Employment Initiative 2016–2019 Evaluation Report*, and the range of other free and low cost supports available to assist those who wish to start, or need help operating, a small business.

   Eligible participants who previously accessed support through Entrepreneurship Facilitators can continue to access tailored and targeted support through the Self-Employment Assistance program. This program is delivered from more than 570 sites across Australia and offers tailored advice through a range of flexible services, as well as referrals to other small business support services. More information on Self-Employment Assistance and provider locations can be found at www.workforceaustralia.gov.au/individuals/training/activities/self-employment-assistance.

3. The program evaluation found that 'the majority of young clients accessed general assistance as opposed to seeking the comprehensive mentoring and other services'. Support remains available to young Australians who choose to explore self-employment as an option to meaningful employment or require assistance with an existing small business through Self-Employment Assistance. SQ23-000679 provides examples of the range of other free and low cost supports available.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000679

Senator Fatima Payman on 30 May 2023, Proof Hansard page 102

Programs that assist self-employment & entrepreneurship

Question

Senator PAYMAN: Thank you. Can you point out other programs that could also provide assistance to people in that self-employment and entrepreneurship space?
Mr Watson: Yes, I could take it on notice, if you like. We've got—
Ms Lauman: There are certainly many. On business.gov there's an easily accessible menu of support around different types of support: advice services; links to grants and other financing opportunities; and also events and training of the kinds that entrepreneurships were providing. There are something in the order of 675 advice services available. Some of those are very local, in the same way that the facilitators program is, and some of those are state based programs. We can provide a bit of a rundown of what's available. Some of those are provided through philanthropic organisations and community based organisations as well.
Mr Watson: And targeted toward demographic groups specialising in particular cohorts as well.
Senator PAYMAN: That would be great, thank you very much.

Answer

There are a vast number of supports available to those who may choose to explore self-employment or require assistance with their small business.

A range of free events and training can be found on business.gov.au.

The below list of links is an example of just some of the free or low cost advice services that are funded by governments at all levels:

- Self-Employment Assistance
- Local Jobs Program
- Ausindustry Outreach Network
- Small Business Debt Helpline
- Digital Solutions – Australian Small Business Advisory Services program.
- Indigenous Business and Employment Hubs
- Digital Initiative Program
- Innovation Connect
- Local Innovation Network
- Young People and Business
- NSW Business Connect
- ACT Microcredit Loan Program
- Business Pivot Grant NT
- Business Tasmania
- Canberra Business Advice and Support Service
- City of Perth – Starting a Business
- Mentoring for Growth Qld.

Topic The Targeted Compliance Framework Factsheet

First Assistant Secretary s. 22(1)(a)(ii)

Key points

- It is a legislated requirement under Social Security law *(Social Security (Administration Act 1999))* that most people receiving most unemployment related income support payments have mutual obligation requirements. Failure to meet these requirements may result in the participant having compliance action taken under the Targeted Compliance Framework (TCF).
- The TCF applies when a participant fails to meet a compulsory mutual obligation requirement (including not meeting their points target and/or minimum job search requirement each month, attending compulsory provider appointments or mandatory activities) without good reason. The TCF includes payment suspension, demerits and financial penalties. A flowchart of the TCF process is at **Attachment A.**
- On 5 May 2023, the Australian Government announced the immediate lifting of compulsory participation requirements for all **ParentsNext** participants. All outstanding or existing compliance action was finalised and ParentsNext participants will not face payment suspensions or financial penalties for not meeting participation requirements in the future while they participate in ParentsNext. All ParentsNext participants had all demerits removed and were returned to the Green Zone.

Key facts, figures or dates

Key TCF data

TCF Zones *Participants by Zones as at 30 September 2023*

Program	Green Zone		Warning Zone		Penalty Zone	
Workforce Australia Online	63,945	72.1%	24,700	27.9%	5	0.0%
Workforce Australia Services	152,950	55.2%	121,275	43.8%	2,710	1.0%
Workforce Australia Total	**216,895**	**59.3%**	**145,975**	**39.9%**	**2,715**	**0.7%**
ParentsNext	75,230	100%	0	0.0%	0	0.0%
Grand Total	**292,125**	**66.3%**	**145,975**	**33.1%**	**2,715**	**0.6%**

- A TCF Workforce Australia datasheet is at **Attachment B.**
- The different zones (Green, Warning, Penalty) in the TCF are designed to re-enforce the importance of meeting mutual obligations.
    - Participants start in the Green Zone and stay there as long as they meet their requirements.
    - When participants commit a mutual obligation failure and they don't have a valid reason, they receive a demerit and move to the Warning Zone.
    - If they continue to be non-compliant, they will move through the Warning Zone towards the Penalty Zone.

Workforce Australia Services and Workforce Australia Online (excluding TTW)

Suspensions

- From **1 July 2022** to **30 September 2023**, in Workforce Australia there were **1,830,185** payment suspension events.
    - From **1 July 2022** to **30 September 2023**, in **Workforce Australia Services**, there were **1,640,510** payment suspension events, which impacted **408,895 (70.4%)** participants.
    - From **1 July 2022** to **30 September**, in **Workforce Australia Online**, there were **189,675** payment suspension events, which impacted **111,900 (39.5%)** participants.
        - A participant may have multiple payment suspensions across a variety of non-compliance events.
- Of the **1,830,185** payment suspension events in Workforce Australia the top three reasons were for:
    - Provider appointment failures – **1,063,005 (58.1%)**
    - Not meeting their points requirement during a period – **700,095 (38.3%)**
    - Not entering into a Job Plan – **41,630 (2.3%)**
- Payments are restored within 24 hours once job seekers meet a re-engagement requirement.
- Payment suspensions are a temporary pause on payment until a participant reengages. Payment suspensions generally do not result in loss of money to job seekers.

Duration of Payment Suspensions

- Of the **1,830,185** payment suspensions for Workforce Australia
    - **31.6 per cent** were re-instated within 2 business days resolution time: and the participant's payment suspension was avoided all together.
    - **84.4 per cent** were re-instated within 10 Business Days.
    - The median resolution time was **4 business days**.
    - **5.5 per cent** had their payment cancelled after failing to reengage within 28 Calendar days.
- Once the payment suspension is lifted (when the participant provides a valid reason or meets their re-engagement requirement), the participant is back paid if they have missed a payment.
- Participants may not re-engage for various reasons, including if they have gained employment since their payment was put on hold.

Suspension by Top 5 Vulnerable Cohorts*

Suspension does not indicate that a participant received a demerit after their re-engagement

Workforce Australia Online

Vulnerable Cohort	Flow Caseload	Payment Suspended	Percentage of cohort suspended over the period at least once
Refugee	6,320	3,805	60.2%
Ex-Offender	13,705	8,015	58.5%
Parent	17,905	10,140	56.6%
Drug and Alcohol	6,270	3,465	55.3%
People with Disability	16,375	8,930	54.5%
Workforce Australia Online Caseload	**283,335**	**111,900**	**39.5%**

Workforce Australia Services

Vulnerable Cohort	Flow Caseload	Payment Suspended	Percentage of cohort suspended over the period at least once
Homeless	73,225	71,095	97.1%
Ex-Offender	94,695	91,580	96.7%
Indigenous	95,755	87,540	91.4%
Drug and Alcohol	49,855	44,935	90.1%
Mental Health	77,765	63,910	82.2%
Workforce Australia Services Caseload	**580,820**	**408,895**	**70.4%**

Note, participants may fall into multiple cohorts.

- There are a range of factors that may influence the figures, for example certain groups having to manage multiple and often complex barriers that may impact their capacity to meet mutual obligation requirement.
- Workforce Australia Services generally has a higher number of payment suspensions as the caseload is generally longer term unemployed, less job ready and may have multiple barriers to employment when compared to the Workforce Australia Online caseload.
- The department continues to monitor the levels of suspensions for all cohorts and work with providers as part of our regular program/contract management to understand areas for improvement and build on existing safeguards.

  For full list of TCF application by cohorts see **Attachment B**.

Light Touch

- The first time a newly commenced participant misses their points target and compliance is raised, they have a simplified re-engagement requirement (light touch). This means:
  - Their payment will be suspended after two business days, but a demerit is not applied. If they do not have a valid reason for not meeting their points target, they do not need to make up missed points but need to agree to a declaration that they understand their requirements and the consequences of not meeting them in the future.
  - For subsequent points failures a participant will need to make up the points they missed.

- As at **30 September 2023**, there have been **195,593** Light Touch applications applied.

Demerits – Workforce Australia Services and Workforce Australia Online

- Between **1 July 2022** and **30 September 2023**, **51.3 per cent** of all Workforce Australia Services compellable participants who were commenced during the period **had a demerit applied**. While **30.0 per cent** of Workforce Australia Online compellable participants who were commenced had a demerit applied.
  - **64.5 per cent** of demerits for Workforce Australia Services participants were for failing to attend a provider appointment
  - **34.2 per cent** of demerits for Workforce Australia Services participants were for not meeting their points requirement during a period
  - **0.2 per cent** of demerits for Workforce Australia Services participants were for not signing their job plan/participation plan.
  - **73.7 per cent** of demerits for Workforce Australia Online participants were for not meeting their points requirement during a period
  - **20.0 per cent** of demerits for Workforce Australia Online participants were for not agreeing to their Job Plan.
- Demerits are different to payment suspensions. Demerits are only applied if the participant does not have a valid reason for missing their requirement, whereas payment suspensions are used to engage participants with their requirements.

Pause of mutual obligation requirements

- The pause of mutual obligation requirements occurs when the department identifies exceptional circumstances such as a natural disaster or other events that would have direct impact on participants' ability to meet their mutual obligation requirements.
- From **1 July 2022** to **30 September 2023**, mutual obligation requirements were paused 15 times in New South Wales, Victoria, Tasmania and South Australia.
- Requirements that are paused include:
  - attending compulsory appointments
  - attending job interviews
  - attending mandatory activities
  - actioning Job Referral Tasks
  - meeting monthly Points Targets (including minimum job search).
- There is currently no pause of mutual obligation requirements for Workforce Australia participants due to a natural disaster.
- The department is preparing for possible extreme weather events over the coming summer period.

TCF Safeguards

- The TCF has strong safeguards to ensure that only those who are deliberately not meeting their requirements are at risk of potential financial penalties.
    - If participants miss a requirement, they have two business days ('resolution time') to contact their provider, or for online participants the Digital Services Contact Centre, to discuss.
    - If participants have a valid reason for not meeting their requirements, or they re-engage within two days, their payment is not suspended.
    - There are two capability reviews where participant's circumstances and requirements are assessed by a provider/the Digital Services Contact Centre or Services Australia.
    - If a participant accrues three demerits in six months, they must participate in a Capability Interview with their provider or Digital Services Contact Centre.
    - The Capability Interview provides protections for the most vulnerable participants. At the Capability Interview the provider will ensure that the requirements in their Job Plan are appropriate for their personal circumstances and level of capability, assist them in successfully meeting their job requirements, and provide additional opportunities for participants to disclose any barriers that are preventing them from meeting their Job Plan or Points Based Activation System requirements.
    - When a Capability Interview has been triggered but has not been completed, a participant cannot accrue further demerits.
    - If a participant is found to be not capable of meeting their requirements following a Capability Interview, their demerits are reset to zero and they return to the Green Zone. Their provider or Digital Services Contact Centre must update their Job Plan to be more appropriately tailored to them.
    - Where a participant continues to incur demerits and has five demerits in a six-month period, they will undertake a Capability Assessment with Services Australia.
    - The purpose of the Capability Assessment is the same as the Capability Interview; to ensure the participant is capable of meeting their mutual obligation requirements.
    - If the participant is found not capable, they return to the Green Zone, with all demerits removed.
    - Participants in Workforce Australia Online who are found capable after a Capability Assessment and progress through to the Penalty Zone will be transferred to a provider to receive more tailored servicing (and they will remain in the Penalty Zone).
        - Participants sometimes stay in the online service even if they accrue demerits, as they may not need the intense case management offered by providers. This is at the discretion of the department's Digital Services Contact Centre.
        - Participants in the online service also have a Capability Interview with a staff member in the Digital Services Contact Centre.
    - If a participant is temporarily unable to meet their requirements, Services Australia may grant an exemption for a specified period.

Risk / Sensitivities

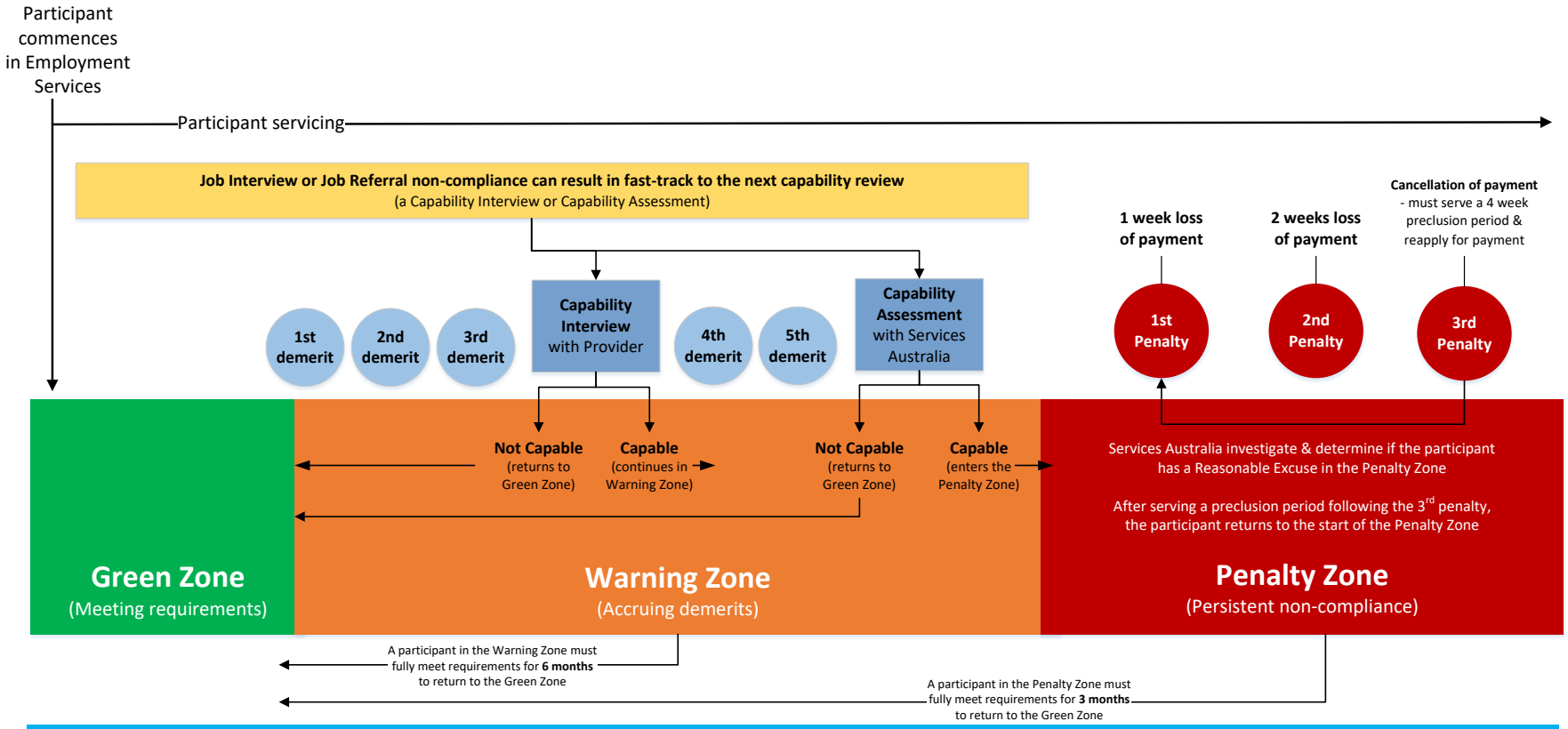
- The department continues to participate in and looks forward to the outcomes of the Select Committee process that will look at policy and program settings, including the compliance framework. Importantly, there are a range of existing safeguards under the TCF (see Safeguards above).

Attachments

- Attachment A - TCF flow chart (visual)
- Attachment B - TCF Workforce Australia data sheet
- Attachment C - Glossary – Explanation of TCF terms

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Targeted Compliance Framework



Valid Reason - If a participant has a valid reason for missing a requirement, they do not need to re-engage and do not get a demerit.
Resolution Time - If a participant misses a requirement, they have 2 business days to contact their provider to discuss and, if required, address the failure to avoid having their payment suspended.
Suspending payment - This is a hold put on the participant's income support payment after 2 business days until they meet their re-engagement requirement or provide a valid reason. When they meet their re-engagement requirement, the hold on their payment stops. Payment suspension does not mean their payment is stopped or cancelled. However they are prevented from receiving their next payment whilst non-compliance is outstanding. When the non-compliance is resolved they are back paid in full. If they fail to resolve the non-compliance within 28 days (2 payment reporting periods) Services Australia commences their payment cancellation review.
Applying demerits - These are applied when a participant doesn't meet a requirement and doesn't have a valid reason. Applying demerits means the participant moves further through the TCF (Green, Warning and Penalty Zones). *These zones do not exist in legislation but rather are used as an administrative tool to communicate the operation of the TCF to job seekers.* Each demerit has a lifespan of 6 months. This means the demerit expires 6 months after it is applied, and the IT system removes it from the participant's record.
Financial penalties - Under the TCF participants have protections in place before a financial penalty is applied. This ensures only those participants who are persistently non-compliant incur financial penalties for failing to meet their requirements. Most participants do meet their requirements and very few incur financial penalties.
Capability Reviews - These are review points that take place after a certain number of demerits are applied. Capability Reviews provide an opportunity for a discussion with the participant about circumstances that may be impact their ability to meet requirements and to ensure they are capable of meeting the requirements that have been set for them.
Unemployment and work refusal failures - There are serious penalties if a participant fails to accept or commence a suitable job, if they are dismissed from a job due to misconduct, or if they leave a suitable job. Providers report these failures via the department's IT system to Services Australia for them to make the assessment on whether to apply the penalty. All financial penalty decisions are made by Services Australia. A provider can never take income support off a participant.

Department of Employment and Workplace Relations - Released under FOI

Targeted Compliance Framework Datasheet – Workforce Australia

Participants as at 30 September 2023

Targeted Compliance Framework - Zones[1,2,3,4]																
	Sep-23	Green Zone	Warning Zone	Penalty Zone	All Zones	Green Zone	Warning Zone Participants By Demerit Count						Penalty Zone Participants By Penalty Count			
					Participants	Participants	1	2	3`	4	5`	All	0	1	2	All
Workforce Australia Online	***All Participants***	***72.1%***	***27.9%***	***0.0%***	***88,650***	***63,945***	***14,800***	***9,165***	***570***	***165***	***5***	***24,700***	***5***	***0***	***0***	***5***
	Female	73.8%	26.2%	0.0%	**39,335**	29,020	6,350	3,760	160	40	0	**10,310**	5	0	0	**5**
	Female: Age Under 25 Years	70.4%	29.6%	0.0%	**10,610**	7,470	1,825	1,235	60	20	0	**3,145**	0	0	0	**0**
	Female: Age 25-34 Years	69.5%	30.5%	0.0%	**11,510**	8,000	2,060	1,370	65	15	0	**3,510**	5	0	0	**5**
	Female: Age 35-44 Years	73.9%	26.1%	0.0%	**7,015**	5,185	1,150	650	25	5	0	**1,830**	0	0	0	**0**
	Female: Age 45-54 Years	77.7%	22.3%	0.0%	**5,545**	4,310	875	350	10	5	0	**1,235**	0	0	0	**0**
	Female: Age 55+ Years	87.2%	12.8%	0.0%	**4,645**	4,050	440	155	5	0	0	**595**	0	0	0	**0**
	Male	70.8%	29.2%	0.0%	**49,270**	34,890	8,445	5,400	410	120	5	**14,380**	5	0	0	**5**
	Male: Age Under 25 Years	69.3%	30.7%	0.0%	**11,155**	7,735	1,945	1,320	120	35	0	**3,420**	5	0	0	**5**
	Male: Age 25-34 Years	66.4%	33.6%	0.0%	**18,090**	12,015	3,420	2,390	195	60	5	**6,070**	5	0	0	**5**
	Male: Age 35-44 Years	70.3%	29.7%	0.1%	**9,745**	6,850	1,720	1,085	70	15	5	**2,895**	5	0	0	**5**
	Male: Age 45-54 Years	76.7%	23.3%	0.0%	**5,895**	4,520	890	460	20	10	0	**1,375**	0	0	0	**0**
	Male: Age 55+ Years	85.9%	14.0%	0.0%	**4,385**	3,765	470	140	5	0	0	**615**	0	0	0	**0**
	Indigenous	62.0%	38.0%	0.0%	**6,610**	4,100	1,390	1,030	70	20	0	**2,510**	0	0	0	**0**
	CALD	76.1%	23.9%	0.0%	**13,725**	10,450	2,070	1,085	85	30	5	**3,275**	0	0	0	**0**
	PWD	73.7%	26.4%	0.1%	**4,825**	3,555	795	465	15	5	0	**1,275**	5	0	0	**5**
	Homeless	66.0%	33.9%	0.0%	**4,400**	2,905	855	600	30	10	0	**1,490**	0	0	0	**0**
	Ex-Offender	60.0%	40.0%	0.0%	**4,705**	2,825	1,095	725	55	5	0	**1,880**	0	0	0	**0**
	Refugee	66.4%	33.6%	0.0%	**1,860**	1,235	345	260	15	5	5	**625**	0	0	0	**0**
	Parent	74.2%	25.8%	0.0%	**8,455**	6,275	1,385	765	25	5	0	**2,180**	0	0	0	**0**
	High JSCI	72.7%	31.8%	0.0%	**110**	80	20	15	5	0	0	**35**	0	0	0	**0**
	Mental Health	70.5%	29.5%	0.0%	**4,605**	3,245	845	480	25	5	0	**1,360**	0	0	0	**0**
	Drug and Alcohol	64.1%	35.9%	0.0%	**2,145**	1,375	420	325	15	10	5	**770**	0	0	0	**0**
	Allowance Group: JobSeeker Payment	72.4%	27.6%	0.0%	**75,675**	54,780	12,515	7,715	500	150	5	**20,885**	5	0	0	**5**
	Allowance Group: Youth Allowance	68.0%	31.9%	0.0%	**7,295**	4,960	1,340	920	60	10	0	**2,330**	0	0	0	**0**
	Allowance Group: Other	73.9%	26.1%	0.0%	**5,680**	4,200	945	525	10	5	0	**1,485**	0	0	0	**0**
	Partial Capacity to Work	71.9%	28.2%	0.0%	**5,755**	4,135	1,000	590	30	5	0	**1,625**	0	0	0	**0**
	Education: less than year 12	68.4%	31.6%	0.0%	**14,705**	10,060	2,735	1,760	120	25	5	**4,645**	5	0	0	**5**
	Education: Completed Year 12	70.2%	29.8%	0.0%	**18,635**	13,080	3,230	2,120	160	45	0	**5,555**	0	0	0	**0**
	Education: Non-School qualification	73.8%	26.2%	0.0%	**55,310**	40,805	8,835	5,285	290	90	5	**14,500**	5	0	0	**5**
Workforce Australia Services	***All Participants***	***55.2%***	***43.8%***	***1.0%***	***276,935***	***152,950***	***63,490***	***44,340***	***8,775***	***4,125***	***540***	***121,275***	***1,635***	***690***	***380***	***2,710***
	Female	59.7%	39.7%	0.6%	**129,485**	77,310	28,280	18,275	3,165	1,430	200	**51,350**	515	215	95	**825**
	Female: Age Under 25 Years	49.7%	49.2%	1.1%	**16,970**	8,430	4,275	3,110	620	305	45	**8,350**	120	50	30	**195**
	Female: Age 25-34 Years	51.9%	47.2%	0.8%	**28,935**	15,030	7,050	5,215	925	420	55	**13,665**	140	65	25	**235**
	Female: Age 35-44 Years	56.6%	42.7%	0.7%	**31,990**	18,110	7,365	4,900	915	410	60	**13,650**	145	60	25	**230**
	Female: Age 45-54 Years	62.6%	36.9%	0.5%	**29,555**	18,500	6,365	3,735	540	240	35	**10,915**	100	30	15	**140**
	Female: Age 55+ Years	78.3%	21.6%	0.1%	**22,035**	17,245	3,225	1,315	165	60	5	**4,765**	15	10	5	**25**
	Male	51.3%	47.4%	1.3%	**147,420**	75,620	35,210	26,065	5,610	2,695	340	**69,920**	1,120	480	285	**1,885**
	Male: Age Under 25 Years	45.0%	53.1%	1.8%	**20,330**	9,155	5,010	4,150	1,055	515	65	**10,795**	225	100	55	**375**
	Male: Age 25-34 Years	43.7%	54.5%	1.7%	**41,550**	18,175	10,745	8,790	2,000	1,005	125	**22,665**	425	180	105	**710**
	Male: Age 35-44 Years	46.8%	51.8%	1.4%	**34,790**	16,270	8,850	6,885	1,490	715	85	**18,020**	285	130	80	**495**
	Male: Age 45-54 Years	55.0%	44.2%	0.8%	**28,250**	15,535	6,750	4,470	830	365	60	**12,480**	145	60	35	**240**
	Male: Age 55+ Years	73.2%	26.5%	0.3%	**22,500**	16,480	3,855	1,765	230	100	5	**5,960**	45	10	10	**60**
	Indigenous	43.0%	55.4%	1.5%	**52,910**	22,775	14,325	11,340	2,330	1,165	155	**29,310**	450	230	145	**820**
	CALD	64.8%	34.6%	0.6%	**50,160**	32,520	9,955	5,780	1,055	485	65	**17,335**	205	60	45	**310**
	PWD	56.1%	43.1%	0.8%	**83,810**	47,030	19,205	13,115	2,475	1,160	190	**36,145**	390	160	85	**635**
	Homeless	44.6%	53.9%	1.5%	**38,770**	17,285	10,160	8,080	1,735	820	120	**20,910**	370	130	75	**575**
	Ex-Offender	41.2%	57.1%	1.7%	**52,775**	21,720	14,170	11,850	2,640	1,275	205	**30,145**	535	240	130	**905**
	Refugee	62.2%	37.1%	0.7%	**15,480**	9,625	3,315	1,925	330	160	20	**5,750**	70	20	15	**105**
	Parent	60.9%	38.5%	0.5%	**44,700**	27,240	9,615	6,110	1,000	435	50	**17,215**	155	60	30	**245**
	High JSCI	50.9%	48.0%	1.1%	**89,670**	45,655	21,855	16,100	3,245	1,560	245	**43,010**	600	260	145	**1,010**
	Mental Health	53.3%	45.9%	0.8%	**39,305**	20,955	9,445	6,605	1,335	565	85	**18,030**	195	85	35	**315**
	Drug and Alcohol	43.1%	55.5%	1.5%	**27,510**	11,845	7,395	5,850	1,315	605	95	**15,265**	250	100	55	**400**
	Allowance Group: JobSeeker Payment	54.8%	44.2%	1.0%	**226,115**	123,835	52,155	36,685	7,285	3,430	455	**100,010**	1,370	575	330	**2,270**
	Allowance Group: Youth Allowance	47.1%	51.3%	1.6%	**17,785**	8,385	4,450	3,405	810	405	55	**9,125**	160	80	35	**280**
	Allowance Group: Other	62.8%	36.8%	0.5%	**33,030**	20,735	6,890	4,250	680	290	30	**12,140**	105	35	15	**155**
	Partial Capacity to Work	56.6%	42.7%	0.7%	**52,855**	29,920	12,115	8,040	1,610	695	100	**22,565**	230	105	35	**370**
	Education: less than year 12	51.2%	47.5%	1.3%	**111,470**	57,120	26,990	19,520	4,155	1,990	295	**52,950**	815	375	215	**1,405**
	Education: Completed Year 12	56.8%	42.3%	0.9%	**40,855**	23,220	9,130	6,240	1,270	585	65	**17,285**	220	85	50	**355**
	Education: Non-School qualification	58.3%	41.0%	0.8%	**124,490**	72,560	27,335	18,560	3,345	1,550	185	**50,980**	600	230	115	**950**

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Participants can belong to more than one demographic cohort.*
3. *Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.*
4. *Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).*

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Events for the period 1 July 2022 to 30 September 2023

Payment Suspensions and Resolution Time for the Period 1 July 2022 to 30 September 2023 [1,2,5,7,8]							
	Resolution Time					Immediate Payment Suspension	**All Payment Suspensions**
	All Resolution Time Events	Avoided Payment Suspension		Payment Suspension			
Workforce Australia Online	299,820	110,140	36.7%	189,675	63.3%	0	189,675
Workforce Australia Services	2,453,475	828,405	33.8%	1,625,075	66.2%	15,435	1,640,510

Capability Interviews for the period 1 July 2022 and 30 September 2023[1,4]													
	Total Completed Interviews	Capable		Not Capable - All		Reasons for Not Capable Outcome							
						Errors in Requirements		Ongoing Circumstances		Disclosed new information		Eligibility change	
Workforce Australia Online	3,155	1,820	57.7%	1,335	42.3%	40	3.0%	165	12.4%	900	67.4%	230	17.2%
Workforce Australia Services	72,780	41,155	56.5%	31,625	43.5%	6,140	19.4%	4,580	14.5%	11,340	35.9%	9,565	30.2%

Capability Assessments for the period 1 July 2022 and 30 September 2023[1,3,4]													
	Total Completed Assessments	Capable		Not Capable - All		Reasons for Not Capable Outcome							
						Errors in Requirements		Ongoing Circumstances		Disclosed new information		Eligibility change	
Workforce Australia Online	45	35	77.8%	5	11.1%	0	-	0	-	5	100.0%	5	100.0%
Workforce Australia Services	10,680	6,445	60.3%	4,235	39.7%	55	1.3%	425	10.0%	1,965	46.4%	1,795	42.4%

Financial Penalties for the period 1 July 2022 to 30 September 2023[1,8]						
	Penalty Zone Financial Penalties			Work Refusals	Unemployment Failures	**Total**
	1st Penalties Applied	2nd Penalties Applied	3rd Penalties Applied	Penalties Applied	Penalties Applied	**Penalties Applied**
Workforce Australia Online	0	0	0	0	1,855	1,855
Workforce Australia Services	2,440	1,095	360	275	620	4,790

Participants with Exemptions at 29 September 2023

Exemptions from Mutual Obligations as at 29 September 2023[1,9,10,11,12]						
	Workforce Australia Online		**Workforce Australia Services**		**Transition to Work**	
	Number Applied	**Percentage**	**Number Applied**	**Percentage**	**Number Applied**	**Percentage**
INP: Incapacitated (via the MC screen)	6,490	56.3%	43,070	67.4%	0	-
AOA: Customer Overseas	1,855	16.1%	4,615	7.2%	100	44.4%
MPC: Major personal crisis	370	3.2%	2,915	4.6%	70	31.1%
PHS: Home Schooling	355	3.1%	2,565	4.0%	0	-
LF4: Large Family	245	2.1%	2,465	3.9%	5	2.2%
DSP: Claiming DSP	660	5.7%	1,875	2.9%	0	-
ISI: Temp Incap - Serious Illness	580	5.0%	1,305	2.0%	0	-
CAR: Caring responsibilities	325	2.8%	1,265	2.0%	15	6.7%
FCR: Foster Carer	150	1.3%	1,175	1.8%	0	-
OSC: Other Special Circumstances	200	1.7%	1,040	1.6%	35	15.6%
Other	310	2.7%	1,605	2.5%	10	4.4%
Total	**11,535**	**100.0%**	**63,880**	**100.0%**	**225**	**100.0%**

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Resolution Time is only available to participants who are not in the Penalty Zone. Non-compliance events raised for participants in the Penalty Zone result in an immediate Payment Suspension.*
3. *Participants with a Demerit Count of 5 have had a Capability Assessment triggered which had yet to be finalised as at Report Date.*
4. *Where a Capability Interview or Assessment has more than one reason for the participant being found Not Capable, only the primary reason is reported here.*
5. *Immediate Payment Suspension refers to those participants who have had non compliance raised whilst in the penalty zone. In this scenario, the non compliance event is not subject to the '2 day resolution time' rule and suspension occurs immediately.*
6. *Figures are of non-compliance events that have been finalised as at the report date.*
7. *Job seekers whose income support payment is put on hold often reengage before they miss a payment and are back paid any missed payments once they do reengage. Some participants who receive payment suspensions have stopped needing employment services but have not informed their provider.*
8. *Participants in the Penalty Zone with a Penalty Count of 0 have either not received a financial penalty since entering the Penalty Zone, or have recommenced in the Penalty Zone after serving a preclusion period (3rd Financial Penalty).*
9. *The exemptions data is not fully comparable to those previously provided due to a change to the reporting populations for income support recipients, which now include all current (such as those on zero rate of payment) and suspended recipients.*
10. *Where multiple exemptions exist, the first recorded exemption is reported.*
11. *Temporary Incapacity Exemption Type does not include serious illness.*
12. *All Other Combined Exemption Type includes for example Distance Education Child, Dependant Child Exemption TPP, Carer Exemption Non-Parent relative.*

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Participants and Events for the period 1 July 2022 to 30 September 2023

Applied Demerits and Payment Suspensions By Cohort for the period 1 July 2022 to 30 September 2023[1,2,3]									
		Cohort Flow Caseload	Applied Demerits			Payment Suspensions			
			Events	Participants	Percentage of Cohort	Events	Participants	Percentage of Cohort
Workforce Australia Online	***All Participants***	**283,335**	**153,145**	**85,060**	**30.0%**	**189,675**	**111,900**	**39.5%**
	Female	130,170	66,015	37,390	28.7%	78,150	47,665	36.6%
	Female: Age Under 25 Years	35,730	18,735	10,805	30.2%	22,625	13,675	38.3%
	Female: Age 25-34 Years	34,875	20,840	11,695	33.5%	23,705	13,955	40.0%
	Female: Age 35-44 Years	22,195	12,320	6,775	30.5%	14,325	8,470	38.2%
	Female: Age 45-54 Years	19,560	9,280	5,405	27.6%	11,035	7,200	36.8%
	Female: Age 55+ Years	17,805	4,840	3,130	17.6%	6,465	4,830	27.1%
	Male	153,070	87,100	47,660	31.1%	111,500	64,220	42.0%
	Male: Age Under 25 Years	36,120	20,250	11,280	31.2%	26,240	15,140	41.9%
	Male: Age 25-34 Years	51,495	34,925	18,800	36.5%	42,695	23,480	45.6%
	Male: Age 35-44 Years	29,925	18,320	9,980	33.4%	23,450	13,295	44.4%
	Male: Age 45-54 Years	19,970	9,370	5,400	27.0%	12,610	8,065	40.4%
	Male: Age 55+ Years	15,560	4,240	2,730	17.5%	6,505	4,900	31.5%
	Indigenous	18,665	14,880	7,665	41.1%	19,375	9,995	53.5%
	CALD	47,505	20,280	11,780	24.8%	28,900	18,105	38.1%
	PWD	16,375	8,125	4,775	29.2%	13,180	8,930	54.5%
	Homeless	13,320	9,065	4,930	37.0%	12,055	6,715	50.4%
	Ex-Offender	13,705	11,195	5,780	42.2%	15,240	8,015	58.5%
	Refugee	6,320	3,870	2,140	33.9%	6,410	3,805	60.2%
	Parent	17,905	14,680	7,895	44.1%	17,265	10,140	56.6%
	High JSCI	3,000	380	250	8.3%	1,065	860	28.7%
	Mental Health	13,145	7,870	4,295	32.7%	10,520	6,345	48.3%
	Drug and Alcohol	6,270	4,785	2,510	40.0%	6,335	3,465	55.3%
	Allowance Group: JobSeeker Payment	136,000	135,780	75,390	55.4%	166,175	98,110	72.1%
	Allowance Group: Youth Allowance	17,075	14,005	8,090	47.4%	19,205	11,465	67.1%
	Allowance Group: Other	130,260	3,355	1,885	1.4%	4,295	2,665	2.0%
	Partial Capacity to Work	16,595	9,340	5,240	31.6%	12,965	8,225	49.6%
	Education: less than year 12	47,280	29,935	15,950	33.7%	39,670	22,555	47.7%
	Education: Completed Year 12	60,380	34,805	19,270	31.9%	42,930	25,090	41.6%
	Education: Non-School qualification	175,665	88,345	49,955	28.4%	105,570	63,525	36.2%
Workforce Australia Services	***All Participants***	**580,820**	**948,980**	**297,720**	**51.3%**	**1,640,510**	**408,895**	**70.4%**
	Female	280,080	394,750	130,970	46.8%	675,955	180,610	64.5%
	Female: Age Under 25 Years	43,495	67,105	22,180	51.0%	122,090	33,540	77.1%
	Female: Age 25-34 Years	58,815	101,685	33,045	56.2%	182,400	44,685	76.0%
	Female: Age 35-44 Years	65,615	106,995	34,805	53.0%	186,100	46,435	70.8%
	Female: Age 45-54 Years	60,390	83,580	29,115	48.2%	132,170	39,000	64.6%
	Female: Age 55+ Years	51,760	35,385	15,330	29.6%	53,195	22,640	43.7%
	Male	300,705	554,210	166,780	55.5%	964,520	228,335	75.9%
	Male: Age Under 25 Years	50,885	93,145	28,550	56.1%	167,730	42,700	83.9%
	Male: Age 25-34 Years	79,650	174,805	52,045	65.3%	311,310	70,050	87.9%
	Male: Age 35-44 Years	66,875	144,435	42,805	64.0%	257,975	57,570	86.1%
	Male: Age 45-54 Years	54,660	97,835	30,950	56.6%	160,900	41,460	75.9%
	Male: Age 55+ Years	48,645	43,985	17,470	35.9%	66,600	24,980	51.4%
	Indigenous	95,755	245,170	66,480	69.4%	456,255	87,540	91.4%
	CALD	114,600	136,140	49,155	42.9%	219,435	70,950	61.9%
	PWD	164,595	283,215	92,790	56.4%	490,020	130,180	79.1%
	Homeless	73,225	176,955	51,740	70.7%	329,710	71,095	97.1%
	Ex-Offender	94,695	253,075	69,480	73.4%	466,805	91,580	96.7%
	Refugee	33,250	48,795	16,770	50.4%	76,900	23,490	70.6%
	Parent	94,855	131,180	45,760	48.2%	213,230	61,050	64.4%
	High JSCI	174,835	351,120	107,030	61.2%	587,765	136,365	78.0%
	Mental Health	77,765	144,315	45,500	58.5%	257,650	63,910	82.2%
	Drug and Alcohol	49,855	131,450	35,170	70.5%	236,025	44,935	90.1%
	Allowance Group: JobSeeker Payment	477,615	831,405	261,020	54.7%	1,429,735	354,165	74.2%
	Allowance Group: Youth Allowance	49,010	83,035	26,840	54.8%	153,305	42,210	86.1%
	Allowance Group: Other	54,200	34,540	13,615	25.1%	57,470	18,905	34.9%
	Partial Capacity to Work	105,980	179,830	58,545	55.2%	320,430	84,200	79.4%
	Education: less than year 12	231,315	448,960	133,040	57.5%	797,665	184,330	79.7%
	Education: Completed Year 12	94,345	131,865	45,160	47.9%	227,085	66,125	70.1%
	Education: Non-School qualification	253,970	367,160	123,515	48.6%	611,165	167,670	66.0%

Notes:

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2. *Cohort Flow Caseload captures any participant that was commenced and compellable at any stage during the reporting period. Demographic data is as at the participant's first commencement date in the period or the start of the period if they commenced prior.*
3. *Participants can belong to more than one demographic cohort.*

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Participants and Events for the period 1 July 2022 to 30 September 2023

Transition To Work Payment Suspensions By Cohort for the period 1 July 2022 to 30 September 2023[1,2]			
		Events	Participants
Transition to Work	***All Participants***	**8,225**	**7,560**
	Female	3,485	3,190
	Female: Age Under 22 Years	2,640	2,430
	Female: Age 22+ Years	845	770
	Male	4,740	4,365
	Male: Age Under 22 Years	2,640	2,430
	Male: Age 22+ Years	1,475	1,360
	Indigenous	3,450	3,450
	CALD	470	470
	PWD	1,630	1,630
	Homeless	2,155	1,980
	Ex-Offender	1,500	1,375
	Refugee	210	200
	Parent	35	30
	High JSCI	800	735
	Mental Health	820	740
	Drug and Alcohol	285	265
	Allowance Group: JobSeeker Payment	2,320	2,125
	Allowance Group: Youth Allowance	5,900	5,445
	Allowance Group: Other	5	5
	Partial Capacity to Work	995	900
	Education: less than year 12	6,080	5,610
	Education: Completed Year 12	880	795
	Education: Non-School qualification	1,250	1,145

Applied Demerits and Payment Suspensions By Event Type for the period 1 July 2022 to 30 September 2023[1]							
		Applied Demerits			Payment Suspensions		
		Events	Percentage of Event Total	Participants	Events	Percentage of Event Total	Participants
Workforce Australia Online	***All Participants***	**153,145**	**100.0%**	**85,060**	**189,675**	**100.0%**	**111,900**
	Provider Appointment	420	0.3%	420	4,665	2.5%	4,615
	Points Based Period	129,590	84.6%	73,920	139,810	73.7%	84,655
	Job Plan / Participation Plan	22,080	14.4%	21,530	37,960	20.0%	35,540
	Job Referral	0	-	0	0	-	0
	Job Interview	0	-	0	0	-	0
	Activity	1,055	0.7%	740	7,240	3.8%	5,225
	Third Party Appointment	0	-	0	0	-	0
Workforce Australia Services	***All Participants***	**948,980**	**100.0%**	**297,720**	**1,640,510**	**100.0%**	**408,895**
	Provider Appointment	368,160	38.8%	171,430	1,058,340	64.5%	340,765
	Points Based Period	571,425	60.2%	241,175	560,285	34.2%	249,770
	Job Plan / Participation Plan	1,900	0.2%	1,865	3,670	0.2%	3,610
	Job Referral	2,195	0.2%	2,040	3,250	0.2%	3,045
	Job Interview	845	0.1%	830	3,480	0.2%	3,205
	Activity	4,460	0.5%	2,015	11,480	0.7%	5,140
	Third Party Appointment	0	-	0	0	-	0
Transition to Work	***All Participants***				**8,225**	**100.0%**	**7,560**
	Provider Appointment				8,225	100.0%	3,190

Notes:

1. *To protect individuals' privacy, all cells (including totals) within the table have been rounded to the nearest 5. This may result in non-additivity for some totals. Zero cells are actual zeros. Caution should be taken in re-calculating totals from rounded data, as this may compound the effects of rounding.*
2. *Participants can belong to more than one demographic cohort.*

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ATTACHMENT C

GLOSSARY – DEFINITION OF KEY TERMS

Zone

- Participants progress through three zones (Green, Warning, Penalty) of the TCF.
    - Participants start in the Green Zone and stay there as long as they meet their requirements.
    - When participants commit a mutual obligation failure and they don't have a valid reason, they receive a demerit and move to the Warning Zone.
    - If they continue to be non-compliant, they will move through the Warning Zone towards the Penalty Zone.
    - A participant in the Warning Zone must fully meet their requirements for six months before they can return to the Green Zone.
    - A participant in the Penalty Zone must fully meet their requirements for three months before returning to the Green Zone.

Payment suspensions

- Payment suspension is a temporary hold on a participant's payment to encourage re-engagement.
- Payment suspensions happen when participants fail to meet a requirement.
    - They are generally triggered when a result other than 'Attended' is recorded.
- Payment suspensions encourage participants to re-engage with their provider.
- Participants will not receive a payment suspension if they have an acceptable reason for not meeting their requirement, and they advise their provider prior to the event.
- Payments are restored within 24 hours once participants meet a re-engagement requirement.
    - The majority of participants re-engage with their provider promptly.
- Payment suspensions do not equal net loss of money to participants.

Demerits

- Participants can only accrue Demerits in the Green Zone and the Warning Zone Demerits are a **measure of a participant's compliance**.
- Participants accrue demerits when they fail to meet a requirement and don't have a valid reason.
- Each demerit automatically expires from a participant's record after six months (not counting any periods the person is paused on the caseload, for example due to an exemption).
    - If a participant is in an area that has temporary suspension of mutual obligation requirements their time in service is not affected. As such the six-month demerit countdown continues.

Department of Employment and Workplace Relations - Released under FOI

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- Providers are able to manually remove demerits from participant records if needed (for example participant later disclosed further information that would be a valid reason). The demerit must be removed by the next business day.
- Demerits are not applied:
    - the first time a participant does not meet their points target
    - until they have signed a Job Plan (across all programs).

Financial Penalties

- **Only Services Australia can apply financial penalties**.
    - Services Australia will never apply a financial penalty when the participant has a Reasonable Excuse.
- These are applied when **participants fail to meet a requirement when in the Penalty Zone without a Reasonable Excuse**.
- Before they can get a financial penalty, participants have to:
    - accrue five demerits in six months
    - be found capable by their provider at a Capability Interview
    - be found capable by Services Australia at a Capability Assessment.
- If a participant is in the Penalty Zone and misses a requirement without a good reason, they may face a financial penalty. This reduces their income support depending on if it is their first or second failure. On their third failure their payment is cancelled.
    - The TCF ensures only participants who are persistently non-compliant incur financial penalties while providing protections for the most vulnerable.
- Financial penalties are applied in order:
    - 1st penalty = 50 per cent loss of fortnight's payment
    - 2nd penalty = 100 per cent loss of fortnight's payment
    - 3rd penalty = payment cancellation & 4-week non-payment period (aka preclusion period).

Work refusals

- Participants must accept offers of suitable work, unless they have a valid reason.
- There are safeguards in place, including Services Australia making the final decision on the work refusal and applying the financial penalty.

Unemployment failures

- Unemployment Failures occur when a participant:
    - voluntarily leaves a suitable job
    - is dismissed from a suitable job for misconduct.
- Providers submit Unemployment Failure reports to Services Australia for assessment.
- Services Australia can also investigate unemployment failures themselves. This accounts for the number of unemployment failures for Workforce Australia online.

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Payment cancellation for not re-engaging within 28 days

- Participants' payments are generally cancelled if they have not re-engaged within 28 days of their payment being suspended.
- Most participants re-engage within 28 days of payment suspension, and their payment is not cancelled.
- Participants may have not re-engaged as they were employed.

Capability Reviews

- These are review points that take place after a certain number of demerits are applied. Capability Reviews provide an opportunity for a discussion with the participant about circumstances that may be impact their ability to meet requirements and to ensure they are capable of meeting the requirements that have been set for them.
- When a participant is found not capable of meeting their requirements the IT system records it and the outcomes are based on the answers the provider/DSCC enters to the Capability Interview questions. Outcomes include:
    - **Errors in requirements** – e.g. Points target inappropriate – points or minimum job search needs to be adjusted; mandatory activity inappropriate – code may need to be removed or activity changed or location/hrs adjusted; PA03 should be removed – participant did not have the capability to self-report their attendance at requirements
    - **Not capable of meeting requirements due to ongoing circumstances** - the participant disclosed personal circumstances at the Capability Interview or Capability Assessment and they are unable to meet their requirements as they continue to be impacted by these circumstances
    - **Disclosed new information** - the participant newly disclosed information at the Capability Interview or Capability Assessment, and their ability to meet their requirements when the non-compliance occurred was impacted, so they were not capable at that time.
    - **Eligibility change** - Due to the circumstances the participant disclosed at the Capability Interview or Capability Assessment, the Participant Classification Instrument (JSCI) has been updated which has led to a change of servicing eligibility.

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SB23-000159
Data for: XX Month to XX Month

Mutual Obligation requirements and Centrelink-Managed Individuals Factsheet

Topic	Supplementary Estimates - WAID FAS Brief - Mutual Obligation Requirements and Centrelink-Managed Individuals
First Assistant Secretary	s. 22(1)(a)(ii)

Key points

Mutual Obligation Requirements

- Most individuals receiving unemployment related income support have mutual obligation requirements.
- Mutual obligation requirements are tasks and activities an individual agrees to do to help them find a job and continue to receive income support payment.
- Mutual obligation requirements are generally set out in a Job Plan negotiated with an employment services provider, or in some circumstances by Centrelink (Centrelink-managed).
- Mutual obligation requirements are designed to ensure individuals are generally actively looking for work and are participating in activities that will help them into employment. Where applicable, they also assist individuals to re-skill and up-skill to improve their employment prospects.
- An individual's mutual obligation requirements are generally determined by their personal circumstances and the type of employment services program they are referred to (e.g. Workforce Australia, Disability Employment Services (DES)).
- Most participants in Workforce Australia are required to enter into a Job Plan and comply with its requirements, including:
    - attending compulsory appointments with a provider
    - undertaking a specified number of job searches
        - for Workforce Australia participants, meeting a monthly points target including undertaking a minimum number of job searches
    - acting on job referrals tasks[1] and attending job interviews
    - accepting and commencing suitable work when it's offered
    - participating in mandatory activities where required.

[1] Job referrals tasks may include applying for specific jobs, accepting a job interview, contacting an employer to arrange and accept a job interview, updating a résumé appropriately, and providing personal details to support a job opportunity.

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- Mutual obligation requirements, including job search requirements, are flexible and are tailored to individuals' personal circumstances (e.g., age, health conditions, assessed work capacity and caring responsibilities), local health advice and local labour market conditions.

Centrelink-managed individuals

- In certain circumstances, individuals are Centrelink-managed and are not required to participate in employment services but can volunteer to receive employment services assistance at any time.
- This includes certain cohorts who can fully meet their mutual obligation requirements by undertaking activities, newly arrived refugees, those with reduced work capacity of less than 15 hours per week and those exempt from mutual obligation requirements.

Individuals who fully meet requirements

- Some cohorts can fully meet their requirements through participation in paid work or other activities for 30 hours per fortnight (see **Attachment A**).
- The cohorts who can fully meet their mutual obligation requirements in this manner are:
    - Principal carer parents (PCPs)
    - those with an assessed reduced work capacity
    - mature aged participants aged 55 and over.
- Centrelink assesses whether an individual is fully meeting their requirements and negotiates a Job Plan with individuals who are fully meeting.
- Those who are fully meeting requirements are not required to engage with or remain connected to employment services (with the exception of mature age participants) and are not required to undertake additional activities such as provider appointments or job search. This is because they are considered to be doing an appropriate level of activity for their circumstances.

Newly arrived refugees

- Newly arrived refugees receiving activity tested income support are generally Centrelink-managed for their first 12 months in Australia.
- They receive an initial exemption from mutual obligation requirements of 13 weeks.
- For the remaining time that they are Centrelink-managed, they have a Job Plan with Centrelink and are required to participate in programs to help them settle and acclimatise to life in Australia. This includes participating in the Humanitarian Settlement Program, and/or language, literacy, and numeracy activities under the Skills for Education and Employment program or the Adult Migrant English Program.

- Those who are eligible to be referred to Workforce Australia are referred after 12 months of being Centrelink-managed.
    - Those eligible for other programs (e.g. DES) are referred after their 13 week exemption ends and are not Centrelink-managed.

Individuals with a work capacity of less than 15 hours per week

- Individuals with a partial capacity to work or temporary reduced work capacity of less than 15 hours per week are Centrelink-managed and are not required to participate in employment services.
- These individuals have a Job Plan with Centrelink and their mutual obligation requirements are to attend quarterly interviews with Centrelink where they are provided with information about available support services and programs.

Exemptions

- Under social security law, Centrelink may grant an individual a temporary exemption from their mutual obligation requirements in certain circumstances.
- An exempt job seeker is not required to satisfy their requirements for a specified period (generally up to 13 weeks at a time). Some examples of circumstances where a job seeker may be exempt include:
    - temporary incapacity due to disability, illness or injury
    - experiencing a major personal crisis, including cases of domestic violence
    - pre and post-natal.
- As at 29 September 2023, 11.8% of the Workforce Australia caseload were on an activity exemption. The top 5 reasons for exemptions were:
    - medical incapacitation (recorded by Centrelink),
    - participant being overseas,
    - participant having a major personal crisis,
    - home schooling or
    - being part of a large family.
- These reasons contributed to 86% of all exemptions given to participants on the Workforce Australia caseload.
- Individuals exempt from mutual obligation requirements can continue to participate in services, should they wish to do so.

Department of Employment and Workplace Relations - Released under FOI 206 of 853

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000578	O'Sullivan, Matt	Recent changes made to Mutual Obligation	Changes were made to mutual obligation requirements with the implementation of Workforce Australia on 4 July 2022.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Attachment A

SB23-000159
Supplementary Budget Estimates October 2023

Approved activities to fully meet mutual obligation requirements.

Certain participants can fully meet their mutual obligation requirements through sufficient participation in an approved activity (or combination of activities). Where providers or the Digital Services Contact Centre identify that a participant may be fully meeting their requirements, the participant is advised to contact Centrelink for an assessment of whether they are fully meeting their requirements.

Eligible participants assessed as fully meeting their requirements will generally have a Job Plan with Centrelink and not be required to participate in employment services, however they can volunteer to receive assistance from their provider at any time.

Table 1: Individuals Fully Meeting Mutual Obligation Requirements (as at 31 August 2023): Workforce Australia Online and Provider Services

Cohorts	Fully Meeting MOR	Meeting MOR Percentage	Cohort	Cohort Percentage of caseload
Principal Carer Parent	32,595	32.1%	101,545	18.3%
Partial Work Capacity	21,735	18.7%	116,360	21.0%
Temporary Reduced Work Capacity	4,370	45.6%	9,575	1.7%
Aged 55-59	9,395	21.8%	43,190	7.8%
Aged 60 and over	34,410	42.8%	80,425	14.5%
Total	87,770	15.8%	554,175	100.0%

- *Note: Individual participants can fall into more than one cohort, so the cohort numbers and percentages do not add up to the total.*

Eligible participants must be undertaking at least **30 hours per fortnight** in the following activities:

Mature age

- In their first 12 months on payment, those aged 55 to 59 can undertake paid work (including self-employment), or a combination of approved voluntary work and paid work (where at least 15 hours per fortnight must be in paid work).
- After 12 months on payment these participants, and those aged 60 and over, can undertake paid or voluntary work, or a combination.

  Note: Mature aged participants must remain connected to a provider (while paused on the caseload) and can be referred to job opportunities.

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Principal carer parents (PCPs)

- Can do any combination of paid work (including self-employment) or study/training.

  Note: PCPs can also undertake provider approved voluntary work (including in combination with the above activities), but these participants are not Centrelink-managed and instead have their points target and minimum job search requirement reduced to zero.

Reduced work capacity

- People with a partial capacity to work or a temporary reduced work capacity of 15 - 29 hours per week, can do any combination of paid work (including self-employment) or study or training.

  Note: Those with work capacity of less than 15 hours per week are not required to participate in employment services at any time, and only have quarterly participation interviews with Centrelink as their mutual obligation requirements.

Department of Employment and Workplace Relations - Released under FOI 209 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-000578

Senator Matt O'Sullivan provided in writing.

Recent changes have been made to mutual obligations

Question
What recent changes have been made to mutual obligations? Is the Government committed to the principles of mutual obligations? Are any changes to mutual obligations being considered? Please provide a copy of all correspondence or briefing notes between the Department and the Minister's office which discuss altering mutual obligations.

Answer

Changes were made to mutual obligation requirements with the implementation of Workforce Australia on 4 July 2022.

Workforce Australia includes a new Points Based Activation System that gives participants choice and flexibility in how they meet their mutual obligations requirements. The new system replaced previous settings which were less flexible, such as the set number of job searches per month, or participating in a certain number of hours in a suitable activity.

Under the new system, participants generally have a maximum points target of 100 points to meet each month, including a minimum job search requirement of 4 job searches per month. However, a participant's points target must be tailored to reflect their personal circumstances. Certain cohorts, including principal carer parents, those with a partial capacity to work and those aged 55 and over, have their points target automatically reduced to 60 points each month. A participant's points target can also be reduced based on their local labour market conditions, and to reflect other personal circumstances.

On 28 June 2022, the Hon Tony Burke MP, Minister for Employment and Workplace Relations, announced the following changes to the operation of the Points Based Activation System, prior to implementation:

- increasing the points value for a number of activities
- ensuring that individuals participating in full-time study or training that improves their employment prospects do not need to put that study at risk to meet requirements
- reducing the minimum job search requirement from five to four per month
- reducing the points target for some participants to better recognise the impact of their circumstances and local labour market conditions on participants' ability to meet requirements
- a 'clean slate' policy meaning people who had accrued penalties or demerits under the old system started again under the new one
- transition arrangements including pausing mutual obligation requirements from 4 July 2022 until 31 July 2022, determining that participants were not subject to compliance action, including demerits and payment suspensions, if they fail to meet their points requirement in their first two months in the new system, and for the first points failure after the first two months, participants could end or avoid payment suspension by confirming that they understand what their requirements are.

Australian Government
Department of Employment and Workplace Relations

October 2023
Senate Estimates
SB23-000135

IT Issues in the Penalty Zone

Key points

- The department has identified two critical IT issues that have caused some participants who are in the Targeted Compliance Framework (TCF) Penalty Zone to have additional Financial Penalties incorrectly applied.
- The two identified IT issues have extended some participants' time in the TCF Penalty Zone beyond the three active month period defined in the *Social Security (Administration) (Non-Compliance) Determination 2018 (No.1)*. This resulted in additional Financial Penalties being applied when the participant should not have been subject to them.
- Analysis of the two identified IT issues found approximately 1268 participants have been financially impacted since 2018. All impacted participants who were still in the Penalty Zone were moved back to the Green Zone. All others who were impacted had previously left the Penalty Zone through the existing TCF workflows. Services Australia has commenced back-payment for incorrectly applied Financial Penalties.
- The financial impact of these penalties varies significantly depending on the payments and supplements a person is receiving, as well as their age and circumstances. Payment values (and therefore penalty values) also may reduce if the person, their partner or in some cases their parents are reporting income. Total impact is still being investigated.
- The two identified IT issues were fixed on 10 August 2023 and 6 September 2023 respectively.
- The department is investigating several other IT issues affecting the application of the TCF, including participants in the Penalty Zone.

Key Issues

- For the 1268 identified impacted participants, there were 3,484 inappropriate financial penalties applied. Some participants, due to repeated non-compliance, had multiple periods in the Penalty Zone, and accrue more than one first and second Financial Penalties:
    - 1533 inappropriate financial penalties – resulting in a 50 per cent loss of 1 fortnightly payment (first Financial Penalty)
    - 1245 inappropriate financial penalties – resulting in a 100 per cent loss of 1 fortnightly payment (second Financial Penalty)
    - 706 instances of participants having their payment cancelled, a 4 week non-payment period applied and being required to reapply for payment (third Financial Penalty).
- Participants may accrue multiple first, second and third Financial Penalties. This occurs when a participant returns to payment following their 4 week preclusion period for the 3rd financial penalty, they return to the start of the Penalty Zone, any further non-compliance results in a new financial penalty being applied. Participants who have had a 3rd Financial Penalty and 4 week preclusion period are moved out of the Penalty Zone after they reach 91 days with no further non-compliance or reach the maximum time in the Penalty Zone which is 365 days.

Department of Employment and Workplace Relations - Released under FOI 211 of 853

- Where individuals have been affected by the application of incorrect penalties in the 13 weeks before the error was identified and resolved, back-payment is straightforward and has occurred for 83 participants consistent with usual assurance processes.
  - The department has received legal advice from AGS relating to back payment for impacted participants where financial penalties have been applied outside the 13-week window.
    - For the 1st and 2nd Financial Penalty, the department can back pay through the social security system (consistent with the previous AGS advice).
    - For the 3rd Financial Penalty, advice is to apply for an Act of Grace which requires the Minister for Finance to sign off on individual values.
  - Next steps require the department to work through the processes involved to apply an Act of Grace. Payment will be made once this has been sought and approved by the Minister for Finance.
- For a single recipient aged 22-54 on the base rate of JobSeeker Payment that is without dependent children and not receiving rental assistance or other supplements, the value of the penalties as at 6 September 2023 would be:
  - $346.55 for a 50 per cent loss of 1 fortnightly payment
  - $693.10 for a 100 per cent loss of 1 fortnightly payment
  - $1386.20 for a payment cancellation and 4 week non-payment period, noting that the financial impact could increase if the person did not re-claim payment as soon as they were able.
- In regard to the amounts back-paid for the initial 83 identified participants within the 13 week window, the total arrears paid to date is $54,166.57. The average amounts for each penalty type are:
  - 1st financial penalty – $527.57 (44 Financial Penalties at 50% of the participants regular fortnightly payment)
  - 2nd financial penalty – $699.66 (37 applied Financial Penalties at 100% of the participants regular fortnightly payment)
  - 3rd financial penalty – $1,177.61 (5 payment cancellations overturned and back-paid).
- To ensure individuals are not adversely impacted while the department continues to investigate other IT issues, the department is working on implementing an agreed temporary 91 day limit on the length of time a participant may spend in the Penalty Zone.

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Y Careers Budget Factsheet

What has been announced

- The Government announced $15.2 million in grant funding to support the establishment of the Y Careers agency and its operations.
- The grant funding is for the set-up of the agency and to run pilots in three sites over one year. This includes:
    - set-up and capital expenditure costs such as IT infrastructure and acquisition of training
    - operating costs such as training and wrap-around supports for participants, and
    - overheads such as recruitment and marketing.
- The longer-term 5-year goal of Y Careers is to support up to 15,000 young people (each person will be supported to undertake 2 placements, equivalent to 30,000 places) aged 18 to 26 to pursue meaningful careers and provide employers with access to a new pipeline of talent within priority industries, with a focus on the care economy.
- The Y Careers model is designed to be self-sustaining: beyond the first year of grant funding, Y Careers will be funded primarily by charging employers a fee per placement, and other philanthropic funding.
- The department will evaluate the effectiveness of the grant at the end of the funding period, and be involved in the design of the evaluation over the longer 5-year period.

Key Government statements

- The Government announced in the 2023-24 Budget: "$15.2 million over two years from 2022–23 to support the establishment of the Y Careers Agency to provide young people with employment opportunities in the care economy, including the early childhood education and care, disability and aged care sectors."

Reference: Budget Measures: Budget Paper No 2: Boosting Employment Support, page 105	*9 May 2023*

Current status of the policy

- Y Careers Ltd was successful in its grant application and was awarded $15.2 million (GST exclusive) in grant funding over 2022-23 and 2023-24 financial years.
    - Y Careers commenced set-up work immediately, including recruiting their leadership team and negotiating with partners for pilot sites.

Stakeholders consulted

- The Y Careers concept was developed by Y Australia (also known as the YMCA, YWCA).

Recent media on this policy

- No media since Senate Estimates in May 2023.

Next steps in implementation

- Roll-out of the pilot for up to 350 young people will commence in three locations across Australia in early 2024.
- Design of the overall performance monitoring and evaluation framework is underway to evaluate the outcomes of the both the grant, and longer-term impact of Y Careers beyond the grant period.
    - Outcomes and findings will inform future policy and program design in accordance with broader Government priorities.
- Monitoring of the grant activity is occurring through progress reporting linked to milestones and payment of grant instalments, and through regular meetings with the grantee.
- Execution of the Grant Agreement in June 2023 resulted in an initial milestone payment of $3.8 million (GST exclusive).
- Further payments will be made in this financial year in February and June, subject to successful delivery of grant milestones.

Expenditure/Budget

Table 1: Y Careers commitment and expenditure

	2022-23	2023-24	Total
Y Careers committed funds	$3.8m	$11.4m	**$15.2m**
Expenditure to date	$3.8m	Nil	**$3.8m**

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-001147	*O'Sullivan, Matt*	*Y Careers*	*The grant funding of $15.2 million supports the initial set-up of Y Careers Ltd, along with the design and implementation of a pilot for up to 350 young people.*

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Department of Employment and Workplace Relations - Released under FOI

Background

- The Y Careers election commitment was announced on 17 May 2022 by Anthony Albanese MP, then Leader of the Labor Party and Shadow Minister for Early Childhood Education and Development and Shadow Minister for Youth, Amanda Rishworth MP.
- The commitment was for $15.2 million for the establishment of Y Careers to support up to 30,000 places to supply secure employment for younger Australians in the care economy.

Reference: Labour Party media release; Plan for a Better Future	*17 May 2022*

Department of Employment and Workplace Relations - Released under FOI 215 of 853

Attachment A

9.1(b) Y Careers – Grant information

Grant name	Supporting the setup of the Y Careers agency and its operations (Y Careers).
Grant purpose	The Grants funds the setup of Y Careers Ltd to design and deliver: • a new evidence-based user-centric service model delivering core services for young people (aged 18-26 years) to build experience, skills and capability supporting access to secure work; and • a new service offer to employers built on best practice workplace relations for engaging young people into placements, employment and careers pathways.
Grant funding	$15.2 million (GST excl) As at 30 September 2023 $3.8 million (GST excl) has been paid to Y Careers. The funds were expended in 2022-23 financial year.
Grant Opportunity	Closed Non-Competitive
Key Grant Dates	Awarded: 28 June 2023. Grant Activity 28 June 2023 to 30 June 2025. Grant Agreement ends 30 September 2025.
Grant Recipient	Y Careers Ltd (14 661 407 343) Y Careers Ltd is part of the Y Australia group which has an established national footprint in the care economy with links to relevant employers that are enabling the quick setup of Y Careers agency.
Grant Eligible Expenditure	Y Careers agency setup including: IT infrastructure, training and wrap-around supports for participants, recruitment, marketing, pilots and the development of a performance monitoring and evaluation framework.
Grant deliverables	• Undertake a pilot to test concepts, underlying design principles and assumptions of the service model and service offer, and iteratively improve these elements in response to learnings. Locations are being scoped by Y Careers ahead of roll out to up to 350 participants in early 2024. [This includes setting up of infrastructure and staffing.] • Overall performance and evaluation framework to evaluate the outcomes of the grant and longer-term impact of Y Careers agency beyond the Grant period. • Outcomes and findings of the evaluation will be shared with the Australian Government to inform future policy and program design. Arrangements will be confirmed prior to the Grant Agreement end date.
Performance monitoring	• Monitoring of the Grant Activity is occurring through progress reporting linked to milestones and payment of grant instalment, and through regular meetings between DEWR and Y Careers. • Evaluation of the Grant Activity will be informed by performance and evaluation framework.

Department of Employment and Workplace Relations - Released under FOI

Y Care Careers

An Albanese Labor Government will partner with Y Australia to invest $15.2 million to establish *Y Care Careers* to create 30,000 places nationally over five years to supply secure employment for younger Australians in the care economy.

Australia is facing an economically and socially crippling shortage of care workers which is projected to increase – especially in aged care, disability, and early education sectors.

Under the Morrison Government, youth unemployment is double the national rate at 8.3 per cent, and youth underemployment is at 13.9 per cent. Younger Australians need more opportunities to work, and to work more hours.

Currently there are many barriers facing younger Australians looking at a career in the care economy – shift work and irregular hours, juggling multiple employers to obtain enough hours each week, the need to train and obtain qualifications whilst working, multiple superannuation accounts, and a lack of a visible career path.

Y Care Careers will dismantle these barriers and create opportunities. It will put in place practical and immediate support for younger Australians and those struggling to deliver care services due to the workforce shortage – helping address both the critical skills shortage in the care economy and youth unemployment.

The Y operate outside school hours care services, child care, youth services, disability, health and well-being and community services – making them uniquely placed to offer secure, well paid jobs and career development wrap-around services to younger Australians.

The Y Care Careers program will create 30,000 places to set young Australians up for a career in the care economy by helping them get the qualifications required, career guidance and support, and the shifts and hours they need.

The *Y Care Careers* will be an employer of choice.

They will build long-term sustainable careers for younger Australians by changing the way workers in the predominately casualised care economy are employed.

Y Australia have developed a comprehensive and sustainable business case for the *Y Care Careers* initiative co-designed with younger Australians and organisations in the care economy.

An Albanese Labor Government will partner with Y Australia to invest in the setup of the *Y Care Careers* initiative providing the IT, physical infrastructure and development and acquisition of micro-credentials for training and learning needed to run the program. The Y will pay salaries as the employer.

Scott Morrison has slashed $3 billion from vocational education and training, resulting in a serious skills gap crisis and a decline of 60,000 less apprentices nationally.

The *Y Care Careers* will deliver an ongoing pipeline of care workers for the future and create secure, well-paid employment opportunities for younger Australians.

SIGN UP FOR UPDATES

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Department of Employment and Workplace Relations - Released under FOI 217 of 853

This is good for jobs, good for younger Australians, and good for the care economy being impacted by a critical skills shortage.

Authorised by P. Erickson, ALP, Canberra

Privacy Policy

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-001147

Senator Matt O'Sullivan provided in writing.

Y Careers

Question

1. The Government announced in the Budget that it will provide $15.2 million over two years from 2022-23 to support the Y Careers agency. What happens at the end of two years? How will the Department ensure value for money in the delivery of services to young Australians?
2. Can you please provide a detailed breakdown of how the $15.2 million will be spent?

Answer

1. The grant funding supports the set-up, design and trialling of Y Careers Ltd during the grant period. An action-learning approach will be employed to refine the design to achieve a self-sustaining model over the longer term. As part of the grant agreement, Y Careers Ltd is required to agree a plan with the department for sharing the results of the first five years.

2. The $15.2 million in funding supports the initial set-up of Y Careers Ltd including: IT infrastructure and acquisition of training, operating costs such as training and wrap-around supports for participants, and overheads such as recruitment and marketing.

   Included in this funding are the costs associated with designing and implementing a pilot for up to 350 young people in at least one location, where each participant has commenced at least one placement with at least one employer, and at least four other employers (other than Y Careers Ltd) have committed to host or have hosted placements.

Delivery of Employment Services

Status of the policy

- The Government considers the APS has an important stewardship role in employment services, especially to ensure that individuals are not left behind. This is employment services reform Principle 2 in the Employment White Paper.
- It is part of the department's role to provide advice to Government on appropriate delivery methods in the context of a changing labour market, and we do this on an ongoing basis. *Refer: Question on Notice SQ23-000576*.
- It is also business-as-usual for the department to provide advice on appropriate delivery methods in all regions, including those with different labour market requirements, for example, as a result of where private providers might not be financially viable.
- There is currently a mix of provider and APS delivery of employment services.

Workforce Australia

- The previous Government made a decision to deliver some employment services through the APS with Workforce Australia. It is a 'hybrid' model:
    - where people who are more job ready, digital literate and capable to find jobs without assistance of providers are serviced by the department through Workforce Australia Online via a digital platform and contact centre, and
    - those with additional needs are serviced by a network of providers run by the private sector (including for-profit and not-for-profit organisations).

Broome

- A recent example of APS involvement in service delivery is the new arrangement for Broome, which will be operational from 1 November 2023.
- A key feature of the new servicing arrangements in Broome involves public servants working alongside a new First Nations provider. This will help build capacity and capability to improve services and employment outcomes for participants.
    - Supports provided by public servants will help to establish a more streamlined pathway for individuals towards secure work, including support for individuals to navigate the complex services landscape that involves programs that may not be as well coordinated or integrated as they could.
    - This feature builds on the other supports available under this new servicing arrangement, such as an upfront capital for capacity and capability building, proposed changes to the provider payment model to better reflect the needs of participants in this region, and a co-design process to further deliver quality supports to participants.
    - This is happening because the sole Workforce Australia provider in Broome (Nirrumbuk Aboriginal Corporation) will be exiting the market later this year.

Local Jobs Program

- The Local Jobs Program provides tailored responses to support local labour markets, including to accelerate reskilling, upskilling and employment. The program is an example of how we can use employment services to not only support and work with communities facing disadvantage, but also to support people and communities to maximise opportunities as they arise.

- The service delivery for this program has historically been contracted to external providers.
- Changes to the Local Jobs Program under the 2023-24 Budget and Employment White Paper have included the movement of the delivery of some Local Jobs Program services to the Australian Public Service (APS).
- The program will shortly have eight Australian Government Employment Facilitators operating in the program.
    - In the 2023-24 Budget, four Australian Government Employment Facilitators were placed in regions to support Net Zero transition activities. These roles are now operational and work in conjunction with contracted Employment Facilitators already in place in the regions.
    - A further region has had an Australian Government Employment Facilitator installed due to there being no contracted service provider in place.
    - As announced in the Employment White Paper the program will be moving from a contracted service to an APS delivered service in the three employment regions in Western Australia of Broome, Geraldton and Kalgoorlie beginning in 2024.
- The introduction of APS staff will create an enhanced and rapid ability to integrate with other agencies and the ability to expand the service offering and facilitate cross boundary engagement.
- The deployment of Australian Government Employment Facilitators will provide improved services and collaboration. It will help further build and pilot APS capability in delivering community embedded programs.

Pacific Australia Labour Mobility (PALM) scheme

- DEWR is responsible for PALM operations and administration in Australia. It delivers operational policy and program, compliance and assurance, data management and analytics, welfare and worker support, and industry engagement.
- DEWR received $297.2 million over the next four years to support and strengthen the PALM scheme.
    - This includes implementing Government's decision to insource the onshore operational delivery of the PALM scheme to DEWR.
    - DEWR is increasing its staffing to support insourcing and will recruit approximately 306 staff by early 2024.
- The 24 functions identified for insourcing are on track to be delivered by 31 December 2023.

Next steps, including consideration by Government where expected

- The House Select Committee Inquiry into Workforce Australia Employment Services is conducting a first principles review of the operation of employment services in Australia. This may include recommendations for further insourcing of delivery of employment services amongst a range of other issues. The Government will consider its response to any recommendations made by the Committee following release of the Inquiry's final report, due to Parliament by 30 November 2023.

Recent media on this issue

- Insourcing has been raised as an issue in several submissions to the Select Committee Inquiry into Workforce Australia Employment Services. Based on these submissions:
    - some participants reflect positively on their previous experiences with the CES and suggest that government consider the merits of those arrangements;

  - some providers have expressed scepticism regarding proposals for further government-delivered employment services, such as by questioning the capacity of the public service to deliver those services, and noting that a return to a CES-like model would be counter to the principle of participant choice.

- The Mandarin 26 September 2023 “Public servants off to WA to start employment services reform work” https://www.themandarin.com.au/231138-public-servants-off-to-wa-to-start-employment-services-reform-work/
- In June 2023 the CPSU and Getup launched a campaign to bring back the CES.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Australian Government
Department of Employment and Workplace Relations

WORKPLACE RELATIONS		
1.	SB23-000268	WR consultations
2.	SB23-000313	Closing Loopholes – Impact Analysis
3.	SB23-000270	Silica and engineered stone
4.	SB23-000286	National Construction Industry Forum
5.	SB23-000271	Closing Loopholes Bill
6.	SB23-000272	WR Reform Agenda 2023
7.	SB23-000280	Working Women's Centres
8.	SB23-000279	Data – insecure work
9.	SB23-000288	Bargaining
10.	SB23-000291	WR appointments – recent developments

WR consultations

What has been announced

- On 1 February 2023 at the National Press Club, Minister Burke provided detail on the Government's 2023 workplace relations agenda:

> *"The issues that we'll start the consultation on Wednesday and some of the consultation my department has already got moving on last year, but this will be the beginning of it with me directly involved; same job same pay, the definition of a casual, employee-like and how do we deal with the gig economy, wage theft, safety principles and minimum standards for long-haul drivers, having a low-cost jurisdiction at the Fair Work Commission to deal with unfair contract disputes for independent contractors, stronger protections against discrimination and the need to act on the dangers that are becoming increasingly obvious to everyone with respect to silica dust."*

Key Government statements

Address – National Press Club, The Hon Tony Burke MP, Minister for Employment and Workplace Relations; Minister for the Arts Address - National Press Club | Ministers' Media Centre (dewr.gov.au)	*1 February 2023*
Ministerial media release – Government's second Budget will improve workplace safety and improving pay and conditions Albanese Government delivering for workers | Ministers' Media Centre (dewr.gov.au)	*9 May 2023*
Closing Loopholes Bill – The National Press Club, The Hon Tony Burke MP, Minister for Employment and Workplace Relations; Minister for the Arts Speech - National Press Club, Closing the Loopholes Bill | Ministers' Media Centre (dewr.gov.au) Q&A National Press Club Speech, Closing Loopholes Bill | Ministers' Media Centre (dewr.gov.au)	*31 August 2023*

Current status

- Consultations have been underway on workplace reform measures since **mid-2022**, to support development of the following legislation:
    - Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022 (Secure Jobs, Better Pay Act) - received Royal Assent on 6 December 2022;
    - Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023 (Protecting Worker Entitlements Act) - received Royal Assent on 30 June 2023; and
    - The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 – (Closing Loopholes Bill) - introduced to Parliament on 4 September 2023.

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- An overview of consultation undertaken on the measures contained in the Protecting Worker Entitlements Act is at **Attachment A**.
- The Closing Loopholes Bill is currently being debated in Parliament. An overview of consultation on the measures in the Closing Loopholes Bill is outlined below. The department continues to meet with stakeholders on the measures contained in the Closing Loopholes Bill, as requested.

Consultation on measures contained in the Closing Loopholes Bill

- A public consultation process on the measures in the Closing Loopholes Bill commenced in early 2023.
- The process included more than 75 meetings with business and industry representatives, employee representatives, employers, academics, community groups and Commonwealth and state and territory governments.
- The department received over 220 written submissions from over 160 organisations in relation to the proposed measures.
- Consultation was also undertaken with the National Workplace Relations Consultative Council (NWRCC), chaired by Minister Burke, and made up of representatives from employee and employer groups, and its subcommittee the Committee of Industrial Legislation (CoIL). State and territory government Ministers and Senior Officials for workplace relations and work health and safety were also consulted.
- Key dates of formal consultation meetings and public communications on the Closing Loopholes Bill are outlined below:
    - **1 February 2023** – Minister Burke delivered a speech at the National Press Club.
    - **8 February 2023** – Minister Burke chaired a meeting of the NWRCC to outline the Government's proposed workplace relations reforms for the year, including the proposed approach to consultation.
    - **20 March 2023** – Minister Burke wrote to state and territory ministerial counterparts providing information on measures for consultation in 2023.
    - **23 March 2023** – the department sent letters to more than 70 stakeholders (business, industry, unions and other stakeholders), seeking written submissions by 6 April 2023.
    - **24 March 2023** – the department published summaries on 11 measures on the department's website.
    - **27 March 2023** – the department began consultation meetings with stakeholders on the 11 measures.
    - **13 April** – the department published 4 consultation papers on the more detailed measures, seeking written submissions by 12 May 2023.
    - **6 June –** the department convened a Senior Officials meeting to discuss the measures proposed for introduction in the second half of 2023.
    - **8 June 2023** – Minister Burke chaired a meeting of the NWRCC and separately a WR Meeting of Ministers, and provided an update on the workplace relations reforms proposed for the second half of 2023, including additional measures that developed as a result of consultation.
    - **16 June 2023** – the Minister and departmental representatives held confidential meetings with employer and employee representatives to provide further detail on proposed measures, including additional measures that were developed as a result of consultation.

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- **16-17 August 2023** – the department convened a CoIL to provide a draft of the Bill ahead of introduction to Parliament.
- **18 August 2023** – the department convened a meeting with state and territory Senior Officials to provide a draft of the Bill ahead of introduction to Parliament.
- **4 September 2023** – Closing Loopholes Bill introduced. The department published 19 fact sheets on the measures contained in the Bill on the DEWR website including one on measures specifically relevant to small business. These fact sheets will be updated upon passage of legislation. An email was also sent to over 150 subscribers of the department's WR consultations web page on the introduction of the Bill and publishing of fact sheets.
- A summary of all measures consulted on in 2023 is provided at **Attachment B**.
- A list of the organisations the department consulted with (between February 2023 – 4 September 2023), dates and frequency of meetings is provided at **Attachment C**.

Written submissions

- On 23 March 2023, the department began writing to stakeholders to seek written submissions on 11 measures considered for introduction in the second half of 2023.
- The department invited written submissions on measures in **two tranches**.
- Tranche 1 submissions invited responses **on 11 measures** published on the department's website. This process commenced on 23 March and closed on 6 April 2023.
- Tranche 2 submissions invited responses on **consultation papers on 4 measures (outlined below).** This process commenced on 13 April and closed on 12 May 2023.
    1. Closing the labour hire loophole
    2. Compliance and enforcement: Criminalising wage theft
    3. Extend the powers of the Fair Work Commission to include 'employee-like' forms of work
    4. Provide stronger protections against discrimination, adverse action and harassment.
- Some submissions received in the second tranche also addressed responses on the broader list of 11 measures and were not limited to the consultation paper measures only.
- The department accepted late submissions in both tranches.
- During the consultation process, the department received more than 220 written submissions from more than 160 organisations. Some organisations made multiple submissions.

Recent media on this policy

Business Council of Australia launches fresh TR attack on Labour Business argues Labor's IR reforms could be more far-reaching than first thought. | The Australian	*8 October 2023*
Unions reveal the true IT agenda Union IR demands work against productivity says The Australian editorial | The Australian	*6 October 2023*

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Related Questions received on notice

Attachments D-G

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000645	*Senator Fatima Payman*	*2nd tranches of consultations*	*department provided a list of the consultations including the organisations and frequency of meetings*
SQ23-000664	*Senator Michaelia Cash*	*Minister's input on the workplace relations reform proposals*	*department provided the drafts of the consultation papers that had been provided to the Minister's Office ahead of publishing on 13 April 2023.*
SQ23-000179	*Senator Michaelia Cash*	*Consultation Feedback on IR Legislation Tranche*	*department outlined who provided written and verbal feedback in relation to the department's consultation process.*
SQ23-000180	*Senator Michaelia Cash*	*Letter and list of Stakeholders in relation to First Tranche IR Legislation*	*department provided the letter sent and list of letter recipients.*

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

ATTACHMENT A
Consultation on measures
Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023

Formal consultations on measures contained in the **Protecting Worker Entitlements Bill 2023** commenced in the **first half of the 2023 year** as follows:

- **1 February 2023** - Minister Burke speech at the National Press Club.
- **8 February 2023** – Minister Burke chaired a meeting of the NWRCC to outline the Government's proposed workplace relations reforms for the year. The NWRCC canvassed the year ahead and the proposed approach to consultation.
- **10 and 13 February 2023** - the department wrote to over 70 organisations, including business, industry, unions and other stakeholders to invite them to provide a written submission on the measures being considered.
    - Responses were sought by 17 February.
    - The department received 38 written submissions on these measures.
- **17 February 2023** - the department published summaries of the 7 measures on the department's website. The 7 measures included:
    - Inserting a right to superannuation in the National Employment Standards
    - Reforming the 4-yearly review of superannuation default fund provisions
    - Clarifying the application of Fair Work Act protections to temporary migrant workers
    - Providing stronger access to unpaid parental leave so families can share work and care responsibilities
    - Clarifying that when a workplace determination comes into effect, the enterprise agreement will no longer operate
    - Making pay deductions for authorised purposes an easier process for workers and businesses
    - Providing casual workers in the black coal mining industry the same access to long service leave entitlements as their permanent counterparts.
- **During February and March 2023**, the department held consultation meetings with various organisations including business, industry peaks and unions to discuss these measures.
- A draft of the Protecting Worker Entitlements Bill 2023 was reviewed in two confidential consultations. These consultations sought policy and technical feedback on the measures:
    - **3 March 2023** – CoIL members attended an all-day consultation (included representatives from organisations who attended the NWRCC on 8 February 2023).
    - **6 March 2023** - State and Territory officials considered the draft Bill. WA reviewed the draft Bill on 3 March 2023 due to a public holiday.
- **29 March 2023 -** the department published fact sheets on the key measures after the *Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023* was introduced into Parliament.
- **30 June 2023** - the *Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023* received Royal Assent.
- **3 July 2023** - fact sheets on the measures contained in the Act were updated on the department's website.

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ATTACHMENT B
Workplace Relations Consultations on measures in 2023

Measures consulted on - The Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023: received Royal Assent on 30 June 2023.

1. Inserting a right to superannuation in the National Employment Standards.
2. Reforming the 4-yearly review of superannuation default fund provisions.
3. Clarifying the application of Fair Work Act protections to temporary migrant workers.
4. Providing stronger access to unpaid parental leave so families can share work and care responsibilities.
5. Clarifying that when a workplace determination comes into effect, the enterprise agreement will no longer operate.
6. Making pay deductions for authorised purposes an easier process for workers and businesses.
7. Providing casual workers in the black coal mining industry the same access to long service leave entitlements as their permanent counterparts.

Measures consulted on - The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023: introduced to Parliament on 4 September 2023

1. Meaning of ‘employee’ and ‘employer’ in the Fair Work Act 2009.
2. Extend the powers of the Fair Work Commission to set minimum standards for ‘employee-like’ workers.
3. Given workers the right to challenge unfair contractual terms.
4. Allow the Fair Work Commission to set minimum standards to ensure the road transport industry is safe, sustainable and viable.
5. Regulated labour hire arrangement orders.
6. Stand up for casual workers.
7. Compliance and enforcement: Criminalising wage theft, civil penalties and sham contracting.
8. Strengthening rights of entry to investigate underpayments.
9. Addressing anomalous consequences of the small business redundancy example in insolvency contexts.
10. Amendments to the Asbestos Safety and Eradication Agency Act 2013.
11. Presumptive provisions for first responders in the Safety, Rehabilitation and Compensation Act 1988.
12. Industrial manslaughter and other work, health and safety reforms.
13. Provide stronger protections against discrimination, adverse action and harassment.
14. Enhancing delegates' rights.
15. Fair Work Commission preparing enterprise agreement model terms.
16. Transitioning from multi-enterprise agreements.
17. Enabling multiple franchisees to access the single-enterprise stream.
18. Repeal de-merger from registered organisations amalgamation provisions.
19. A single national framework for labour hire regulation, which could be implemented in place of existing state and territory schemes.

Department of Employment and Workplace Relations - Released under FOI

The table below provides the approximate data on consultations undertaken on proposed measures contained in the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 – from February 2023 - 4 September 2023 (introduction of the Bill).

The table provides a list of the organisations and frequency (number of times) of departmental-led meetings during this time.

Note: in addition to the below, the department consulted on some measures outside of this timeframe.

Number	Organisation	Date	Total
1	Academics (group) **3 April 2023** s. 22(1)(a)(ii) **4 May 2023** s. 22(1)(a)(ii)	3 April 2023 4 May 2023	2
2	Attorney-General's Department	1 May 2023 2 June 2023	2
3	Australian Chamber of Commerce and Industry	8 February 2023 (NWRCC) 29 March 2023 5 April 2023 2 May 2023 5 May 2023 15 May 2023 8 June 2023 (NWRCC) 14 June 2023 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	10
4	Australian Capital Territory Chief Minister, Treasury and Economic Development Directorate	31 March 2023 4 April 2023 (labour hire) 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	7
5	Australian Council of Trade Unions	8 February 2023 (NWRCC) 4 April 2023 19 April 2023 26 April 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	7
6	Aesthetic Beauty Industry Council	19 May 2023	1
7	Australian Business Lawyers & Advisors (to advise ACCI)	16-17 August 2023 (CoIL)	1
8	Australian Industry Group	8 February 2023 (NWRCC)	15

Number	Organisation	Date	Total
		29 March 2023 5 April 2023 2 May 2023 3 May 2023 4 May 2023 5 May 2023 15 May 2023 18 May 2023 x 2 23 May 2023 8 June 2023 (NWRCC) 14 June 2023 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	
9	Australian Manufacturing Workers' Union (participation via the ACTU)	16-17 August 2023 (CoIL)	1
10	Australian Nurses and Midwifery Federation	8 June 2023 (NWRCC)	1
11	Amazon	3 May 2023 10 May 2023	2
12	Australian Small Business and Family Enterprise Ombudsman	29 March 2023	1
13	Association of Professional Staffing Companies	3 April 2023 28 April 2023 8 May 2023 27 June 2023	4
14	Australia Wide	8 May 2023	1
15	Australian Constructors Association	16 June 2023 (Stakeholder Meeting)	1
16	Australian Convenience and Petroleum Marketers Association	15 May 2023	1
17	Australian Hairdressing Council	23 May 2023	1
18	Australian Livestock and Rural Transporters Association	15 May 2023 23 May 2023	2
19	Australian Resources and Energy Employer Association	8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	3
20	Australian Restructuring Insolvency and Turnaround Association	5 April 2023 15 May 2023	2
21	Australian Retailers Association	6 April 2023 19 April 2023 10 May 2023	3
22	Australian Road Transport and Industrial Organisation	16 June 2023 (Stakeholder Meeting)	1
23	Australian Trucking Association	4 May 2023 23 May 2023 8 August 2023	3
24	Basic Rights Queensland	17 May 2023	1
25	Business Council of Australia	8 February 2023 (NWRCC)	12

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Number	Organisation	Date	Total
		29 March 2023 5 April 2023 2 May 2023 5 May 2023 10 May 2023 11 May 2023 15 May 2023 18 May 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	
26	BHP Group Limited	27 April 2023 16 May 2023 13 July 2023	3
27	Children and Young People with Disability Australia	8 May 2023	1
28	Cleaning Accountability Framework	20 April 2023 (labour hire)	1
29	Clubs Australia	6 April 2023 12 May 2023	2
30	Coles Group	31 March 2023	1
31	Commonwealth Technical Advisory Group (labour hire)	30 March 2023	1
32	Community and Public Sector Union (participation via the ACTU)	16 June 2023 (Stakeholder Meeting)	1
33	Construction, Forestry, Mining and Energy Union (participation via the ACTU)	16-17 August 2023 (CoIL)	1
34	Cornerstone Group	3 April 2023 8 May 2023	2
35	Corrs Chambers Westgarth	27 April 2023	1
36	Council of Small Business Organisations Australia	8 February 2023 (NWRCC) 29 March 2023 5 April 2023 2 May 2023 5 May 2023 15 May 2023 18 May 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	10
37	Direct Selling Australia	17 February 2023 23 May 2023	2
38	Disability Advocacy Network Australia	8 May 2023 17 May 2023 (roundtable)	2
39	Doordash	27 April 2023 3 May 2023 14 August 2023	3
40	Down Syndrome Victoria	8 May 2023	1
41	DP World	2 May 2023	2

Department of Employment and Workplace Relations - Released under FOI

Number	Organisation	Date	Total
		9 May 2023	
42	Electrical Trades Union (note: 16 June, 16-17 August participation was via ACTU)	16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	2
43	Equality Australia	12 May 2023 17 May 2022	2
44	Expert Advisory Group (labour hire) (except for AUSVEG and unions)*	6 April 2023 (labour hire)	1
45	FCB Group	10 May 2023	1
46	Federation of Ethnic Communities Councils of Australia	17 May 2023	1
47	HireUp	17 March 2023	1
48	Housing Industry Association	6 April 2023 11 May 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16 August 2023 (CoIL)	5
49	Health Services Union (participation via the ACTU)	16-17 August 2023 (CoIL)	1
50	JustEqual	17 May 2023	1
51	Kmart	31 March 2023 12 April 2023 19 May 2023 24 May 2023	4
52	Law Council of Australia	5 April 2023	1
53	Mable	14 August 2023	1
54	Master Builders Australia Association	27 March 2023 12 May 2023 8 June 2023 (NWRCC) 16-17 August 2023 (CoIL)	4
55	McDonald's Australia	26 July 2023	1
56	Menulog	8 February 2023 3 May 2023 14 August 2023 28 August 2023	4
57	Migrant Justice Institute	19 May 2023	1
58	Minerals Council Australia	8 February 2023 (NWRCC) 28 March 2023 20 April 2023 (labour hire) 27 April 2023 10 May 2023 18 May 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	9
59	Mining and Energy Union (note: 16 June, 16-17 August participation was via ACTU)	16 June 2023 (Stakeholder Meeting)	2

Department of Employment and Workplace Relations - Released under FOI

Number	Organisation	Date	Total
		16-17 August 2023 (CoIL)	
60	Mitsubishi Development	27 April 2023	1
61	National Women's Alliance - National Women's Safety Alliance - Harmony Alliance - National Rural Women's Coalition - Equality Rights Alliance Office for Women observed	4 April 2023	1
62	Newcrest Mining Limited	27 April 2023	1
63	National Farmers' Federation	8 February 2023 (NWRCC) 28 March 2023 10 May 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	6
64	New South Wales Government Department of Premier and Cabinet	31 March 2023 4 April 2023 (labour hire) 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	7
65	Northern Territory Office of the Commissioner for Public Employment	31 March 2023 4 May 2023 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	5
66	Northern Territory Working Women's Centre	17 May 2023	1
67	Office of Industrial Relations Queensland	9 February 2023 31 March 2023 4 April 2023 (labour hire) 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	8
68	People with Disability Australia	8 May 2023	1
69	PeopleIN	31 March 2023 13 April 2023 (labour hire) 11 May 2023	3
70	Pharmacy Guild (note: 16 June, 16-17 August participation was via COSBOA)	3 April 2023 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	3
71	Professor Linda Steele, University of Technology Sydney	28 June 2023	1
72	Qantas	3 April 2023	4

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Number	Organisation	Date	Total
		20 April 2023 14 June 2023 14 August 2023	
73	Queensland Working Women's Centre	17 May 2023	1
74	Recruitment, Consulting and Staffing Association	6 April 2023 24 April 2023 (labour hire) 9 May 2023 14 June 2023	4
75	RGF Staffing	18 May 2023	1
76	Rideshare Drivers Association	11 May 2023	1
77	Rio Tinto	27 April 2023 27 June 2023 15 August 2023	3
78	Shop Distributive and Allied Employees' Association (participation was via ACTU)	8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting)	2
79	Shopping Centre Council of Australia	19 May 2023	1
80	SafeWork SA and Attorney-General's Department South Australia	31 March 2023 4 April 2023 (labour hire) 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	7
81	South32	27 April 2023	1
82	WorkSafe Tasmania	31 March 2023 4 April 2023 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	7
83	Tech Council Australia	19 June 2023	1
84	Tess Hardy (individually)	18 May 2023	1
85	Thiess	17 May 2023	1
86	Transport Workers' Union (note: 16 June, 16-17 August participation was via ACTU)	19 April 2023 16 June 2023 (Stakeholder Meeting) 16-17 August 2023 (CoIL)	3
87	Uber Australia	28 March 2023 3 May 2023 10 May 2023 14 August 2023	4
88	United Workers Union	4 April 2023 8 June 2023 (NWRCC) 16 June 2023 (Stakeholder Meeting)	3
89	Victorian Department of Premier and Cabinet	27 February 2023 2 March 2023	13

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Number	Organisation	Date	Total
		31 March 2023 4 April 2023 (labour hire) 1 May 2023 4 May 2023 19 May 2023 (labour hire) 5 June 2023 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 21 June 2023 16 August 2023 18 August 2023 (WR-SOM)	
90	Victorian Locomotive Division of the Rail, Tram & Bus Union	12 May 2023	1
91	Victorian Transport Association (note 16 June participation via ARTIO)	16 June 2023 (Stakeholder Meeting)	1
92	Virgin Australia	18 May 2023	1
93	Wesfarmers	31 March 2023 12 April 2023 19 May 2023 24 May 2023	4
94	Western Australia Department of Mines, Industry Regulation and Safety	31 March 2023 4 April 2023 (labour hire) 4 May 2023 19 May 2023 (labour hire) 6 June 2023 (WR-SOM) 8 June 2023 (WR-MoM) 18 August 2023 (WR-SOM)	7
95	WEstJustice	15 May 2023	1
96	Woolworths	3 April 2023 26 April 2023 10 May 2023 25 May 2023	4

*Expert Advisory Group:

Employer groups

- Australian Chamber of Commerce and Industry
- Australian Industry Group
- Business Council of Australia
- Council of Small Business Organisations Australia

Peak industry bodies

- National Farmers' Federation
- AUSVEG
- Recruitment, Consulting and Staffing Association

Unions

- Australian Council of Trade Unions
- Australasian Meat Industry Employees' Union
- Australian Workers' Union
- United Workers Union

Civil society organisations

- Uniting Church in Australia
- Australian Catholic Migrant and Refugee Office

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000645

Senator Fatima Payman on 30 May 2023, Proof Hansard page 30

2nd tranches of consultations

Question

Mrs Wallbank: As Ms Anderson mentioned, we've just finished two tranches of consultation on the 11 measures that are being considered for the second half of the year. Do you want me to read out each consultation? We've had 70.

Senator PAYMAN: No. I think I want to know if the consultation was extensive. It sounds like it was. If you can provide that on notice, that would be fantastic.

Mrs Wallbank: I would love to.

Answer

Public consultation on the 11 measures being considered for introduction to Parliament in the second half of 2023 occurred between February 2023 and May 2023. This built on earlier consultation on some measures from mid-2022.

As part of the 2023 process, the Minister for Employment and Workplace Relations, and the Department of Employment and Workplace Relations led a comprehensive consultation process.

The Minister for Employment and Workplace Relations announced the commencement of consultation at his 1 February 2023 Press Club address. This was followed by chairing a National Workplace Relations Consultative Council meeting on 8 February 2023.

The Department invited organisations and individuals to participate in consultation discussions, as well as inviting written submissions outlining their views. During the consultation period, the Department met with all stakeholders who requested meetings to discuss the measures being considered. Materials to support the consultation process were published on the Department's website including short summaries of the 11 measures being consulted on, and a number of detailed consultation papers covering the most complex measures.

Between March and May 2023, the Department held more than **70 consultation sessions** with participation from business, industry, unions, state and territory government officials and other stakeholder groups. In addition, the Department received more than 220 written submissions from over 165 organisations and individuals.

A table of Department led consultations by organisation between March and May 2023 is included below:

Consultations – by organisation and frequency

Number	Organisation	Number of mtgs
1	Minerals Council Australia	5
2	National Farmers' Federation	2

3	Australian Small Business and Family Enterprise Ombudsman	1
4	Australian Chamber of Commerce and Industry	5
5	Australian Industry Group	11
6	Business Council of Australia	9
7	Council of Small Business Organisations Australia	7
8	Australian Council of Trade Unions	4
9	Master Builders Australia	2
10	Coles	1
11	PeopleIN	2
12	Queensland Office of Industrial Relations	3
13	New South Wales Industrial Relations, Department of Premier and Cabinet	3
14	Australian Capital Territory Chief Minister, Treasury and Economic Development Directorate	3
15	Industrial Relations Victoria, Department of Premier and Cabinet	3
16	WorkSafe Tasmania	3
17	Northern Territory Office of the Commissioner for Public Employment	3
18	South Australia Attorney-General's Department	3
19	Western Australia Department of Mines, Industry Regulation and Safety	3
20	Wesfarmers	4
21	Kmart	4
22	Academics: Anthony Forsyth, Tess Hardy, Andrew Stewart, Beth Gaze, Shae McCrystal	2
23	QANTAS	2
24	Woolworths	3
25	Pharmacy Guild	1
26	Association of Professional Staffing Companies	2
27	Cornerstone Group	2
28	National Women's Alliance - National Women's Safety Alliance - Harmony Alliance - National Rural Women's Coalition - Equality Rights Alliance Office for Women (PM&C) observed	1
29	Law Council of Australia	1
30	Australian Retailers Association	2
31	Recruitment, Consulting and Staffing Association	2
32	Housing Industry Association	2
33	Clubs Australia	2
34	Transport Workers Union	1
35	BHP	1
36	Newcrest	1
37	South32	1
38	Mitsubishi Development	1
39	Corrs Chambers Westgarth	1
40	Rio Tinto	1
41	DP world	2
42	Uber	2
43	Menulog	1
44	Doordash	1
45	Amazon	2

46	Australia Wide	1
47	Disability Advocacy Network Australia	1
48	Rideshare Drivers Network	1
49	Rail Tram and Bus Union - Victorian Locomotive Division	1
50	Equality Australia	2
51	Australian Livestock and Rural Transporters Association	2
52	WestJustice	1
53	Australian Convenience and Petroleum Marketers Association	1
54	Thiess	1
55	Virgin	1
56	RFG Staffing	1
57	Tess Hardy (academic)	1
58	Shopping Centre Council of Australia	1
59	Migrant Justice Institute	1
60	Direct Selling Australia	1
61	Australian Hairdressing Council	1
62	Aesthetic Beauty Industry Council	1
63	Australian Trucking Association	2

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000664

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 63

Minister's input on the workplace relations reform proposals

Question

Senator CASH: So there was to-ing and fro-ing, back and forward, in terms of the preparation of the documents. Did the minister's office do any redrafting of the documents?

Mr Hehir: I'm not sure; I'd need to check that. I think they are largely the same as when they went up, but I'd need to check that.

Senator CASH: That's fine. Could you take on notice providing any draft copies of the consultation documents? Also, did the minister's office have any input into content, such as the sources cited in the documents?
Mr Hehir: I'd definitely need to take that on notice.

Senator CASH: In the consultation paper on employee-like work—we'll go very shortly to questions on employee-like work—it includes six citations of speeches by the minister. Whose decision was it to cite the minister so often in the departmental publication?

Mr Hehir: I'd need to check the citations, but my recollection is that we're consulting on a government election commitment.

Senator CASH: Consulting on?

Mr Hehir: A government election commitment, so it wouldn't be unusual to cite the election commitment or the opposition spokesperson responsible for the policy; that would be completely normal. At the time that he was speaking, and that has been quoted, he was either the opposition spokesperson then or the current minister, just to clarify that

Answer

- The Department drafted the consultation papers.
- On 23 March 2023, drafts of consultation papers (Attachments A-D) were provided to Minister Burke's office including:
    - *Same Job, Same Pay*
    - *'Employee-like' forms of work and stronger protections for independent contractors*
    - *Updating the Fair Work Act 2009 to provide stronger protections for workers against discrimination*
    - *Criminalising wage underpayments and reforming civil penalties in the Fair Work Act 2009.*
- The Department received feedback on the papers and updated papers on 29 March 2023. Feedback from Minister Burke's office on the consultation papers related to the main content, not the sources cited in the papers. Copies of the updated papers are attached (Attachment E-G).

- On 12 April 2023, the Department made minor editorial changes to the papers and provided these updated draft consultation papers (Attachments H-K) to Minister Burke's office in advance of publishing on the DEWR website. Copies of these drafts are attached.
- No feedback was provided by Minister Burke's office at this time. The Department made further minor editorial changes prior to publishing the papers on the website. Copies of the final papers are attached (Attachments L-O). These were published on the Department of Employment and Workplace Relations (DEWR) website on 13 April 2023.
- The 'Employee-like' forms of work and stronger protections for independent contractors consultation paper was prepared by the department. The consultation paper used past speeches made by the Minister for Employment and Workplace Relations to help articulate the Government's policy in relation to the three measures included in the paper and were footnoted accordingly.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000179

Senator Fatima Payman on 15 February 2023, Proof Hansard page 42-43

Consultation Feedback on IR Legislation Tranche

Question

Senator CASH: That concludes all the questions I have in relation to that. Could I now go to consultation in relation to the last tranche of industrial relations legislation that went through, and also the announcement by Minister Burke at the National Press Club—I think it was a fortnight ago—about the government's plan to consult on the upcoming tranches of IR legislation. Just going back to the original round of consultation, did the department receive any correspondence or any feedback, whether verbal or written, from any groups that were unhappy with the previous round of consultation?
Ms James: We've seen expressed publicly—and, I am sure, privately—some concerns about time frames from a number of stakeholders. This was a process where there were some imperatives around the legislative time frame. I would also note that workplace relations rarely sees universal acclaim or even comfort on the substance or form of consultation. Certainly, we've seen some concerns about time frames and a desire for more time to comment on things. I'll take on notice whether we've received anything formal. I would also note that the minister, in his Press Club speech, acknowledged the challenges of needing to provide this balance. He noted the number of amendments to the bill that he made in the House as a result of consultation. He said that we benefit from listening to people who are opposed to us, as well as those who agree with us. Certainly, in this next round, we're dealing with some more complex and structural issues, and he has stated that we will be taking more time on, and probably a more targeted approach to, the various measures that he foreshadowed in that Press Club speech.
Senator CASH: Again, on the previous round of consultation, could you take on notice to inform us of whether any correspondence was received in relation to feedback on the consultation process.
Ms James: Yes.
Senator CASH: In terms of the concerns—you are right; they have been raised publicly and we've all read them—what were they in relation to the department's consultation process? You've mentioned that it was the speed of it and the complexity of the legislation. What other concerns, if any, were raised?
Ms James: I would look to take that on notice, because a lot of different people have had a lot of different conversations with stakeholders and partners in relation to this process.
Senator CASH: Is there a general theme that's been raised?
Ms James: I think speed is probably the key one, as I've already mentioned. I also have received feedback directly from a number of stakeholders thanking us for, in what was a very intensive progress, the degree of time that the department's officials gave, the fact that they met with anyone and everyone who asked to be met with and the fact that there was a lot of follow-up. I think we should mention both sides. I would take on notice anything more than that, because I'd be going off my memory. Mr Hehir might have something to add.

Answer

The Department received verbal feedback and limited written feedback in relation to the Department's consultation process in 2022.

The Department received the following written correspondence regarding the consultation process for the Secure Jobs Better Pay legislation:

- An email on 28 November 2022 from the Manager – Workplace Relations, Minerals Council of Australia
- A letter dated 24 January 2023 from the Chief Executive Officer of the Business Council of Australia

Verbal feedback to the Department in relation to the consultation process was focused on organisations and individuals advising the Department of their interest in being involved in the consultation process and commitment to ongoing engagement on workplace reforms. Some also expressed concerns about timeframes and sought further detail about measures being discussed in some consultations.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000180

Senator Michaelia Cash on 15 February 2023, Proof Hansard page 44

Letter and List of Stakeholders in relation to First Tranche IR Legislation

Question

Senator CASH: Are you able to give the committee a copy of the letter that has been sent out and a list of the stakeholders that it has been sent out to? I'm happy for you to take that on notice.
Ms J Anderson: We can take that on notice.
Mrs Wallbank: Yes. So that's happening. Also, the department is meeting with several stakeholders to talk through those seven measures.
Senator CASH: Again, the same question: are you able to provide a list of the stakeholders that the department has met with and will meet with?

Answer

1. Department letters to recipients

Seventy-four individuals and organisations received a letter from the department.

No.	Name/Organisation	No.	Name/Organisation
01	Australian Council of Trade Unions (ACTU)	38	Digital Service Providers Australia New Zealand
02	Australian Chamber of Commerce and Industry (ACCI)	39	QLD – Office of Industrial Relations, Queensland Treasury
03	Australian Industry Group (Ai Group)	40	NSW – NSW Industrial Relations, Department of Premier and Cabinet
04	Master Builders Australia (MBA)	41	ACT – Chief Minister, Treasury and Economic Development Directorate
05	Business Council of Australia (BCA)	42	VIC – Industrial Relations Victoria, Department of Premier and Cabinet
06	National Farmers' Federation (NFF)	43	TAS – WorkSafe Tasmania
07	Council of Small Business Organisations of Australia (COSBOA)	44	NT – Office of the Commissioner for Public Employment
08	Minerals Council of Australia (MCA)	45	SA – SafeWork SA
09	National Aboriginal and Torres Strait Islander Women's Alliance	46	WA – Department of Mines, Industry Regulation and Safety
10	Harmony Alliance	47	Fair Work Commission
11	Equality Rights Alliance	48	Fair Work Ombudsman
12	Women with Disabilities Australia	49	Australian Government Department of the Prime Minister and Cabinet, Office for Women, on behalf of the Women's Economic Equality Taskforce
13	National Women's Safety Alliance	50	Dr Joanna Howe, University of Adelaide
14	The National Rural Women's Coalition	51	Federation of Ethnic Communities Councils Australia

No.	Name/Organisation	No.	Name/Organisation
15	Professor Andrew Stewart, University of Adelaide	52	National Electrical Contractors Association
16	Professor Shae McCrystal, University of Sydney	53	Manufacturing Skills Australia
17	Professor Anthony Forsyth, RMIT University	54	Australian Retailers Association
18	Dr Tess Hardy, University of Melbourne	55	Australian Constructors Association
19	Professor Rae Cooper AO, University of Sydney	56	Housing Industry Association
20	Professor Beth Gaze, University of Melbourne	57	Professor Jeff Borland, University of Melbourne
21	Emeritus Professor Sara Charlesworth, RMIT University	58	Chief Executive Women
22	Professor Meg Smith, Western Sydney University	59	Australian Resources and Energy Employer Association
23	Emeritus Professor Gillian Whitehouse, University of Queensland	60	People with Disability Australia
24	Ashurst, on behalf of Coal Mining Industry Employer Group	61	Live Performance Australia
25	Construction, Forestry, Mining and Energy Union	62	Law Council of Australia
26	Australian Manufacturing Workers' Union	63	Pharmacy Guild of Australia
27	Communications, Electrical and Plumbing Union	64	Migrant Justice Institute
28	Professionals Australia (formerly the Association of Professional Engineers, Scientists and Managers Australia)	65	Civil Contractors Federation
29	Recruitment, Consulting and Staffing Association	66	National Retail Association
30	CEO, Coal Mining Industry (Long Service Leave Funding) Corporation	67	Australian Hotels Association
31	Head of Government Relations, Coal Mining Industry (Long Service Leave Funding) Corporation	68	Clubs Australia
32	Australian Workers' Union	69	Australian Construction Industry Forum
33	Association of Super Funds Australia	70	Australian Road Transport Industry Organisation
34	Financial Counselling Australia	71	Approved Employers of Australia (Pacific Australia Labour Mobility)
35	Australian Institute of Superannuation Trustees	72	Australian Small Business and Family Enterprise Ombudsman
36	Industry Super Australia	73	Australian Higher Education Industrial Association
37	Financial Services Council	74	Super Consumers Australia

A copy of a redacted letter is attached. Each letter contained an attachment with an outline of measures and questions for response. This is attached.

The attachments provided to the ACTU, ACCI, Ai Group, MBA, BCA, NFF, COSBOA and MCA also noted that they would be invited to meet with the department. This is also attached.

Department of Employment and Workplace Relations - Released under FOI

2. Department meeting with stakeholders

Of the seventy-four individuals and organisations who received a letter from the department, the department met with the following stakeholders in relation to the measures for consultation:

- Australian Council of Trade Unions
- Australian Chamber of Commerce and Industry
- Australian Industry Group
- Master Builders Australia
- Business Council Australian
- National Farmers Federation
- Council of Small Business Organisations Australia
- Minerals Council Australia
- Super Consumers Australia
- Financial Services Council
- Coal Mining Industry Employer Group
- Australian Resources and Energy Employer Association
- Senior state and Territory officials from QLD, NSW, ACT, VIC, TAS, NT, SA and WA

Department of Employment and Workplace Relations - Released under FOI

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Transcript

1 February 2023

Address - National Press Club

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

THE HON TONY BURKE MP, MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS, MINISTER FOR THE ARTS: Thank you very much, Laura. Thank you to the Press Club. I acknowledge the traditional owners of the land that we're on and their Elders past and present. Also, I acknowledge all the members of the gallery and everybody who's back for the start of the year and, of course, the Secretary of my own department, Natalie James, and the members of the department who are here.

I want to start by giving you a statistic that you haven't heard before – 61 hours. I give you that statistic as an example of the way governing and the use of Parliament has changed with the change of Government.

61 hours. In any ordinary parliamentary week, there's 23 hours of Government time. During the life of the previous Government, that Parliament spent 61 hours voting that people be not allowed to speak; 61 hours of people being flown around the country, Clerks of the Parliament, all the resources that goes into here. We had figures that I'm reluctant to rely on from Paul Fletcher – given the way the Leppington Triangle figures turned out – but the figures from Paul Fletcher where he says a million dollars a day for the Parliament to sit. 61 hours dedicated to making sure no opposing voices were heard.

You will have people say what it was like to work with the previous government when consultation is talked about now. Back then, what the previous mob were requesting was confirmation and if you didn't deliver confirmation, you were given confrontation. The consultative approach that we have applied to the Parliament itself and to the way we have governed is of itself not just a difference in the way Government functions. It also delivers a difference in the quality of the outcomes. I want to be able to refer to quite a bit of that.

In terms of legislation, for the same number of sitting days as we had last year, we had 25 extra hours of debate. The legislative achievements for that time, for last year, ensured we enshrined the climate change targets in law; we implemented the recommendations of the Respect@Work report; we delivered on our commitment to the early childhood education sector for cheaper child care; we established the National Anti Corruption Commission; we established world-leading paid family and domestic violence leave; we restored dignity in aged care; we made medicines cheaper with the first decrease in the Pharmaceutical Benefits Scheme in its 75-year history; we had the Secure Jobs, Better Pay Bill; we provided energy price relief for families and businesses; established Jobs and Skills Australia and expanded the Commonwealth Seniors Card. In all of that, there was a consistent guarantee that different opposing views were part of the debate. I'll get a bit later as to what that meant in terms of changed outcomes.

For the year ahead, though, it's not like with all of that agenda our job is done. Some people after the talk of so called small target during the campaign, then quickly said "This agenda is big" and now have said, "Oh, did you get it all done in the first six months?" No.

The year ahead: in the autumn session alone, we will be progressing the establishment of the Housing Australia Future Fund, the legislation required to hold a referendum in the second half of this year to enshrine an Aboriginal and Torres Strait Islander Voice to Parliament in our Constitution, to guarantee superannuation as a right under the National Employment Standards and to affirm beyond any doubt that temporary migrant workers are entitled at all times to workplace protections. Establishing the National Reconstruction Fund, delivering – and this will be one for next week – delivering on our commitments to extend paid parental leave, reform of the safeguard mechanism to enable Australia to meet our new emissions reduction targets of 43 per cent by 2030 and net zero by 2050 and, of course, the changes to cultural policy that the Prime Minister and I announced only on Monday, establishing Creative Australia – and I acknowledge the presence of Adrian Collette here, the CEO of the Australia Council. Establishing Creative Australia, including within it Music Australia and a Centre for Arts Entertainment Workplaces in legislation in the coming months.

We will be dealing next week with the legislation to protect what was thought to be presumed and that is the recommendations of the Bell inquiry into Scott Morrison's secret ministries to make sure that it never happens again. Later this year, there will be further legislation to abolish the Administrative Appeals Tribunal and replace it with an administrative review body that actually serves the interests of the Australian community. To implement a new package of national environmental legislation, as outlined in the Government's Nature Positive Plan. To deliver on the remainder of our election commitments in my own workplace relations portfolio, and I'll say more about that a little bit later, and to set obligations for streaming services to make sure that there are Australian content obligations whether you are watching your television through free to air, on the public broadcaster, whether you're watching through cable television or whether you're watching through a streaming service.

The way the Parliament conducts itself has changed in two key ways. It's changed as a result of the recommendations from Kate Jenkins and it's changed as a result of some standing order changes and a different approach that this Government has taken to the Parliament itself.
The Kate Jenkins recommendations are seen right through to the sitting calendar itself. The fact that we are now not sitting during school holidays makes a real difference for a Parliament where more of its members look like modern Australia. The fact that there is one week of school that we are avoiding, quite deliberately – this week – is because we want it to be possible to be a member of Parliament and still to be around on the first day of school with your family – notwithstanding that I'm here!

We've also, for example, when somebody goes on leave of absence for parental leave, the Parliament formally votes that they're on leave of absence, but then as a result of that, they have no way, traditionally, of being able to continue to engage or to represent their electorate during that time. The Federation Chamber, the second chamber to the House of Representatives, will now be available where members who are on official leave – that's been voted on by the Parliament – will be able to deliver speeches from their electorate office, beamed into the Parliament so even while on parental leave, they'll still be able, in a way that's effective, to get the comments that they need to get into the Hansard on behalf of their electorates.

We also, of course, are establishing the Parliamentary Workplace Support Service, and next week, on Wednesday, the Annual Statements will take place to the House of Representatives, and a similar process in the Senate, in terms of party leaders and members of Parliament being able to update the House on making sure that not only are we delivering a better Parliament, we are also delivering a decent workplace for the people who work in the building.

They're the Jenkins recommendations, and we've been responding to all of those. But the second part is to make sure the Parliament itself is allowed to do its job. If you ask anyone, "What's the job of Parliament?", it doesn't start for anyone with that 61 hours of spending time making sure that voices are not heard. The whole purpose of a Parliament is meant to be to allow the cut and thrust of debate. When people offer "Why can't the Parliament be kinder?", there's an extent to which we're just up front. When it's an argument and it's when it's fierce, and when it's real, is one of the functions of Parliament. It's not our job to be constantly agreeing.

It is the fact that you want the conflicts and different views that exist around the nation to be brought from 151 different places into the one room to be battled out. That's a healthy thing to happen. That's a democratic thing to happen. Every time we silence voices, we lose that, the very reason that a Parliament exists. The methods that we've changed here have been in a few different ways.

First of all, the all-night sittings we've gotten rid of. If you take two conscience votes that have happened, we had one on Territory rights last year. We had one the year before with respect to the Religious Freedom Bill. Under the previous government, the way to deal with a conscience vote, because you can't gag a conscience vote – no one's tried that and nor should they – was to simply keep everyone there until 5.00 am for a Bill that was not ultimately proceed with anyway. What we did this time with the Territory Rights Bill was list that and nothing else in the Federation Chamber. Everybody who wanted to make a speech made a speech. It was dealt with and ready for the Senate after a week. Similarly, we're making sure that at 6.30 pm, after that there's no divisions so that people who have family responsibilities are able to be a member of Parliament and know that if they need to leave the building, they can. Having that has had a couple of impacts. One of which is it has been a way of more people leaving at 6.30 pm at a more reasonable hour and that has been one of the impacts on the drinking culture that historically has existed in the building.

We have also – and this is something that can't be enshrined in standing orders; can only be done with the goodwill of a Parliament that wants to work with the Parliament – said the Senate is not only place you'll deal with amendments. We had, for example, on the Climate Change Bill seven different amendments which were moved by the crossbench which became part of the law. On my Secure Jobs, Better Pay Bill, there was a set of amendments moved by the crossbench. On Respect@Work there was a set of amendments moved by the crossbench carried by the Parliament. We can't have a situation where the different voices are only heard in a hung Parliament where they need to be. People are elected with a range of views

representing Australian citizens. They have every right to make sure that when these views are put, they are heard, listened to and where the Government can agree, it does agree.

That said, we still had plenty of occasions where it's been argued it's the exact opposite. Plenty of occasions where it's been argued that somehow nothing has changed in the Australian Parliament. When we have had an urgent bill, what we've been doing is saying, "Okay, Parliament can continue into the night. People who need to leave at 6.30 pm can. We'll do all the votes in the morning and everyone who wants to make a speech can make a speech."

We had then – in a parliamentary procedural sense I find this amusing though I may be alone in the room – we had a series of speeches where people would then argue that they were being gagged and prevented from making a speech while making the speech! Keith Pitt, for example, said "There's 151 members in this House who have just been gagged by the Labor Government. I will go on to speak about …" and continued. He continued for another 10 minutes. The debate continued for another three and a half hours.

My favourite was Colin Boyce, the member for Flynn: "It is an attack on the democracy of Australia. The people of Australia put people like me here to speak on these things and for the Government to guillotine this debate by calling it an emergency bill is just absolutely appalling." He was objecting to not being given the full 15 minutes speaking time because we had shortened the debate to 10 minutes. After eight minutes he ran out of material and sat down.

So, the mechanisms we've been using, while there will always be the arguments from our opponents, "Well, nothing's changed", the truth is a lot has and people are being given the chance to speak. There will be times I suspect – and particularly after this speech, the Opposition will be taunting me into trying to create times – where we have to make resolutions to try to get through debate more quickly. But 61 hours of time in Parliament, of public money being wasted, simply making sure that people couldn't speak. Sometimes there were more votes, more times spent on voting to stop people from speaking on a particular bill than there were speakers remaining on the list in terms of their speaking time. It is an irresponsible and undemocratic way to run things.

Question Time itself, I'm often asked about in terms of, "Well, have you changed the culture of Question Time?" It will always be the cut and thrust and it will always be a mixture of information and performative art. That's what Question Time will be. I do find it interesting though, the silence that we've had. I do find it interesting that while every Minister has answered questions, every backbencher on the Government side has asked questions, senior frontbenchers such as Luke Howarth, Dan Tehan and Alan Tudge are yet to say a word during Question Time. Some of our Ministers, Minister for Education Jason Clare; Communications, Michelle Rowland; Ed Husic; Pat Conroy – yet to be asked a question by their opponents.

In terms then of workplace relations and a bit about the agenda going forward. When the Secure Jobs, Better Pay Bill reached in the House of Representatives the time to discuss amendments, after consultation with business, I moved amendments 1 to 100. Government amendments where we already had the numbers in the House for the bill, but amendments being moved as a result of the consultation, principally the changes of different things that business had asked for; some had come from the union movement as well. My political opponents, at that time, were saying, "You're losing control." I actually take it as a strength that we had been listening, consulting and where changes could be made – even before it got to the Senate and you had to make changes to reach a majority – those changes were occurring.

The agenda for this year for workplace relations will involve a lot of the election commitments that we hadn't dealt with last year. We have time this year and so while there will be some legislation that comes up in the first half of the year, the more controversial parts of our election promises that we haven't yet dealt with will be in the second half of the year. The consultation will start next week. Next week I've now called a meeting for Wednesday with both the leading business groups and unions: so it will be ACCI, AiG, the BCA, Master Builders, National Farmers, the ACTU and COSBOA I've invited as well. To be able to start the consultation now on legislation that won't be introduced until the second half of this year.

That legislation will deal with a number of election commitments. It will deal with a number of issues but effectively, if I put it in summary this way: last year's legislation with the title of the bill was about taking significant steps on job security and getting wages moving. This year's legislation and the election commitments we have to get to are about closing loopholes that can undercut the principles that we put through last year.

The issues that we'll start the consultation on Wednesday and some of the consultation my department has already got moving on last year, but this will be the beginning of it with me directly involved; same job same pay, the definition of a casual, employee-like and how do we deal with the gig economy, wage theft, safety principles and minimum standards for long-haul drivers, having a low-cost jurisdiction at the Fair Work Commission to deal with unfair contract disputes for independent contractors, stronger protections against discrimination and the need to act on the dangers that are becoming increasingly obvious to everyone with respect to silica dust.

That consultation will commence, but obviously Wednesday's meeting will just be the start of it and there will be a detailed process as we work through before we get to introducing legislation in the second half of the year. I have no doubt, whatever I might have in my mind as the legislation right now, will progress and be better as a result of that consultation that will be taking place and starting on Wednesday.

So, allow me now just to also point to – while I've focused on consultation helping us through with respect to legislation. It also helps us through with respect to policy development generally. The National Cultural Policy that I've released on Monday, was very different to what I had in mind when I was in Opposition. Lots of people said to me, "Well, if you're serious about National Cultural Policy" – and some journalists would ask, "Why don't you write it out now and make it an election commitment and have the mandate for it?"

The simple fact is this: conducting consultation with the full resources of Government and the support of the Australian Public Service gets you to better policy than you can ever get to on your own.

There are a number of issues in Monday's launch of Revive that were not on my radar nor of my department until we had opened the process of consultation. Music Australia, which has received so much publicity over the last couple of days came from that process of accepting that not all the good ideas come from Government. Industry came forward with it. There will be legislation to establish it from 1 July this year; the money will be there and it will start work.

Similarly, for here in Canberra, the concept of sharing the collection for the National Gallery of Australia came from a submission from the National Gallery. What that will mean from the submission from both Ryan Stokes and from Nick Mitzevich, is that a collection where 99 per cent of it – it's all great but 99 per cent of it is always kept in darkness at any one point in time will start to find its way to galleries around the country on long-term loans. Not "Here's the National Gallery on tour" but "Here's a work which you have for a period of something like 10

years that makes your gallery a destination and gives you a destination exhibit." It's a completely different way of using the national collection, but it's a lot more useful than works being kept in darkness.

The third one that has received a lot of publicity that came from consultation is the National Poet Laureate. As I mentioned in a speech last year when we were just talking about the concept before the Government had committed to it, we're not the first to do this. Governor Macquarie beat us to this with Michael Massey Robinson who in the articles that you've read over the last couple of days it's been made clear that he was paid to be the Poet Laureate with two cows. What's not often mentioned is he was a convict actually sent here and his crime was for writing rhyming couplets. He was sent for the crime of poetry. He'd been bagging out a politician that he then tried to use as blackmail. This is the risk that every Minister knows you have with artists! But, yeah, he was paid in two cows. We think, "What a silly little payment." Let's think in terms of authors today. The annual average income for an author in Australia is $18,200. In today's dollars, that's nine cows – half a bull. That's the current rate. So, what this will mean in terms of elevation of the sector in treating all of our artists and arts workers as workers, as being part of a real industry and a driver of the economy as well as something that touches our soul is something that warrants the attention of a national policy.

Looking forward, the consultation will continue though, and the area of consultation that's probably most significant is what we have to do with respect to streaming. Streaming – and some people say, "Will you commit to the 20 per cent? Where are you at?" The reason we haven't committed to a number is because the consultation is real and there's a few moving parts here. One of the moving parts is: what do you define as Australian stories and Australian content? Some people have put together statistics where they'll say the streamers are already meeting 20 per cent; nothing to worry about. I saw the movie; I loved the movie, but very few Australians watch Elvis and think, "I'm watching an authentically Australian story."

There are two issues that we need to work through here. To what extent are the quotas about Australian jobs and to what extent are they about Australian stories? How we work those principles through affects what percentage we land at. That consultation will be happening. It will be led by Michelle Rowland and myself, and we will be working through those principles and introducing legislation in the second half of the year.

But what I've largely spoken about today is how we benefit from listening to views. We benefit from listening to good new ideas and we benefit from listening to people who are opposed to us. If you don't have the courage of your argument to be willing to listen to the opposite argument, then it may say something about the argument you're advancing as well. But I also – not as Leader of the House, but as Australia's Arts Minister – just want to remind you as well it's not only the ideas and views that we benefit from.

Some of you will remember back to the days of the Hawke and Keating Government when Paul was Treasurer and he had a house at Red Hill that used to be a diplomatic residence. On a Sunday afternoon he would bring colleagues around – John Button, John Dawkins, a series of them – and they'd talk about Cabinet agenda. One day he stops the proceedings with his friends and said, "I just want you to listen to this." He had a Mahler album of Symphony No. 2 "Resurrection" and put that on, played it and everyone had to be silent. At the end, it stopped and Paul looked at them all and said, "So, what does it mean?" And the answers came back, "Oh, yeah classical music." "No, what it does it mean?" "It's a good recording." And no one either had an answer or had an answer that satisfied Paul. And Paul then said, "It means we have to do better. How can you listen to something that elevating and then just walk away with the lowest point of compromise?" National Cultural Policy, if we get it right, and we start to go through with the vision that the Prime Minister released on Monday, I think should remind us

that the voices we need to listen to and be willing to be affected by and advanced by don't just go to opinion, don't just go to policy but go to those who touch our hearts and soul as well.

[Applause]

LAURA TINGLE: Thanks so much, Minister. The Voice is obviously going to be a really dominant issue in Parliament as well as in the national conversation. I thought it might be useful to ask you if you could explain to us the processes that will be involved in Parliament. We've got the machinery of Government – well, the machinery-of-referendum bill, the referendum question itself. Is it possible for you to just lay out for the audience what's involved in getting a referendum sort of through the Parliament, what are the opportunities for debate and what's the timeline?

BURKE: Okay. So, there are two different pieces of legislation. The first is the machinery of Government to be able to conduct the referendum itself, and that's before us now. The second piece is the legislation that contains the actual question and the changes that would be made to the Constitution. The first piece of legislation needs to be dealt with before we can contemplate having a referendum because you need to update machinery of Government principles. But once the second piece of legislation goes through, you're then on a very strict timeline. I don't have the dates in my head, but there's a set number of weeks within which you cannot have the referendum and a set number of months within which you must have the referendum. So, the moment that second piece of legislation goes through, the window will become very clear for when the referendum will be held. The Prime Minister has been making clear the second half of this year, but there will be a tighter frame that will be clear once that legislation goes through.

TINGLE: But the crucial issue being that the Parliament will actually have the sign-off on what the question is and what the constitutional changes are.

BURKE: That's right. Every word of the question and every word of the changes to the Constitution will have gone through the Parliament itself.

TINGLE: Tom Connell.

TOM CONNELL: Tom Connell from Sky News. Casting our mind back to the election, we had an inflation figure of 5.1 per cent and Labor saying despite any concerns that wages could contribute to more inflation, that real wages should not go backwards. Inflation is now 7.8 per cent. Does Labor still hold that view?

BURKE: The Prime Minister answered this yesterday, which is: we're going through a Cabinet process and I accept absolutely that for these sorts of issues Cabinet processes have been rare over the last 10 years. But part of us going through due process is that we make a collegiate decision. Obviously, no one ever wants anyone's wages to go backwards. No one ever wants that. And so we – in terms of the timing of that though, people have been asking this at a bit of a pace at the moment but let's remember two things. One, the decision itself doesn't take effect until 1 July, so we're in January at the moment. But, secondly, the Fair Work Commission hasn't even started its process. There's no capacity at the moment for anyone – for that decision to be made. But the principles that the Government will apply will be worked through collegiately. That's the right way to do it and it's something that Australia hasn't seen for a very long time.

TINGLE: Rosie Lewis.

ROSIE LEWIS: Rosie Lewis from *The Australian*, Minister. Your Government has proposed laws to criminalise wage theft which you referenced in your speech. When caught out, employers often argue their conduct was inadvertent or they seek leniency. Do you expect any bosses to actually be jailed under your proposed law and what would the bar for jail time be?

BURKE: These are issues that will be part of the consultation that I just described and that consultation is real. There's three different categories that we need to be able to work through as we put these laws together. The first are the people who inadvertently make a completely honest mistake. The second group are the people where it might not have been deliberate, but they were reckless to the extent of really not making an effort to do the proper checks and they had the capacity to do so. The third group are people who it's absolutely eyes wide open that they are ripping staff off.

So, what we will be working through is how do you deal with those three different categories and, you know, certainly for the final group, criminal penalties are clearly applicable there. How do you then work through the rest? Because the other thing you want to do is you want to make sure that you keep an incentive for businesses to find out themselves and come forward and say: "This has gone wrong and I want to fix it". So, you want to keep those incentives in place while also creating enough of a disincentive that people are really strict on making sure that people aren't being ripped off in the terrible situations we've seen.

Some of the examples that we've seen, you know, probably the most glaring was 7-Eleven, but there's, you know, we can't – I'll put it in these terms. We can't continue to have a situation where if the employee steals money from the till, it's a criminal offence and if the employer steals money from the worker, it's not. We're fixing that this year.

TINGLE: David Crowe.

DAVID CROWE: Thanks, Laura. Thanks for your speech, Minister. David Crowe from The Sydney Morning Herald and The Age of Melbourne. Given the way inflation is going at the moment, real wages simply aren't going up; they're going backwards. Wages were such a big theme at the last election. You did promise to increase wages. You're now talking about getting wages moving again. Are you now grappling with the reality or, sorry, actually I'll rephrase that. Do you think that by the end of this term, by the time you get to the next election, you will be able to point to wages going up in real terms for workers or will you have to explain to workers that even though despite the promise at the last election you won't be able to get real wages higher?

BURKE: Every worker knows that we are fighting to improve their wages. We did that from the moment we were in with the submission to the Annual Wage Review. Now, we made our commitments to that before we were in Government – where obviously we didn't have the resources of Government which we have now. We have the processes of Cabinet which you do not have in Opposition, and you have now. The second thing we did was with respect to the submission on the aged care pay and the third part was the Secure Jobs, Better Pay Bill. Secure Jobs, Better Pay is having an impact already and there are businesses that had refused to bargain that are back at the table now negotiating with their staff and those negotiations will result in pay deals. So, people are already seeing a fight for their wages.

The legislation this year will deal with how do you – even if you get those agreements moving, how do you deal with the different ways that the system gets undercut through different loopholes? We will be closing those loopholes in the legislation that we deal with in the second half of this year. People know that we are fighting for better wages, better pay for them and for them to be going forwards. Obviously, there are issues with inflation that are international that we have no control over. But we do want to see people moving ahead in real

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terms in their household incomes. So, the timeline you've given I certainly hope that's true and people will know that we have been fighting to deliver a better wage outcome for them from the day that we were elected.

CROWE: Thanks.

TINGLE: Ron Mizen.

RON MIZEN: Mr Burke, Ron Mizen from the *Financial Review*. Union leaders have called for the Albanese Government to bring in fees to cover non union members given support from EBAs to solve the so called free rider or – that's the phrase. Is that something you're contemplating and I've also just been asked to see whether you'd clarify which of your IR legislation is for the second half of the year and which is for the first half of the year?

BURKE: Okay. On the first question, I've gone through the list of what we're contemplating and that one is not on the list. But, you know, unions are free to argue whatever issues they want for their members. I'm not critical of them for arguing that. But it's certainly something that is not on our list that's – you know, I've given you the agenda I've gone through it. It's not there. Sorry, the second part, Ron, was?

MIZEN: Just in relation to managing –

BURKE: All of those ones that I went through that I will be consulting about on Wednesday, they are all for the second half of the year. All of those. So, the issues on the first half of the year are issues such as superannuation being able to claim through the Fair Work Commission if underpaid. Things like that. It's much more straightforward issues. We've kept the controversial stuff for the longer period of consultation, but it's overwhelmingly issues for the second half of the year that were election commitments that we didn't get to last year.

MIZEN: Thank you.

TINGLE: Anna Henderson.

ANNA HENDERSON: Anna Henderson, SBS World News and NITV. Some of your most vocal critics in the No campaign for a referendum are questioning why Labor wouldn't put forward legislation on urgency to set up a Voice to Parliament now and then hold a referendum, but be upfront about what an initial structure would look like and eventually stress test it ahead of a big national vote. What is your argument for why you are not taking that approach?

BURKE: That's not how the Constitution works. It's just not. The Defence power doesn't list how many submarines we'll have. The way the Constitution works is you establish what are the things the Parliament should deal with, and it's for the Australian people to decide whether or not we should do the two things that the Government will be putting to them. Whether we should be recognising first Australians in the Constitution, and, secondly, whether we should consult with people on issues affecting them.

For the First Australians, recognition and consultation are the two things that will be in the Constitution, and what we are putting to the Australian people is exactly the full detail of what we are asking them to consider whether or not they want to change. The Constitution is their document. The Parliament will be in control of what legislation goes through if the Australian people make that decision.

But it's a very straightforward issue of the two things and what the – look, one thing that I've noticed is I'm yet to hear an argument from the No campaign that is actually about voting no to the question that will be put forward. I'm yet to hear that from the No campaign. It's either

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been about issues that are nothing to do with it or issues that would be determined by Parliaments in decades and years to come if this constitutional change is made.

The constitutional change is really simple. Recognition and consultation. That's what we're asking the Australian people to decide on. That's what the Uluru Statement of the Heart has requested in a really generous and gracious request and I'm hopeful that the Australian people respond with the same generosity.

TINGLE: Andrew Probyn.

ANDREW PROBYN: Mr Burke, Andrew Probyn from the ABC. In his monthly essay, Jim Chalmers has talked about values-based capitalism and re-imagining and redesigning markets. Could you define for us what's values-based capitalism – in your own words? And, secondly, would you explain how your definition of values-based capitalism would apply itself to workplace reform, whether it's more intervention and the like?

BURKE: Well, in terms of the second principle, I think you can get that answer by what we've already done in terms of the argument that has been used for so long, which is "Oh, look, we can't give people a wage rise because inflation is low. We can't give people a wage rise because inflation is high. Productivity – if business profits go up, wages will automatically increase." All of those arguments were put and the truth is if you value and you have the principle that you want people to have a better chance of being able to pay their bills, then Government has to pass laws that help people get more remuneration. That, in terms of principles, make a difference to people's lives at home is huge and it is exactly what we've been doing and what this year's agenda in terms of the legislation I went to will go to as well.

The only other thing I'd say in terms of the first half of the question with the different comments that have been out there, I think you can actually find a lot of these values in the mission statements of major companies. You can actually find some pretty strong values in the various mission statements that are put forward by the BCA itself. So, I know there's been a rush to say, "Oh, how could we deal with anything like this?" Have a look at what a whole lot of major companies put in black and white as the principles that they espouse as mattering. It's a lot more than the bottom line. For Government to be backing those concepts, it is right and proper and I'm really glad that Jim's written the essay.

PROBYN: So, in your own words what is values based capitalism?

BURKE: No, I have given you the answer. You get one go. I have given you the answer and I explained it's not going to be in the terms that you want. But I have given you the terms of my answer and I hope you loved it!

[Laughter]

LAURA TINGLE: Thank you, Minister, for imposing that discipline. It's obviously your parliamentary experience. Ben Westcott.

BEN WESTCOTT: Thanks very much for your speech, Minister. Ben Westcott from Bloomberg. You spoke a lot about consultation in your speech and obviously during the first few months of the Government there was the Jobs and Skills Summit, which was a major point of consultation, but over the following months there were some complaints, particularly from business leaders, that the consultation had not been as thorough when it came to multi-employer bargaining; and then later on when it came to the gas price cap there were complaints from business it didn't feel like it was being listened to. You talk about now, next

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week, you're going to meet with business and union leaders again. How can business be sure that your consultation is genuine?

BURKE: For any of the criticism that was made last year, you would be hard-pressed to find a business leader who says that the previous government consulted more than we did – even on that Bill. So, notwithstanding that, business have asked for there to be a higher level of consultation than there was last time. I think that's reasonable. We've got time to be able to do it and so, rather than just focus on the non-controversial areas that we're dealing with the Bill in the first half of the year, I thought it's right and proper; let's start the consultation now on what the Parliament won't be dealing with until the second half of the year. That won't change the fact that we – consultation doesn't mean what it meant for the previous government, I'm not asking for confirmation. If people disagree with me, they're not going to suddenly discover they've got confrontation.

What will happen though is different issues will be put where there will be a case where we think, "Yeah, we can make that adjustment and it will work better." For example, from the first draft of the legislation to what happened becoming law on Secure Jobs, Better Pay, a lot was changed to make sure we kept a primacy of single-enterprise agreements. That's part of why we're now seeing people come to the table in ways that they didn't used to. The push for that primacy of single enterprise agreement came from the business organisations. It improved the bill. It caused me to move amendments in the House and there were further amendments to do exactly that in the Senate. So, I think you've certainly got three stages. You've got the lack of consultation that used to happen under the previous mob, you've got the Jobs and Skills Summit and the genuine changes that did happen last year and you've had a higher level of consultation and engagement which business have requested for this year and they'll get it.

TINGLE: If I can pick up that point about consultation and higher wages, what's happening with the implementation of the aged care Fair Work decision and what role is the Government playing in that?

BURKE: So, the Government has made – the Fair Work Commission came out initially with an interim report, with a 15 per cent pay rise concept there. They have then asked the parties to come back on how that might be timed. The Government's submission has been made on that and is public in terms of 10 per cent and five. That will be sorted through in the Fair Work Commission, as to what the commission determines on that timing. Then the Fair Work Commission will do more work in terms of – particularly for other people, ancillary staff in aged care, who weren't necessarily assisted by that first decision – and where they land on that I don't know obviously, but that's the further process that will happen.

TINGLE: So, what sort of timetable are you looking at for people who are still just sort of hanging out for some more money?

BURKE: Yeah, it is reasonable to presume that this year – normally pay increases come around 1 July so normal time that these things happen, but it's in the hands of the commission when they take the next round of evidence to be able to set exact dates on that. There is no doubt that aged care workers will during the course of this year end up being paid significantly more than they otherwise would have had, because there's been a change of Government and a Government that was willing to advocate a pay rise with the commission.

TINGLE: Catie McLeod.

CATIE McLEOD: Hi, Minister. Thanks for your speech. Catie McLeod from the NCA NewsWire. You spoke today about how your Government is changing Parliament and delivering a decent

workplace for the people in the building. How is it then that the Commonwealth is facing legal action along with an Independent MP from a member of staff who claims that her boss tried to sack her for allegedly working unreasonable hours? Does the fact that this has arisen six months from the election reflect the fact that there's more work to be done to improve conditions for workers in Parliament? And just on this particular case, could it have been avoided if the Albanese Government hadn't cut the number of staff that Independents are allowed to have?

BURKE: Thank you for the question. First of all, no one in the room, me included, knows the facts on this particular case. None of us do, and so it's difficult for me to really offer much other than there's a system to be able to deal with it. Secondly, we have followed through on the recommendations from Kate Jenkins. We've established, as I said in the speech, the Parliamentary Workplace Support Service, so various changes have been made. There is no level of changes that anyone can make that will eliminate all disputes. There will be occasions where there are disputes so I don't think zero disputes should ever be the test as to whether or not a system has improved. There's no doubt a lot has been done and when you hear the speeches on Wednesday from the party leaders, I think it will be pretty clear some of the changes that have been made. But that said, I don't think any of us can comment on in any detail, really, on that particular case because none of us know the facts.

On the final part of what you've asked in terms of number of staff, I don't think there is a single office Government backbencher, Opposition backbencher, Minister, frontbencher or crossbencher office where all the staff aren't working incredibly hard. But certainly we made a decision on the number of staff for the crossbenchers based on the original ask was that the crossbenchers would receive more additional staff than the Assistant Treasurer would have, and certainly that was something that was viewed as simply not tenable.

McLEOD: Thank you.

TINGLE: Paul Karp.

PAUL KARP: Thanks very much for your speech. In answer to Ron's question, you said that bargaining fees are not on the list for the Industrial Relations Bill this year. Can I please ask why? Is it because you don't think free riding is a problem or this is the right solution or you don't want to imperil a bill to pass your election commitments but you could come back to it alert?

BURKE: All my focus and all the Government's focus has been about getting people better job security and about delivering on getting wages moving, and that's been what our focus has been. There's been no discussion within Government on this issue at all and we will be flat out on the different issues that we'll have to deal with to be able to get wages moving. Be in no doubt; after we put through the closing loopholes bill, which, hopefully, makes its way through both houses of Parliament this year, someone will try something new. Someone will go to the courts and try to find a new way of undercutting wages. Someone will come up with a new model to try to see wages run down. We'll come back trying to close further loopholes.

Getting wages moving and delivering job security in a country where you have an extraordinary number of people without any access to leave is a huge task, and so in terms of priority it simply isn't on this year's list; it's not on any list that I have.

KARP: Is it a loophole that employees get the benefit of union-negotiated pay rises if they are not union members and don't make any contribution?

BURKE: No, no, I hear your point. I'm not critical of the unions for making the argument. I'm simply saying there is no Government policy about to happen, happening, that goes down this path.

KARP: You rule it out then?

BURKE: I've said there's no Government policy that's about to happen or happening here.

TINGLE: Julie Hare.

JULIE HARE: Mr Burke, thank you for your speech. Julie Hare from the Australian Financial Review. Labor frontbenchers, including yourself, have some of the most multicultural electorates in the country. Is the Voice among the top issues raised by your constituents and are you confident the people of Watson will vote yes?

BURKE: First of all, I'm not going to presume on the people of my electorate. They will make their own decisions. I will be encouraging them to vote yes. And, you know, there's been some occasions when there's been national votes where they've voted yes. There's been occasions when they voted no in my part of Sydney. As a multicultural nation, though, people have – particularly when you consider some of the places that people have fled, in my part of Sydney they have a very good understanding of how there should be occasions where the first peoples of the land end up doing really badly and if they were consulted and respected and spoken and listened to, then the outcomes might have been different. Certainly, the lived experience of many people in my part of Sydney is the lived experience that exactly points to why we would want to vote yes.

HARE: When you talk to your constituents, what's the feeling you get?

BURKE: In terms of you asked, "Is this the number one issue?", no, it's people's wages not keeping up with their bills.

HARE: Is it on the –

BURKE: That's the number one issue. But I can also say I have had people raise this with me. I wouldn't pretend it's a scientific poll. Maybe the people who disagree are avoiding the conversation. But certainly, I'm yet to have somebody come up to me and complain about it. I've had plenty of people coming up saying how important it is, some of whom have linked it back to experiences in countries they might have been born in.

TINGLE: Maurice Reilly.

MAURICE REILLY: I'm asking this question on behalf of our director Tim Shaw who's out there watching. Minister, can you rule in or out 20 per cent of streaming quota plans are new Australian stories and not – and doesn't include reruns of Skippy the Bush Kangaroo and Number 96?

BURKE: If I were to – well, the answer was in the speech is the answer to the question. There is a whole lot of moving parts here. One is the percentage, which is what most people have focused on, but the other, as this question focuses on, is what do you include in the Australian content. Is it all new? Is it not? Of what's new, how Australian does it have to be? These are all principles which have been dealt with in a different way with respect to free to air. Now, with free to air, you've got a different way of doing things because you have it got set broadcast times. You can say at this time of day, as we used to, this time of day has to be children's, this time of day you've got various Australian content. You used to have a guarantee of scripted drama that the previous government got rid of it. With free to air, you can do it that way.

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With streaming, we have no control over what time people watch or, ultimately, what they choose to watch so you have to approach it in a different way. I know that the Shadow Minister said, "This will mean we'll end up having three different systems." We already have three different systems. We have a system on free to air TV of particular quotas. We have a system on Foxtel of a dollar amount and we have no system at all on streaming. Complete free for all. That can't go on. So, what we announced on Monday is from 1 July next year there will be Australian content obligations for the streaming services. First half of this year, Michelle Rowland and I will be working out exactly what the formula, exactly how you cut it, what that is, with genuine consultation, with all three stakeholders. You know, there's three groups that have a lot at stake here. You've got people who produce the content and the actors and all the people in the industry, you've got the streaming companies themselves and you have got the Australian audience that is a right to make sure that they see stories that reflect them on their own screen in their own home. Second half of the year we'll have the legislation.

TINGLE: Tom Connell.

CONNELL: Second go at it. There's been a few warnings over the past few years around domestic gas supply in Australia. Since coming to power the one decisive action Labor has taken is to make domestic gas supply less profitable. What has the Government done to increase domestic gas supply?

BURKE: On this one, as part of a Cabinet Government, I'm just going to refer to the relevant Minister. I'm not going to give a half-answer on that.

CONNELL: Nothing at all?

BURKE: We've got the appropriate Minister. It's a serious issue. It's a very serious issue. And I'm just not going to offer it.

LAURA TINGLE: Rosie Lewis.

LEWIS: Minister, just following up on your earlier response to wage theft, you made clear that only the most egregious cases would attract a criminal penalty. Could you confirm – I understand consultation will get underway shortly – that the criminal penalty would include jail time? And do you foresee that there would be people captured and jailed under such laws or do you think such laws would be enough to prevent that behaviour?

BURKE: The objective – well, first of all, in terms of the way I described it, I said for that worse category, that's where they would have to apply.

LEWIS: So, they could apply to the earlier categories?

BURKE: That's something we haven't made a decision on. But certainly, if you're going to talk about criminalising, you have to talk about the worst category. That's part of the consultation we'll work our way through. I don't want to imply I ruled it out, but certainly for that third category it would have to be there.

The hope with criminalising anything is the law doesn't get used because it has a behavioural effect. That's always the hope. Reality often is that sadly you have a couple of high-profile uses of law before the behavioural effect takes place. I hope that's not the case.

You sort of have two worlds. One world is where people continue to be ripped off and people get jailed, while that's bad for the people getting ripped off and it's not so great for the person who suffers a criminal penalty. The alternative world is one where the mere fact of

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criminalising gives a behavioural change. Think of it in these terms. People say, "Oh, it's too complicated." People are used to the fact you have to comply with tax law. You make sure you get your tax return right and you get some advice to make sure you're getting it right. People are used to the fact that you have to comply with planning law. If you're undergoing a major build, you get some advice to get your planning law right. There's been an attitude for too long that you can second guess your employment law.

That's part of the story of the underpayment scams that we've seen over the last few years, that there's been a view that, "Oh, yeah, we don't have to take this as seriously paying our workers as we do paying the Commonwealth or as we do complying with Local Government." I want to see that behaviour change and I have no joy, to be honest; of all the things that we will be dealing with, I'm least excited about criminalising wage theft. I have no joy in doing it or that we have to do it. But from what I saw, particularly during the last term, I have no doubt whatsoever that it will take something like this to deliver behavioural change.

TINGLE: David Crowe.

CROWE: Thank you, again, on arts policy, Minister, a quick question on one of the things you spoke about last year that there's been some reaction to this week. Setting perhaps in legislation a minimum pay for performers. I know the Greens want that in law. Do you think you would put that into law and while we're on laws, you want a poet laureate. Who do you think should get the job? Could it be Paul Kelly, could it be Sia, could it be Nick Cave? You're a muso. I personally don't think Bob Dylan should have got the Nobel Prize, but do you think a muso could be the poet laureate?

BURKE: Let me deal with the poet laureate. What was the first one?

CROWE: The first one was about minimum pay for performers.

BURKE: I'll deal with that first because the second part is fun.

[Laughter]

BURKE: On minimum pay, I have not ruled out that we ever get there. I wasn't able to get there in the seven months that we were consulting on National Cultural Policy because you want to make sure that you don't end up with perverse outcomes. For example, if we think of the volunteers at various festivals, if someone's getting their tickets and they're performing as part of getting their tickets and their accommodation, to what extent are they a volunteer? To what extent is that a payment? How do you deal with that? What should the rate be? What does that mean in terms of smaller venues? Working all that through is complex and it's not something I would rush through.

I am deeply frustrated and always have been at the presumption that every artist when they're asked to help with something it's presumed that they'll do it for free or that exposure is their payment. They're workers – on many occasions, musicians – who have put this request put on them; some of them have been training in their craft since the age of three or four. We talk about how long doctors train. Musicians and the work and discipline that's gone into their craft is extraordinary. To have them on such low rates of pay is horrific. Exactly how you fix it, I wasn't confident that we had landed on the right answer yet. Establishing the Centre for Arts and Entertainment Workplaces, a lot of its work will be about delivering safe workplaces, but there will be questions of remuneration that the centre works through as well.

On the poet laureate, I think everyone was really moved by Sarah Holland Batt at the launch on Monday. Her poems – I've listened online to quite a few of her poems about her father and

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they're just beautiful, elegant works of poetry. I read a poem out loud every day. I've done so since I was 18. Today was Peter Carey. Typewriter Music. Sorry, David Malouf, Typewriter Music. But great poetry – you mentioned musicians. Great poetry already has great music to it. It already does. I've been very determined with the cultural policy that there's never a decision about artistic merit taken by the Minister so you've named a whole lot that I love.

CROWE: So, you won't get a say?

BURKE: No, I won't get a say. But as the member for Watson, I'll remind people of the Bankstown Poetry Slam being the largest poetry gathering in Australia and let's not just think of the famous published poets. There is a culture out there of young people putting their words to paper and then to the microphone with the audience clicking in time when they hear something they like that's become one of the most wonderful ways that words are using used in Australia. It's going to be exciting. I don't know who they'll pick, but I won't be the one doing the selecting.

TINGLE: If I could just ask finally, we've talked about video streaming. You and the Prime Minister are obviously major contemporary music tragics. What's going to happen about music streaming, things like Spotify and getting decent returns for artists from them?

BURKE: There's two issues for streamers that are principally Spotify and Apple, but there are other services as well. Dealing with video streaming is complex but easier than music. The challenge with – the reason it's easier with video is the producing of the work is – it can be done directly by the streaming service itself, whereas Spotify or Apple aren't actually involved in the producing of the music. So, it's a different mechanism. It's one of the things that by having Music Australia as very much a corporate body, not simply dealing through peer review but being able to make strategic decisions in ways that the Australia Council traditionally couldn't, will be able to provide advice to Government on this.

When people think about Spotify or Apple music, for example – I'll give you a simple example, we all think about it in terms of, "How can you have quotas there because I choose what songs I like and that's my business and I don't want the Government telling me what I choose?" Of course. But play an Australian album on one of those and have the feature on that it keeps choosing music for you after. By the third or fourth song if you haven't gone to North America in the choices that it's taken you to, then you're getting a different experience to what I get. The streaming services do not only have available what you might choose; they also push music to you. Getting inside those algorithms and getting a better deal for Australian music will make a huge difference for Australian artists. But I need the expertise and the advice of Music Australia for us to be able to take that next step.

TINGLE: Please thank Tony Burke for his time today.

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

9 May 2023

Albanese Government delivering for workers

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

The Albanese Labor Government's second Budget will improve workplace safety, introduce better protections for Pacific Island workers and help more job seekers find secure jobs.

The Government has already delivered ambitious improvements to the workplace relations system with our Secure Jobs, Better Pay laws – designed to get wages moving, close the gender pay gap and improve job security.

We are continuing this work with consultation on further changes to close the loopholes undermining pay and conditions such as wage theft, labour hire rorts, casualisation and the absence of minimum standards for workers in the gig economy.

The 2023-24 Budget will improve workplace safety with a series of measures:

- **Tackling silicosis**: The Government will provide an extra $10 million to tackle silicosis. This will include expanding the functions of the Asbestos Safety and Eradication Agency to include silicosis and silica-related diseases. We will also support Safe Work Australia social partners to engage in national awareness and behaviour change initiatives. This investment is in addition to the measures announced earlier this year - in partnership with the states and territories – including consideration of a ban on engineered stone products.
- **National Construction Industry Forum**: The Government will provide $4.4 million to establish the National Construction Industry Forum, which will provide advice on key challenges facing the building and construction industry, including workplace safety, culture, skills, productivity and gender equality. The Forum was a key outcome of the 2022 Jobs and Skills Summit and will commence after July 2023.
- **Work Health and Safety support:** The Government will provide $2 million over two years to support new Commonwealth Work Health and Safety (WHS) Regulations on

managing psychosocial hazards at work. Funding will go towards educating the providers who train Health and Safety Representatives to perform their statutory functions in relation to psychosocial hazards.

The Government will also provide $760,000 to support a review of modern awards, to be conducted by the Fair Work Commission.

In the Employment portfolio, the Government is providing more targeted support for job seekers, young people, First Nations communities and Pacific Island workers:

- **Enhancing PALM**: The Government will provide an additional $166.7 million over four years, to enable the Department to bring domestic operations in-house, which will enhance scheme oversight and participant welfare. The Fair Work Ombudsman will also receive an additional $27.3 million to ensure workers' rights are protected. These initiatives are in line with the Government's election commitments to address Pacific economic challenges, ease Australia's agricultural worker shortages and build a strong public service that delivers better outcomes for the community.
- **ParentsNext:** The Government will abolish the ParentsNext program from 1 July 2024 and develop a replacement, voluntary service which better meets the needs of parents. This is in response to recommendations from the Economic Inclusion Advisory Committee, the Women's Economic Equality Taskforce and the House of Representatives Select Committee on Workforce Australia Employment Services.
- **Helping young people find work**: Our youth unemployment rate remains stubbornly high, while industries like the care economy are struggling to find enough skilled workers. That's why the Government will deliver on its election commitment by providing a grant opportunity of $15.2 million to support the establishment of Y Careers agency. The funding is expected to support up to 15,000 young people to pursue meaningful careers and provide employers with access to a new pipeline of talent within priority industries, with a focus on the care economy.
- **Extending Time to Work**: The Government will provide $5.7 million over two years from 2022-23 to continue supporting First Nations prisoners to connect with employment services and help more First Nations prisoners move from prison to paid work. This measure will extend the Time to Work Employment Service in nonremote areas to 30 June 2024. We will work in partnership with stakeholders to continue to improve prison to work transitions for First Nations people.
- **Broome Employment Region:** The Government is providing $5.6 million over five years from 2022-23 to provide continuity of employment services in the Broome Employment Region. The only Workforce Australia Services provider in Broome will be exiting the market later this year. This funding will ensure services continue for participants in the region and that future services are responsive to the needs of the local community, particularly First Nations people.
- **Support for a net zero economy:** The Government will enhance the Local Jobs Program to ensure it has the flexibility to respond with the support that local communities need as we shift to a net zero economy. Four employment regions will receive additional on-the-ground resources to plan for and optimise future opportunities.

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MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Transcript

31 August 2023

Speech – National Press Club, Closing the Loopholes Bill

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

TONY BURKE MP, MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS, MINISTER FOR THE ARTS: Thanks so much, Laura, and thanks to the National Press Club for having me here. I acknowledge the Traditional Owners and Elders and Ancestors and I'm very proud to be here as part of a government that's asking the Australian people to respond to an incredibly generous statement in the Uluru Statement from the Heart with the same level of generosity with a Yes vote only in a few weeks' time.

I want to acknowledge my parliamentary colleague Dave Smith, the Secretary of my Department, Natalie James, and we have a number of representatives from both the trade union movement and from business organisations. Sally McManus and Michele O'Neil, Innes Willox, Andrew McKellar, Tania Constable and Denita Wawn. All people who've been involved at different levels and in different ways in what has been a mammoth consultation task in getting the legislation together. Legislation which I'll be introducing after Question Time on Monday, and it will be called the Closing Loopholes Bill.

Given it's the Press Club, I thought it was reasonable here, of all the different venues, that I could read something from the press. There's an article that was published on the 23rd that I want to draw to your attention. It'll sound familiar. "Australia's largest employer organisations have threatened a fully funded anti-government campaign unless the Minister for Industrial Relations satisfactorily consults with them on proposed changes to the Act. "A meeting of the five big organisations in Melbourne unanimously resolved to fund a campaign unless they were satisfactorily consulted. They were already funding commitments to the campaign and

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planning had begun. “The meeting was convened by the Australian Chamber of Commerce and Industry, and was attended by the Business Council of Australia, the National Farmers' Federation, and other organisations."

They went on to say, "The legislation is an unfair and unbalanced document which ignores both employer interests and the fundamental issues of labour market reform. It's completely unacceptable to employers and it does nothing to encourage investment or create jobs. It would in fact cost jobs and reduce investment."

Even though we're at the Press Club, the person who wrote that article's not in the room today. That's because it was Mike Taylor, when he was the writer for The Canberra Times on 23rd of September 1993.

Not much has changed. But when he wrote that, let's also remember what was the big reform that had different groups so alarmed? It was enterprise bargaining. It was the exact reform that, when we were dealing with multi-employer bargaining last year, we were told, "But surely if you want good productivity outcomes, enterprise bargaining is where you should be looking."

There's a whole lot when you deal with reform where there are debates you are automatically in. And, similar to during the election campaign, when the Prime Minister talked about the need to make sure, in the Annual Wage Review, that wages didn't go backwards, we were told by our opponents at the time that that was reckless and dangerous.

When Secure Jobs, Better Pay legislation was introduced to the Parliament last year, we were told it would lead to unemployment. We were told it would lead to strikes. We were told it would fail in getting wages moving. On all of that, the results are now in.

At the exact same time that inflation has been moderating, what's been happening in our workplaces? Wages have gone up. The Wage Price Index at the moment at 3.6 per cent has a "3" in front of it - something that didn't happen under the previous government, where low wage growth was a deliberate design feature of their management.

In fact, not only did it not have a "3" in front of it – the Wage Price Index in the entire history of the index has only had nine quarters where it's been below 2 per cent – and all of those have happened under Coalition governments. In terms of the threats as to what all this would mean for jobs - we had, as a new incoming government, the best new jobs growth of any incoming government. We now have more than half a million jobs that have been created.

But are they secure? 85 per cent of the new jobs created are full-time. 85 per cent. You think of the four different categories that exist when you do the jobs data. Male full-time, male part-time, female full-time, female part-time. 55 per cent of the jobs that have been created are women full-time. The legislation's making a difference. It's making a difference.

But then, what about the threats that, if we put that legislation through, we would have coast-to-coast strikes? The last quarter of the previous government, how many days were lost to industrial action for the last quarter of the previous government? 128,000. Think about that. 128,000 days lost to industrial action. We've got the figures for the most recent quarter for this government. Not 128,000 - 7,700 days lost to industrial action.

The result of the legislation is exactly what we had argued it would be, and the result of this government's policies are exactly what we are intending them to be.

We want people to be in work, and we want those jobs to be secure.

We want wages to be moving as inflation is coming down.

The work that we've done on the Annual Wage Review, and the work that we did in the Secure Jobs, Better Pay legislation affected every workplace in Australia, and affected it in a variety of ways. Because the other statistic that we don't want to let go of – because it didn't just deal with Secure Jobs, Better Pay, it also dealt with gender equality – the gender pay gap, is now the lowest it has ever been.

You look at all of that and say, "Well, does that mean job's done?" The answer, obviously, is no. That's why we're here. Because, while last year's legislation was about - "How do we reach into all the workplaces and provide outcomes for those who are under the awards system, provide outcomes for those who are on the minimum wage, provide outcomes for those who are already bargaining and provide outcomes for those who want to bargain, but have had trouble getting into bargaining in the system, particularly in feminised industries?" this year's legislation doesn't reach into every workplace.

It deals with the loopholes that undercut wages and conditions and closes those loopholes. Most businesses don't use the loopholes. Most will be unaffected. Although, for many businesses, they have competitors that are unreasonably undercutting them who do use these loopholes.

There's a series of them in the Bill that I introduce next week, but I want to deal with the four major ones today. And, in particular, on the fourth, provide a good level of detail that hasn't been provided until now.

The first of the loopholes goes to wage theft.

Take any shop, for example. The employer and the employee both have access to each other's money. The employee has access to the employer's money through the till. The employer has access to the worker's money through the wages. It is and should be a criminal offence for the worker to be taking money from the till. But it is not a criminal offence, in most of Australia, for the employer to be taking money from the wages.

That loophole needs to be closed down. Most underpayments are not wage theft. Most underpayments are a mistake. Sometimes, there can be issues of recklessness and things like that. But often, there's just an honest mistake that's been made, and we don't want to catch any of that with the criminal law. But where someone has that same intention that the worker would have when they take money from the till, the criminal law needs to be available there as well. We'll close that loophole in the legislation that I introduce on Monday.

The second one – and I've gone through this in some detail already through a speech I gave at the Sydney Institute – is when someone is forced to be a permanent casual. The concepts of permanent casual are logically either/or. You either have a permanent job as a part-timer or full-timer, or you're a casual. Increasingly, there are many people where the hours that they are working are indistinguishable from the hours that would be rostered for a part-timer or full-time worker, and yet they have difficulty transferring across.

Under common law, the situation - and the previous government legislated around this - it was the case where common law had a definition and said, if you're incorrectly classified, backpay would have to be paid as well.

That always carried the risk of backpay in those situations of discouraging someone from wanting to convert, because they would have a long period of time where they could be accumulating both leave and loading. The legislation that we'll deal with will increase the

rights for people to make that conversion. It'll increase their capacity so they can do so after six months.

They won't be able to keep asking every week or anything like that - it'll be every six months they can ask again. The existing system that the government put in place where the employer makes an offer after 12 months will remain. Most casuals won't take this up. Particularly casuals who are students, who are not the person responsible for paying for the main household expenses -things like that. But there will be people who want to be able to convert, who currently are having trouble doing so.

There's a minority of employers that, as a management tool, like to avoid giving people security. It's a minority. It's not many. But for those people, this change will be life changing. They'll be working the same hours they were already working, but they'll be doing them with leave entitlements. They'll be doing them knowing that they have a secure job.

The third of the loopholes is what we refer to as the labour hire loophole.

This arises in industries where you have an enterprise agreement - so if you don't have an enterprise agreement, this is irrelevant for you. But if you have an enterprise agreement in place, the labour hire loophole is where the employer has agreed for particular tasks, particular classifications, that there'll be a particular rate of pay. And then, having agreed to it, having had it registered, says, "But I'm now going to use someone who's technically a different employer," and all those rules instantly disappear, and now we can go right back down to the award again. That's a loophole. It's not what's intended. It's currently legal for the companies that are doing it.

It's frustrating, unreasonable competition for someone who's got a similar enterprise agreement and is not undercutting it in that way. But effectively, all we're saying here is the rates that should be paid are the rates that have been agreed to. It's as simple as that.

That loophole is something that'll be closed in this legislation. It's not to get rid of labour hire. There are lots of appropriate uses for labour hire. At different times that I've been an employer over the years, I've used labour hire. The labour hire workers traditionally, particularly at one point when I was employing people running a bar in Lakemba, was that the temps you'd get in – because we didn't have enough people if we got a big function – were all paid more.

That's how labour hire normally works, and that's fine. But if you have an enterprise agreement and you've agreed to certain minimum rates of pay, labour hire shouldn't be used as a device to undercut what's been registered and agreed to.

The fourth loophole - and it's the one I want to spend most of the detail on today - is what's happened with the gig economy.

To explain this, I'll start with this principle - the gig economy and the platforms that are involved are proud of their role of being disrupters. In their role as being disrupters, they have ended up with products that most of us have on our phones, that most of us like the convenience of, and that a whole lot of people working in the sector like the flexibility that goes with it. So, while there's been some campaigns and some concern - is the government going to try to turn everyone into an employee? The answer's no.

We accept the technology. We accept the method of engagement. But we can't have a situation where we have this growing section of the workforce where they, at the moment, have no minimum standards. The reason they have no minimum standards is this - at the moment, you turn up to the Fair Work Commission, and the Fair Work Commission asks the

initial question. "Are you an employee?" If you are an employee, you have a whole series of rights. If you're not an employee, all of those rights – all of them – fall off a cliff.

What we want to do is turn that cliff into a ramp. So, for people in the gig economy, have a situation where you don't get all the rights that you would have as an employee, but you do have some minimum standards.

I'll never forget during the election debates, there was one - I think it was the one in Perth with Mark Riley chairing it, where each the Prime Minister of the day and Leader of the Opposition of the day got to ask each other a question as part of the debate. Anthony Albanese, as Leader of the Opposition - his question to Scott Morrison as Prime Minister was to say, "Should every Australian worker be paid at least the minimum wage?" Under current law, the Prime Minister of the day couldn't guarantee that, because we've got people doing jobs that we all used to envisage were the sorts of jobs where you'd have minimum standards – and because they technically fall outside the definition of an "employee", they've got none.

So, along this ramp, at the top of the ramp, you've got the rights for employees. Halfway along, gig workers who are employee-like, and down the bottom of the ramp, independent contractor. I want to talk about each of those three levels.

Right at the top of the ramp – most people won't be aware, but effectively, there's no definition of what it is to be an "employee" in the Fair Work Act. So, without that definition being there in any serious detail, what has happened is the courts have gone through a case called Jamsek to a principle that basically says, "If the contract says you're not an employee, then you're not an employee."

Even if every feature that we look at, we say objectively we are talking about an employee here. If the contract says that you're not, then effectively you're not. That's not a common-sense way of making sure we've got standards here in Australia.

We'll be putting a definition in of what it is to be an employee, which will go back more effectively to what the common-law definition had been thought to be before that case. Having established what it is to be an employee, that allows us to have the definition further down the ramp for workers in the gig economy for what it is to be employee-like.

Some good points were made – including from some of the people in this room – about some of the people who we wanted to make sure were not included in this and not regulated in this. Certainly, examples were put forward of people who get work just through Facebook groups or on WhatsApp groups.

That sort of thing, even though it's digital - is that really gig economy? No, that wasn't what we were trying to capture. Other people have raised examples of, on building sites, do we suddenly want tradies, because they're doing work through Airtasker, to find themselves regulated in this way? No, we don't want that. So, the way we've drafted the legislation is to establish two initial questions, and unless you answer 'Yes' to both, this whole section is irrelevant.

First question - "Are you on a digital platform?"

Second question - "Are you employee-like?"

If the answer is 'Yes' to both, then there's a new jurisdiction for the Fair Work Commission. So, what is it to be employee-like? There are effectively three things that the Fair Work Commission will look at.

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Do you have low bargaining power?

Do you have low levels of control over the work that you do?

And finally, are you being paid low wages in the sense that less than what you would get if you were being employed as an employee?

With those three tests, and the digital concept, you put that together, and people say - OK, while it's a decision for the Commission, realistically, who's in and who's out?

Realistically, the food-delivery apps that you use would be covered, and the workers there would be covered. The rideshare apps that you use would be covered. And the apps that are used in the care economy would be covered. Because they all meet that employee-like test. Obviously, they're all digital platforms, but people getting work through a Facebook or WhatsApp group would not be covered.

People getting work in the way, certainly at the moment that I've seen Airtasker work, I haven't seen anyone using Airtasker who you could possibly satisfy that definition of being employee-like. They would not be covered, because effectively, Airtasker runs like a digital version of the Trading Post. That's effectively how it runs.

The next question - and I'm very grateful to the platforms, some of whom are represented in the room today, for the consultation that we've had. Because part of what they've put to us is said “OK, it's one thing to get that gateway right, but once you've got the gateway, you need to make sure that the rules that the Fair Work Commission brings in place don't effectively turn someone into an employee, even though you've said you want to accept the form of engagement.”

How does that work? Think of it in these terms. If the Fair Work Commission – as I reasonably expect it would – came up with a minimum rate of pay for people on various platforms. It probably wouldn't define that as an hourly rate. It may go for a 5-minute or per-minute rate or something like that. Why? Because if you had a minimum hourly rate, you would fundamentally change the form of engagement on a large number of platforms.

Realistically, you'd find the Commission making those decisions on much smaller time periods as to how they worked out what those minimum rates were. But if the Fair Work Commission were to introduce rostering rights - at that moment, you have killed the form of engagement for people who work in the gig economy. Because the moment they're committed to a roster, the whole nature of their engagement would fall over, so rostering rights wouldn't be possible.

Similarly, you've only got to wander past any of the delivery riders who are outside any of your takeaway places in your main streets, or if you're taking a rideshare arrangement yourself, you'll often see the case that someone's got multiple apps running. You couldn't logically pay somebody for the time that they're just on an app, because that would wreck the form of engagement. You couldn't do that. But things like minimum rates of pay, things like terms of payment, time periods, how quickly you have to be paid after a shift. Those sorts of principles would all be able to find their way through decisions of the Fair Work Commission into being minimum standards.

This is a game-changer for what it is to work in the gig economy – because it means you keep all the flexibility that you know, all that flexibility is there, hop onto the app when you want, take shifts when you want.

The apps will still have different surge mechanisms where, at different points of day, where there's higher demand, your rates go up. That will all still be possible.

But we'll no longer have a situation where there is no floor.

We'll no longer have a situation where some of the more reputable apps are being undercut by other apps that emerge on the market that are putting people into unreasonably poor remuneration and unreasonably unsafe working conditions.

Those changes create the situation for those workers where they go from effectively no guaranteed rights at all to having some.

I know technically at the moment, all of these people who work on the apps are technically small businesses. But let's be realistic here. I know what a small business is. I grew up in a small business family. I've run my own small business over the years.

Someone delivering pizzas on the back of a bike is not running a small business.

They are a worker with very few rights and, depending on their app, they'll get different levels of treatment.

We want them to have some minimum standards.

Because – while we all love the technology – it's got to be possible to have 21st-century technology without having 19th-century working conditions.

That must be something that we can manage as a country.

The next right that'll be available for gig workers - and I hate the term, and I'm now going to say it out loud on television, so that's just life. I remember the first time I dealt with unfair dismissal jurisdictions, and people often used the word "termination", and the word - you know, as language, it's pretty dramatic language.

They managed to go one up in the gig economy, and they call it "deactivation". It's effectively what happens if you're dismissed from a platform. There can be cases here, like with any dismissal, that are completely reasonable. And there can be cases that are unreasonable. But at the moment, you don't have a guarantee of any dispute resolution mechanism for people in those circumstances.

There will be a jurisdiction within the Fair Work Commission for people to be able to effectively make a claim for unfair deactivation if they're bounced off one of the platforms and they believe that there's no merit to that decision. That takes us halfway down the ramp. So, not as many rights as an employee, but certainly more than zero, which is where people are at the moment, and the full flexibility of the technology and the convenience of the technology remains. Down the bottom - independent contractors.

There's a small jurisdiction that will be established in the legislation when I introduce it next week for the Fair Work Commission. In my first term here, John Howard was in his last term as Prime Minister. And, as part of the industrial relations changes - we all remember WorkChoices, but they also talked a lot about the Independent Contractors Act - that they were going to create rights for independent contractors, and this would be a game-changer.

In the life of that legislation – so, it's about 17 years since it was brought in now – it's been used 68 times. And only three occasions, in all of that time, where a court has made a ruling under the Independent Contractors Act.

There's a reason for this. It's not that it created rights that no-one wanted. It's that, to be able to use the Independent Contractors Act, you have to be able to lawyer up and turn up with a legal team to the Federal Court of Australia. Most independent contractors are not in a position to be able to do that. We don't want to have a case where everything would come into the Fair Work Commission. What we will do by regulation is set a threshold, and below that threshold, the Fair Work Commission will be able to deal with cases as a no-cost jurisdiction, effectively, where you don't have to be able to lawyer up to exercise your rights.

Above the threshold, it'll still be as the Independent Contractors Act as it currently operates. This will give independent contractors, for the first time, an affordable way of being able to enforce their rights. But the description of those rights won't change from what was introduced by John Howard when they introduced the Independent Contractors Act. It'll simply be that they'll now be an affordable jurisdiction. I don't know how many people will use it. I reckon it'll be more than three over the course of 17 years. That's the ramp.

The higher you are on the ramp; the highest point is to be an employee. At the lowest point is to be an independent contractor. The employee gets the most rights. The independent contractor gets a right against unfair contracts. But that's it. Halfway along, for gig workers, we establish a set of minimum standards for them.

All of that will be in what I introduce on Monday. I don't pretend for a minute that that will necessarily change the dynamic of the public debate. It will still be the case that, in the public debate, some things - no matter what's in the legislation - will continue to be argued are somehow at risk, and we'll have that debate, and it'll bounce back and forth.

There will still be some articles - unattributed, which I don't think anyone's spotted the irony of this, but there were articles last week of an unattributed person complaining that they wanted all the consultation to be on the record, and to be made publicly. But those sorts of comments all happen, and people will give whatever off-the-record information they'll want to be able to give, and there'll be an advertising campaign, as there was in 1993, as there was earlier this year. That's all fine. Different organisations will represent their members.

But there are three arguments that are always put when people don't want to argue the merits of an issue.

They will ask for delay.

They will complain about consultation. And they will talk about something that the issue is not.

My simple request in the debate is, for anyone who does want to stop us closing the loopholes - defend them. Because so far, no-one has defended any of the loopholes I've described.

If someone thinks it is reasonable that wage theft is not a crime, argue it.
If someone thinks it is reasonable that someone who can easily be converted to secure work isn't given it, argue it.

If someone believes that gig workers should have a complete race to the bottom and no rights, then argue that.

And if someone believes that the labour hire loophole is fair and having agreed to an enterprise agreement rate you shouldn't have to have that as the minimum standard for people who are working and embedded within your crews, then argue it – and let's have a

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serious policy debate. Because the serious policy debate is important, and what's happened behind closed doors, I have to say, has been really high-quality discussion. The legislation is different as a result. None of this, of course, will affect what happens in the debate between myself and my counterparts, where the other side of politics are already warming up to say this one is even worse than what Labor did last year.

I'm not quite sure how Senator Cash and Peter Dutton will argue it's worse, given that last year's Bill was going to close down Australia, I'm not sure how you build a crescendo from there. If anyone can, I reckon Peter Dutton and Michaelia Cash will make a good fist of it, and they'll be able to get there.

But all of that drama will be around us, and ultimately, at one level, none of that will matter either. What will matter is how does this legislation change people's lives. Because for the person working in a convenience store, who is worried about whether they might be breaking their visa, or what the laws might be for them, they had no protection that the employer was stealing their money and yet not committing a criminal offence. They'll now have the protection of the criminal law.

The casual worker who is supporting people, who hasn't had a holiday for years and years and years, will have some rights to be able to convert to more secure work – and that will be life changing.

The labour hire worker, like the guy I met in the Hunter, who took me in his truck, well it was called a truck, but it was more like an apartment block that he drove in. The whole thing shuddered as the coal load landed behind us. He said he has never worked in another industry where casuals are paid less than permanent workers. How do you do that with a loading? Because of a loophole that radically cut the base.

For a gig worker who we have all seen, currently out there, running red lights, going up onto the footpath, down on the road, on the road, creating an extra lane between the parked cars and the traffic, knowing at any moment if a car door opens, instead of riding between the lanes, they'll be lying beneath the traffic, they'll have some minimum standards. They'll have some minimum standards.

Closing these loopholes will change their lives, and that's the debate that starts on Monday.

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Ministers of the Employment and Workplace Relations Portfolio

Transcript

31 August 2023

Q&A National Press Club Speech, Closing Loopholes Bill

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

LAURA TINGLE, HOST: Thanks, Minister. You mentioned that this will be the first time we've had a definition of what an employee is. Could I ask – what will that definition be? And given that we haven't had that, are there likely to be flow on consequences or reverse engineering of existing legislation outside this area of focus at the moment?

TONY BURKE MP, MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS, MINISTER FOR THE ARTS: Effectively the new definition of an employee will be a legislated version of the old definition of an employee. So, before Jamsek the common law effectively looked at all the elements of the relationship to work out whether there was realisitically an employment relationship going on. I call that sort of test "what's really going on" test. It's a very practical sort of definition. I get why business prefers the simplicity of 'if it's in the contract that's the end of the matter'. I respect the simplicity of that. But we can't have a situation where you can put something in a contract that is objectively not what's going on and have it prevail. The extent it will be gamed will really only be the extent to which the old common law could've been gamed. That test – the employment one – will be very familiar to all the industrial relations practitioners in the way it's drafted.

TINGLE: Phil Coorey has a question.

JOURNALIST: Hi Mr Burke, Phil Coorey from the AFR. Just something – a lot of claims and counterclaims obviously in the lead-up to the release of the legislation. And – being in the fourth estate, we haven't been privy to any of the details or the discussions. Something that's come from the mining sector under labour hire, same job, same pay – the issue of service

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contractors. So an example, if a mining company brings in service contractors to maintain a big bit of equipment, or do catering or something like that, and the mining company itself doesn't have its own people doing that job, will those people have to be paid at a different rate? Or they're engaged under the rate their own employer has them at?

BURKE: Thanks for that. I'm not announcing all the bits all at once. There's a bit more to come. But if I can put it in these terms, the relationship with AREEA was not good last year, in terms of the engagement. It was all done through newspapers and the media. This time AREEA came to me with their members, and I sat in the little room around the corner from my office in Parliament House and there with a whole range of service contractors who were everything from heavy equipment to repairs, to catering. The case they made was compelling.

Some of them acknowledged that part of their business is labour hire, and completely accepted that part of their business would be caught by what we were doing. But made a very good case that there is a good level of work that is done on site where the service provided is not labour. The service provided is far more specialist than that, and what I introduce will be drafted to take very full account of the points they raised with me.

JOURNALIST: So, they'll be exempt?

TINGLE: David Crowe.

JOURNALIST: Thanks Laura, thanks Mr Burke. David Crowe from the Sydney Morning Herald and the Age in Melbourne. There are many different aspects to the Bill that you'll put next week, but one of them is about casuals. You mentioned the changes you have got in mind there. There are 2.7 million casuals in Australia. So, a lot of people in the community with a great interest in the changes you're going to make. Not of all of them want to be permanent workers, but some would. You mention back pay. And I just want you to clarify the situation there because there was a warning from your department several years ago that the cost to employers if this led to backpay claims would be 18 to 39 billion dollars. So, there's a lot riding on this. Are you closing off any option for those casuals who become permanent to seek backpay, an absolute guarantee there won't be back pay claims?

BURKE: The way we've drafted it is whatever could be owed is offset by the loading paid. If you had some weird occasion where the casual loading that was being paid was something like 5%, you'd offset it to 5%, but in most situations casual loading is at 25%, which would fully offset leave entitlements. Effectively you have a situation where you end up with a worker at any point in time, either getting leave, or getting loading.

JOURNALIST: So they could then claim some of what they are – what they believe they would be owed from the past?

BURKE: You're talking about a situation-- I have invented an example of if the casual, because I'm trying to make sure we don't create a new loophole. Where an employer, for example, could put through a new agreement with a really low casual loading, that did not in fact offset the leave entitlements. So, similar to what the previous government put in place, we're not interfering with that concept at all. The concept of there being some big liability coming to business, no. We have ruled it out.

TINGLE: Rhiannon Down.

JOURNALIST: Hello. Rhiannon Down from The Australian. Thank you for your speech. Business groups have scheduled a press conference directly after your speech, it's likely they'll say the changes will increase complexity, cost jobs, and that the first and second waves

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are all one way of benefitting workers and unions. But how do these changes actually benefit employers rather than just deliver on a union wish list? And can you guarantee these reforms – especially in the gig economy – won't just jack up the prices for consumers?

BURKE: OK, there's a lot in that. Let me work through it. First of all, what you say about increased complexity – I don't want to disregard that, it's true. Having no standards at all is really simple. Having no protections is completely simple. You don't need to put anything in the Act to provide the levels of protection that we currently have for gig workers. So, yeah, it adds something, it needs to. If we're going to be a nation where you don't have to rely on tips to make ends meet, then there needs to be some extra regulation and words on the page – and that has to be done. Businesses put to us there'd be some aspects and ways we could regulate that would create a real problem in complexity for them. So, we have evaded that. I went through in the speech the different ways we've made sure that you can't have a minimum standard that would change the form of engagement.

That full level of flexibility is there. And once again, when you say, "Could there be a pass through to somebody getting the pizza delivered to their home?" Underpaying people is cheaper – yeah it is. Slavery is probably cheaper too. There is some modest pass through here. We are talking about some of the lowest paid people in Australia, and if that means there's a tiny bit extra you pay when your pizza arrives to your door and they're more likely to be safe on the roads getting there, then I reckon it's a pretty small price to pay.

TINGLE: David Speers.

JOURNALIST: Minister, thank you. David Speers from the ABC. What you said there, a tiny bit extra to get your pizza delivered, you also said, though, this will be a game-changer for that rider delivering the pizza, they won't have to, you know, weave through the parked cars and end up on the road. Is a tiny bit extra really going to achieve that game-change you're talking about? What can we expect in terms of the change for that delivery rider?

BURKE: It's inappropriate for me to give you a figure here – simply because it's the Fair Work Commission that would be doing it, and ministerial direction on that would be really inappropriate. But can I also put it these terms, the co-operation from the platforms and the goodwill that's been there from all the food delivery platforms as we work through these principles would not be there if there would be a really significant cost impost on people. It just wouldn't be there. Some of the issues that go to people racing go to rates of pay. Some of them go to risk of unfair deplatforming, or deactivation.

For example, people worried unless they get there at lightning speed, they'll lose their – they won't get the next shift, the speed being taken into account from the algorithm, those sorts of arguments. The delivery you get to your door is not the only delivery that person is making in the course of that hour. So, the fact that the cost might be modest for yourself doesn't mean it doesn't all add up in a significant way for that worker. Effectively if I go back to years ago, I remember when the delivery service used to be Pizza Hut and everybody doing it was an employee. They were all employees, they all had rights. We always accepted that this sort of work who be work that had minimum standards attached. In the last decade that's gone. We're simply wanting to bring back what those appropriate minimum standards should be for the Commission to be able to work it out. If it created a price problem for consumers, you wouldn't find the co-operation we've had from the platforms.

But it is a real change. Don't just think when you think of the people delivering your pizza, for example, if it's coming through Uber Eats, don't forget the disproportionate – for the size of the business – number of injuries we saw with businesses like Hungry Panda. There's some small apps out there, that have been radically undercutting, that have been a real safety

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concern. I've met with those workers over the years, I've been to memorials with them. That's why I say it's a game-changer.

TINGLE: If I could just intervene on that question of the gig economy, everyone is focusing on the delivery drivers, but a huge part of the gig economy as you mentioned is care economy workers now. It's hundreds of thousands of people who are going onto platforms to get work in the NDIS and the like. Are you sure that you are doing enough with these reforms to stop this trend to people being, you know, what's the opposite of being deplatformed – being platformed and becoming employee-like, rather than employees?

BURKE: If I can explain what one of those platforms does. A lot of people, if you're not involved in the aged care sector or the NDIS directly, you won't realise how much of this is being delivered through the gig economy.

First thing to remember with this is, as taxpayers, we all pay for the service to be delivered at the rate of pay that would apply for an employee. As taxpayers, we've already made that commitment for that money to be spent. What happens is it then goes to the platform, takes a percentage from the user, and a percentage from the worker, and workers bid down against each other over who is willing to get the work. One of those platforms, for example, will say, "But we have a minimum rate." Their minimum rate is not based on the award. Their minimum rate is not based on an award that would have a minimum shift attached to it. Their minimum rate is based on the minimum wage, not for an occupation that in fact has an award that is relevant. So, even on the platform itself where they say, "We do a minimum rate, and we do a loading, and we do money for superannuation". It's still less than what you are legally meant to pay someone. They get away with it because of a loophole, and as taxpayers, we still fork out the full amount.

That's not sustainable. The flexibility will work for a whole lot of people, and you can still have the flexibility, but our objective is to fund services for people with disabilities, and to fund services for people who are aged. That's the objective. It's not to make money for a platform that is underpaying workers. The platform I'm sure will be up in arms about these changes, and that's fine. They can have their argument. But I just suggest to them, don't pretend that this means fewer services get provided to the person needing them, because that's not true – because the Government's already fully paying for it. Be honest and defend the loophole. Be honest and defend that somehow there's a business out there that thinks it has a right to take taxpayers' money, clip the ticket, and underpay workers at the other end. And if they're willing to have that argument, I'll turn up to.

TINGLE: Anna Henderson.

JOURNALIST: Anna Henderson, SBS News. Minister a substantial portion of the workers in the industries you've been talking about do come from migrant backgrounds and are new arrivals. So, what do you see as your IR obligations to protect new arrivals from exploitation, injury, or death at work? And do you see any merit in for some industries at least, the idea of default union membership as an extra form of protection?

BURKE: Default union membership is not something we're going to. That's not there. I hear the policy arguments about it. But it's not something the Government is proposing in any way. The issue with respect to – that you start with, though, Anna, is sadly true. People who are exploited are disproportionately here in Australia as our guests. And it's an issue that I've been grappling with both here, dealing with employment law, and similarly with the obligations I've got as Employment Minister dealing with the PALM scheme as well, trying to make sure that people are not underpaid.

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There is a particular obligation that Anna Booth will take on, in her ombudsman role, and there'll be that's work happening there. There's legislation we have before the Parliament at the moment, improving the rights for workers who are on visas. But this is going to be a continued job lot. There is a cruel, deliberate and menacing project out there from some, to exploit people on the basis that you can't just threaten to fire them, you can threaten to deport them. It will take some time for us to get on top of that, but this legislation is part of that project.

JOURNALIST: Thank you.

TINGLE: Poppy Johnston.

JOURNALIST: Thanks for your speech, Minister. There's been some concern from industry, but you say you have responded to flexibility issues and the like. Do you expect any digital platforms to leave the Australian market in response to these changes?

BURKE: No, I don't. No, I don't. The only reason one would, would be if they were really determined to exploit people. And that's not the sort of business I would welcome anyway.

TINGLE: Melissa Coade.

JOURNALIST: Melissa Coade from the Mandarin. You mention the efficacy of the ICA legislation over 17 years and also the three perils, I guess, of pragmatic politics, where people delay, complain about consultation, and argue about issues that they're not. So, my question is about – if you want to make sure the legislation is closing loopholes, is there any sort of directive you have given to your public servants about evaluating whether those reforms are in place, what does that look like, how are you going to be looking a little this no fee jurisdiction and whether it's getting the uptake you like.

BURKE: Thanks. First of all, I will take the opportunity just to thank my department again. It has been a mountain of work and a mountain of engagement and for all the engagement that I've had personally with the different employer organisations, you can multiple that many times in terms of what the Department have put together. I really want to give full respect to their work on this. I keep checking in terms of trying to make sure people are working respectable hours, but I certainly know some people have been putting in hours beyond what I would hope would be part of a workplace. So, I just I want to pay respect to the members of the department.

The challenge is you need to get your data in two different ways. You need to get your data in terms of what is happening with the cases. But then you also need to be doing your general surveys for what is happening out there, because the cases will only be what happened when something was challenged, not what happened. For example, we don't have cases at the moment about family and domestic violence leave clogging up the system. But I know anecdotally it's being used and it's creating a circumstance where a whole lot of women in particular are not having to choose between safety and pay. But if we only went to court decisions, we wouldn't get that sort of information. It will be a combination of the department keeping a line of sight on what's happening in first the Commission and then ultimately the courts on appeal. But secondly making sure both generally and specifically through Jobs and Skills Australia that we are continually capturing the data to be able to establish the extent to which we are improving job security for people in Australia. There will always be people who want some insecure jobs. They'll always be there and that's fine. They won't have trouble finding them.

But I'm very conscious, your rent's not casual. Your bills aren't casual. Feeding your kids isn't casual. None of your liabilities are casual, and if you're in a circumstance where you've got all of those liabilities heading your way, it's not unreasonable you want your job to be secure as well. Finding out how that's happening across the economy is something that Jobs and Skills Australia I'm hoping will help me with.

TINGLE: Paul Karp.

JOURNALIST: Thanks very much Minister, Paul Karp from the Guardian. You've been quite clear you think that Airtasker, these new laws won't apply to that platform. How did you distinguish that -- a platform that says it just matches independent contractors with consumers of a service, with something like Mable, a care economy platform who would say it's doing the same thing. And relatedly, given the legislation gives the Minister the power to prescribe the characteristics of an employee-like worker by regulation, do you have an extraordinary discretion to get platforms you don't like and put them within scope?

BURKE: The latter is simply – if you end up with a decision that's widely off what anyone was expecting to be able to have a way of dealing with that. Because we're dealing with something new. The cliff I referred to has been within our workplace relations system in Australia right back to the days of the Harvester Judgement. This concept of an employment cliff has been there, and the concept of businesses being treated separately has always been there. The concept now of saying there's some people, they're being classified as businesses, but they need some protection. This is a new jurisdiction for the Fair Work Commission that we're dealing with.

I can't give a short answer to the first question. So, I may talk a little bit faster to try to get through it. Because what you have described there, Paul, is something that we weighed up.

It's described as vertical versus horizontal. One way of doing the test in this new jurisdiction was to say, whether the platform sets the rate, or whether the worker sets the rate. And could that be the way you define who was in and who was out. Here's the problem had we gone down that pathway. If you look at the airports at the moment, there's big signs up for a business called InDrive. And they say, "You set the price".

This is a driving app that will be a direct competitor with the other driving apps, which is using the exact method you just described of the matching Airtasker, Mable style matching. If we set minimum standards and didn't capture apps like that, effectively all the ones that most people will have on their phones at the moment, Uber and the like, they would have minimum standards, and they would be facing a competitor for the exact same customers that was able to undercut, because they found a different way of doing the algorithm.

What would happen at that moment – there would be economic pressure on all of those platforms to make the same jump and evade. That's what would happen. The idea of this reform is effectively to give the Fair Work Commission the same level of flexibility that the platforms have, because around the world, if you give too rigid a system and you give this high-definition, 'This is how you're in', 'This is how you're out', platforms would then say this is a how-to guide to evade it. One of them evades it and that then creates commercial pressure for all of them too. We would have replaced one loophole with another. I don't want to do that.

That's why we said instead of should the test be who sets the price, the test should be what do the workers look like? If the worker is, I gave those three exampling, low bargaining power, low control, low pay. If you look at those features, that tells you who is going to be employee-like, and once you look at it that way, businesses like Mable come in, businesses like Airtasker fall out.

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TINGLE: Jack Quail.

JOURNALIST: Thank you very much for your speech, Mr Burke. It's Jack Quail from NCA news wire. On your point about those minimum standards, under Mable's system, they would be covered by the minimum standards. You might have a worker doing the exact same work on Airtasker, then that doesn't have those minimum standards, how does that work – you said it wouldn't create another loophole, but effectively you have two different operating environments where one has minimum standards, and one doesn't? How does that work?

BURKE: We're describing in terms of the platforms, but the Commission will be able to deal with the type of work. It is not inconceivable, for example, a whole lot of people who are employee-like to start using a platform where the main business of that platform would never be caught – and there end up being minimum standards for workers on those platforms. That's not impossible. It needs to be that way. Otherwise, you end up with circumstances where once again there's a how-to guide on how to evade. So, the Commission would have the full flexibility to be able to work out how things were extended in that way.

JOURNALIST: So, Facebook Marketplace, because you've got people in the care economy there... Are they all going to be dragged into this too?

BURKE: No. There's seven or eight ifs there. We are talking about a jurisdiction that hasn't even heard the Mable case yet. Let's not get ahead of ourselves.

TINGLE: Kimberley Caines.

JOURNALIST: Kimberley Caines from the West Australian. Thank you, Minister, for your speech. Just following on from your response to Phil Coorey's question, how many mining and services companies have told you they will have to restructure their operations because of the new labour hire rules, and is your government preventing the critical minerals boom from happening in WA with these rules?

BURKE: The answer is none and no. For the very simple reason, the service contractors have come to me saying – they've come with a solution, to their absolute credit. They haven't come to me saying, this is a disaster, and we need to stop you from doing it. They've actually come and said, "part of what we do is labour hire, that's going to be caught, we're OK with that. But there's these other things that we do, which we don't think you're intending to catch". And a proposal, in terms of – which has been written about – a multifactor test, to say how they think we may go about making sure that we only affect those parts of their business – and they're right – that we're actually trying to reach. As long as we get that right, and we've been following their advice on how we draft this, there is no restructure required from them. The restructure was required in terms of how we drafted the Act.

TINGLE: Andrew Tillett.

JOURNALIST: Thanks, Laura. Thanks, Minister. Just going back to Phil's question about – you said about exemptions for service contractors –

BURKE: You all want to get a few days ahead of this announcement.

JOURNALIST: Well, I was going to ask about the Bulldogs but I think we're going through enough at the moment. But this exemption for service contractors, we understand and we're hearing they can only be exempt if they put themselves through a sort – a 12-factor test, and effectively litigate themselves out of the same job say pay system. What do you say about that?

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BURKE: You're being told wrong.

TINGLE: Can I just – Phil Coorey is going to ask another question, but before he does. I'm just still a little bit unclear on what that minimum standards will be. In the sense that you were talking about delivery drivers getting injured in the traffic, a care worker getting injured looking after somebody lifting them or whatever, you're not talking about workplace safety rules here, are you? What are the actual minimum standards going to be?

BURKE: Workplace safety is already managed by the states. In terms of a jurisdiction, the states already regulate workplace safety. There is for riders, for example, an additional safety issue that if you're paid such low rates you have to absolutely rush to be able to get any sort of meaningful income – that regardless of safety rules creates an additional risk on the roads. That's the only real relevance to safety. The issues that the Fair Work Commission will be empowered to do is effectively to deal with establishing minimum standards that don't break the form of engagement. That's effectively the remit. There will be some things in the Act we make clear you can definitely do this, there will beother things where we say you definitely can't do this. Most of it is governed by the single test – if the minimum standard you were wanting to apply would change the form of engagement, then there's no jurisdiction to do it. If it simply provides minimum standards within the form of engagement, like rates of pay for example can do that. For the first time the Fair Work Commission can put that in place.

TINGLE: Phil Coorey.

JOURNALIST: Thanks again. Just back to the gig economy, and you said consumers should expect to say a little bit more just to guarantee the fair treatment of the workers. You have talked about minimum standards. I think on radio this morning you ruled out overtime. What about penalty rates? Is that going to factor into the minimum standards for Uber drivers and delivery workers?

BURKE: It's not something that's specifically referred to in the legislation. It's something the Commission would be able to make a decision on. They'd hear evidence each way. Some people would argue for particular times of day. The reality is, at particular times ,of day those rates already go up, that's sort of inbuilt into the algorithm. I don't the extent to which that would be taken up. There's neither a requirement or a prohibition on that.

TINGLE: We're looking towards to an interesting few weeksof debate, I'm sure. Please thank Tony Burke for speaking.

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agenda

EDITORIAL

By **EDITORIAL**
12:00AM OCTOBER 6, 2023 • 19 COMMENTS

The Australian's new commentary newsletter. Sign up to get the nation's sharpest writers, with their bold opinions and incisive analysis in your inbox every Sunday.

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Fresh demands by unions to expand the Albanese government's proposed same job, same pay laws confirm the worst fears of employers and bode ill for the future of workplace flexibility. The Australian Manufacturing Workers Union and the United Workers Union want to shorten the waiting period for workers to be able to convert from casual work to full-time employment and to strengthen the rights of unions to interfere across a broad front. The two unions represent more than 200,000 workers and cover the manufacturing sector and warehouse and distribution. Their intervention in a submission to a Senate inquiry into the proposed new laws demonstrates the extent to which the new government has managed to set employers against their workforce. This will potentially have devastating outcomes for those wanting to work, and the economy more broadly, as employers choose to limit opportunities rather than run foul of the new laws. Unions are concerned about the "pervasiveness" of casual work and want the same rigid rules that will apply to rates of pay for labour hire workers under the new regulations extended to other working conditions including rosters. The changes serve to amplify the hold unions currently exert over workplaces and why less restriction, not more, is needed. Unions want improved conditions for labour hire workers to include compensation for late change of roster or loss of meal breaks. They want labour hire employees to be paid for travel time and to bring multiple labour hire providers under a single order. Their demands blow the whistle on claims by Workplace Minister Tony Burke that the changes proposed under the same work, same pay legislation, renamed Closing Loopholes, are modest. Mr Burke has

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Business groups are correct to demand that the legislation be sent to the Productivity Commission for review. The proposed new laws have galvanised the employer groups into action. Mining companies have warned the workplace shake-up will hand the Transport Workers Union and major companies power to effectively fix prices across entire supply chains. The Australian Chamber of Commerce and Industry says the IR changes have no policy basis other than the impatience of the trade union movement to bring about a more government-regulated employment and wages system. The latest demand by the AMWU and UWU is further proof that this is the case. The Senate inquiry into the changes will meet again on Friday and must continue to probe the excesses hiding in Mr Burke's proposed reforms. The evidence is mounting that the legislation has been rushed, will have unintended consequences and contains measures that work against the government's bigger imperative, which is to manage the cost-of-living crisis for all Australians.

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Business Council of Australia launches fresh IR attack on Labor

By GREG BROWN
CANBERRA BUREAU CHIEF
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The Business Council of Australia is claiming Labor's "closing the loopholes" industrial relations reforms are broader than being publicly disclosed by the Albanese government, with the draft Bill including 100 new regulations that have not yet been defined.

BCA chief executive Bran Black said an analysis of the 800 page draft Bill and explanatory memorandum showed there were also references to 100 new regulations that could lead to "hundreds more pages of regulations, orders, and guidelines being imposed on employees and employers".

Mr Black said the undefined regulations – allowing governments to make decisions with the stroke of a pen rather than passing legislation – could result in a "massive transfer of power" from the parliament to Workplace Relations Minister Tony Burke.

"The government wants us all to buy a pig in poke," Mr Black said. "The government's Industrial Relations Bill and explanatory memorandum not only run to more than 800 pages, but also rely on numerous layers of downstream ministerial decision-making, regulations and delegated legislation, which are yet to be drafted and so cannot be scrutinised.

“There is a real prospect of hundreds more pages of regulations, orders, and guidelines being imposed on employees and employers if this Bill is passed.

“Parliament will be asked to vote on sweeping changes without, in many cases, knowing their true scope and impact on workers and business,” he said.

The government needed to make public the regulations that would be implemented as a result of the Bill. “We’re calling on the government to detail exactly how its - reforms will operate before legislation is considered, rather than trying to vest the minister and the Fair Work Commission with enormous powers and telling us we should just trust them to get it right. Given the breadth and scope of the Bill, that’s the only fair approach.”

Labor’s proposed second tranche of industrial relations reforms include forcing employers to pay labour hire workers the same wages and conditions as direct employees on enterprise agreements. It proposes minimum standards to gig workers and new rules to encourage businesses to hire permanent employees rather than casuals or independent contractors.

On Sunday, Mr Burke said the BCA was being disingenuous in its concern about new regulations.

“Let’s face it, none of these objections are about the regulations. The organisations with members who use the loopholes that attack job security and undercut wages will desperately reach for every excuse,” Mr Burke said.

GREG BROWN, CANBERRA BUREAU CHIEF

Greg Brown is the Canberra Bureau chief. He previously spent five years covering federal politics for The Australian where he built a reputation as a newsbreaker consistently setting the national agenda.... Read more



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Closing Loopholes – Impact Analysis

It is difficult to estimate the economic impacts of workplace relations reform in isolation

- Specific outcomes will depend on the approach that independent parties – such as employers, unions and the FWC – take in response to proposed measures.
- It can be difficult to isolate the impact of individual measures from other external factors, such as changes in the economic climate.
    - In the Opposition's Explanatory Memorandum (p. xxxii) for the *Securing Australian Jobs and Economic Recovery Bill*, it noted that 'it is difficult to quantify the regulatory impact of each option as there is no precise information collected on the employees and businesses directly affected'.
- The data used in the department's Impact Analysis Equivalent processes were the best available, from authoritative data sources such as the Australian Bureau of Statistics.
- The Office of Impact Analysis (OIA) sets guidance on the information they require to make an assessment, which the department closely followed. For example, where relevant data was not avaialble and/or unreliable, the department has acknowledged these limitations. This is consistent with the requirements from the OIA.

The final impact on consumers will depend on the detail of the FWC's orders and how businesses implement changes

- The Fair Work Commission is required to make balanced decisions, having regard to factors such as the need to avoid unreasonable adverse impacts on business viability and the national economy, which will help mitigate the impact on consumers.
- It will be up to businesses to decide how any increased costs are passed on to consumers.
- Where costs are passed on, these would be spread across multiple consumers, minimising the impact to each consumer.

Uber and DoorDash claim that minimum standards will raise prices by between 85% and 260%

- Uber and DoorDash have not provided the underlying data upon which their modelling is based (e.g. current pay rate, time of day, vehicle type, distance travelled, etc), so it is difficult to assess them.
- However, both platforms' modelling assumes delivery workers will receive the same entitlements as employees. This is not consistent with how the provisions work - the Fair Work Commission cannot set minimum standards orders that make digital platform workers into employees.
- The Fair Work Commission also cannot set standards that would change the form of engagement from independent contracting to employment. This includes things like rostering arrangements.
- Considering pay and conditions of comparable employees is just one factors the Fair Work Commission must balance under the minimum standards objective when considering an order, along with the need to tailor standards to worker preferences and avoiding adverse impacts on business models. It must also take into account the type of work and the preferences of workers.

The reforms have been designed to not unnecessarily increase impacts on businesses

- The Bill aims to close loopholes in our workplace relations system that can undercut fairness and job security in the Australian labour market.
- Implementing changes to improve fairness for labour hire, casuals, and gig workers, as well as minimum standards to ensure the road transport industry is safe, sustainable and viable, will inevitably carry some regulatory burden for businesses.
- Some measures will require particular businesses to change their practices or behaviours where those practices are not resulting in fair outcomes for workers in the labour market.
- Legislative guardrails will help to minimise the impacts by ensuring they are targeted and balance appropriate factors.
- The total package is estimated to cost up to **$920 million per year on average** plus some assorted regulatory costs, or less than 0.1 per cent of the total wage bill. This equates to up to **$9.2 billion over 10 years** plus some assorted regulatory costs.
- The vast majority of this cost will be paid to workers who benefit from these proposals.
- Under the potential scenarios costed, it is assumed not all measures will have wage increases each year, so the impact in any given year may be higher or lower than the average annual cost. As is standard practice, our impact analysis costings were presented as an average annual cost over 10 years.

Higher wages for workers

- We estimate that the Bill will give back up to $900 million per year to underpaid workers and workers in less secure jobs - less than 0.1 per cent of the total wage bill. This is comprised of:
    - Up to $510.6 million per year in increased wages for up to 66,000 labour hire employees who become covered by a Fair Work Commission order, where they are currently receiving lower wages than host employees as a result of the labour hire loophole.
    - $403.8 million per year on average in increased wages for around 150,000 food delivery and rideshare gig workers and around 16,000 gig workers in the care sector, to bring their pay up to award minimum rates.
    - $3.8 million per year on average in increased wages for around 2,900 road transport workers, to bring contractors pay up to minimum award rates.
- These reforms are not expected to drive inflationary pressures. Inflation peaked at the end of 2022 and is expected to continue to moderate. The Budget forecasts inflation will fall to 3 ¼ per cent in 2023-24.

Treating workers fairly is not mutually exclusive with innovation and productivity gains

- Reforms in this bill will encourage businesses to compete healthily through better innovation and investment in their workforce rather than through decreasing wages and conditions of workers, many of who are in less secure forms of work.
- Participation and worker productivity are more likely when jobs afford fair wages, conditions and security.
- We expect there will be a positive impact on job security and conditions which may increase participation.
    - The Employment White Paper outlined the strong connection that exists between job insecurity and poor physical or mental health, and therefore job performance and for productivity (p. 60), while also noting that employers can find the turnover and productivity of their workforce suffers when workers are employed through insecure arrangements.
- By removing loopholes that allow businesses to undercut the wages and conditions of their workers, businesses will have the opportunity to compete on a more level playing field.
- Minimum conditions for employee-like and road transport workers will also allow them to operate on a more level playing field, without the pressure to undertake work faster and cheaper.

Table 1: Estimated average annual costs of Closing Loopholes – by proposal

Policy	*Wage bill cost*	*Regulatory costs*	*Total cost*
Closing the labour hire loophole	Up to $510.6 million (0.05 per cent of the total wage bill) (economy-wide)	$0.2 million (one-off economy-wide cost for businesses)	Up to $510.8 million (economy-wide cost for businesses)
Minimum standards and increased access to dispute resolution for independent contractors*	$407.7 million (0.04 per cent of the total wage bill) (economy-wide)	$235.58 per business affected only by the new meaning of employment, *or* up to $10,080.70 per affected business for digital platforms, *or* up to $6,125.00 per affected business + $258.80 per worker for road transport businesses	$407.7 million per year (economy-wide), *plus* $235.58 per business affected only by the new meaning of employment, *or* up to $10,080.70 per affected business for digital platforms, *or* up to $6,125.00 per affected business + $258.80 per worker for road transport
Standing up for casual employees	Nil	Total annual costs: $1.4 million (economy-wide), comprised of: All businesses: $1.1 million ($730,000 larger businesses, $370,000 small businesses) Employees: $0.3 million (economy-wide)	$1.4 million annually

*Refers to costs of Option 4 (Empower the Fair Work Commission to set minimum standards for digital platform workers and road transport workers, with an interpretive principle). Option 3 does not include the interpretive principle, Option 2 does not include the interpretive principle and road transport workers, Option 1 is the status quo.

Table 2: Estimated average annual costs of Closing Loopholes – Total

Policy	*Wage bill cost*	*Regulatory costs*	*Total cost*
TOTAL PACKAGE	***Up to $918.2 million (economy-wide)*** ***(0.09 per cent of the total wage bill)***	***Businesses: $1.1 million (economy-wide) plus*** ***$235.58 per business affected by the new meaning of employment, or*** ***up to $10,080.70 per affected business for digital platforms, or*** ***up to $6,125.00 per affected business + $258.80 per worker for road transport businesses plus*** ***$0.2 million in the first year only (economy-wide)*** ***Individuals: $0.3 million (economy wide)***	***Businesses: up to $919.3 million (economy-wide) plus*** ***$235.58 per business affected by the new meaning of employment, or*** ***up to $10,080.70 per affected business for digital platforms, or*** ***up to $6,125.00 per affected business + $258.80 per worker for road transport businesses plus*** ***$0.2 million in the first year only (economy-wide)*** ***Individuals: $0.3 million (economy wide)***

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Last Cleared By s. 22(1)(a)(ii)
Date Last Cleared 19 October 2023

Appendix A: Closing the Labour Hire Loophole

Why hasn't the department been able to estimate all of the costs to business from this proposal?

- The administrative and compliance impacts from the Closing the Labour Hire Loophole are difficult to estimate because:
    - There is no reliable data on the number of businesses that use labour hire.
    - There is no reliable data on the complexity of enterprise agreements in place in businesses that use labour hire.
    - There is no available data on the number of applications that may be made to the Fair Work Commission.
    - There is no available data on the volume or complexity of issues – including corporate arrangements – that parties may wish to raise in the Fair Work Commission, which impacts the volume of evidence and other materials that may need to be considered.

How many labour hire employees will be affected by the proposal?

- The department estimates that around 66,000 labour hire employees will be eligible to be covered by this proposal.
    - At the time of the costing, ABS data indicated there were around 319,000 labour hire workers in Australia.
    - Some of those workers are paid more than directly engaged employees. Some are engaged for less than three months. Some work in hosts without an enterprise agreement.
    - When taking into account these factors, the department estimates approximately 66,000 workers will be affected.

How many businesses will be affected by the proposal?

- There are around 6,000 employing labour hire businesses in Australia – these businesses could be impacted if they become covered by an order of the Fair Work Commission.
- The department cannot estimate the number of host businesses that may be affected by this proposal.
    - There is no reliable data on the number of businesses that use labour hire.
    - The number of hosts impacted by this measure will also depend on the number of applications made to the Fair Work Commission, which cannot be accurately predicted.

How is the increase in wage costs calculated?

- The department estimates the proposal will potentially increase total aggregate labour hire employee wages by up to $510.6 million per year.
- This estimate uses ABS data and is based on:
    - Around 66,000 labour hire employees estimated as being eligible to be covered by a Fair Work Commission order.
    - Those approximately 66,000 labour hire employees earning approximately an additional $4.79 per hour to match directly engaged employees.

What are the regulatory (non-wage) costs of this proposal?

- The department estimates total aggregate regulatory costs of approximately $248,000 will be incurred by labour hire employers across the economy, in relation to reviewing guidance material on engaging in a Fair Work Commission application – once that guidance is prepared.
    - There are around 6,000 labour hire employers.
    - It is assumed they will each take half an hour to review guidance material about Fair Work Commission applications, costing $39.82 per business (30 minutes using the Office of Impact Analysis hourly rates for 'work related labour rates' of $79.63).
- Limited available data has meant the department is unable to estimate a number of non-wage costs relating to this proposal.
- The administrative and compliance cost for individual businesses will be informed by a range of factors, including:

- The number of applications made to the Fair Work Commission
- The nature and complexity of enterprise agreements
- The number of labour hire employees working for a host, and the type of work they perform.

- Costs will also be incurred by parties (including employees and unions) who apply to the Fair Work Commission for an order.
  - Application fees are usually $83.30.
  - The extent of this cost will be informed by the number of applications made.

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Date Last Cleared 19 October 2023

Appendix B: Minimum standards and increased access to dispute resolution for independent contractors

How many businesses will be affected by this proposal?

- Data on the gig economy is sparse. While there have been various attempts to collect data on the number and characteristics of gig workers, there is currently no robust data on the number of businesses that operate in the industry and the employment relationships of these businesses.
- The ABS does not collect or publish data on the number of businesses that engage independent contractors in the road transport industry.

What data can be used to estimate the number of gig workers?

- The ABS has recently introduced a survey module seeking data on digital platform work and will be releasing experimental data on digital platform workers for the first time, scheduled for 13 November 2023.
- In the absence of robust ABS data on the digital platform economy, a number of groups have made their own estimates of the size of the digital platform economy, however most were made before the onset of COVID-19 and many are self-reported by businesses.
- These estimates range from 0.8 per cent of the workforce, or approximately 100,000 workers, to 7.1 per cent of the workforce, or approximately 909,500 workers.
- The department used the results from the 2019 Victorian National Survey as the basis for the scenarios used in the impact analysis, with adjustments made to ensure the estimate was fit-for-purpose and as robust as possible.

Why hasn't the Government been able to estimate the costs that will be passed on to consumers?

- The department has estimated the cost of introducing minimum standards for businesses.
- However, the extent to which businesses may pass any increase in costs onto consumers is a decision for individual businesses.

How is the increase in wage costs calculated?

- The reform is estimated to cost around **$407.7 million on average per year**, or **$4.1 billion across 10 years** plus regulatory costs. This amounts to 0.04 per cent of the economy-wide total wages bill.
- As is standard practice, the department's impact analysis costings were presented as an average annual cost over 10 years. The impact in any given year may be higher or lower than the average annual cost subject to any wage increases, with no costs applying until relevant Fair Work Commission orders are made.

What are the regulatory (non-wage) costs of the proposal?

- Impacted businesses will have some regulatory costs associated with implementing and complying with the new minimum standards (see table 1 page 2).

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Appendix C: Standing up for Casual Workers

How many casuals are likely to be affected by this proposal?

- Using ABS data, the department estimated that around 852,100 employees may be eligible for conversion under the new employee choice pathway.
- Noting most eligible employees will choose to remain casual, the costing assumes an initial 10 per cent conversion rate that decreases to 5 per cent for years 6-10.
- This change from 10 to 5 per cent reflects the assumption that the incidence of employees being classified as casual but working in a manner akin to a permanent employee will reduce as understanding and application of the new definition increases.

What are the regulatory costs of this proposal?

- The proposal is estimated to lead to a total aggregate average regulatory cost of $1.4 million annually.
- The total costs to impacted businesses is $1.1 million and impacted individuals is around $290,000 per year.
    - Of the $1.1 million, the cost to small businesses across the economy is around $374,000 per year on average.
- This is an economy-wide cost, not an individual business or employee cost.
- These costs were calculated using methodology and assumptions consistent with those used in costing the regulatory impact in the Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2021 (Cth).

Is 15 minutes sufficient time to assess whether a casual employee can change to permanent?

- 15 minutes is a reasonable estimate of the average time it takes a business to consider a notification from an employee.
- The estimate used for the regulatory impact statement for the current laws was 10 minutes. It was a narrower conversion pathway centred around a regular pattern of work.
- The 15 minute estimate recognises this pathway is a holistic assessment of the employment relationship. It is credible because employers already have experience with a point-in-time assessment under the existing statutory conversion process that has been in place since 2021.
- Employers know what is going on in their own workplace and the core test – about whether or not there is a firm advance commitment to continuing and indefinite work – simply requires employers to look at the practical reality of the relationship in their workplace.

Silica and engineered stone

What has been announced

- On 28 February 2023, Commonwealth, state and territory work health and safety (WHS) Ministers considered Safe Work Australia's (SWA) Decision Regulation Impact Statement (Decision RIS): *Managing the risks of respirable crystalline silica at work.*
    - Ministers endorsed a coordinated national approach to preventing worker exposure to respirable crystalline silica (silica dust).
    - Ministers also agreed to the delivery of national awareness and behaviour change initiatives, in partnership with employers and unions, as well as a range of silica-related reforms to strengthen regulation of silica dust processes for all materials (including engineered stone) across all industries.
        - This includes additional training requirements; a requirement to conduct air monitoring and report workplace exposure standard exceedances to the relevant WHS regulator; and scoping new and updated model Codes of Practice for at-risk industries.
        - SWA is currently progressing these amendments to the model WHS Regulations.
    - Ministers also requested SWA prepare a report on the impacts of a prohibition on the use of engineered stone under the model WHS laws within 6 months, and committed to considering the findings as soon as practicable upon receiving it.
- Ministers also noted at this meeting that the Commonwealth would explore an import ban on engineered stone, involving consultation with states and territories, and other stakeholders, on the effects of a ban.
- These outcomes were published via a communique posted on the Department's website.

Reference: Work Health and Safety Ministers' Meeting – 28 February 2023 - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)

Key Government statements

Door Stop: Parliament House – Minister Burke 28/02/23

- Noted the release of the SWA Decision RIS: *Managing the risks of respirable crystalline silica at work* on 28 February 2023.
- The Minister compared silicosis and asbestos, as well as announcing that WHS Ministers have asked SWA to scope a prohibition on engineered stone.

Reference: Doorstop - Parliament House | Ministers' Media Centre (dewr.gov.au)

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Press Conference: Prime Minister 20/02/23

- The PM responded to calls from the ACTU and other unions to ban engineered stone.
- The PM stated: the Government should respond "as quickly as we can. But we want to work this through with state and territory governments, with the industry as well, to make sure there aren't any unintended consequences".

Reference: https://www.smh.com.au/politics/federal/unions-call-on-albanese-to-enact-immediate-ban-on-engineered-stone-20230220-p5clt5.html

Current status of the policy

Prohibition on the use of engineered stone

- WHS is a shared responsibility, with Commonwealth, state and territory governments responsible for implementing and enforcing WHS laws in their jurisdiction. All jurisdictions have adopted the model WHS laws, except Victoria which has similar laws in place.
- Any decision to prohibit the use of engineered stone under WHS laws is a matter for all jurisdictional WHS Ministers.
- A prohibition on the use of engineered stone would be implemented and enforced through jurisdictional WHS laws. Any amendments to the WHS model laws requires a two-third majority agreement from WHS Ministers. To come into effect, jurisdictions must adopt any amendments into their own WHS legislation.
- On 16 August 2023, SWA delivered the Decision Regulation Impact Statement: *Prohibition on the use of engineered stone,* to WHS Ministers for consideration. **Currently under embargo.**
- The Commonwealth is convening a meeting of WHS Ministers, scheduled to be held on 27 October 2023, to consider findings of the report and agree next steps.

The Asbestos and Safety Eradication Agency

- The 2023-24 Budget included $4.2 million over 4 years (ongoing) to expand the functions of the Asbestos Safety and Eradication Agency (ASEA) to include matters relating to respirable crystalline silica and silica-related diseases.
    - Amendments to the *Asbestos Safety and Eradication Agency Act 2013* (ASEA Act) were introduced in the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 on 4 September 2023 to give effect to ASEA's silica-related functions.
- The amendments would change the name of the Agency to the 'Asbestos and Silica Safety and Eradication Agency', and provide for a Silica National Strategic Plan, administered by ASEA and agreed by jurisdictions, aimed at eliminating silica-related diseases in Australia and supporting workers and others affected by these diseases.

- The amendments would also provide the Agency with functions to coordinate, monitor and report on jurisdictional implementation of the Silica National Strategic Plan.
    - A draft Silica National Strategic Plan was developed by the Lung Foundation Australia on behalf of the Department of Health and Aged Care. The Commonwealth will consult with state and territory governments on the proposed Silica National Strategic Plan.

National awareness and behaviour change initiatives

- The department is working with Business Grants Hub to administer grants to SWA social partners as part of a 2023-24 Budget measure to deliver national awareness and behaviour change initiatives relating to silica dust in the workplace. Funding of $1.2 million over 2 years has been allocated for this measure.

Other Work

- In May 2023, SWA published amendments to the model WHS Regulations that introduce an express prohibition on the uncontrolled processing of engineered stone products (dry cutting). The Commonwealth is progressing adoption of these amendments under the Commonwealth's WHS Regulations.
- The National Occupational Respiratory Disease Registry Bill 2023 is presently being considered by Parliament. Once established, the National Occupational Respiratory Disease Registry will also assist jurisdictions to understand the prevalence of occupationally caused respiratory diseases in their jurisdiction. This work is being led by the Department of Health and Aged Care.
- SWA Members have agreed to lower the workplace exposure standard for respirable crystalline silica to a time weighted average over 8 hours of 0.025mg/m3 with a three-year transitional period. To reflect this under the model WHS laws, this change needs to be agreed by two-thirds of WHS Ministers. WHS Ministers are currently considering the need for an impact assessment for this proposed change.

Stakeholders consulted

- The Government has engaged in significant consultation on addressing silicosis and silica-related diseases in engineered stone workers. The department has engaged with businesses, industry groups, workers, unions and state and territory governments on these issues.
- SWA's Decision RISs involved public consultation processes, including submissions from businesses, workers, industry groups, unions, health experts and professional bodies and governments; model WHS law changes are subject to consideration through SWA's tripartite membership.
- Questions relating to the consultation processes for SWA's Decision RISs should be directed to SWA.

Recent media on this policy

19 September 2023

The Australian: CFMEU call to pull engineered stone from Bunnings shelves amid silicosis fear (similar article in the thenewdaily.com.au)

- The CFMEU demanded Bunnings remove engineered stone products, which has been rejected by the company, as they claim that their product is installed safely and comes pre-fabricated. Notably, the article references the SWA's Decision RIS: '*Federal and state ministers are currently considering a Safe Work Australia report about a potential ban on high-concentration crystalline silica slabs'.*

11 September 2023

Sydney Morning Herald: Federal Government under pressure to release Safe Work's benchtop ban report

- The Sydney Morning Herald is aware of the existence of the SWA Decision RIS on the prohibition of engineered stone. The ACTU supports the immediate release of the document. Employer organisations oppose a blanket ban on engineered stone. A spokesperson for Minister Burke said, 'A number of jurisdictions have raised the prospect of early release. The Government will consult with all jurisdictions before a decision like that is made.'

15 August 2023

Australian Financial Review: CFMEU to push Labor conference on engineered stone ban

- The CFMEU sought for the ALP National Conference to ban the use of engineered stone. It has previously committed to ban the installation of engineered stone benchtops by its members from 1 July 2024.

19 February 2023

60 Minutes: What your dream renovation is really doing to workers' health (video)

- A joint investigation with the Age and the Sydney Morning Herald focussed on how poor compliance with WHS laws is causing silicosis in engineered stone workers. The focus of the story links the use of engineered stone in home renovation products and how young workers are becoming developing dust diseases.

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Date Last Cleared	17 October 2023

COMMUNIQUÉ

Meeting of Work Health and Safety Ministers

28 February 2023

1. Commonwealth, state and territory work health and safety ministers met today and agreed on significant measures to advance safety for all in the workplace.
2. The meeting was chaired by the Hon Tony Burke MP, Commonwealth Minister for Employment and Workplace Relations.

Silicosis

3. Ministers affirmed their shared commitment to preventing worker exposure to respirable crystalline silica and endorsed a coordinated national approach to address this issue.
4. Ministers agreed that joint deliberate efforts are required from all levels of government, industry, and unions to eliminate silicosis and silica related diseases and to increase the quality of life of those already impacted and their families.
5. Ministers discussed Safe Work Australia's *Decision Regulation Impact Statement: Managing the risks of respirable crystalline silica at work*, which recommends a range of regulatory and non-regulatory options to better protect workers, and adopted its recommended proposals.
6. Ministers agreed to implement the following reforms as a priority:
    a. Delivery of national awareness and behaviour change initiatives, in partnership with employers and unions.
    b. Stronger regulation of high-risk crystalline silica processes for all materials (including engineered stone) across all industries. This includes additional training requirements; a requirement to conduct air monitoring and report workplace exposure standard exceedances to the relevant regulator; and scoping new and updated model Codes of Practice for at-risk industries. In developing the regulations, Safe Work Australia is requested to further consider definitions to minimise any unintended consequences.
    c. Further analysis and consultation on a prohibition of the use of engineered stone under the model WHS laws, including consideration of silica content levels and other risk factors and including consideration of a national licensing system for products that are not subject to a ban or legacy products. Safe Work Australia is requested to finalise a report as quickly as possible and within 6 months at the latest.
7. Ministers noted that the Commonwealth will explore an import ban on engineered stone, involving consultation with states and territories, and other stakeholders, on the effects of a ban.

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8. Examination of any prohibitions would consider definitions, timing, and impacts on affected workers and businesses.
9. Ministers noted that jurisdictions may continue to implement or retain complementary measures, such as non-regulatory action, enforceable codes of practice or licensing schemes.
10. Ministers noted that Safe Work Australia is finalising as a priority amendments to the model WHS Regulations to clarify the prohibition of uncontrolled dry-cutting of engineered stone.
11. Ministers agreed to include silicosis as a standing agenda item for future Meetings of Ministers to maintain momentum to address this issue and share details of national and jurisdictional projects to prevent worker exposure to respirable crystalline silica.
12. Ministers agreed to meet as soon as practicable following the delivery of Safe Work Australia's report to discuss progress of implementation.

Industrial manslaughter

13. Every workplace death is a tragedy and Ministers agreed more must be done to prevent workplace deaths and serious injuries.
14. Ministers by majority agreed to adopt industrial manslaughter into the model WHS laws, reflecting in-principle Recommendation 23b of the Boland Review of the model WHS laws.
15. Many jurisdictions have introduced industrial manslaughter offences or committed to doing so. The Commonwealth Minister indicated the Australian Government's intention to scope and consult on an industrial manslaughter offence under Commonwealth WHS laws.
16. In recognition of this decision, Ministers by majority agreed to amend the model WHS Act to include a jurisdictional note and model penalty dealing with industrial manslaughter.
17. The model penalty will be $18 million for a body corporate and 20 years' imprisonment for an individual.
18. Ministers also asked Safe Work Australia to continue its work to develop a significant increase to penalties for Category 1 offences under the model WHS laws.

Managing psychosocial risks in the workplace

19. Ministers discussed work underway to implement the model WHS Regulations on psychosocial hazards. The majority of jurisdictions have either implemented or are in the process of implementing regulations dealing with psychosocial hazards.

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National Work Health and Safety Strategy 2023-2033

20. Ministers recognised the commencement of the *Australian Work Health and Safety Strategy 2023–2033*. The strategy sets a national framework for how Australia can achieve our shared vision of safe and healthy work for all, and promotes the protection of worker health and safety as core to how we do business in Australia.

21. Ministers thanked Safe Work Australia and stakeholders for their contributions towards the development of the Strategy. A copy of the Strategy can be found on the Safe Work Australia website at www.safeworkaustralia.gov.au.

Review of model WHS laws

22. Ministers were provided with an overview from Safe Work Australia on the progress made to implement the agreed outcomes from the 2018 *Review of the model WHS laws Final Report*. Ministers noted a number of amendments to the model WHS laws have been made and that most jurisdictions have now adopted the amendments into their frameworks or are considering doing so.

23. The full list of agreed outcomes from the Review and their implementation status can be found on Safe Work Australia's website at https://www.safeworkaustralia.gov.au/law-and-regulation/model-whs-laws/implementation-whs-ministers-agreed-response-review-model-whs-laws.

24. Ministers commended Safe Work Australia for the progress made on these important amendments to strengthen the model WHS laws.

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MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Transcript

28 February 2023

Doorstop - Parliament House

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

E&OE TRANSCRIPT

THE HON TONY BURKE MP, MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS, MINISTER FOR THE ARTS: There's been a big conversation all around Australia that's been growing for some time about the dangers of silica in the workplace and what that means for silicosis and other lung diseases. It's for that reason that I asked all State and Territory Ministers to meet together today to work through: how can we move together to provide that simplest of protections to make sure that when somebody goes to work, they're not contracting a terminal illness simply by attending their job?

Silicosis is not only relevant to kitchen benchtops. A huge percentage of the earth's crust is silica and some people will say, "Oh, well, silica is a natural product. It's naturally occurring." So is asbestos. There are products that when they're in high levels of concentration create unacceptable levels of risk. There has been an understandable focus, therefore, on kitchen benchtops even though that's not the whole story in respect to risk of silica.

Kitchen benchtops can be in the order of 97, 98 per cent silica, and while there are methods that have been used for not dry-cutting – making sure whenever it's cut, that it's wet – experience has been that all too often, no matter what rules are in place, we still end up with situations of dry-cutting, we still end with situations of unacceptable risk.

Silicosis is a disease that hits people regardless of age. Here in this building, when I was in Opposition, a couple of years ago, I met a young woman by the name of Joanna. She was 35 at the time. She told me that her greatest fear was not seeing her daughters grow into adulthood. She explained that for her she was in a workplace – not a kitchen benchtop workplace, but she was in a workplace with high levels of silica dust. She was working as an administrative assistant and now has a terminal illness.

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So, I brought all State Ministers together because this has been an issue with the growing concern where work health and safety laws and the way our system works across all jurisdictions, it doesn't move quickly. The official time to consider whether or not we should have tougher rules wasn't meant to commence until June of next year. Even when we got to that date, there would still be longer periods of time while you work out all the details and then legislate. So, we made the decision that we'd bring the meeting forward today.

I'm pleased to say we've ended up with a unanimous decision across every State, Territory and Commonwealth. We have now tasked Safe Work Australia to do the work to scope out what regulations are required for all workplaces where you deal with silica dust and to also scope out specifically with respect to our engineered stone and engineered-stone benchtops, to do the work starting now on what a ban would look like.

Now, people would be aware that not all engineered stone is at 97, 98 per cent silica. There are some forms that are at much lower levels and percentages and, therefore, present a much lower risk. For some the risk is actually no different to natural stone. So, what we've asked Safe Work Australia to do is scope out if there were to be a prohibition, where that line would be drawn, and then to also scope out how you can have a nationally consistent licensing system for whatever remains as being viewed as safe to be on the market, but certainly making sure that it would have serious work health and safety issues. That licensing system though would also have to apply to legacy products.

We need to remember now even for the most dangerous of these products, they will now be in kitchens where, as long as they're left alone, they will be quite safe. But what happens when that homeowner decides it's time to renovate? What happens if there's a demolition of the house? Effectively, the experience we went through with asbestos is now going to be with us as we work through the legacy items on these engineered-stone benchtops. So, no one should be worried in terms of what they currently have in their home and think suddenly that's a dangerous item to have, but the moment it's adjusted, the moment it's moved, the risk is real and we do not currently have the rules in place to make sure that it's safe.

We initially went to the meeting on the basis that we'd try to meet again in six months' time. We ended up resolving that if the report is ready earlier than that, we will meet earlier than that. We will scope out the different things that can be done at each level of Government. But in order for there to be a ban, this work from Safe Work Australia needs to be done. They've been tasked to do it today, andI have to say for an issue where, you know, work health and safety, it does move slowly but when it moves unanimously, when every jurisdiction regardless of its political colour says, "No, we are now pressing go on working through what a ban would look like", then I think today is a day where we have moved forward in trying to make sure that you don't get sick simply because you had a job and you turned up for work.

JOURNALIST: The CFMEU has said that they're going to ban engineered stone from July 2024 no matter what. That doesn't leave a lot of lead in time for this to be phased in. Is this a done deal and, you know, put that in the diary for July 2024?

BURKE: Unions and organisations will make whatever decisions they make within the law. It will also be the case that some suppliers will start to look now at how they can get lower levels of silica in the benchtops or how they can look for other alternatives in people's kitchens and bathrooms. So, a whole lot of adjustments will happen straightaway. But what we've done today is the job of Governments. Look, of course, I wish that Government had started this process sooner. Of course, I wish that when the now Prime Minister and myself were making speeches in Parliament about this when we were in Opposition, of course, we wish this process had begun then. The decision we made today, though, was we weren't going to wait for the official starting date of getting things moving to next year. As I said, Australia took 70 years from the time we were warned about asbestos to the time that we got to the point of a ban. We're not going to make that mistake again.

JOURNALIST: Minister, can I just clarify, is today's agreement to ban engineered stone or an agreement to consider a ban?

BURKE: No, that is right. Today we have asked Safe Work Australia to scope out what a ban would look like. We would then consider at a future meeting and that future meeting will happen as soon as we get the report. That report might take quite some months. But it would be presumptuous of me to say that every jurisdiction has locked in on a ban before we've even done a scoping study to see what that might look like. The decision today, we have tasked them to consider and work through what a ban might look like. They'll bring that report back. Jurisdictions will then meet again. I hope we get the same level of unanimity that we had today.

JOURNALIST: Do you anticipate an agreement on that?

BURKE: Well, everything that we could do today – everything we could do today – we did, and we did unanimously. The work now will be done in consultation with industry and a whole lot of stakeholders by Safe Work Australia, and as soon as that work is ready to go, we will be back again meeting as Ministers to consider the report.

JOURNALIST: Minister, you mentioned it's not just engineered-stone benchtops. It's also other industries, things like tunnels, things like clothes. What kind of restrictions would you like to see in those other sectors to protect workers?

BURKE: Effectively, if you look at the architecture of the work we've given Safe Work Australia today, if you're in those other sectors, we've asked Safe Work Australia to come back with what sort of regulation would be required for workers to be safer than they've been, and in terms of benchtops, we've asked them to look specifically at what a prohibition might look like, but also where you would draw the line on what products you'd prohibit and what you wouldn't and what regulation and licensing – licensing in particular that was nationally consistent – might look like for what remains and also for legacy items where we will have the same problem that we've had with asbestos every time they need to be moved.

JOURNALIST: So, [indistinct] for those other sectors on what those restrictions would look like –

BURKE: Once again, we did everything we could do today in terms of tasking Safe Work Australia.

JOURNALIST: Minister, you've likened silica dust to asbestos. Obviously, there's a significant emotion attached to that. What is your message to households who have had engineered stone recently installed or are looking at purchasing it, might see this on the news tonight and be quite concerned? What is your message to consumers about this news?

BURKE: Look, my message is: do a search on the different options that are available. Do a search on all the different options that are available before you make a decision and know that we're working through this. And this is a challenge, for example: there will be many factories you can go to where they will no longer say they're doing dry-cutting and they've eliminated the risk of dust. There will be a number of factories, for example, which will say they no longer do dry-cutting and they've eliminated the risk of dust. There's a couple of things that need to be borne in mind there. One is we have increasing views from the medical profession that even in those circumstances you can't guarantee a safe workplace. So, if you look at what's come from the Cancer Council now, the Royal College of Physicians, the Lung Foundation, they've all come forward wanting us to consider the prohibition in the way that we have today.

The other issue, though, to remember is that often even if the factory is fine, once it gets to the home, it often doesn't fit exactly, and you find a different set of workers in the home often

who are dry-cutting even if it had all been done correctly the first time.

JOURNALIST: Thank you, Minister. So, you said today that the States and Territories have unanimously agreed to have Safe Work conduct this scoping study. What would happen if there isn't a unanimous agreement on a path forward, say, on a possible ban? Is the Commonwealth considering going over the top of the States and Territories to make sure there's uniform regulations and restrictions? And just second, you said earlier that you think workers deserve the simplest protection which is to come home from work safe. Given what we've heard, isn't the simplest protection to phase out engineered stone right now?

BURKE: I missed the end of that, sorry.

JOURNALIST: Wouldn't the best possible protection be to phase out engineered stone right now?

BURKE: The challenge on the second part of that is: how do you define engineered stone? You've got a range of percentages and, as I say, some of which at the lower end are no different to if you're using natural stone. So, to say all engineered stone would bring in a whole lot of products that are not necessarily part of the current challenges that we have.

In terms of how a decision is made, when the report comes back and we meet again, the way it works is you need two-thirds – so that's six out of nine jurisdictions – to be able to make a decision. A lot of ministerial councils work on a majority, some work unanimously. This one works two thirds. So, that's the way to deal with it. I have always worked on the basis as a Minister, both in this Government and when I've previously been a Minister, that the starting point is always where can we bring jurisdictions with you and that's always how I approach things from the start.

JOURNALIST: Minister, the National Dust Disease Taskforce report recommended that the process to look into a ban start in July 2024 if measures to increase worker safety hadn't improved, or if outcomes hadn't improved. Could you comfortably say now that those two things are correct – that the preventative measures aren't working and the workers are no safer than they were when that report was handed down?

BURKE: I think one of the big changes is the different nature of the medical advice that's starting to come in now. I referred to a few of the organisations. That is quite a different emphasis than what we had previously. And when you get that sort of information where some are saying, "Look, even if you have wet-cutting taking place, you still have all these other problems", both how it gets adjusted, what happens in the years to come if someone wants to renovate or demolish the house, then you add all that up, we ended up saying, "No, no, no, we need to scope this out now."

JOURNALIST: Minister, obviously with asbestos following bans were many compensation scheme for workers who were affected, who had been exposed to asbestos on the job. So, if there was a full ban of silica with all the potential and all the benchtops associated there, would you envisage that there would be similar sort of compensatory schemes for workers affected? Would that be a repercussion down the line?

BURKE: I think one of the things that's really important is that I respect the nature of how this decision-making process works with the States. And I've been making sure I'm respectful and don't get ahead of the decisions that we're up to. The decision that you referred to there is not one that we're up to at the moment because it presumes a ban is already in place and that's a decision for a future meeting.

JOURNALIST: Minister, if I can have one more. Just in regards to tougher regulations, obviously, it might be some time before a decision across the board and whether or not to ban

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it, so would you like to see regulations or a licensing scheme come into place in the interim in order to create a stronger way of scaffolding and policing this?

BURKE: It's the same process, effectively. We still need Safe Work Australia to come back. So, Safe Work Australia are coming back with the total regulation principles that will affect a whole range of industries, but the work that we have asked them to do on manufactured stone is exactly as I've described. So, I think if I were to also ask them to come up with something different as an interim measure, it would just slow the whole process down and that's the last thing I want to do. Thank you.

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The Sydney Morning Herald

This was published 7 months ago

Unions call on Albanese to enact immediate ban on engineered stone

Angus Thompson and Natassia Chrysanthos

February 20, 2023 — 7.02pm

The dust from cutting engineered stone benchtops and vanities is killing Australian tradies. See all 9 stories.

The country's most powerful union bosses are pushing the government to impose an immediate ban on the engineered stone causing disease and death among Australian tradies as Workplace Relations Minister Tony Burke flags ending importation before a ministerial gathering next week.

State ministers also backed a ban on the manufactured stone commonly used in kitchen benchtops, while members of the former taskforce on dust disease said government delays on stronger national regulations were costing lives.

A joint investigation between this masthead and *60 Minutes* revealed that workers were battling the debilitating symptoms of the lung disease silicosis while state-based regulators failed to effectively police workplaces to guard against the dangers associated with ingesting dust from engineered stone.

Prime Minister Anthony Albanese said the government should respond "as quickly as we can".

"But we want to work this through with state and territory governments, with the industry as well, to make sure there aren't any unintended consequences," he said.

ACTU Secretary Sally McManus called for an immediate ban on imports of engineered stone, saying its use should be prohibited "because it's killing people".



ACTU secretary Sally McManus is backing calls to ban engineered stone. ALEX ELLINGHAUSEN

Zach Smith, incoming head of the national construction union, called on the federal government to ban the product "as soon as possible", before a union-led ban on the use of the product by July 2024.

ACTU deputy secretary Liam O'Brien said the July 2024 deadline for a ban was proposed when authorities were only just beginning to gauge the severity of the problem. "This ship isn't turning around, it's getting worse," he said. "We can't twiddle our thumbs for the next 12 to 18 months ... why wait?"

Burke committed the government to urgent action on combating exposure to silica dust in factories, tunnels and mines, before the meeting with state and territory workplace ministers on Tuesday, February 28.

"A potential ban on imported manufactured stone products containing silica is one of the options we will discuss, along with stronger regulations across all industries where workers are exposed to silica. I have met with injured workers. It's clear we need to do more – urgently," Burke said.

Queensland's Industrial Relations Minister Grace Grace also wanted a stop to imports. "I absolutely back a ban. The best way to manage a risk in the workplace is to remove it altogether if you can," Grace said.

"I wrote to the then federal government back in 2018 asking them to coordinate a national approach to this issue and consider an import ban. Despite consistently calling on the Morrison Government to act, they never did."

NSW Customer Services Minister Victor Dominello said: "At the very minimum this is clearly a dangerous product that causes death and a tighter regulatory regime should be established right

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across Australia". State Premier Dominic Perrottet called for a national response to the crisis.

Victoria's Deputy Premier Jacinta Allan said the Andrews government would "continue to work with unions and with the industry on what else can be done to support workers".

ACT Industrial Relations Minister Mick Gentleman said he was looking forward to the discussion on the possibility of a ban, while his West Australian counterpart Bill Johnston said he wanted to see further action.

Safe Work Australia has prepared a regulatory impact statement with a range of actions for ministers at the meeting, including consulting on a ban.
The Australian Workers' Union's national secretary Daniel Walton said the conversation needed to extend to adequate protection of all workers facing the risk of silicosis, including those in tunnels and mines.

'The speed of response, considering how clearly bad and tragic this is, has been disappointing and slow'

Dr Ryan Hoy, former taskforce member

Several former members of the national dust disease taskforce, which last year recommended the government consider banning engineered stone by mid-2024, said they welcomed the public conversation but other urgent actions they had recommended were long overdue.

Respiratory physician Dr Ryan Hoy, a former taskforce member who chaired the steering committee for a new national strategy, said there was not yet any proof from regulators or industry that the materials could be worked with safely.

"If there is a point to draw a line in the sand, now is the time to do it," he said. "There is urgency in acting to protect workers and their health. The speed of response, considering how clearly bad and tragic this is, has been disappointing and slow."

Health Minister Mark Butler on Monday said the federal government was open to a ban but also wanted to monitor its new response, which only launched this year and committed $3.95 million to research and educating the health worker community.

However, Dr Graeme Edwards, a fellow with the Royal Australian College of Physicians who also sat on the taskforce, called for nationwide workplace reforms that require importers of engineered stone to be licensed and monitored, as well as a national occupational respiratory disease registry.

"We appear to be missing the political will … The delays are costing people's lives. The conversation about a ban needs to happen now, or the other actions won't happen in time," Edwards said.

"The taskforce deliberations clearly indicated that just doing industry awareness, education [and] enhanced regulations in the business-as-usual model was not going to protect Australian workers."

Taskforce member Professor Christine Jenkins, head of the respiratory group at the George Institute for Global Health, said she still believed a 2024 deadline for a ban was most practical. "I don't think it can practically be expedited," she said.

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"[However], it's very reasonable to ask the regulators and companies to show us the evidence of where they've got to at this time. We do all fear it's taken too long."

There was also an urgent need for a national ban on dry-cutting silica-containing materials, she said. "There is no excuse for why we should have state-to-state differences on exposing workers to risk."
A new national strategy and action plan being led by the Lung Foundation Australia on behalf of the federal government opened for public consultation on Monday and will report by June 30.

Cut through the noise of federal politics with news, views and expert analysis from Jacqueline Maley. Subscribers can sign up to our weekly Inside Politics newsletter here.



CREDIT: MATT GOLDING



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THE AUSTRALIAN

fatal disease

EXCLUSIVE
By COURTNEY GOULD

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NCA NEWSWIRE
12:00AM SEPTEMBER 19, 2023

Bunnings has been urged to immediately pull a range of trendy kitchen benchtops that have been linked to an incurable disease that's killing tradies.

The national construction union have taken their demands directly to the hardware giant's chief executive Michael Schneider, warning it was "unconscionable" to keep engineered stone benchtops on Bunnings' product line up.

"Bunnings has unique market power and a unique place in Australian society. If you were to remove this killer product from your shelves, it would send a powerful message," CFMEU boss Zach Smith wrote.

The engineered benchtops, which have become a feature in many Australian kitchens and bathrooms, contain a high concentration of crystalline silica.

The silica dust from cutting the engineered stone benchtops can lead to the potentially deadly disease silicosis as well as lung cancer.

Silicosis is incurable and is caused by inhaling tiny particles of silica dust.

In his letter, Mr Smith called for the product to be removed "effective immediately".

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THE AUSTRALIAN

Conversely, it is unconscionable for Bunnings to continue promoting and selling this killer product when there is no need to do so.

"There are many, many alternatives to engineered stone as a benchtop material. The business costs of removing these products are insignificant when we are faced with the prospect of more deaths."

He also warned cutting can occur during home renovations, a main source of Bunnings' customer base.

Modelling by Curtin University, released earlier this year, estimated that up to 103,000 tradies will be diagnosed in their lifetime with silicosis as a result of exposure to silica dust at work.

More than 10,000 will develop lung cancer.

The CFMEU has vowed to ban its members from using or importing engineered stone products from July next year if federal and state governments do not act.

Bunnings director of merchandise Jen Tucker said the hardware giant was aware of the concern and it would continue to "monitor and follow advice from the regulatory authorities".

But Ms Tucker did not endorse the CFMEU's request.

"Most of the benchtops we sell in store are laminate or timber however, the engineered stone benchtops we provide are pre-cut to size before they arrive at a customer's site and are supplied and installed by a specialist provider that holds an engineered stone licence and applies strict safety standards to protect production and installation teams in line with the requirements of their licence," she said.

"The safety of our team and customers is something we take really seriously.

"We know that safety is a concern for the industry more broadly, and something that the federal government is currently reviewing. We are supportive of new

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THE AUSTRALIAN

about a potential ban on high-concentration crystalline silica slabs.

The previous Coalition government set up a national dust diseases taskforce to investigate ways to limit exposure to silica, as an increasing number of young, otherwise healthy people were diagnosed with silicosis.

The taskforce said engineered stone products should be banned from July next year if significant safety improvements had not been made.

Topics

Bunnings

The Sydney Morning Herald

Politics Federal The Dust of Death

Federal government under pressure to release Safe Work's benchtop ban report



Angus Thompson

September 11, 2023 — 2.27pm

Listen to this article
4 min

States and territories are agitating for the release of a secret report on banning the use of deadly engineered stone as the union movement and health experts call for the recommendations to be made public.

Business groups are at loggerheads with unions and health experts, who want a blanket ban on high-concentration crystalline silica slabs – used for fashionable kitchen benchtops but riddling tradies with an incurable disease – after Workplace Relations Minister Tony Burke and his state and territory counterparts gave Safe Work Australia six months to investigate the prospect of a prohibition of the substance.

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Workplace Relations Minister Tony Burke and his state counterparts will discuss a report on banning engineered stone later this year. ALEX ELLINGHAUSEN

Work health and safety ministers received the report last month but have all declined to discuss its contents ahead of a meeting between them later this year.

The federal government has acknowledged the pressure from states to publicly discuss Safe Work's advice ahead of the national meeting, which hasn't yet been given a date.
"A number of jurisdictions have raised the prospect of early release. The government will consult with all jurisdictions before a decision like that is made," a spokesperson for Burke said.

The report was commissioned after a joint investigation by *The Sydney Morning Herald*, *The Age* and *60 Minutes* revealed workers exposed to silica dust were battling the debilitating symptoms of silicosis while state-based regulators failed to police workplaces effectively.

Department of Employment and Workplace Relations - Released under FOI



Workplace exposure to silica dust can lead to debilitating, irreversible lung conditions. STEVEN SIEWERT

Australian Council of Trade Unions assistant secretary Liam O'Brien said silicosis was an "entirely preventable" condition that affected up to a quarter of stonemasons working with engineered stone, which contains up to 95 per cent crystalline silica and urged state, territory and federal governments to ban all products.

"We support governments releasing this report before ministers meet later this year so that there can be appropriate public scrutiny of this significant issue," O'Brien said.

The Thoracic Society of Australia and New Zealand said the report should be released so its experts could begin implementing recommendations or push to improve them if they weren't rigorous enough.

Dr Graeme Edwards, a former member of the national dust diseases taskforce and a Royal Australasian College of Physicians (RACP) fellow, said he couldn't see any justification for the report being kept hidden.

Queensland's Industrial Relations Minister, Grace Grace, repeated her commitment to banning engineered stone, adding the "best way to manage a risk in the workplace is to remove it altogether if you can." But she said the embargoed report from Safe Work was not Queensland's to release.

"We are currently considering it and I look forward to upcoming discussions between WHS [work health and safety] Ministers regarding a response," she said.

Speaking at a dinner hosted by law firm Sparke Helmore earlier this year, Burke warned banning manufactured stone products outright could have unintentional consequences.

"The issue that we will have to weigh up is, we don't want to create a perverse outcome, where we in fact push people to a more dangerous product because we've done a ban across the board if it turns out that some forms of manufacturing stone are, in fact, proven to be safer than natural stone," he said.

He qualified that he didn't know if that would be found, "but effectively, that's what we're weighing up to make sure later this year, to make sure that we don't end up with perverse outcomes."

The NSW government submitted to Safe Work's inquiry that 40 per cent crystalline silica should be the cut-off for the product, while the Victorian government spruiked its own regime of licensing users of engineered stone.
Master Builders Australia said it would support a ban on kitchen slabs with more than 40 per cent silica, a substance that causes irreversible lung damage, but only if tradesmen tasked with removing or modifying already installed benchtops aren't subject to additional red tape.

The Australian Chamber of Commerce and Industry opposes a blanket ban on engineered stone as well as a licensing scheme for suppliers, arguing all products have some level of risk and "it is detrimental to shift thinking towards a defining line or label of 'safe' or 'unsafe'."

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Angus Thompson is a federal workplace, education and migration reporter for The Sydney Morning Herald and The Age. Connect via Twitter or email.

Politics Federal ALP

Exclusive

CFMEU to push Labor conference on engineered stone ban



Ronald Mizen *Senior reporter*

Aug 15, 2023 – 6.27pm

The construction union will push Labor to ban the manufacture, use and import of all engineered stone at its national conference in Brisbane this week, claiming its continued use would "tacitly endorse killing workers".

CFMEU [https://www.afr.com/topic/cfmeu-1myw] national secretary Zach Smith said he would move to strengthen the party's national platform to support ending the $600 million industry, which accounts for about 55 per cent of the household benchtop market.



CFMEU National Secretary Zach Smith. **Alex Ellinghausen**

While not binding on Labor governments, a successful push by the CFMEU would heap pressure on ministers to pass a ban, which would spark a fiery backlash from businesses across the country.

Margaret Lukas, owner of Newcastle-based Stone Obsessions, said a ban would undoubtedly send her business broke.

"If it was banned, we would have to close our businesses," Ms Lukas said. "We wouldn't be able to meet our commitments including specialised stone machinery which we've got financed. No amount of diversification would allow us to meet our commitments, which we entered into in good faith."

While the focus of recent campaigns has been on claims that businesses do not care about their workers, Ms Lukas said given the business was her, her husband and their son, they were very aware of safety.

"It's not just their livelihoods, it's their lives," she said, adding that in her view there were absolutely safe ways to work with the product.

Safe use is 'a lie': CFMEU

Unions are pushing to ban popular engineered stone products – currently thought to be installed in up to 6 million homes – due to workers exposed to silica dust increasingly being diagnosed with deadly silicosis disease. [https://www.afr.com/work-and-careers/workplace/john-holland-faces-court-for-refusing-silica-dust-tests-20230522-p5daal]

Engineered stone, which is widely sold through retailers such as Bunnings and Ikea, usually has up to 97 per cent crystalline silica content.

Following agreement of state ministers in February, Workplace Relations Minister Tony Burke asked Safe Work Australia to provide advice on a ban, including whether to allow some products with low silica levels.

Suppliers are pushing for the continued use of engineered stone with low levels of silica, either below 40 per cent or below 10 per cent, while the building industry supports a ban on slabs with more than 40 per cent.

The Safe Work Australia report is due at the end of August ahead of a likely meeting of health and safety ministers in September. Six out of nine ministers need to support a national ban, which would be done through uniform legislation.

But regardless of what that report recommends, Mr Smith said there was simply no safe way to work with the products.

"If our amendment isn't supported the ALP will have blood on its hands," he said.

"Any suggestion engineered stone can be used safely is a lie designed to perpetuate an industry which preys on the lives of Australian workers. We've seen people contract silicosis and other diseases even with PPE because the tiny killer particles penetrate masks.

"Labor must act. Anything less than backing a ban will have huge political consequences for the ALP."

The CFMEU will rally outside the conference with workers who have contracted silicosis pushing for the ban. It has also committed to ban the installation of engineered stone benchtops by its members from July 1 next year.



RELATED

John Holland faces court for 'refusing' silica dust tests

https://www.afr.com/work-and-careers/workplace/john-holland-faces-court-for-refusing-silica-dust-tests-20230522-p5daal



RELATED

Australia's coal mines face tighter air quality limits

https://www.afr.com/companies/mining/australia-s-coal-mines-face-tighter-air-quality-limits-20230602-p5dddd

Ronald Mizen reports on the intersection of politics, business, economics and the law from Parliament House, Canberra. *Connect with Ronald on Twitter. Email Ronald at ronald.mizen@afr.com*

National Construction Industry Forum

What has been announced

- The National Construction Industry Forum (Forum) was established from 1 July 2023 under the Fair Work Act 2009 by amendments made by the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022*.
- The Forum is to provide advice to the Government in relation to work in the building and construction industry, including on matters relating to workplace relations, skills and training, safety, productivity, diversity and gender equity, and industry culture.
- In the 2023-24 Budget, the Government committed $4.4 million over 4 years from 2023-2024, and $1.1 million per year ongoing from 2027-2028, to fund the Forum.
- Forum members include the Minister for Employment and Workplace Relations (Minister) as Chair, the Infrastructure Minister and the Industry Minister, and other members appointed by the Minister.
- Consistent with the membership requirements under section 789GZE of the Fair Work Act, **12 employer and employee representatives** have been appointed to the Forum:
    - **6 members** with experience in representing employers in the building and construction industry, including contractors and small to medium businesses in the residential building sector, and
    - **6 members** with experience representing employees in the industry.
- Members of the Forum are listed at **Attachment A**.

Key Government statements

Media Release 'Appointments to s. 22(1)(a)(ii)

The Minister announced the appointment of 12 representatives and noted that the Forum would, as a priority, "look at issues around gender equity, particularly the recruitment and retainment of women workers".

The Hon Tony Burke MP	*23 July 2023*

Stakeholders consulted

- Since December 2022, the department has engaged with the Department of Industry, Science and Resources (Industry), and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Infrastructure) on establishing the Forum.
- Prior to the first meeting of the Forum on 20 October 2023, the department and the Minister's Office consulted with Forum members about potential agenda items.

- At the meeting, Members worked together to determine the Forum's governance arrangements, including its Terms of Reference and the Forum's forward work plan.

Recent media on this policy

Recent media coverage has focussed on Forum appointments, in particular who was not appointed:

- "[Master Builders Australia (the MBA)], which campaigned stridently before and after last May's election against Labor's plans to abolish the [Australian Building and Construction Commission], is conspicuously absent from the membership list".
    - 'Construction forum members named, but MBA outside tent', Workplace Express, 23 July 2023
- "I fail to see how the exclusion of Australia's largest civil representative body as well as other notable registered employer body exclusions can possibly meet the principle of equal and shared collaboration between governments, unions and industry", Civil Contractors Federation National CEO Christopher Melham concluded.
    - 'Peak civil body furious over exclusion from National Construction Industry Forum', Media Release, Civil Contractors Federation, 27 July 2023
- "Notably absent from the appointed representatives are voices from small to mid-sized construction businesses, including civil/infrastructure-related contractors and businesses with less than $200 million in revenue. Moreover, there's an absence of professional services firms, particularly engineering and construction consultants. […]

  While there is commendable representation of women in the appointed representatives, the industry associations dedicated to empowering and advocating for women in the sector are nowhere to be found. […]

  I wonder – will there be forums for input from segments of the industry this assembly has failed to capture? These could include associations such as Consult Australia, Civil Contractors Federation National, the National Association of Women in Construction and Engineers Australia."
    - 'Why the National Construction Industry Forum overlooks critical perspectives', Infrastructure Magazine, 27 July 2023

Next steps, including consideration by Government where expected

- The Forum met for the first time on 20 October 2023 to discuss its forward work plan and key priorities for the future.

Department of Employment and Workplace Relations - Released under FOI

Budget

Table 1: Forum Funding over 4 years from 2023-24, and $1.1 million per year ongoing from 2027-28

	2023-24	2024-25	2025-26	2026-27	Total
Establish and Fund the Forum	+ 1.1	+ 1.1	+ 1.1	+ 1.1	+ 4.4
Total	+ 1.1	+ 1.1	+ 1.1	+ 1.1	+ 4.4

Budget 2023-24, Budget Paper No. 2, Part 2: Payment Measures, Safe and Fair Workplaces

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000653	*Cash, Michaelia*	*National Construction Industry Forum*	*Work is underway to establish the Forum, which will meet in the second half of 2023.*
SQ23-000662	*Cash, Michaelia*	*Direct appointments to Minister's office*	*No formal expressions of interest process for appointments to the Forum.*
SQ23-000672	*Cash, Michaelia*	*Matters for appointment for Minister*	*Outlines considerations for appointments, including the functions of the Forum and due diligence checks.*
SQ23-001181	*Cash, Michaelia*	*Draft Terms of Reference provided to Minister's office*	*The draft Terms of Reference were provided to the Minister's office on 31 March 2023.*
SQ23-000654	*Cash, Michaelia*	*Budget breakdown on Secure Jobs, Better Pay*	*The Forum's funding will be used for secretariat support, research, meetings and travel allowances.*
SQ23-000656	*Cash, Michaelia*	*Meetings with the Minister's office on the National Construction industry Forum*	*The department has had a range of conversations with the Minister's office on the Forum.*
SQ23-000661	*Cash, Michaelia*	*Stakeholders approached for the Forum*	*The Minister announced the appointment of 12 representatives to the Forum on 23 July 2023.*
SQ22-001194	*Cash, Michaelia*	*National Construction Industry Forum*	*Outlined membership and meeting requirements and matters to be considered by the Forum.*
SQ22-001074	*O'Sullivan, Matt*	*National Construction Industry Forum*	*A range of discussions with the MO regarding the Forum have occurred.*
SQ22-001075	*O'Sullivan, Matt*	*National Construction Industry Forum*	*Discussions with Minister and MO have not involved other parties besides departmental officials and MO.*
SQ22-001291	*Cash, Michaelia*	*National Construction Industry Forum - CFMEU*	*Outlined membership requirements of the Forum.*

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	18 October 2023

Department of Employment and Workplace Relations - Released under FOI 320 of 853

SB23-000286

Attachment A

Membership of the National Construction Industry Forum

Government

Position	Name	Background
Chair	The Hon Tony Burke MP	Minister for Employment and Workplace Relations
Member	The Hon Ed Husic MP	Minister for Industry and Science
Member	The Hon Catherine King MP	Minister for Infrastructure, Transport, Regional Development and Local Government

Employers

Position	Name	Background
Member	Alison Mirams	Roberts Co
Member	Deborah Coakley	Dexus Funds Management and the Property Council of Australia
Member	Brent Crockford	Australian Owned Contractors
Member	Irma Beganovic	National Electrical and Communications Association
Member	Jon Davies	Australian Constructors Association
Member	Melissa Adler	Housing Industry Association

Employees

Position	Name	Background
Member	Michael Wright	Electrical Trades Union
Member	Naomi Brooks	Construction, Forestry, Maritime, Mining and Energy Union
Member	Stacey Schinnerl	Australian Workers' Union
Member	Steve Murphy	Australian Manufacturing Workers' Union
Member	Tony Callinan	Australian Workers' Union
Member	Zach Smith	Construction, Forestry, Maritime, Mining and Energy Union

Department of Employment and Workplace Relations - Released under FOI

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

23 July 2023

Appointments to National Construction Industry Forum

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

Today I announce the appointment of 12 representatives to the National Construction Industry Forum.

The Forum will constructively and cooperatively tackle issues facing the building and construction sector – with a focus on safety, productivity, skills and training, workplace relations, industry culture, diversity and gender equity.

The National Construction Industry Forum is a direct outcome of the Albanese Labor Government's Jobs and Skills Summit.

Last year we brought together business, unions and governments to talk about the shared challenges facing our economy – including workplaces in the building and construction industry.

We agreed to work together, taking a tripartite approach – a principle of equal and shared collaboration between governments, unions and industry – on matters that affect workers and businesses.

That's what the National Construction Industry Forum will do.

As a priority the Forum will look at issues around gender equity, particularly the recruitment and retainment of women workers.

I welcome the appointees to their new roles and know that their experience and insights will

be invaluable as we work together to address key issues within the industry.

Appointments

The appointees are:

- Ms Melissa Adler – Housing Industry Association
- Ms Irma Beganovic – National Electrical and Communications Association
- Ms Deborah Coakley – Dexus Funds Management and the Property Council of Australia
- Mr Brent Crockford – Australian Owned Contractors
- Mr Jon Davies – Australian Constructors Association
- Mrs Alison Mirams – Roberts Co.
- Ms Naomi Brooks – Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)
- Mr Tony Callinan, – Australian Workers' Union (AWU)
- Mr Steve Murphy – Australian Manufacturing Workers' Union
- Ms Stacey Schinnerl – Australian Workers' Union (AWU)
- Mr Michael Wright – Electrical Trades Union
- Mr Zach Smith – Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000653

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 48

National Construction Industry forum

Question

Ms Anderson: In terms of public information, there are a couple of pieces I can refer you to. There's obviously the Secure Jobs, Better Pay act itself. It outlines the establishment of the forum, the membership cohorts, notes around how many times they will meet and things like that. That is all established under the act. There was also a measure in the budget that is providing $4.4 million over four years. Apart from the document you referred to on the website, I think that is the complete public information at this stage.
Senator CASH: At this point in time, it still commences on 1 July 2023?
Ms Anderson: The provisions of the act commence on that date.
Senator CASH: When will the forum itself first stand up?
Ms Anderson: That will be a matter for government in terms of timing.
Senator CASH: Minister, when will the forum itself officially stand up?
Senator Watt: I would need to take that on notice.

Answer

Work is underway to establish the National Construction Industry Forum (Forum), including secretariat, governance arrangements and appointments.

Section 789GZH of the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* requires the Forum to convene at least 2 meetings in each calendar year. One meeting must be held in the first 6 months of the year and another in the second 6 months of the year. In this regard, the Forum will meet in the second half of 2023.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000662

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 50

Direct appointments to Minister's office

Question

Senator CASH: Will they be direct appointments from the minister's office?
Mr Breen: Yes. Direct appointments by the minister. Yes, that's right.
Senator CASH: There is a direct appointment process?
Mr Breen: Yes. That is set out in the provisions.
Senator CASH: I know that they are now direct appointments. Will there be a formal expression of interest process for the appointment to this forum?
Mr Breen: That would be a matter for government.
Senator CASH: Minister, in terms of the appointments, will there be a formal expression of interest process?
Senator Watt: I'm happy to take that on notice.

Answer

There will not be a formal expression of interest process for appointments to the National Construction Industry Forum.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000672

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 51

Matters for appointment for Minister

Question

Senator CASH: If a person had previously been found to have, say, verbally abused women within the building and construction industry in particular, would this be a barrier to them being appointed?
Mr Breen: The grounds are set out as I just read out.
Senator CASH: That was for termination, though.
Mr Breen: That's right.
Senator CASH: I am looking at appointment. If a name is put forward and there is a record that this person has previously abused women, is that a barrier to appointment?
Mr Breen: With the process of appointment, as I mentioned earlier, there are due diligence checks undertaken. Matters for appointment or decisions around appointments are a matter for the minister, ultimately.
Senator CASH: Minister, in particular, because it is the construction industry, if a person has engaged in, for example, the verbal abuse of women, would they be considered a fit and proper person to attend meetings of the forum or to actually sit on the forum as a member?
Senator Watt: I'm happy to take that on notice.

Answer

The Australian Government has high expectations around conduct and the abuse of women in any environment is unacceptable.

Each potential appointee to the National Construction Industry Forum will be assessed on their merits as to their suitability to be appointed having regard to the Forum's function, being to provide advice to the Government in relation to work in the building and construction industry, informed by the results of due diligence checks undertaken by the Department of Employment and Workplace Relations in relation to those persons.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-001181

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 49

Draft Terms of Reference provided to Minister's office

Question

Senator CASH: Has the minister consulted with the department or sought advice from the department as to how this forum will be implemented or should actually function?
Ms Anderson: We have provided draft terms of reference to the minister's office. Mostly, these forums work in a way where those terms of reference are usually provided to the first meeting for endorsement. I can't see that it would be much different to the normal process.
Senator CASH: When were the draft terms of reference provided to the minister's office?
Ms Anderson: I would have to take that on notice.
Senator CASH: Has the minister considered the guidelines for appointment of the varying members?
Ms Anderson: I would have to check that with the minister's office.

Answer

On 31 March 2023, the Department of Employment and Workplace Relations provided draft Terms of Reference for the National Construction Industry Forum (Forum) to the Office of the Minister for Employment and Workplace Relations.

Questions about 'guidelines for appointment' were addressed, by the department, during the hearing (see Proof Committee Hansard Tuesday 30 May 2023, page 50). In addition to the usual checks that the department undertakes in relation to appointments, requirements for appointment to the Forum are already established under Part 6-4D of the *Fair Work Act 2009* (Fair Work Act). In particular, subsection 789GZE(2) of the Fair Work Act requires that the Minister must appoint:

(a) one or more members who have experience representing employees in the building and construction industry; and

(b) an equal number of members who have experience representing employers in the building and construction industry, including at least one member who has experience representing contractors in the building and construction industry, and one member with experience in small to medium sized enterprises in the residential building sector.

Department of Employment and Workplace Relations - Released under FOI 328 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000654

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 48

Budget breakdown on Secure Jobs, Better Pay

Question

Senator CASH: Thank you, Ms Anderson. Page 108 of Budget Paper No. 2 shows that there is $4.4 million to establish the body, including $1.1 million in continuing funding. Are you able to break the funding down for me and how it will be allocated?
Ms Anderson: I haven't got the breakdown on me. I do recall that there is some funding allocated for the department for secretariat support. There is also an element allocated to travel costs for members as well. That is a requirement in the legislation.
Senator CASH: Could I get you to take on notice the actual breakdown of the $4.4 million and the $1.1 million?
Ms Anderson: Yes.

Answer

In the 2023-2024 Budget, the Government committed $4.4 million over 4 years ($1.1 million per year), and ongoing funding of $1.1 million per year from 2027-2028, to fund the National Construction Industry Forum (Forum).

These funds will:

- enable the department to provide secretariat and research support to the Forum,
- fund up to four Forum meetings per year, and;
- cover travel allowances for Forum members, which the Government must provide under section 789GZM of the *Fair Work Act 2009*.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000656

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 48

Meetings with Minister's office on National Construction Industry forum

Question

Mr Hehir: I need to pass to Ms Anderson for the detail of this. Certainly we've had a range of interests around what the National Construction Industry Forum could look at. People have talked about mental health being an issue within the construction industry, the lack of women in the sector and the security of payment to various subcontractors. Not all of those issues are necessarily Commonwealth issues, but they are good issues for a discussion. A range of those have been raised as possible areas of focus.
Senator CASH: When did the meetings with the minister or his office occur?
Mr Hehir: We would need to take that on notice. I do not have it in front of me.
Senator CASH: Who attended the briefings? How many times has the department worked with the minister's office or the minister in relation to the forum?
Ms Anderson: My recollection is that we primarily have been liaising with the minister's advisers on this matter. We would have to take that on notice in terms of when that has been.
Senator CASH: But you've had more than one meeting?
Ms Anderson: Conversations, more than one.
...
Senator CASH: Not actual meetings but conversations. The two-page brochure—you've also mentioned the legislation that was passed last year—says that other members will be appointed by the minister. How many other members will be appointed?
Ms Anderson: That would be a matter for the minister to determine.
Senator CASH: Have you had any discussions with the minister in relation to that or provided advice on how many other members should be appointed?
Ms Anderson: We've certainly had high-level conversations with the advisers on options there. We have explored issues around Indigenous representation as possible avenues for additional membership and the like. We are certainly having conversations around what that might look like.
Senator CASH: Minister, do you have any information on how many other members would be appointed by the minister?
Senator Watt: I do not, but I am happy to take it on notice.

Answer

Between the passage of the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* in December 2022 and Budget Estimates on 30 May 2023, officials from the Department of Employment and Workplace Relations have had a number of conversations with representatives from the Minister for Employment and Workplace Relations' office about the National Construction Industry Forum (Forum).

The department's records indicate that conversations with the Minister's Office about the National Construction Industry Forum occurred on the following dates:

- 24 Mar 2023
- 3 April 2023
- 11 May 2023
- 19 May 2023
- 24 May 2023
- 25 May 2023.

The department notes that the National Construction Industry Forum may also have been raised in passing during other broad conversations about the department's work, and that these instances may not be captured by the list above.

The Minister can appoint any other person as a member of the Forum under subsection 789GZE(3) of the *Fair Work Act 2009*. The Minister announced the appointments to the NCIF on 23 July 2023 and there were no appointments made under subsection 789GZE(3).

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000661

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 49

Stakeholders approached for the Forum

Question

Senator CASH: Have any members or stakeholders been approached by the minister, the minister's office or the department to sit on the National Construction Industry Forum?
Mr Hehir: We're aware of other ministers who have been approached to sit on it. I need to take that on notice. In fact, it may have been something the minister's office might need to take on notice. I don't necessarily have that detail.

Answer

On 23 July 2023 the Minister for Employment and Workplace Relations announced the appointment of the following 12 representatives to the National Construction Industry Forum:

- Ms Melissa Adler – Housing Industry Association
- Ms Irma Beganovic – National Electrical and Communications Association
- Ms Deborah Coakley – Dexus Funds Management and the Property Council of Australia
- Mr Brent Crockford – Australian Owned Contractors
- Mr Jon Davies – Australian Constructors Association
- Mrs Alison Mirams – Roberts Co.
- Ms Naomi Brooks – Construction, Forestry, Maritime, Mining and Energy Union
- Mr Tony Callinan, – Australian Workers' Union
- Mr Steve Murphy – Australian Manufacturing Workers' Union
- Ms Stacey Schinnerl – Australian Workers' Union
- Mr Michael Wright – Electrical Trades Union
- Mr Zach Smith – Construction, Forestry, Maritime, Mining and Energy Union (CFMEU).

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ22-001194

Senator Michaelia Cash provided in writing.

National Construction Industry Forum

Question
1. Was the Department aware that the Minister was going to announce the establishment of a National Construction Industry Forum prior to the announcement being made in early September? If yes:
- How was the Department informed?
- Who informed the Department?
- When was the Department informed?
- Had the Department received a formal briefing from the Minister or his office?

2. Since the Minister made the announcement that a National Construction Industry Forum would be established, has the Department been briefed (formally, informally, or otherwise) by the Minister or his office as to what exactly this Forum might entail? If yes:
- When did this occur?
- Who attended the briefing?

3. Can you please advise what the composition of the Forum will be?
- How many union representatives will there be?
- How many construction industry/business representatives will there be?
- How many representatives will the Government have?
- How many members will there be in total?

4. Can you please advise how often the Forum will meet?

5. Could you please provide an outline of what the costs associated with establishing this Forum are?
- Has any money been committed to the establishment of the National Construction Industry Forum in the October 2022-23 Budget?
- How will funding for this Forum differ from funding for the ABCC?

6. Has the Minister consulted with the Department or sought advice from the Department as to how this Forum will be implemented or how it should function?

7. Can you please outline what the main differences are between the functions of the proposed Forum and the ABCC?

Answer

1. Refer to SQ22-001074.

2. Refer to SQ22-001074 and SQ22-001075.

3. The membership of the Forum would be governed by a new section of the *Fair Work Act 2009* (789GZE), which would provide that the Minister for Employment and Workplace Relations (the Minister), the Industry Minister (Minister administering the *Australian Jobs Act 2013)* and the Infrastructure Minister (Minister administering the *Infrastructure Australian Act 2008)* are members of the Forum, along with the members appointed by the Minister.

   Under new section 789GZE(2), the Minister would be required to appoint one or more members who have experience representing employees in the building and constructions industry, and an equal number of members who have experience representing employers in the building and construction industry, including at least one member who has experience representing contractors in the building and construction industry. On 10 November 2022 the House of Representatives passed the Fair Work Legislation Amendment (Secure Jobs Better Pay) Bill 2022 with an amendment that would also require the Minister to appoint one member with experience in small to medium sized enterprises in the residential building sector.

   The Minister would also have a broad discretion under new subsection 789GZE(3) to appoint other persons as members of the Forum, which might include relevant statutory appointees, representatives of community groups (e.g. disability or women's representative groups) or other persons with experience relevant to the functions of the Forum.

4. The Forum will meet at least twice per calendar year, once in the first six months and once in the second six months.

5. The financial impact of the Forum is yet to be determined in consultation with the Department of Finance, and any other associated departments.

6. The Department presented the Minister with key considerations relevant to the establishment of the Forum.

7. The Forum would have a broad remit to provide advice to the Government on matters relating to work in the building and construction industry that are either raised by Government or agreed by the members. The matters include, but are not limited to, workplace relations, skills and training, safety, productivity, diversity and gender equity, and industry culture. The functions of the Australian Building and Construction Commissioner are set out in section 16 of the *Building and Construction Industry (Improving Productivity) Act 2016*.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ22-001074

Senator Matt O'Sullivan on 08 November 2022, Proof Hansard page 59-60

National Construction Industry Forum

Question
Senator O'SULLIVAN: Had you or anyone else in the department received a formal briefing from the minister or his office?
Mr Hehir: I will need to take that on notice in terms of whether it was a formal briefing. As I said, it was certainly raised with us as a broad concept, not in its final form or as it was announced or suggested by Senator David Pocock. I will explain it this way. The concept of tripartism had been raised on a number of occasions by the minister. We talked about that and a range of factors, including a commitment to ongoing tripartism in the building and construction area. That broad concept in terms of having parties around the table talking about it, yes, had been raised. I'm not sure it was raised formally apart from being a very strong theme within the election material. We were in discussions about how that might look rather than necessarily a formal briefing.
Senator O'SULLIVAN: Since it was announced, what conversation has the minister had with the department?
Mr Hehir: Some of them go to government decision-making, so I will need to take that on notice.

Answer

In line with common practice, the Department of Employment and Workplace Relations has had a range of discussions with the Minister and his office regarding the National Construction Industry Forum.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ22-001075

Senator Matt O'Sullivan on 08 November 2022, Proof Hansard page 60

National construction industry forum

Question
Senator O'SULLIVAN: So in terms of any of the discussions that you've had regarding the forum with the minister, who else has been involved in those discussions? Is it just departmental officials, the minister and the minister's staff, or are there other people involved?
Mr Hehir: There are things that I can't discuss because they go to government decision-making. I need to go back and look at the material and see what I can share. It does go to government decision-making.

Answer

Discussions between the Department of Employment and Workplace Relations and the Minister and his office regarding the National Construction Industry Forum have not involved other parties.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Minister for Employment and Workplace Relations

Department of Employment and Workplace Relations Question No. SQ22-001291

Senator Michaelia Cash on 09 December 2022, Proof Hansard page 61

National construction industry forum - CFMEU

Question
Senator CASH: Minister, can you guarantee that the CFMEU will not have a seat at the table in relation to the national construction industry forum? In this bill that abolishes the Australian Building and Construction Commission, the government has also acknowledged that they are recidivist offenders and will be banned from multiemployer bargaining for 18 months.
Senator Watt: I will try to get some information for you.
Senator CASH: Minister, do you think, based on your knowledge of the CFMEU and the findings against them, that they should be given a seat at the table of the national construction industry forum?
Senator Watt: I am here representing the minister. It's the minister's role. It is Minister Burke. I will do my best to get an answer for you on that as quickly as I can.

Answer

The members of the National Construction Industry Forum will be the Minister; the Infrastructure Minister; the Industry Minister; and other members appointed by the Minister.

The Act requires the Minister to appoint one or more members who have experience representing employees in the building and construction industry; and an equal number of members who have experience representing employers in the building and construction industry, including at least one member who has experience representing contractors in the building and construction industry, and one member with experience in small to 20 medium sized enterprises in the residential building sector.

The Government is continuing to consult with stakeholders on the membership of the forum.

Factsheet—Fair Work Legislation Amendment (Closing Loopholes) Bill 2023

Overview

- The **Fair Work Legislation Amendment (Closing Loopholes) Bill 2023** (Closing Loopholes Bill) builds on the Government's workplace relations reforms by addressing loopholes in the workplace relations system that can undermine principles of fairness, secure jobs, and better pay.
- In developing the Bill, significant consideration has been given to feedback provided in consultation meetings and written submissions, the regulatory impact of the reforms and impacts on small business.
- While it is difficult to isolate the impacts of workplace relations reforms on the economy, the measures in the Closing Loopholes Bill are designed to encourage businesses to compete through better innovation and investment in their workforce, rather than through undermining workers' wages and conditions.

Closing Loopholes Bill: House of Representatives

- The Closing Loopholes Bill was introduced into the House of Representatives on Monday **4 September 2023**.
- The Second Reading Debate commenced on Tuesday **5 September** and has, at 24 September, continued over 7 days.
- To **24 September**, over **60** Members have contributed to the debate.
- Amendments to the Second Reading motion have been tabled by Mr Paul Fletcher and Mr Bob Katter:
    - Mr Fletcher's amendment seeks to postpone the conclusion of the second reading debate until after a Senate inquiry has reported and makes a number of observations about the Closing Loopholes Bill
    - Mr Katter's amendment does not support a Senate inquiry and does not support declining a second reading, but does make a number of observations about corporate collapses in North Queensland and the role of ASIC and the ATO.

Department of Employment and Workplace Relations - Released under FOI 338 of 853

Closing Loopholes Bill: Senate

- On **7 September** 2023 the Senate referred provisions of the Closing Loopholes Bill to the Senate Education and Employment Legislation Committee to report by **1 February 2024**.

Key Measures of the Closing Loopholes Bill

- The Closing Loopholes Bill has four Schedules:
    - Amendments to the *Fair Work Act 2009* and the *Fair Work (Registered Organisations) Act 2009*
    - Amendments to the *Asbestos Safety and Eradication Agency Act 2013*
    - Amendments to the *Safety, Rehabilitation and Compensation Act 1988*
    - Amendments to the *Work Health and Safety Act 2011*
- Schedule 1 consists of 18 parts. A summary of all measures is set out in **Attachment A**.
- Debate has generally focussed on:

Schedule 1, Part 1—Casual employment (See **Attachment C** for more detail)

- Providing for a fair, objective test to determine when an employee can be classified as casual.

Schedule 1, Part 6—Closing the labour hire loophole (See **Attachment D** for more detail)

- Protecting bargained wages in enterprise agreements from being undercut by the use of labour hire workers who are paid less than those minimum rates through an application-based process.

Schedule 1, Part 14—Wage theft (See **Attachment E** for more detail)

- Introducing a new criminal offence for wage theft which applies to intentional conduct.

Schedule 1, Part 16—Provisions relating to regulated workers (See **Attachment F** for more detail about reforms for employee-like workers and **Attachment G** for road transport workers)

- Enabling the FWC to set fair minimum standards for:
    - 'employee-like' workers (including in the gig economy)
    - road transport workers to ensure the Road Transport Industry is safe, sustainable and viable
- Allow the Fair Work Commission to deal with disputes about unfair terms in services contracts to which an independent contractor is a party (below a high income threshold).

Financial impact

- The measures in the Bill have a financial impact of $18.9 million over four years to 2026–27. The Government has committed $104.7 million over four years to 2026–27, to support implementation of measures in the Bill. Revenues of $85.8 million over four years to 2026-27 are expected to be returned through measures in the Bill, including penalties.

Stakeholders consulted

- The Minister for Employment and Workplace Relations convened two tripartite meetings of the National Workplace Relations Consultative Council with business and unions this year to discuss the measures in the Bill.
- Confidential meetings with business representatives and unions were also convened to seek their feedback and views on detailed policy proposals.
- The Department of Employment and Workplace Relations has led two written submission processes in response to short summaries and more detailed consultation papers, with more than 160 organisations making over 220 submissions.
- The department also conducted more than 75 consultation meetings with a range of stakeholders including, business and industry representatives, employers, academics, community groups and Commonwealth and state and territory governments.
- A meeting of the Committee on Industrial Legislation (COIL) was held on 16 and 17 August 2023, and a meeting with State and Territory officials was held on 18 August 2023.

Recent media

Business warns of economic calamity from IR reforms (Joe Kelly, *The Australian*, 2 October 2023)

Power imbalance a new risk (Chris Rodwell, *The West Australian*, 2 October 2023)

Industrial Relations reform blunders mask employment wins (Andrew McKellar, *The Australian*, 2 October 2023)

Trucking cost fears (Jason Gregory, *The Weekly Times*, 27 September 2023)

Starbucks pays back $4.5m to workers (Ewin Hannan, *The Australian*, 23 September 2023)

David Pocock joins Greens in push to criminalise non-payment of super (Paul Karp, *The Guardian*, 15 October 2023)

Uber warns food delivery costs to soar under IR changes (Angus Thompson, *The Sydney Morning Herald*, 16 October 2023)

Hard work looming for Labor on workplace laws (Dominic Giannini, *Newcastle Herald*, 16 October 2023)

Bosses pressure MPs to reject workplace bill (Ewin Hannan, *The Australian*, 17 October 2023)

For more detail about recent media, see **Attachment B**.

Related Senate Questions received on notice

- N/A

Policy factsheet—Fair Work Legislation Amendment (Closing Loopholes) Bill 2023: Attachment A

Summary of measures

Schedule 1—Main amendments

Part 1—Casual employment

- This measure would repeal and substitute a new definition of **casual employee** in section 15A of the Fair Work Act.
- The new definition keeps the core concept that a casual employee is someone who does not have a **firm advance commitment to continuing and indefinite work**, but also ensures this concept is understood by reference to the **practical reality** of the employment relationship.
- Employees can notify their employer via the new employee choice pathway or change status through the existing conversion pathway.
- If workers **want to remain casual employees**, they can't be forced to change.

Part 2—Small business redundancy exemption

- This measure would preserve the redundancy entitlements of employees whose employer has downsized due to insolvency from a larger business into a small business employer (that would ordinarily be exempt from redundancy pay obligations).
- These amendments would ensure that these **employees receive the same redundancy entitlements** as their colleagues who were terminated earlier in the downsizing process.
- These amendments would **only be enlivened** where an employer has entered liquidation or bankruptcy, ensuring that solvent businesses, including those which have successfully restructured, are unaffected.

Part 3—Enabling multiple franchisees to access the single-enterprise stream

- This measure would provide **franchisees and their workers easy access to the single enterprise bargaining stream** without needing an authorisation from the Minister or Fair Work Commission.
- This means employees of franchisees can vote as a single cohort to approve a single enterprise agreement.

Department of Employment and Workplace Relations - Released under FOI

Part 4—Transitioning from multi-enterprise agreements

- This measure would amend the Fair Work Act so that **employers covered by a single-interest or supported bargaining agreement** can **bargain** with their employees **at any time** for a replacement **single-enterprise agreement**.

Part 5—Model terms

- This measure would amend the Fair Work Act to provide that it is the **Fair Work Commission that determines model terms** for flexibility, consultation, and dispute resolution in enterprise agreements.
- The Fair Work Act currently provides that the terms are prescribed by regulations.

Part 6—Closing the labour hire loophole

- This measure would **protect bargained rates in enterprise agreements** from being undercut by the use of labour hire.
- When labour hire is used by a host business, workers, unions and hosts will be able to apply to the Fair Work Commission for an order that **labour hire workers must be paid no less** than the total full rate of pay that they would be paid under the host's enterprise agreement, or equivalent public sector instrument.

Part 7—Workplace delegates' rights

- The measure would **introduce specific rights and protections for workplace delegates** in the Fair Work Act.
- Workplace delegates would be provided the right to represent members and potential members in industrial issues.
- To support this, delegates would have reasonable access to:
    - **communicate** with members and potential members about matters of industrial concern
    - **workplace facilities**, and
    - **paid time** to undertake workplace delegate related training (for businesses other than small businesses).

Part 8—Strengthening protections against discrimination

- This measure would **prohibit** national system employers taking **unlawful adverse action** against employees (including prospective employees) **because the employees are being or have been subjected to family and domestic violence**.

Department of Employment and Workplace Relations - Released under FOI

Part 9—Sham arrangements

- This measure would require courts to assess employers' state of mind when defending allegations of sham contracting against the **new benchmark of reasonable belief**, rather than the current test of **knowledge or recklessness**.

Part 10—Exemption certificates for suspected underpayment

- This measure would amend the right of entry provisions of the Fair Work Act to **enhance the ability of permit holders** to enter a workplace **to investigate suspected wage underpayments**.
- Registered organisations would be able to apply to the Fair Work Commission for an **exemption certificate** which would **waive the usual 24-hours' notice requirement** for entry to workplaces.
- The Commission will be required to issue the exemption certificate if satisfied that a suspected contravention involves the **underpayment of wages affecting a member** of that registered organisation.

Part 11—Penalties for civil remedy provisions

- This measure would **increase the maximum civil pecuniary penalties** for **wage exploitation** related civil remedy provisions in the Fair Work Act and introduce a new method of calculating maximum civil penalties based on the amount of the underpayment, if ascertainable.
- This measure would also **amend the threshold for what constitutes a serious civil contravention** from one that is done knowingly and systematically to one that is done **either knowingly or recklessly**.

Part 12—Compliance notice measures

- This is a **technical amendment** to clarify the existing practice with respect to the use of Fair Work Ombudsman's compliance notices.
- The measure would make clear on the face of the Fair Work Act that the Ombudsman can **require an employer to calculate the amount of an underpayment** that is owed to an employee, and that a court can order the recipient of the notice comply with it terms.

Part 13—Withdrawal from amalgamations

- This measure would **repeal amendments made in 2020** to the *Fair Work (Registered Organisations) Act 2009* (except for some minor technical amendments).
- Primarily, this would **restore the requirement for de-merger applications** from amalgamated organisations **to be made two to five years after** the amalgamation occurred.

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Part 14—Wage theft

- This measure would **introduce criminal sanctions** where a national system employer **intentionally engages in conduct** that results in the **failure to pay a required amount** to an employee.
- **New entitlements would not be created** for workers or **obligations for employers** as it is **already unlawful** to underpay workers.
- The offence would **not apply to inadvertent mistakes or miscalculations**.
- This measure would also introduce new non-punitive pathways designed to encourage self-disclosure and rectification of underpayments:
    - If the Fair Work Ombudsman is satisfied that a **small business employer** has complied with a **new voluntary code** in relation to an underpayment, the Fair Work Ombudsman will provide written notice to the employer that they **won't be referred for criminal prosecution**.
    - **Cooperation agreements** will also be available, under which the Fair Work Ombudsman can agree not to refer persons that self-report potential wage theft for criminal prosecution.

Part 15—Definition of employment

- This measure would insert an interpretive principle into the Fair Work Act that applies when determining the ordinary meaning of 'employee' and 'employer', for the purposes of that Act.
- **A worker's status** will be determined by the '**real substance, practical reality and true nature**' of the relationship, by considering the **'totality' of the relationship**.

Part 16—Provisions relating to regulated workers

Road transport

- This measure would provide the Fair Work Commission with a new function of making **road transport minimum standards orders**, focused on road transport contractors and the businesses that hire them.
- Comprehensive guardrails ensure **minimum standards are fit for purpose** and guided by genuine engagement with the industry, including:
    - **A new road transport objective**, requiring the fair Work Commission to balance sustainable standards with business viability, competition and compliance costs
    - **A notice of intent process** requiring the Fair Work Commission to publish a notice and draft order for 24 months before making a final order
    - **Mandatory consultation** with a new road transport advisory group

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- Establishment of a **Fair Work Commission Expert Panel** for the road transport industry.

- The amendments would also give road transport contractors a **new protection from unfair termination of their contract**, while giving the Fair Work Commission a role to help resolve disputes.

Employee-like workers

- This measure would empower the Fair Work Commission to set **minimum standards** for 'employee-like' workers in the gig economy (**digital labour platform work**).
- Minimum standards would **not be able to convert an employee-like worker into an employee**. Clauses like overtime and rostering cannot be included in a minimum standard.
- The amendments would also give employee-like workers **a new protection from unfair deactivation from digital labour platforms**, while giving the Fair Work Commission a role to help resolve disputes.

Unfair contracts

- This measure would amend the Fair Work Act to empower the Fair Work Commission to deal with disputes about **unfair contract terms in services contracts**.
- This would provide **low-cost and accessible dispute resolution** for independent contractors whose incomes are below a contractor high income threshold, rather than needing to apply to a court.
- The amendments seek to address challenges with the existing unfair contracts jurisdiction in the Independent Contractors Act – as seeking redress through the court is prohibitively expensive for most contractors and has not been well used.
- If it finds a **term to be unfair**, the Fair Work Commission would be **able to vary or void part or all of the contract**.
- The Fair Work Commission would **not be able to order compensation**, but may, for example, vary the terms of the contract that deal with payment.

Collective agreements

- This measure would enable digital labour platform operators and road transport businesses to make **consent-based collective agreements** with organisations entitled to represent the industrial interests of employee-like workers or road transport contractors.

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Part 17—Technical amendment

- This measure would repeal a clause that no longer has any effect regarding applications to vary modern awards if already being dealt with in a four yearly review.

Part 18—Application and transitional provisions

- Part 18 would amend the Fair Work Act to provide consequential, application and transitional clauses arising from the amendments made by the Bill.

Schedule 2—Amendment of the Asbestos Safety and Eradication Agency Act 2013

- These measures would extend the functions of the Asbestos Safety and Eradication Agency to address silica related diseases.

Schedule 3—Amendment of the Safety, Rehabilitation and Compensation Act 1988

- These measures would introduce a presumption according to which first responders covered by the *Safety, Rehabilitation and Compensation Act 1988* who sustain post-traumatic stress disorder (PTSD) will not have to prove their employment significantly contributed to their PTSD for the purpose of their workers' compensation claim.

Schedule 4—Amendment of the Work Health and Safety Act 2011

- These measures would introduce a new offence of industrial manslaughter in the *Work Health and Safety Act 2011*, reflecting recommendations 23b of the *Review of the Model Work Health and Safety Laws – Final Report* (Boland Review) and 13 of the *They Never Came Home Report* (Senate Inquiry), and significantly increasing the penalties for the existing Category 1 offence.

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Policy factsheet – Attachment B: Recent Media

Media listed in Factsheet

Business warns of economic 'calamity' from IR reforms

(Joe Kelly, *The Australian*, 2 October 2023)

Anthony Albanese and Jim Chalmers face calls to "wrest back control of the policy agenda" from unions, with business mounting an eleventh-hour bid to refer Labor's workplace shake-up to a Productivity Commission review in order to avoid an economic "calamity".

Ahead of the start of this week's Senate hearings into the government's closing loopholes legislation, the Australian Chamber of Commerce and Industry warned Labor's workplace changes risked dragging down the economy "for the benefits of sectional interests."

The government has also been warned by the nation's miners that its workplace shake-up will hand the Transport Workers Union and major companies greater power to effectively fix prices across entire supply chains through a new system of minimum standards orders and collective agreements.

The Minerals Council of Australia said that by applying conditions and prices to supply chains, including the rates charged by smaller transport contractors, the legislation would effectively resurrect the scrapped Road Safety Remuneration Tribunal by pricing owner-drivers out of the market while driving up costs across the economy.

"It will have enormous ramifications for inflation since it will affect prices for everything transported by road - including groceries, fuel, clothing and building supplies," the MCA said in its submission to the Senate inquiry. "These provisions give effect to the longstanding ambition of certain unions to rig prices in their industry, increasing their power."

ACCI chief executive Andrew McKellar said the government's IR changes appeared to have "no policy basis other than the impatience of the trade union movement to bring about a more government-regulated employment and wages system."

He said "one way for cabinet to avert a possible productivity calamity affecting all portfolios would be to pause the bill and commission a thorough assessment of the economic impacts of the draft legislation by the Productivity Commission".

"The time has come for the Prime Minister and the Treasurer to wrest back control of the policy agenda to a more coherent and ambitious vision for economic prosperity," Mr McKellar writes.

Workplace relations Minister Tony Burke said most businesses did not use the "loopholes that this

bill closes" and called on those who wanted to delay the legislation to "have the courage to defend the loopholes."

"Every day it is delayed is another day that gig workers have no minimum standards, agreed rates are undercut and wage theft is not considered criminal," he said.

Business Council of Australia chief executive Bran Black said the government's legislation would "add to uncertainty and the cost of living at a time when Australian families can least afford it, while undermining the job security of the very people it purports to protect".

He called on Labor to carve out the non-controversial elements from the omnibus bill, including enhanced protections for domestic violence victims, changes to small business redundancy exemptions and tougher penalties for wage theft.

But he said the changes around the new definition for casuals, labour hire workers and independent contractors as well as the imposition of new standards on the gig economy represented the "most significant changes in Australian workplace relations law in decades".

"The government's own employment white paper states that 'real wages growth depends on productivity growth, a dynamic and competitive labour market and effective wage setting institutions'. None of this is achievable if the bill proceeds," Mr Black said.

ACCI also warned the benefits of the employment white paper would be eclipsed, with Mr McKellar saying that the "proposed industrial relations changes are so large and damaging to the economy that they dwarf the positive measures announced in the white paper".

The MCA warned the government's IR legislation would not only allow unions and major companies to rig commercial markets but effectively suspend competition law by overriding key parts of the Competition and Consumer Act.

Under the legislation, the MCA suggested a supermarket chain could agree with the TWU not to engage owner-drivers where the hourly rate provided to owner-drivers was less than $50 an hour.

Power imbalance a new risk

(Chris Rodwell, The West Australian, 2 October 2023)

Businesses around WA should be genuinely worried about the power that is being provided to the unions to access their workplaces.

Union membership is at its lowest level in history, yet the Federal Government is giving unions a chance to regain their foothold in workplaces across our nation.

The proposed Closing the Loopholes Bill, which is currently before the Senate, allows union officials

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to abruptly show up at any Australian workplace without notice and demand to see payroll paperwork if they suspect that a worker has been accidentally underpaid.

There's no threshold they need to meet for this to happen.

They don't need to prove they have reasonable grounds to suspect documents will be destroyed, or even have more than a hunch that an underpayment has taken place.

Those union representatives will then be able to physically stay on that premises for as long as it takes to produce the payroll documents they have asked to see.

There is an enormous risk that this unprecedented power will be used by unions as a tactic to bully and intimidate employers.

There are no safeguards in the Bill to stop that power from being abused.

For the record, there's no genuine problem that needs to be solved here.

Unions already have the power to access a workplace with no notice if they get approval from the Fair Work Commission on the grounds that a particular business is considered likely to destroy documents.

Under these changes, it will be up to the unions to decide whether “urgent” access is required, and there's no limit on how often they can flex this muscle.

Do we trust them to use that power sensibly and with restraint?

Latest figures from the Australian Bureau of Statistics show union membership in the private sector sits about 8 per cent.

As my counterpart at the Australian Chamber of Commerce and Industry, Andrew McKell, succinctly pointed out, it seems the only loophole this Bill is seeking to close is that of declining union membership.

Combined with a fivefold increase in fines for accidental underpayments, businesses are right to be deeply concerned.

The maximum penalties for a payroll mistake would jump from $187,800 to $939,000 for serious contraventions. Many businesses would face financial ruin if they were handed a fine of that size.

Most underpayments are not intentional and are caused by the real wage thief in Australia: our absurdly complex industrial awards system.

Businesses are trying to do the right thing, but they are drowning in industrial red tape.

Smaller businesses do not have large HR and payroll departments and even those that do can fall victim to human error.

Employers are telling us they have grave fears about the impact of these increased penalties.

The more time a business spends battling the complexities of Australia's workplace laws, the less time they are spending creating jobs, contributing to economic growth and our communities.

We call on the Federal Government to simplify the system and provide more support for business to make underpayments less likely, before introducing this fivefold increase in penalties.

A draconian crackdown on employers and letting unions run rampant through our workplaces won't do anything to stop underpayments.

It will simply make life harder for honest employers and will ultimately be a handbrake on job creation and economic growth.

"The proposed Closing the Loopholes Bill allows union officials to abruptly show up at any Australian workplace without notice."

Chris Rodwell is chief executive of The Chamber of Commerce and Industry WA

Industrial Relations reform blunders mask employment wins

(Andrew McKellar, *The Australian*, 2 October 2023)

Last week the Albanese government released its 251-page White Paper on Employment after more than a year in development.

It had a number of useful initiatives, including a $41m boost in funding for TAFE centres of excellence, a promise to develop a national skills passport, and a permanent extension of the increased pension work bonus.

Notably, for a major paper on employment policy extolling the very worthwhile goals of a more inclusive, flexible, and productive labour market there was barely a mention of the government's current industrial relations agenda.

The business community noticed the absence of industrial relations discussion because it is the elephant in the room.

The government's proposed industrial relations changes are so large and damaging to the economy that they dwarf the positive measures announced in the White Paper.

The workplace changes proposed, such as making it harder to hire casuals, reducing flexibility in the gig economy, reducing the ability to use labour hire, asserting control of supply chains, and pushing right-of-entry of unionists into workplaces, will each be significant steps backwards in flexibility and productivity.

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Trucking costs fears

(Jason Gregory, *The Weekly Times*, 27 September 2023)

Farmers are nervous that proposed federal government workplace laws aiming to correct unfair contract terms for truck drivers could “leave a gaping hole” in agricultural supply chains and drive up checkout prices.

The changes, recently tabled as part of an omnibus Bill by Workplace Relations Minister Tony Burke, will create an expert advisory group within the Fair Work Commission empowered to set enforceable minimum road transport industry rates and conditions.

National Farmers' Federation chief executive Tony Mahar fears the legislation could threaten the solvency of small transport operations and was “dredging up” a system akin to the ill-fated Road Safety Remuneration Tribunal.

The RSRT was established by Labor in 2012, but abolished by the Coalition in 2016 after owner-drivers showed minimum rates were undercutting their viability.

Mr Mahar said the reforms could make “it harder and more expensive” to get produce from paddock to plate and have “dire financial consequences” for farmers who supplemented farm income as owner-drivers.

Farmer concerns revolve around increased red tape and costs squeezing producers and family transport companies already on tight margins.

However, Mr Burke, who is currently on leave, previously said the “important” Closing Loopholes Bill reforms were written following consultation with industry and unions.

“We need minimum standards in this sector to protect lives and ensure a sustainable and viable trucking industry,” he said.

Under the proposed changes, the minister can introduce new regulations if they promote a “safe, sustainable and viable” industry. There is also a “failsafe” to suspend orders for a “full merits review”.

Australian Trucking Association chairman David Smith said the organisation had met with Mr Burke and was happy he had “moved on some of our concerns”.

However, he said while the current legislation contained safeguards against RSRT issues that “literally destroyed owner drivers”, “we don't have the legislation in yet and the potential impacts are diabolic”.

Rutherglen grains farmer Ashley Fraser said broadacre operations now depended as much on logistics as farming and was also concerned about unintended consequences.

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"Corporates charge more than family businesses and, as farming is fluid, they also provide the service we need when we need it," he said.

Crop farmer Ryan Milgate said most farmers who stored grains and owned trucks were "by default" running small transport businesses.

He said a "big" transport company recently quoted $800 to shift a pallet from Melbourne to the Wimmera, but he went with a local company that quoted six times less.

Starbucks pays back $4.5m to workers

(Ewin Hannan, *The Australian*, 23 September 2023)

Starbucks has backpaid $4.57m to more than 2450 workers and made a $150,000 contrition payment after admitting to underpaying the workers for six years.

The ASX 100 company failed to pay the often young part-time staff, including baristas, supervisors and assistant managers, the correct overtime pay.

The underpayments affected 2457 current and former staff working in 52 stores in Sydney, Melbourne, Brisbane and the Gold Coast from 2014 to 2020.

Under an enforceable undertaking reached with the Fair Work Ombudsman, Starbucks has agreed to pay $4.34m in wages and entitlements, more than $180,000 in interest and more than $40,000 in superannuation to the workers, Individual back-payments range from $20 to $18,574. The average back-payment is $1883.

The FWO said Starbucks selfreported its non-compliance in 2020 after becoming aware of underpayments while conducting a review of its time and attendance and payroll systems.

Starbucks failed to comply with an award requirement to have written agreements in place specifying the regular work days and hours that made up each part-time employee's "ordinary hours" of work. This led to the company often failing to recognise when part-time employees were entitled to be paid overtime entitlements. Some part-time employees were also underpaid annual leave and public holiday entitlements.

A smaller number of full-time store managers were underpaid due to Starbucks paying them annual salaries that were insufficient to cover their minimum award entitlements, given the significant amounts of overtime and weekend work they performed.

Fair Work Ombudsman Anna Booth said an enforceable undertaking was appropriate because Starbucks had co-operated and demonstrated a strong commitment to rectifying underpayments, including devoting significant resources to engaging independent experts to oversee its rectification.

"Under the enforceable undertaking, Starbucks has committed to implementing stringent measures to ensure workers are paid correctly. These measures include engaging, at the company's own cost,

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audits of its compliance with workplace laws over the next two years," Ms Booth said.

Starbucks must make a $150,000 contrition payment to the Commonwealth's Consolidated Revenue Fund.

David Pocock joins Greens in push to criminalise non-payment of super

(Paul Karp, *The Guardian*, 16 October 2023)

The independent senator David Pocock has joined a push by the Greens and unions to criminalise the intentional non-payment of superannuation, after the measure was omitted from Labor's industrial relations bill.

The Albanese government's legislation has proposed to criminalise wage theft but not super theft, which is estimated to cost workers up to $5bn a year, and Pocock said if the government is "serious about closing loopholes then the intentional non-payment of super should also be criminalised".

It comes after Guardian Australia revealed in September that the Australian Taxation Office has never used its indirect criminal penalties to punish non-payment of super.

The powers require the ATO to first issue a direction to pay super, the failure to comply with which is a crime. The tax office has never issued a direction to pay, but uses non-criminal penalties to recover hundreds of millions of dollars of super a year.

The Greens have called for super theft to be added to the government's closing loopholes bill and are now backed by Pocock, the Australian Council of Trade Unions, the construction union, the United Workers Union and the Australian Manufacturing Workers Union.

The Coalition is opposed to the bill. Labor will need the Greens' support and Pocock will also be influential, given he was the swing vote for last year's secure jobs better pay bill.

Pocock told Guardian Australia "the intentional non-payment of super is a form of theft that impacts not only the individual worker but our society at large by increasing the burden on the aged pension".

Pocock, who wants the bill to be split, said "this omnibus bill includes many complex and contested elements, but it's clear that some elements, like making it easier for first responders to access workers compensation for PTSD, have broad support and should be dealt with separately".

"Criminalising the intentional non-payment of super would appear to also have sufficient support to pass," he said.

"At the same time, I also urge the government to do more to ensure timely payment of invoices for small businesses and progress payday super reforms."

The Albanese government hopes unpaid superannuation will be eliminated by payday super reforms, which require employers to pay super at the same time as wages rather than quarterly or six-monthly.

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In September the financial services minister, Stephen Jones, said that "payday super, phased in by 2026, should reduce the problem to zero because the wages and superannuation are being paid at the same point in time".

A consultation paper for the reform, released on Monday, described failure to pay superannuation as "equivalent to wage theft".

The government has also agreed with a Senate inquiry that recommended the new offence should apply to all forms of remuneration, including superannuation.

The Australian Council of Trade Unions president, Michele O'Neil, said "wage theft robs working people of money they are rightfully owed for their work".

"Super theft compounds this, taking money from workers that would be built on due to interest over decades to provide security and dignity in their retirement," she said. "Super theft is a serious problem that needs addressing and should be covered by the wage theft provisions in the closing loopholes bill."

Business groups including the Council of Small Business Organisations Australia and the Australian Chamber of Commerce and Industry (ACCI) have rejected the proposal.

The ACCI chief executive, Andrew McKellar, said: "Such a change would be superfluous. Legislative changes earlier this year inserted a right to superannuation in the national employment standards … [ensuring] that employees covered by the act have an enforceable right to superannuation.

"Threatening employers with jail for unpaid super will do nothing to rectify the major cause of underpayments in our country – Australia's unreasonably complex workplace relations system," he said.

Uber warns food delivery costs to soar under IR changes

(Angus Thompson, *The Sydney Morning Herald*, 16 October 2023)

Uber warns the price of having a meal delivered from its app could rise by 85 per cent, and the cost of ride-share trips by 60 per cent, under the Albanese government's sweeping industrial relations reforms to give a pay floor to gig workers.

As the digital platform giant calls on the government to rein in the broad provisions of its Closing Loopholes Bill, the Australian Council of Trade Unions is seeking a dramatic expansion to the rights of contractors to ensure anyone in an employee-like arrangement has minimum pay and conditions, not just those workers using apps.

Both the global company and union peak body have made submissions to the Senate inquiry into the controversial legislation, which – among other reforms – aims to create a set of workplace rights for digital platform workers, such as ride-share drivers and food delivery riders, whose conditions resemble those of employees.

While Uber said it supported a safety net, the company cautioned the bill could lead to further disputes over the difference between employees and other workers, while having a major economic

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impact on the industries platform work supported, including a $1.5 billion hit to restaurants and other businesses due to reduced demand.

“Ride-share and delivery fee prices across the country could increase by 60 per cent and 85 per cent respectively. Higher prices will make ride-share and delivery services more expensive for consumers,” Uber’s submission says.

“Delivery fees would be higher during peak evening and weekend meal times compared to lunch, which we expect would result in larger decreases in orders and more affected restaurants.”

The company said its modelling was based on pay and conditions for casual workers under the passenger vehicle transportation award, and the road transport and distribution award (which covers bicycle couriers), including penalty rates, superannuation and expense reimbursement.

It is not yet certain what minimum conditions the Fair Work Commission will rule on.

According to a regulatory impact statement produced by the Department of Employment and Workplace Relations and attached to the bill, allowing the Fair Work Commission to set minimum pay and conditions for digital platform workers would result in an annual wage increase of $403.8 million over the next 10 years.

That figure is based on an assumption that wages for digital platform workers may be close to the relevant award wages.

Workplace Relations Minister Tony Burke has previously acknowledged prices would be passed on to consumers as a result of increasing gig workers’ rights.

“Underpaying is cheaper. Slavery is probably cheaper too,” he told the National Press Club in August.

Uber said the bill, which also aims to undo a recent High Court decision relating to the definition of an employee, risked too easily conflating the traits of a contractor engaged in employee-like work and an actual employee.

“Rather than providing a sufficient degree of certainty for both business and workers, the legislative overriding of the recent High Court decisions is likely to be a catalyst for a return to greater disputation and litigation regarding the precise legal status of a worker,” the submission says.

In its own lengthy submission to the Senate inquiry, the ACTU made 45 recommendations to strengthen the bill, including extending the employee-like provisions to all workers engaged in that kind of arrangement, regardless of whether they were on a digital platform like Uber.

“Engagement of a worker through a platform should not be the primary determining factor, or a factor at all, in defining the scope of the FWC’s new functions,” the submission says.

The proposal is likely to spark a backlash from employer groups, with construction lobby Master Builders warning existing provisions already risk independent contractors on building sites being forced into workplace agreements, prompting the construction union to accuse the group of hysteria.

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The ACTU is also calling for the Fair Work Commission to be given the specific power to determine who is an employee and who is a contractor.

Hard work looming for Labor on workplace laws

(Dominic Giannini, *Newcastle Herald,* 16 October 2023)

LABOR will face pressure to push through parts of its own workplace law reform package with the crossbench and Coalition teaming up to force the government's hand.

The legislation would bring sweeping changes to workplace laws which include closing a loophole that allows companies to negotiate a rate of pay with employees and then pay labour hire less.

There are also added protections for gig economy workers and more opportunities for some casuals to transition into permanent work.

Labor initially wanted the legislation passed by the end of the year but the Senate teamed up to push an inquiry into the laws back until early next year.

The opposition and business groups oppose those changes.

However, there is broad support for four less contentious measures in the reforms.

The first would make it easier for frontline responders to access claims for post-traumatic stress disorder by stripping away the need to prove it happened at work.

The others include greater protections for workers experiencing domestic violence and small businesses as well as bringing deadly silica dust in line with asbestos to allow it to be better regulated and workers to be better supported.

Silica dust can result in incurable silicosis.

Independent senators David Pocock and Jacqui Lambie will move private bills to introduce Labor's less contentious laws into parliament.

Senator Pocock said testimony and evidence given to an inquiry into the bill made it clear it was a large and complex piece of legislation that needed to be properly worked through.

"But what was equally clear from the testimony is that things like presumptive legislation for first responders looking to access Comcare for PTSD is both urgent and can be done now," he said. "That's why Senator Lambie and I are pushing ahead with our private senator's bills so these four important parts of the omnibus are dealt with now while we work through the details of the other measures."

Shadow attorney-general Michaelia Cash said the opposition would support the move but the coalition remains opposed to the broader reforms.

"Small businesses are already grappling with the cost of doing business and they're now saying that the changes made in particular in relation to the definition of casual is going to cause them even further pain," she said.

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"The impact on both productivity and jobs is going to be potentially devastating."

The Australian Industry Group has said the changes would hold back investment and not create a single job as they would add further burdens and compliance costs to employers.

The government and unions have rejected this, saying pathways to allow some casuals to become permanent employees and fairer pay rates for gig workers would boost wages and job security.

Senator Lambie has criticised the government for putting the broadly accepted reforms with the more contentious changes to hold the crossbench to ransom in order to pass the laws.

The legislation looks to provide better protections for workers in the gig economy.

Bosses pressure MPs to reject workplace bill

(Ewin Hannan, *The Australian*, 17 October 2023)

Employers have ramped up their opposition to the federal government's industrial relations changes, with 10 organisations jointly urging federal MPs and senators to oppose Labor's Closing Loopholes Bill.

In a letter to federal parliamentarians on Monday, employer groups, including the Business Council of Australia, the Australian Chamber of Commerce and Industry and the Australian Industry Group, said the changes would shut down small businesses, reduce the take home pay of casual workers, and drive up the cost of living and cost of housing.

They said the bill's regulatory impact statement was fundamentally flawed, and the real scope of the bill could not be determined as “hundreds of key decisions are left to regulations, the Fair Work Commission, yet to be determined codes or the unilateral power of the minister”.

Declaring the business community was united in its view that the bill was unworkable and could not be fixed with amendments, the groups said if the government believed there were loopholes that needed fixing, it “must be open and transparent about the problems it aims to solve”.

They said the government should work with all parties in a public way to find solutions, and undertake a thorough and independent impact analysis for workers and businesses of any proposed changes.

“To be clear, the parliament should not entertain consideration of the bill in the absence of these steps,” they said. “Further, the government must not attempt to undermine the already inadequate consultation process by putting the bill before the Senate this year.”

Hitting back at the criticism, Workplace Relations Minister Tony Burke said he was “surprised to receive a letter from these groups asking me to vote against my own bill”.

“I do believe it's disingenuous for any organisation to claim the government hasn't been open and transparent about the problems we're seeking to solve,” he said. “All year, including in meetings organised by some of these organisations, I have explained the problems caused by wage theft, the need for casuals to have a choice, the unfairness of the labour hire loophole and the unacceptable situation where gig workers have no minimum standards at all.”

It comes as the Fair Work Ombudsman has secured $558,190 in penalties in a case involving Hong Kong-owned company Winit deliberately and systematically underpaying migrant employees working in Sydney.

Over five years, Winit, which provides warehousing and distribution services, underpaid nearly 400 employees more than $3.6m.

Additional media

'Flawed' IR bill will 'kill small business'

(Dan Jervis Bardy, *The West Australian*, 3 October 2023)

The Federal Government's planned industrial relations changes are a "disastrous rewriting" of labour laws that will trigger the collapse of small businesses, the peak mining body is warning.

The Minerals Council is urging the Government to dump the "fundamentally flawed" legislation which it claims will harm the economy - in particular the mining sector - and add to costof-living pressures on families.

The lobby group's boss, Tania Constable, will issue the warning when the Federal parliamentary inquiry into Labor's "closing loopholes" legislation holds its first public hearing on Tuesday.

Labor's Bill is designed to combat the undercutting of wages and conditions for workers, including through criminalising wage theft and minimum standards in the gig economy.

The most contentious element is the "same job, same pay" provision, which would require businesses to pay labour-hire workers at least the same as direct employees doing the same work.

Despite Labor's assurance that they would not be targeted, the Minerals Council is adamant service contractors used by big miners - including cleaners, caterers and IT support - could be roped into the new system unless they can secure exemptions through the Fair Work Commission.

"Small local businesses will be competing on wages and entitlements with some of the biggest companies in the world, rendering many unviable," Ms Constable will tell the committee, according to a draft of her opening address supplied to The West Australian.

"The only road out of this nightmare scenario will be litigation through the Fair Work Commission, at the company's own expense and time.

"Each company will need to satisfy the commission that they shouldn't have been captured."

Ms Constable will tell the committee the legislation presents a "roadblock" to efforts to seize the opportunity from the burgeoning critical minerals industry. "In summary, 'closing loopholes' is a slogan that masks a disastrous rewriting of Australia's labour laws that will only see businesses close down," she will say. "It will damage the economy."

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Ahead of the hearing, Workplace Relations Minister Tony Burke challenged the legislation's critics to use the inquiry to “defend” the labour hire loopholes that undercut job security.

“Most businesses don't use the loopholes that this Bill closes,” Mr Burke said. ”It's high time organisations heading up this misleading campaign defended the loopholes they want to keep open.”

Australian Council of Trade Unions president Michele O'Neil accused the employer groups of campaigning against the legislation because their members relied on the loopholes to drive down wages and conditions.

The Senate committee will travel to Perth on Friday for its second block of hearings.

Transport warning over Labor’s reforms threat to owner-drivers

(Joe Kelly, The Australian, 3 October 2023)

Owner-drivers who work for large fleet operators run the risk of being classed as employees and losing work under new rules contained in the government's omnibus industrial relations legislation, according to a warning from a peak road transport group.

National Road Transport Association chief executive Warren Clark told The Australian he was calling for the government to revise section 15AA of its draft legislation because it could marginalise owner-drivers by unwinding a key 2022 High Court ruling.

“The big risk is that they may be excluded from work because it's going to cost more to the big business, or if they are classified as an employee they may have their earning ability reduced,” he said.

Mr Clark said the High Court's decision in ZG Operations Australia Pty Ltd v Jamsek last year made clear that “owner drivers or small businesses working for large corporations - providing the vehicle or significant assets - were not deemed to be employees.”

“What we are saying is that 15AA should be reworded to exclude owner-drivers providing their own vehicles or significant assets and they'd be classified as a business,” he said. “This then gives the fleet operator or large customers the confidence that they won't incur significant additional costs down the track.

“Section 15AA could bring back that confusion into play between who is a contractor and who is an employee.”

Mr Clark will voice his concerns on Tuesday, alongside other representatives from the transport industry including the Transport Workers Union, at a Senate inquiry investigating Labor's industrial relations bill.

The TWU warned that passage of the IR laws was “literally a matter of life and death”, arguing that 16 truck drivers were expected to die in crashes before the Senate inquiry handed down its report on the proposed shake-up of workplace laws, due in February.

The union is planning to present to the inquiry on Tuesday statements from several truck drivers on hazardous conditions in the industry, as well as evidence from the uncle of a 30-year-old food delivery driver from Turkey who, working in the gig economy, was killed during one of his shifts.

In his opening statement, TWU national secretary Michael Kaine said road transport reforms contained in the omnibus industrial relations bill would save lives by providing “enforceable standards across the transport industry including, and importantly, for the transport gig economy.

“In the last 7½ years since the road safety watchdog, the Road Safety Remuneration Tribunal, was abolished and nothing put in its place, there have been 318 truck drivers killed, and at least 14 transport gig workers,” he said.

“Transport is a price-taking industry. It is subject to deadly and unsustainable pressures from unchecked commercial power at the top of complex transport contractual chains. Years ago, this created a race to the bottom - until the gig economy came in and ripped away the floor ... Now, it's an industry in free fall.”

The TWU, the Australian Road Transport Industrial Organisation, the National Road Transport Association and National Road Freighters Association have pushed for amendments to the IR bill. The key change requested by the alliance is for the bill to grant a new road transport “expert panel” within the Fair Work Commission, with the ability to make orders that can apply down the industry contractual chain instead of leaving it to be determined through future regulations.

“The bill as drafted relegates contract chain provisions to ... unspecified and uncertain regulation,” the TWU submission said. “This creates the risk that the expert panel will not have the powers and functions that are essential to ensuring industry standards can be lifted within contract chains.”

Millions of workers roped into workplace changes, miners warn

(Jack Quail, *The Daily Telegraph*, 2 October 2023)

The proposed shake-up to Australia’s workplace laws is “fundamentally flawed” and risks roping in “millions of Australian workers”, the mining lobby has claimed.

Ahead of Senate hearings into the government’s second tranche of industrial relations changes, the peak resources sector body, the Minerals Council of Australia (MCA), condemned the reforms, arguing they would inflict “immense harm” on the Australian economy.

The MCA’s criticism, detailed in its submission to the inquiry, centres on the government’s efforts to close a labour hire “loophole” as part of an omnibus bill introduced to the parliament in September.

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The “loophole” exists when an employer and employees have negotiated a workplace agreement to a particular rate of pay for particular work, but the employer subsequently brings in other workers through labour hire to undercut the agreed rate of pay.

Under the proposed changes, employees, employers or unions will be able to apply to the Fair Work Commission to require the labour hire workers to be paid at least the wages in the workplace agreement.

The workplace umpire would subsequently determine if it was “fair and reasonable” to order labour hire workers to be paid the same direct employees.

In making this decision, the Commission would need to consider the workers are providing a service rather than simply providing their labour, however, it would not be bound by this.

But MCA chief executive Tania Constable will tell the inquiry that the proposed labour hire laws are much broader than the government has let on and risk capturing any business that provides workers, services or skills to another company, potentially including millions of workers.

“This scenario will apply right across the economy – every sector, every industry. It is a recipe for disaster,” Ms Constable will say.

“The proposed changes are not ‘modest’ or ‘housekeeping’ and do not apply to a limited number of businesses. They create a complex maze of obligations and new legal hurdles.”

Ms Constable will also accuse the government of jeopardising the nation’s energy transition by saddling the industry with laws that would ultimately make mining more costly and less productive.

“At a time when Australia could be at forefront of delivering a low emission future the government is proposing to introduce a massive impediment and roadblock on the opportunity,” she will say.

“Rather than building a new innovative society for the future, Australian businesses will be spending their days studying law books and appearing in court trying to work out whether we can even start.”

The MCA also claims small businesses that provide contract services will be competing on wages and entitlements with much larger providers, subsequently rendering them unviable.

Alongside changes to labour hire, the proposed reforms will also include making it easier for casual workers to convert to permanent roles, increasing penalties for wage underpayments, and regulating platform or ‘gig’ work.

Separately, the Business Council of Australia, which represents some of the nation’s largest corporations, including Commonwealth Bank and Qantas, is also expected to appear before the Senate inquiry on Tuesday.

Speaking before his committee appearance, the council’s chief executive Bran Black called on the government to split the legislation so the less controversial elements of the legislation, such as increased penalties for wage theft, can pass.

“The BCA supports the request from the Senate crossbench to separate these measures and bring them forward for earlier consideration by the parliament,” Mr Black said.

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The push echoes similar calls from influential Senate crossbenchers David Pocock, Jacqui Lambie and Tammy Tyrell to pass the uncontroversial elements of the legislation before year's end.

On Monday evening, the crossbenchers ramped up their bid, proposing to use four private senators' bills on the "urgent workers safety measures" and legislate them by January 1.

The measures include a proposal simplification of workers' compensation for first responders with post-traumatic stress disorder, the expansion of the Asbestos Safety and Eradication Agency, measures to assist small business with insolvency and enhanced protections against employees subject to family and domestic violence.

Warning against the legislation, the Business Council claimed the change would be confusing, complex and expensive, during a cost of living crunch.

"It is now clear that the Bill will add to uncertainty and the cost of living at a time when Australian families can least afford it, while undermining the job security of the very people it purports to protect," Mr Black said.

The government and the union movement have previously rejected bosses' warnings, arguing against claims of widespread economic damage and rising unemployment.

Mining service contractors 'caught in IR reform war'

(Jess Malcolm, *The Australian*, 11 September 2023)

Mining service contractors such as cleaners, chefs and drivers could be caught up in Labor's "radical workplace agenda", costing jobs and slowing production in the resources sector, big business has warned.

Analysis by the Chamber of Commerce and Industry West Australia (CCIWA) of the government's industrial relations shakeup has found companies that supply service contractors to mines have not been carved out of the Bill, despite assurances they would not be affected.

The peak body said the Bill left it up to the Fair Work Commission to determine whether the proposed labour-hire laws apply to those firms.

CCIWA chief executive Chris Rodwell said specialist contractors being caught up in the new laws will be damaging for economic growth, costing jobs and productivity.

"WA's mining sector is already hamstrung by a skills shortage - anything that restricts the ability for mining projects to source the highly skilled, specialist workers they need will slow production and cost jobs," he said.

"These skilled workers are employed by service contract companies and deployed across the economy into different mining projects as they're needed."

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Mr Rodwell said the “clumsy” reforms were East Coast-centric and showed “a horrifying lack of understanding about the practical operations of WA's mining industry”. “This is all the more baffling when you consider the WA economy is propping up the bottom line in Canberra,” he said.

Workplace Relations Minister Tony Burke’s sweeping shake-up of the nation's industrial relations system came under threat last week when key crossbenchers joined the Coalition to delay the Albanese government's union-backed legislation until at least February.

Under pressure from employers, industry groups and small-business leaders to stall the IR Omnibus Bill, independent ACT senator David Pocock and the Jacqui Lambie Network teamed up with the opposition to quash Mr Burke's planned vote before Christmas.

The blow to the government's pledge to push the “Closing Loopholes” legislation through parliament by December came as crossbenchers demand more time to consider the complex 284-page Bill and 521-page explanatory memorandum.

A Department of Employment and Workplace Relations spokesman said the legislation was focused on labour hire, rather than “genuine service” contracting arrangements. “If an arrangement in the mining sector is clearly service contracting, the Fair Work Commission can decide that it would not be fair and reasonable to make an order,” he said.

Minerals Council of Australia chief executive Tania Constable warned the scope of Mr Burke's reforms were broad and could “rope in millions of Australian workers right across the economy”. Ms Constable said the legislation had been intentionally drafted to rope in as many businesses as possible as she called on Labor to be upfront about its intentions.

“This is not about merely “closing labour hire loopholes'', as the government suggests. “The scope of ‘same job, same pay' is extraordinarily broad, capturing any business that provides workers, services or skills to another company, and roping in millions of Australian workers right across the economy,” she said.

“The legislation makes it clear, as pointed out by one of Australia's pre-eminent industrial relations experts - service contractors are roped into ‘same job, same pay' till they can litigate their way out, at their own cost in time and resources,” Ms Constable said.

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Attachment C: Standing up for casual workers

- Currently there are employees who remain a casual when they are working just like permanent employees, which means they do not receive the entitlements and job security of permanent workers.

The Government has an election commitment to legislate a fair, objective definition of casual employment, so people have a clearer pathway to permanent work

- The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 replaces the definition in s15A of the Fair Work Act with one that considers the practical reality of the employment relationship, not only the terms of the initial contract.
- The Bill also provides employees with two pathways to become permanent:
    - A new employee choice pathway in the National Employment Standards for where an employee who believe they no longer meet the definition to change to permanent employment if they wish.
    - The existing casual conversion framework under the National Employment Standards. Large and medium employers will continue to undertake an assessment of a casual employee's status 12 months service and, if they have a regular pattern of work, offer them conversion to eligible employees.
- If passed, the reforms would commence from 1 July 2024.

Status is fixed and only changes through employee decision to ensure certainty for businesses

- Under the new employee choice pathway, an employee's status can only change from casual to permanent through conscious action and agreement by the employee. If an employee does not want to change, they remain casual and keep their causal loading.
- This provides certainty of status to employers and employees at all times.
- An employee lawfully engaged as a casual will remain a casual employee unless the employee wants to change. Change in status has prospective effect which is the same as the current framework.

Misclassification

- As is the case under current laws, if an employee was misclassified on commencement they could seek backpay through a court.
- The statutory offset in s 545A will remain. This means a court must reduce (but not below nil) any amount payable by the employer to the person for the relevant entitlements by an amount equal to the casual loading amount paid.
- This is how the current framework operates. Employers' exposure to backpay liabilities will remain the same as under the existing framework.
- A court will only impose a penalty for misclassification if it considers it appropriate to do so. In some cases, no penalties are ordered at all.
- A court may take into account, for example, whether the employer knowingly misclassified employment as casual employment, is well-resourced to obtain

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advice on proposed employment arrangements, or has a history of contravening the Fair Work Act

Regularity is one of several indicators – it is not determinative of whether an employee is a casual

- The headline test is whether or not there is firm advance commitment to continuing and indefinite work.
- Indicators such as regularity are to help employers consider whether a firm advance commitment exists. No single indicator is determinative.
    - In addition to whether there is a regular patten of work, the factors also include whether it is reasonably likely that there will be future availability of continuing work of the kind performed by the employee.
- Employers may engage someone as casual and give regular pattern of work from commencement if there is not continuing and indefinite work.
    - While it will be determined on the individual circumstances of the proposed engagement, situations to backfill a position, or for a seasonal peak, including where the employer is a labour hire firm could allow for regular hours to be offered – where there is no firm advance commitment to continuing and indefinite work.

Period of service requirements before status change can happen

- A casual employee who has worked for 6 months, or 12 months in a small business, will be able to notify their employer where they believe they no longer meet the definition. This allows time for the employment relationship to develop post commencement.

Fair Work Commission will be given enhanced powers to resolve disputes under either the new employee choice pathway or the existing casual conversion pathway

- Most dispute will be resolved at the workplace level. Where this does not happen, the Fair Work Commission can assist – including making a binding decision by arbitration as a last resort.
- In resolving disputes, the Fair Work Commission will be able to make orders it considers fair and reasonable.
- The volume of applications to the Fair Work Commission is expected to be low.
- Enhanced access to dispute resolution is supported by the findings of the *Independent Review of the Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021*.

The Fair Work Ombudsman will support people to understand rights and obligations

- The Fair Work Ombudsman will update the Casual Employment Information Statement.
- There will be a new obligation for employers to re-provide the statement after 12 months of employment, to give employees information at a point at which they may be thinking about conversion.

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Attachment D: Closing the Labour Hire Loophole

- This measure was an election commitment in the Government's Secure Australian Jobs plan.
- It amends the Fair Work Act 2009 to prevent wages in enterprise agreements (and certain other employment instruments) from being undercut by the use of labour hire.

Applying to the Fair Work Commission for an Order

- Employees, their representatives, and hosts can apply to the Fair Work Commission for an order that regulated employees must be paid no less than what they would be paid under a host's enterprise agreement (or equivalent public sector determination).
- Orders can only be made where the Fair Work Commission is satisfied the host's enterprise agreement would apply to the regulated employee if they were directly employed.
- The Fair Work Commission must not make an order if satisfied it is not fair and reasonable in all the circumstances, having regard to submissions made by the parties.
    - Submissions could be about, for example, existing pay arrangements and whether the arrangement is for the provision of services rather than the supply of labour.

Pay Obligations when orders has been made by the Commission

- If an order is made, the regulated employee must be paid no less than what they would be paid under the host's enterprise agreement, if the employee was directly employed and the enterprise agreement applied – this is the protected rate of pay.
    - The protected rate of pay is the 'full rate of pay' under the host's enterprise agreement, with reference to the regulated employee and work performed.
    - Full rate of pay is defined in the Fair Work Act as the rate of pay payable to the employee, including incentive-based payments and bonuses, loadings, allowances, overtime or penalty rates, and any other separately identifiable amounts.
- If an employer needs additional information to work out the protected rate of pay, they can make a written request for information to the host.
    - The host must provide the information requested, or provide the protected rate of pay for each employee for each relevant pay period.

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Exemptions Include

- Arrangements where the host is a small business.
- Arrangements where the employee is working for the host under a 'training arrangement'.
- Specified short-term arrangements – for example, where the employee performs, or is to perform, work for the host during a period of no longer than 3 months.

Other Orders and Dispute Resolution

- The Fair Work Commission will be able to settle disputes on a range of matters, including disputes about identifying the correct rate of pay for an employee
- The Fair Work Commission can also clarify the operation of certain obligations by making:
    - alternative protected rate of pay orders
    - arbitrated protected rate of pay orders
    - determinations about short-term exemptions, including recurring extended exemption periods.
- Parties must first attempt to resolve a dispute at the workplace level. If this is unsuccessful, parties can apply to the Fair Work Commission to resolve a dispute.
- The Fair Work Commission must first deal with a dispute by means other than arbitration (such as by mediation and conciliation), except in exceptional circumstances. The Fair Work Commission must not arbitrate a dispute unless it would be fair and reasonable to do so.

Anti-Avoidance Provisions

- Hosts and employers are prohibited from entering into schemes for the sole or dominant purpose of preventing the Fair Work Commission from making an order.
- For example, labour hire employers engaging independent contractors, instead of employees, to work for the host, including dismissing current employees and re-engaging them as independent contractors.

Commencement

- From Royal Assent, parties can apply to the Fair Work Commission for orders that can take effect on or after 1 November 2024.
- Anti-avoidance provisions will apply from Royal Assent with retrospective effect from the introduction of the Bill to the House of Representatives.

Attachment E: Criminalising wage theft

- The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 would introduce a new Commonwealth criminal offence for intentional wage theft.
- Several inquiries, including the Migrant Workers' Taskforce and the Senate Inquiry into Unlawful Underpayment of Employees' Remuneration, have found that underpayment continues to be an issue in Australian workplaces.
- Department of Employment and Workplace Relations analysis using the latest data from HILDA (2021) shows 10.2 per cent of all employees appeared to be receiving less than the National Minimum Wage.
    - The number of employees being paid less than their legal entitlements may be significantly higher, as many employees are entitled to more than the National Minimum Wage.
- Despite recent Government action to address underpayments, non-compliance remains a persistent problem.

The Government made an election commitment to introduce a federal criminal offence for wage theft

- If passed, the Bill would make it a criminal offence for an employer to intentionally engage in conduct (such as setting a flat hourly rate of pay below the minimum entitlement or demanding cash back) with the intended result of failing to pay a required amount, in full, when it is due.
    - The offence will apply to entitlements under the Fair Work Act or a Fair Work instrument (unless that amount is a superannuation contribution or certain leave entitlements excluded by states' referrals of power).
- The offence would commence on proclamation, or no later than 1 January 2025.

The offence will only apply to intentional underpayments

- The offence will capture only intentional underpayments. Prosecutors will have to show that an employer intentionally engaged in conduct that resulted in the failure to pay workers' entitlements.
- Employers who try to do the right thing, or who inadvertently make a mistake, will not be caught by the offence.
- Courts and juries will consider evidence of an employer's actions and state of mind when deciding whether they acted intentionally. Examples of actions that could indicate intentional underpayment might include ignoring employee complaints of underpayment, falsifying records or refusing to co-operate with the Fair Work Ombudsman.

Criminal penalties

- Maximum penalties for the offence would be:
    - Individual: 10 years' imprisonment and/or fine the greater of 3x the amount of the underpayment or 5,000 penalty units ($1,565,000)
    - Body corporate: fine the greater of 3x the amount of the underpayment or 25,000 penalty units ($7,825,000).
- Penalties reflect the seriousness of intentional underpayment and have been set with reference to the need for deterrence.

Cooperation agreements will encourage self-reporting and rectification, and protect employers who try to rectify issues

- If a person (such as an employer) is concerned that they may have made an underpayment that could expose them to the wage theft offence, they may self-report the underpayment to the Fair Work Ombudsman.
- After considering a list of mandatory factors, including the nature of the underpayment, level of detail disclosed by the employer, the employer's willingness to co-operate in investigatory and rectification activities and the employer's history of compliance, the Fair Work Ombudsman may agree not to refer that employer's conduct for prosecution by entering into a cooperation agreement.
- Both employers and workers may benefit from an opportunity to self-report and efficiently rectify potentially criminal non-compliance.

Small business support – FWO education and assistance including the Employer Advisory Service, and the new Voluntary Small Business Wage Compliance Code

Education and advice to help businesses meet their obligations

- The Fair Work Ombudsman provides information and resources to assist employers to determine the correct pay and conditions for their workers. These educational resources will be updated to reflect changes in the law.
- The Fair Work Ombudsman's Employer Advisory Service will continue to be available to assist small businesses. The Employer Advisory Service provides eligible small businesses with free, tailored, written advice to help them comply with the law. Small business employers can rely on advice given to them through this service.
- The Fair Work Ombudsman also provides education and assistance to small businesses through its Small Business Helpline and Small Business Showcase.

Voluntary Small Business Wage Compliance Code

- Small businesses that attempt to pay their workers correctly will not be caught up in the criminal offence, which requires intentional misconduct. It will not apply to inadvertent mistakes or miscalculations.
- If a small business employer has underpaid an employee but they've satisfied the Fair Work Ombudsman of their compliance with the Voluntary Small Business Wage Compliance Code, the Fair Work Ombudsman must not refer conduct to the Commonwealth Director of Public Prosecutions or the AFP for prosecution.
- The Voluntary Small Business Wage Compliance Code will provide clarity and certainty for small businesses about how to comply with their wage obligations under the Fair Work Act. In this way, it can provide 'safe harbour' for small businesses who follow the Code.
- If the Fair Work Ombudsman is satisfied that a small business employer has complied with the Code in relation to an underpayment, the Fair Work Ombudsman will provide written notice to the employer that they won't be referred to the Commonwealth Director of Public Prosecutions or the AFP.
- If a small business employer receives this notice, they also won't need to consider entering into a cooperation agreement with the Fair Work Ombudsman.
- The Code will be a legislative instrument.

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Attachment F: Minimum standards for employee-like workers

- Employee-like workers performing digital platform work (commonly referred to as 'gig workers') are often engaged as independent contractors, which means they do not currently receive rights and entitlements under the Fair Work Act.

The Government has an election commitment to provide minimum standards for employee-like workers in the gig economy

- The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023:
    - Empowers the Fair Work Commission to set minimum standards for employee-like workers performing digital platform work. Standards may be mandatory (and enforceable, with civil penalties), or for guidance only.
    - Creates a new unfair deactivation jurisdiction in the Fair Work Commission.
    - Provides for a new consent based collective agreement-making framework for digital labour platforms and employee-like workers.
- If passed, the reforms would commence from 1 July 2024.

Minimum standards can only be set for 'employee-like' workers

- The Fair Work Commission can only set minimum standards for independent contractors who:
    - perform digital platform work (also known as work in the 'gig economy'); and
    - have one or more employee-like characteristics, which are:
        - low bargaining power,
        - low authority over their work,
        - receiving remuneration at or below the rate of comparable employees; or
        - other characteristics that may be prescribed in regulations.
- This means independent contractors who are not 'employee-like' and/or do not perform work for a digital labour platform are not affected by these changes.

Whether a particular platform is in scope for standards will depend on whether on whether those workers are 'employee-like'

- The definitions of 'digital platform work' and 'digital labour platform' in the Bill make it clear that the measure only covers work performed via a digital labour platform involving a services contract.
- 'Marketplace' based platforms such as Mable and Airtasker would likely be considered digital labour platforms under the new legislation, but the Fair Work Commission will only be able to set minimum standards for workers who perform work through these platforms if it is satisfied they are 'employee-like' workers (that is, they have low pay, or low authority or low bargaining power).
- Ultimately, whether workers on Mable or Airtasker are 'employee-like' will be a matter for the independent Fair Work Commission to determine.

Content rules ensure that minimum standards will not disturb worker flexibility or platform operating models

- The Bill provides a non-exhaustive list of content that minimum standards orders can cover, including payment terms, deductions, insurance and cost recovery. Orders must include a coverage and dispute resolution term.
- The Fair Work Commission must not make standards in relation to:
    - rostering and overtime arrangements
    - matters that are primarily of a commercial nature that do not affect the terms and conditions of workers
    - matters that would change the nature of engagement or status of workers
    - matters relating to work, health and safety that are dealt comprehensively under another law of the Commonwealth or a state or territory.

Consent-based collective agreements allow platforms and workers to agree on terms that suit that enterprise

- A new consent based collective agreement-making framework will facilitate registered organisations representing employee-like workers to make collective agreements with individual digital labour platforms.
- The agreements must be limited to the terms and conditions of road transport contractors directly engaged by the road transport business, and how the agreement is to operate.. A term of a collective agreement will have no effect to the extent that it deals with purely commercial matters that do not affect the workers' terms and conditions.
- Negotiating parties have obligations to consult and explain the terms of the proposed agreements to the workers covered by the agreement.

Protections from unfair deactivation will stop platforms from taking away platform access without recourse

- Employee-like workers will have new protections from unfair deactivation if they have been working via a digital labour platform on a regular basis for six months.
- Eligible employee-like workers may apply to the Fair Work Commission to seek a remedy if they consider their deactivation was unfair. The Fair Work Commission can order reinstatement, but not compensation.
- In considering whether a deactivation is unfair, the Fair Work Commission must take into account whether it was for a valid reason and whether the process was consistent with the Digital Labour Platform Deactivation Code, to be made by the Minister.

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Attachment G: Minimum standards for the road transport industry

- The Closing Loopholes Bill will give the Fair Work Commission the power to set minimum standards for the road transport industry to ensure it is safe, sustainable and viable.
- This follows findings from the Senate inquiry report 'Without trucks Australia Stops' that unsustainable business practices and increasing commercial pressures are negatively impacting the road transport industry.
- The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023:
    - Empowers the Fair Work Commission to set minimum standards for the road transport industry. Standards may be mandatory (and enforceable, with civil penalties) or for guidance only
    - Creates a new unfair termination jurisdiction in the Fair Work Commission, and
    - Provides for a consent based collective agreement-making framework.
- If passed, the reforms would commence from 1 July 2024.

Standards can apply to regulated road transport contractors and businesses

- Minimum standards set by the FWC would apply to regulated road transport contractors and road transport businesses.
- A regulated road transport contractor would be a person who performs work in the road transport industry as an independent contractor under a contract for services. A road transport business receives services under a contract for services, which provides for the performance of work in the road transport industry.

The Fair Work Commission has discretion to set fit for purpose standards

- The Bill provides a non-exhaustive list of content that minimum standards orders can cover, including payment terms, deductions, insurance and cost recovery. Orders must include a coverage and a dispute resolution term.
- The Fair Work Commission must not make standards in relation to:
    - rostering or overtime arrangements
    - matters that are primarily of a commercial nature that do not affect the terms and conditions of workers
    - matters that would change the nature of engagement or status of workers
    - matters relating to work health and safety already comprehensively dealt with by a Commonwealth or state or territory law
    - matters relating to road transport already comprehensively dealt by the Heavy Vehicle National Law or another Commonwealth or state or territory law.

Comprehensive guard rails ensure the Bill improves on, and is distinct to, the former Road Safety Remuneration Tribunal

- Once the Fair Work Commission has received an application for a minimum standards order, guardrails and procedural requirements built into the standard

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setting process would provide for a gradual, consultative and evidence-based approach to setting standards, with industry views taken into account at each stage. These guardrails include:

- Timeframes and procedural requirements to ensure full consideration of draft standards:
  - Following an application for a minimum standards order, the Fair Work Commission would consult affected persons and bodies through its usual processes (eg hearings, submissions) to decide whether to make an order. If it decides to make an order, the Fair Work Commission must then publish a notice of intent and the draft order.
  - The Fair Work Commission must consult on the draft order and cannot make an order less than 24 months after the notice of intent was published. It must ensure that affected persons have a reasonable opportunity to make written submissions on the draft order, and publish these submissions.
  - If it decides to vary the draft order during this consultation process, the Fair Work Commission must publish another notice of intent and publish the new draft order. The period of consultation on the revised draft order must be no shorter than 12 months starting when the subsequent notice of intent are revised draft were published.
- Inbuilt industry expertise and consultation:
  - A new road transport expert panel will be established within the Fair Work Commission, to ensure it has the access to the appropriate expertise.
  - A new Road Transport Advisory Group (RTAG) will also be established to be a key source of advice to the Fair Work Commission in performing its functions in the road transport industry. The RTAG will be able to form subcommittees, with members drawn from outside the RTAG, to enable it draw on a broader range of expertise and experience where useful to do so in performing its functions.
- Legislative requirements to ensure orders are balanced and fit for purpose
  - A new minimum standards objective and a road transport objective setting out the need to avoid unreasonable adverse impacts on sustainable competition, business viability, innovation and productivity and administrative and compliance costs in the road transport industry.
  - Additional requirements on the Fair Work Commission when making an order, to:
    - Ensure there has been genuine engagement with the parties to be covered by an order
    - Have regard to the commercial realities of the road transport industry, and

- Be satisfied the order will not unduly affect the viability and competitiveness of owner drivers.

Capacity for contractual chain and merit review regulations to ensure that owner drivers are not disadvantaged compared to other forms of engagement

- The Bill includes the capacity to make regulations that, if made, would:
  - empower the Fair Work Commission to make orders that confer rights and impose obligations on road transport industry contractual chain participants, and
  - empower the Fair Work Commission to review decisions to make or vary road transport minimum standards orders.
- These regulation making powers are intended to ensure that owner drivers are not disadvantaged compared to other forms of engagement by providing for the making of minimum standards orders applying to road transport contractual chains and for an appropriate 'failsafe' review mechanism to allow concerns of that nature to be raised and addressed
- Through the Senate Inquiry process, road transport stakeholders have recommended that these regulation making powers be replaced with provisions in the Bill.

Consent-based collective agreements allow road transport businesses and registered organisations to agree on terms that suit them

- A new consent based collective agreement-making framework will facilitate individual road transport businesses to make collective agreements with registered organisations representing regulated road transport contractors.
- The agreements must be limited to the terms and conditions of road transport contractors directly engaged by the road transport business, and how the agreement is to operate. A term of a collective agreement will have no effect to the extent that it deals with purely commercial matters that do not affect the workers' terms and conditions.
- Negotiating parties have obligations to consult and explain the terms of the proposed agreement to the workers covered by the agreement.

Unfair termination protections ensure fair treatment of road transport contractors

- Regulated road transport workers will have new protections from unfair termination if they have performed work under a services contract for a road transport business for at least 12 months.
- Eligible road transport workers can apply to the Fair Work Commission to seek a remedy if they consider their termination was unfair. The Fair Work Commission can order reinstatement or compensation.
- In considering whether a termination is unfair, the Fair Work Commission must take into account whether it was for a valid reason and whether the process was consistent with the Road Transport Industry Termination Code, to be made by the Minister.

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Factsheet—WR Reform Agenda 2023

The Government is delivering on its election and Job Summit commitments

- The Government's workplace relations reform agenda is focussed on improving and modernising Australia's workplace relations framework, and closing loopholes that disadvantage workers, to ensure a sustainable system that promotes wellbeing and economic growth.
    - This includes a focus on improving safety, wages, and job security for workers, and ensuring businesses can compete on a level playing field.
- The Government has also advocated for ensuring real wages are maintained for lower paid workers and that the real value of work is recognised, through submissions to the 2022 and 2023 Annual Wage Reviews and the Aged Care Value case (see SB23-000276).
- Legislative reforms include the:
    - **Paid Family and Domestic Violence Leave Act** to provide employees affected by domestic violence 10 paid days of leave to ensure their safety
    - **Secure Jobs, Better Pay Act** to improve job security, gender equality, bargaining and safety
    - **Work Health and Safety Amendment Act** to implement recommendations from the *Boland Review* on work health and safety laws
    - **Protecting Worker Entitlements Act** to clarify protections for migrant workers, improve access to unpaid parental leave and insert a right to superannuation in the National Employment Standards, and
    - **Closing Loopholes Bill**, currently before Parliament, which includes reforms to level the playing field for workers and business and improve safety (see SB23-000271).
- Work is also underway on other activities, including to:
    - review the small claims process under the Fair Work Act (see SB23-000277)
    - finalise the design of the new funding and governance model to fund and establish Working Women's Centres across Australia (see SB23-000280)
    - explore a harmonised approach to labour hire regulation that would enable consistent state and territory labour hire licensing laws across Australia (see SB23-000278)
    - undertake a review of the Fair Work Ombudsman (see SB23-000274), and
    - address the exploitation of temporary migrant workers with the Department of Home Affairs (see SB23-000275).

Impacts of Workplace Relations Reforms

- It is difficult to distinguish the impact of individual reforms, due to the varied and complex factors that drive individual decisions and economic growth and the interconnectedness of reforms progressed to date. However:
    - Improving working conditions, job and financial security can lift workforce participation and increase the spending power of the lowest paid. Increased participation helps grow the economy, increase tax revenue, and decrease the financial burden on government.
    - Productivity can also increase in workplaces where workers are engaged with their job, and where investments are made to improve worker performance, for example through training.
    - Bargaining at the workplace level can provide higher wages and conditions, and more productive workplaces. By allowing workers to seek wages and conditions above the safety net and facilitating agreements that enhance work and management practices, bargaining can support more productive businesses.
    - The Government must commence a review of the Secure Jobs Better Pay Act by 7 December 2024, and the review must be completed within six months of its commencement.
- **Wages growth**
    - Recent data on wages shows that they are growing strongly, with the June 2023 Wage Price Index increasing by 3.6 per cent over the year.
    - High inflation has meant real wages fell by 2.4 per cent over the year to June 2023, but Budget forecasts show positive real wages growth is expected by early 2024, with real wages expected to grow by ¾ per cent over the year to the June quarter 2024.
- **Inflation**
    - Headline inflation remains high at 6.0 per cent over the year to the June quarter 2023 but has likely peaked and is expected to continue to decline.
    - Inflation is expected to return to the RBA's inflation target band of 2-3 per cent in 2024-25.
    - Wage growth has not caused Australia's inflation, and there is no evidence of a wage-price cycle developing.
        - The global surge in inflation has been driven by supply in goods markets not meeting demand, advanced economies making stronger-than-expected recoveries from the COVID-19 pandemic, and the rise of energy and commodity prices.

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- **Bargaining** (see SB23-000288)
    - As at 30 June 2023, there were 11,205 current (not expired or terminated) federal enterprise agreements, covering approximately 1.78 million employees (Trends in Federal Enterprise Bargaining, June quarter 2023).
    - 938 new federal agreements were approved in the June quarter 2023, covering 136,200 employees and paying an Average Annualised Wage Increase (AAWI) of 3.8 per cent over a term of 2.4 years (Trends in Federal Enterprise Bargaining, June quarter 2023).
    - Over the fortnight to 25 August 2023, there were 174 agreements lodged with the Fair Work Commission, with an AAWI of 4.7 per cent (Fair Work Commission, Statistical reports on enterprise agreement data).
    - There are some key differences in methodology between the Fair Work Commission data and the AAWI data reported on in Trends. For example, the Fair Work Commission reports on agreements lodged rather than approved (not all lodged agreements are approved); and does not include greenfields agreements.
- **Gender equality** (see SB23-000272)
    - The gender pay gap sits at a record low of 13.0 per cent, based on average weekly earnings of full-time adult employees (ABS, Average Weekly Earnings, May 2023).
    - The Fair Work Commission's decisions to increase minimum and award wages through the Annual Wage Review and Aged Care Work Value case will have a positive impact for women.
    - Workplace relations reforms will also improve outcomes for women, including reforms to improve protections from discrimination, adding gender equality as an objective in the Fair Work Act, prohibit pay secrecy and improving bargaining for low-paid industries.

Stakeholder Consultations

- The Government has welcomed a broad range of stakeholders to participate in consultation on the Fair Work reforms, including business, industry, unions, state and territory government officials and other stakeholder groups, to better understand the views of stakeholders and the community (see SB23-000268).
- A public consultation process on the measures that were considered for inclusion in the Closing Loopholes Bill included more than 75 formal consultation meetings on the proposed reforms. More than 50 meetings were held ahead of the introduction of the Secure Jobs Better Pay Act.

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Working Women's Centres

What has been announced

- The Government announced $32 million over four years (and $8 million per year ongoing) to fund working women's centres in all states and territories, in the October 2022-23 Budget.
    - This includes $1.8 million in funding for the Northern Territory and Queensland working women's centres, redirected from a March 2022-23 Budget measure.

Key Government statements

Publication: *'Labor's Plan for A Better Future', ALP, 29 April 2022*
Labor Governments and Women, ALP, 2023

- The Government committed in its *Plan for Australian Women* to provide $8 million a year to properly fund and establish Working Women's Centres in every Australian state and territory.

Current status of the policy

- This measure implements recommendation 49 of the *Respect@Work report*.
- The funding and governance model (see **Attachment A**) was approved by Minister Burke on 14 September 2023 and by the Prime Minister on 25 September 2023.
    - The time taken to achieve this was necessary to ensure feedback received during consultation was appropriately reflected in the final funding and governance model and to ensure that the final model was fit for purpose.
- A copy of the approved funding and governance model was provided to consulted stakeholders following final checks on 27 and 28 September 2023.
    - A full list of stakeholders that the Department has consulted and meeting dates is at **Attachment B**.
- The funding and governance model was designed in consultation with key stakeholders and was based on feedback provided from two rounds of consultation.
    - The approved model outlines that funding would be distributed via direct grants over three rounds, as follows:
        - closed non-competitive grants for the existing working women's centres (NT, QLD and SA)
        - open competitive grants for the remaining jurisdictions to establish a new working women's centre per jurisdiction, and
        - a targeted, competitive grant for the national body, targeted to the successful grant recipients from the above two rounds or organisations with a demonstrable capacity to act in conjunction with working women's centres in each State and Territory to deliver the national body functions.
    - Funding agreements are five years in duration with annual reporting.

- The funding distribution model comprises a base amount of $0.42m per jurisdiction and additional funding based on the proportion of working women in each jurisdiction and a servicing cost element to provide for the increased costs of servicing remote communities. A base amount of $0.4m would be provided for each year of the national body grant.
- The guiding principles of the grant opportunities include that:
  - there must be a physical location in each state combined with outreach to remote communities that deliver comparable services that are consistently identifiable as a working women's centre, accessible and for an inclusive group of women
  - funding for working women's centres must be allocated to deliver a holistic trauma-informed service that provides advice on workplace sexual harassment, rights and entitlements, representation in mediation, conciliation, tribunals and courts, education & training for businesses and workers, and
  - working women's centres must be not-for-profit organisations that work collaboratively with related services, other working women's centres and the national body with a focus on cultural safety and inclusion.
- The national body is funded to ensure co-ordination, shared best practice and training resources and consistency of service delivery across Australia. It will lead advocacy and industry initiatives to prevent sexual harassment and lead research and analysis on policy and systemic issues affecting working women.

- The existing working women's centres are currently receiving funding through Commonwealth grants. This funding is secure until the end of 2024.
  - The Department has grant agreements in place with the working women's centres in the Northern Territory and Queensland as set out in Table 2 below. The Fair Work Ombudsman provides funding ($1.4 million from 2021-2024) to South Australia's working women's centre through its Community Engagement Grant Program.

Stakeholders consulted

- Consultation has occurred with federal, and state and territory, government agencies, existing working women's centres, unions, community legal assistance peaks, including women's legal services and women's advocacy groups.
- The Department has also received written funding proposals from the existing working women's centres, the Australian Council of Trade Unions and Women's Legal Services Australia.

Recent media on this policy

- NSW Labor: Supporting Women in Work (NSW Labor) 8 March 2023
  - The article reports that new Labor Government in New South Wales has made an election commitment to provide $2 million in ongoing funding to re-establish a working women's centre in New South Wales.
- Women's legal centre delays unacceptable & Women's support in limbo (The West Australian) 3 October 2023
  - These articles are critical of the time taken by the Government to give effect to recommendation 49 of the Respect@Work report, stating "it appears little has been done" and "the new working women's centres have little chance of opening before the middle of next year".

- Women still waiting on specialist services a year on after being recommended in Respect@Work report (Great Southern Herald) 3 October 2023
    - The article reports that tenders to establish working women's centres in WA and other States that don't already have them will be issued before the end of the year and Funding for the 2023-24 financial year is expected to be disbursed in late 2023-early 2024.

Next steps, including consideration by Government where expected

- The Department is currently developing the Grant Opportunity Guidelines and grant risk assessment, in conjunction with the Department of Finance and the Department of the Prime Minister and Cabinet. These processes are required under the Commonwealth Grant Rules and Guidelines.
- Once agreed, the Department will seek the Minister's approval to publish the guidelines.
- The Department will then:
    - open the grant rounds,
    - convene a panel to select the grant recipients, and
    - establish grant agreements.
- Funding is expected to be distributed in late 2023 or early 2024. In addition to the funding outlined in Table 1 below, there is an underspend of $7.04 million in administered funding allocated to the 2022-23 financial year. This funding will be re-profiled and re-phased across the forward estimates.

Budget

Table 1: Funding from October 2022-23 Budget ($ millions)

Funding for Working Women's Centres measure	2022-23	2023-24	2024-25	2025-26	Total
Administered expenses	7.05	7.3	7.6	8.0	29.95
Departmental expenses	0.25	-	-	-	0.25
Total	7.3	7.3	7.6	8.0	30.2

Budget October 2022-23, Budget Measures, Budget paper No. 2, page 55. https://budget.gov.au/2022-23-october/content/bp2/download/bp2_2022-23.pdf

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Table 2: Funding from March 2022-23 Budget ($ millions)

1/7/22 – 31/12/24	2022-23	2023-24	2024-25	Total
Working Women Queensland	0.35	0.35	0.175	0.875
Northern Territory Working Women's Centre	0.35	0.35	0.175	0.875
Total	0.7	0.7	0.35	1.75

Portfolio Budget Statements 2022-23, Budget Related Paper No. 1.2, Attorney-General's Portfolio, Page 29.
https://www.ag.gov.au/system/files/2022-03/00-2022-23-Attorney-Generals-portfolio.PDF

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ22-001036	*Waters, Larissa*	*Early discussions on the implementation of recommendation 49*	*Early discussions on the implementation of recommendation 49 were held with existing working women's centres, the Australian Council of Trade Unions and Government departments.*
PQ23-000166	*Waters, Larissa*	*Second round of consultation on a specific proposal for WWCs*	*Stakeholders will be consulted on the consultation paper and proposed model in the second phase of consultation, expected to commence soon.*
SQ23-000636	*Waters, Larissa*	*First round of consultation on best funding model*	*Stakeholders supported direct grants and that funding (preferably long term) should consist of a base amount plus an additional amount based on needs.*
SQ23-000635	*Waters, Larissa*	*State and Territory preference on National Partnership Agreement*	*First round consultation with state and territory government officials discussed funding models and there was no uniform view favouring a particular model.*

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	19 October 2023

Funding and governance model

Direct funding to service providers

Funding would be distributed through direct Commonwealth grants to a service provider in each jurisdiction.

A closed, non-competitive grant opportunity would be run for the Northern Territory, South Australia and Queensland to fund the existing working women's centres (WWCs) in those jurisdictions.

An open, competitive grant opportunity would be run to establish WWCs in the remaining jurisdictions.

To maximise effective use of the funding available and promote economies of scale, only one organisation in each jurisdiction will be identified to deliver WWC services. However, the Grant Opportunity Guidelines can provide flexibility to ensure that applicants can partner with another organisation to deliver a grant activity/part of a grant activity if required. Furthermore, only organisations currently in existence would be eligible to apply for the open grant opportunities.

Duration

The duration of the grants would be five years. Progress reports would be provided every 12 months as well as a final report at the end of the grant period.

Guiding principles

The grant opportunity guidelines will be based on the below guiding principles:

1. There must be at least one physical location in each Australian state and territory, with the ability to provide appropriate place-based services and outreach to as many working women as possible, including in regional, rural and remote communities.
2. WWCs must be identifiable as working women's centres by the public and accessible to all working women and people who identify as women, including women from CALD and Aboriginal and Torres Strait Islander backgrounds, LGBTIQ+ women, young women, women with disability and women in rural and remote locations.
3. WWCs must be not-for-profit organisations that can provide gender-specific services with a focus on cultural safety and inclusion.
4. Funding for WWCs must be allocated to ensure a holistic, trauma-informed service delivery model for working women that includes, but is not limited to:
    - advice and information about workplace sexual harassment and other workplace issues including workers' rights and entitlements
    - representation, advocacy and support in mediation, conciliation, tribunals and courts for women who have experienced sexual harassment and other workplace issues

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- education and training for businesses and workers on working women's issues to raise awareness of workers' rights and entitlements and promote safe and supportive workplaces.
- Industry, sector and occupation-specific sexual harassment prevention, advocacy and gender equality strategies.

5. Working women across jurisdictions should have access to comparable services, noting the need for localised approaches in some communities.
6. WWCs should work collaboratively with related services and organisations within the relevant jurisdiction to ensure effective referral pathways where required.
7. WWCs should work collaboratively with the national body and other WWCs to promote gender equality and the prevention of sexual harassment, and coordinate WWC service delivery across Australia.
8. WWCs will be subject to a review and assessment of their performance to ensure effective use of public money, in line with the terms of the grant agreement.

National body

A targeted, competitive grant opportunity would be run to identify an organisation to lead the national body. It is proposed that only organisations that have either been found successful in either the open or the closed working women's centre rounds, or organisations with a demonstrable capacity to act in conjunction with working women's centres in each State and Territory to deliver the national body functions listed below, would be eligible for this funding. Organisations would need to demonstrate they are involved in delivering a holistic service model to working women as well having as an understanding of how WWCs operate.

Duration

The duration of the national body grant would be five years, with progress reports to be provided every 12 months and a final report at the end of the grant period.

Base funding

A base amount of $400,000 would be provided for each year of the national body grant. Given the grant recipient would be able to utilise existing infrastructure and systems, the base amount is calculated by reference to the estimated cost of employing two dedicated national body staff and the cost of running awareness campaigns and industry initiatives.

National body functions

The grant opportunity guidelines will outline the activities and functions to be performed by the national body to ensure coordination and consistency of service delivery across Australia. The functions of the national body will include, but are not limited to, acting in conjunction with the working women's centres in each State and Territory to:

- lead advocacy and industry initiatives to prevent sexual harassment

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- lead research and analysis on, and contributing to policy debates about, systemic issues affecting working women
- facilitate collaboration between WWCs, including sharing best practice for delivering services to working women and developing shared resources (such as factsheets or training resources).

Funding distribution model

The funding distribution model consists of a base amount of funding per jurisdiction, with additional funding to be allocated based on the proportion of working women and the cost of servicing regional areas.

Base funding

A base amount of $420,000 per jurisdiction would be provided for each year of the grant. This guarantees a minimum level of funding per jurisdiction, ensuring that smaller jurisdictions such as the ACT will receive sufficient funding to deliver WWC services.

Given grant recipients would be able to utilise existing infrastructure and systems, the base amount is calculated by reference to the estimated cost of employing the equivalent of one Executive Level 2 and one APS5 and some additional expenses, such as leasing office space, communications and marketing.

Proportion of working women

The proportion of working women is a measure of how many women in each jurisdiction may need to access WWC services. This is a calculation of the share of employed women who work in each state and territory and accounts for the demand for services.[1]

Servicing cost

The servicing cost element is used to account for the cost of supplying services, by considering the additional costs involved in servicing very remote communities compared to servicing urban areas. The servicing cost is based on three factors for each jurisdiction:

- incidence of employed women who work outside the capital city[2]
- incidence of population who live in outer regional, remote and very remote areas[3]
- physical size of the state or territory.[4]

[1] Australian Bureau of Statistics (May 2023). *Labour Force, Australia*. ABS. https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/may-2023.
[2] Australian Bureau of Statistics (30 November 2022). *Employment in the 2021 Census*. ABS. https://www.abs.gov.au/articles/employment-2021-census.
[3] Australian Bureau of Statistics (2021-22). *Regional population*. ABS. https://www.abs.gov.au/statistics/people/population/regional-population/latest-release.
[4] Geoscience Australia (7 June 2023). *Area of Australia – States and Territories*. Area of Australia - States and Territories | Geoscience Australia (ga.gov.au)

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Weighting of factors

The proportion of working women was given a weighting of 60 per cent and the servicing cost factor was given a weighting of 40 per cent. There is a greater emphasis on the weighting towards the proportion of working women to ensure the incidence of sexual harassment is appropriately considered in the funding model; however, a significant weighting was also given to servicing costs to appropriately capture the costs associated with servicing a larger geographical size and the remoteness of population groups and communities.

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Attachment E

List of stakeholders involved in the consultation process

Stakeholder group	Organisations
Government agencies and departments	Australian Human Rights Commission Attorney-General's Department Office for Women (PM&C)
Working women's centres	Northern Territory Working Women's Centre Working Women's Centre of South Australia Working Women Queensland
Unions	Australian Council of Trade Unions (ACTU) Unions Tas Victorian Trades Hall Council Unions NSW Unions ACT Queensland Council of Unions Unions NT Unions WA SA Unions
Community legal sector	Women's Legal Services Australia Women's Legal Service WA Women's Legal Service NSW Women's Legal Service Victoria Women's Legal Centre ACT Women's Legal Service Tasmania Katherine Women's Legal Service Top End Women's Legal Service Community Legal Centres Australia National Legal Aid North Queensland Women's Legal Service
Women's sector	Harmony Alliance National Women's Safety Alliance YWCA Canberra
States and territories	ACT Office for Women Women NSW Anti-Discrimination NSW NT Department of Territory Families, Housing and Communities Qld Department of Justice and Attorney-General Qld Office of Industrial Relations SA Office for Women SA Attorney-General's Department Tas Department of Premier and Cabinet Vic Department of Families, Fairness and Housing Vic Department of Treasury and Finance WA Department of Communities

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Attachment E

List of meetings held

Meeting Date	Stakeholders
24 October 2022	Australian Human Rights Commission
9 November 2022	Attorney-General's Department
10 November 2022	Office for Women (PM&C)
16 November 2022	Working Women Queensland Working Women's Centre South Australia Northern Territory Working Women's Centre
21 November 2022	Working Women Queensland Working Women's Centre South Australia Northern Territory Working Women's Centre
23 November 2022	Women's Legal Services Australia Women's Legal Service WA Women's Legal Service NSW Women's Legal Service Victoria Women's Legal Centre ACT Women's Legal Service Tasmania Top End Women's Legal Service
28 November 2022	Community Legal Centres Australia National Legal Aid National Women's Safety Alliance Harmony Alliance YWCA Canberra
29 November 2022	Australian Council of Trade Unions Unions Tas Victorian Trades Hall Council Unions NSW Unions ACT Queensland Council of Unions Unions NT Unions WA SA Unions
30 November 2022	ACT Office for Women Women NSW Anti-discrimination NSW NT Department of Territory Families, Housing and Communities Qld Department of Justice and Attorney-General SA Office for Women Vic Department of Families, Fairness and Housing WA Department of Communities
1 December 2022	Tas Department of Premier and Cabinet
22 December 2023	Qld Department of Justice and Attorney-General
9 February 2023	Australian Human Rights Commission
18 May 2023	Women NSW
23 May 2023	Vic Department of Families, Fairness and Housing
6 June 2023	Office for Women (PM&C)
14 June 2023	Working Women Queensland Working Women's Centre South Australia Northern Territory Working Women's Centre

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Attachment E

Meeting Date	Stakeholders
15 June 2023	Australian Council of Trade Unions Unions Tas Victorian Trades Hall Council Unions NSW Unions ACT Queensland Council of Unions Unions WA SA Unions
19 June 2023	Women's Legal Services Australia Women's Legal Centre ACT Women's Legal Service WA Top End Women's Legal Service Katherine Women's Legal Service Women's Legal Service NSW Women's Legal Service Victoria North Queensland Women's Legal Service
20 June 2023	Women NSW NT Department of Territory Families, Housing, and Communities Qld Department of Justice and Attorney-General Qld Office of Industrial Relations SA Office for Women SA Attorney-General's Department Tas Department of Premier and Cabinet Vic Department of Families, Fiarness, and Housing Vic Department of Treasury and Finance WA Department of Communities

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ22-001036

Senator Larissa Waters on 08 November 2022, Proof Hansard page 39

Working Women's Centres

Question
Senator WATERS: Thanks very much. I will start off with working women's centres. I was obviously very pleased to see the $32 million in the budget, as recommended by the Jenkins report in recommendation 49. I am interested whether the government has received any proposals from organisations to set up working women's centres across the country, particularly, obviously, in locations where they don't already exist.
Ms Mathews: We did have a range of early discussions with a number of different stakeholders. Our formal consultation process in terms of the implementation of that measure hasn't commenced yet. We intend to consult very broadly with, obviously, the women's sector and other community services groups, employee groups and states and territories.
Senator WATERS: I have some polite questions on that. Who were the early discussions held with, please?
Ms Mathews: I might need to take that on notice. Certainly the existing working women's centres, the ACTU and other Commonwealth government agencies.
Senator WATERS: That was the totality, was it?
Ms Mathews: I will take it on notice in case there were others. There were a number.

Answer
Early discussions on the implementation of recommendation 49 were held with existing working women's centres, the Australian Council of Trade Unions, the Australian Human Rights Commission, the Department of the Prime Minister and Cabinet and the Attorney-General's Department.

MINISTER REPRESENTING THE MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

Senate

Parliamentary Question

Question Number: **1491**
Question Date: **15 March 2023**
Table Office Due Date: **14 April 2023**

Senator Larissa Waters asked the Minister representing the Minister for Employment and Workplace Relations in writing, on 15 March 2023:

At the Education and Employment Legislation Committee estimates hearing on 15 February 2023, DEWR advised that a second round of consultation on a specific proposal for a national network of Working Women's Centres would be undertaken 'in the near future'. Please advise:
a. when will the second round of consultation commence;
b. what format will the consultation take, and how long will the consultation period be;
c. will the consultation set out one specific proposal, or a range of options for the design and funding model for a national network;
d. when do you anticipate that a final model will be put to you for approval; and
e. when do you anticipate that existing Working Women's Centres will be advised of the final approved model for establishing and operating a national network.

Minister representing the Minister for Employment and Workplace Relations has provided the following answer to the Senator's question:

The Department of Employment and Workplace Relations has developed a proposed funding and governance model based on feedback provided in the first phase of consultation. The proposed model outlines one possible method of funding and a set of parameters related to the governance and coordination of working women's centres across Australia. Stakeholders will be consulted on this proposed model in the second phase of consultation, which is expected to commence soon.

Similar to the first round of consultation, the department will consult with stakeholders via a consultation paper and virtual meetings, and stakeholders will have the opportunity to submit additional written feedback. The consultation period is expected to take place over 2 weeks to ensure all stakeholder groups have the opportunity to provide their views.

The final funding and governance model is expected to be settled within government in the first half of 2023, following the conclusion of the second phase of consultation. Stakeholders will be advised of the final model once it has been agreed within government.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000636

Senator Larissa Waters on 30 May 2023, Proof Hansard page 20

First round of consultation on best funding model

Question

Senator WATERS: I know that it is only the first round of consultation. What was the sentiment from that first round of consultation as to what the best funding model would be?
Ms Mathews: There were a variety of views expressed during that process. I think we can take on notice to provide what we can. There wasn't necessarily a uniformity of views around the areas we consulted on.

Answer

Feedback from the first round of consultation indicated that direct Commonwealth grants to service providers was the preferred method of funding. There was general support among stakeholders for each jurisdiction to receive a base amount of funding, with additional funding to be allocated through a needs-based model. Long-term funding was also preferred over short-term funding to provide certainty for service providers.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000635

Senator Larissa Waters on 30 May 2023, Proof Hansard page 20

State and Territory preference on National Partnership Agreement

Question

Ms Mathews: If the government went down that path, there would be a role for the states. Again, I'm not able to say what the government has decided, whether it's a grants process or a partnership agreement. There are a variety of models that we have provided advice to government on.
Senator WATERS: Yes. I understand that. If it were a national partnership model—and you're not saying it is; you are saying it could be—would the states simply be the vehicle for delivering? Would they have input into how and where the money goes?
Ms Mathews: If it were a national partnership agreement, the states would have some input. Again, I think we have provided evidence previously that the feedback we received from stakeholders was that they would prefer the Commonwealth to fund directly. It is just that is one of the models on the table.
Senator WATERS: Have the states and territories expressed a preference?
Ms Mathews: They would have, Senator, but I will take that on notice.

Answer

The Department of Employment and Workplace Relations met with state and territory government officials as part of the first round of consultation. On funding, the discussion centred around various funding models and options, including the benefits and disadvantages. There was no uniform view expressed in favour of a particular model.

Department of Employment and Workplace Relations - Released under FOI

Labor

Jodie Harrison MP
Member for Charlestown

NSW Labor: Supporting Women in Work



08 March 2023

NSW Labor are today proud to mark and celebrate International Women's Day, a global moment to celebrate women's achievements, raise awareness about discrimination and to take action to drive gender parity.

The journey towards gender equality is an ongoing one, with the Global Gender Gap Index indicating that it would take 136.6 years to close the gap globally.

NSW Labor are proud to lead the way on parliamentary representation, with women accounting for 46% of candidates, 48% of shadow cabinet and half of the leadership group.

"We all owe a debt of gratitude to the women who came before us, the women who spoke up and continue to speak up and shine a light on inequality, discrimination and gender based crimes," Jodie Harrison, NSW Shadow Minister for Women, said.

"Today is a day for reflection, celebration and to recommit ourselves to doing everything we can to achieve gender equality. Today's announcement to help women return to the workforce and to better support women in the workplace is so important.

"On this International Women's Day I am grateful to be surrounded by such strong, intelligent women working to make our state better."

Department of Employment and Workplace Relations - Released under FOI

NSW Labor are committed to taking meaningful action, today announcing $13.8 million in funding to get women into work and provide ongoing industrial relations support once they're there.

According to the NSW Government's workforce participation report:

- Women's workforce participation has steadily increased since 2010 but remains below men's participation in the workforce.
  - As of January 2023 the average participation rate for men is 70.9 per cent and for women 61.4 per cent.
- As of November 2022 the gender pay gap was at 11 per cent.
  - In monetary terms on average men earn $1,688 weekly, compared to women's weekly average of $1,437 – a difference of $257

Future Women's Jobs Academy

NSW Labor will support 1,000 women over two years to become job-ready, boosting women's workforce participation and economic security while addressing chronic labour and skills shortages in New South Wales.

The $5.8 million investment will give women the confidence and capabilities they need through all stages of their return-to-work journey, from initial exploration to ongoing support once they find a new job.

The program will give women access to:

- Online resources hub
- Professional development and skills training
- Coaching and mentoring
- Community, content and events
- Employer connections
- A lifetime of support – ongoing Future Women membership

Future Women's Jobs Academy program has been designed by women, to work alongside women and has been successfully piloted with the Commonwealth Office for Women.

Working Women's Centre

NSW Labor will also work closely with the federal government and relevant stakeholder to establish a new Working Women's Centre in NSW.

These Centres are a frontline service that help women navigate work-related issues including sexual harassment, underpayment, wage theft and parental leave. The former New South Wales centre was forced to close due to inadequate funding.

NSW Labor will work hand in hand with the Albanese Government, industry and stakeholders to see a centre re-established in New South Wales and will commit $2 million in ongoing funding so it can operate at full potential.

This announcement follows a suite of women centric policies which highlight Labor's commitment to women's safety and achieving gender parity, including:

- Scrap the wages cap which has been a handbrake on essential workers wages, in particular nurses and teachers who are overwhelmingly women.
- Establish a new specialist multicultural domestic and family violence centre in South Western Sydney which will increase accessibility to services and safety for migrant and refugee women by providing holistic, well informed and culturally appropriate responses to domestic violence.
- Double the funding of Women's Health Centres. As 80% of their clientele have experienced domestic or family abuse these services are essential to supporting victim survivors in our community.
- $923,000 a year to the NSW Sexual Violence Helpline to ensure they can continue to provide critical 24/7 state-wide specialist counselling services.
- Introduce longer-term five-year funding arrangements for key community service providers, including Domestic Violence support services.
- Invest in an expansion of Lifeline's services with an additional commitment of $8.2 million over 5 years to increase text and webchat services. This will offer better support to women in domestic abuse circumstances who are unable to reach out over the phone.

Department of Employment and Workplace Relations - Released under FOI

Get Involved

Contact

Authorised by Bob Nanva, Australian Labor Party (NSW Branch), 9/377 Sussex Street, Sydney NSW 2000

Women's legal centre delays unacceptable



The West Australian
Tuesday 3rd October 2023
489 words
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252cm on the page

Women's legal centre delays unacceptable

EDITORIAL

When then sex discrimination commissioner Kate Jenkins handed down her Respect@Work report in March 2020, we were promised it was a line in the sand moment.

It was to be the turning point for tackling sexual harassment in the workplace.

The research conducted in the course of compiling that report found almost 40 per cent of women and more than a quarter of men experienced sexual harassment at work in the previous five years.

It exposed sexual harassment for what it was — a pervasive problem in our society, helped along by a workplace culture which often turned a blind eye and systems which were stacked against victims.

Fast forward more than three years and while conversations have certainly grown louder and some steps have been taken to changing that culture, progress clearly isn't being made quickly enough.

Australia has had strong sexual harassment laws going back decades. In fact when the Sex Discrimination Act came into force in 1984, Australia stood out as one of the first nations to prohibit sexual harassment in the workplace.

But despite this, sexual harassment remains a depressingly common occurrence in offices and worksites around the country, in every industry and in every jurisdiction.

According to that same research carried out for the Respect@Work inquiry, just 17 per cent of people who experienced sexual harassment at work in the previous five years made a formal complaint to their employer, and reports to the Australian Human Rights Commission are vanishingly rare.

Choosing to speak up remains extremely difficult. Victims may fear reprisals, consequences for their career, or simply feel that navigating the bureaucratic maze would not be worthwhile.

That makes it all the more important to ensure that when victims do decide to proceed with a formal complaint, they are supported in every way possible.

One of the Respect@Work report's 55 recommendations — which was endorsed by the Morrison government and supported by Labor — was to set up working women's centres in jurisdictions including WA which didn't already have them, and to permanently fund existing centres in South Australia, the Northern Territory and Queensland.

These specialist services help women (because it is still overwhelmingly women who are the victims of sexual harassment) navigate the difficult pathway to reaching a resolution and can also provide employers help with beefing up their protections for workers.

It seemed a straightforward, common sense initiative. And yet, three years and a new Government later, and it appears little has been done.

There's little chance of seeing the new centres open their doors before the middle of next year.

That means that until then, women without the support of their own lawyer or union who make the difficult decision to speak up will find themselves having to go it alone. So much for the line in the sand.

Responsibility for the editorial comment is taken by WAN Editor-in-Chief Anthony De Ceglie

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Streem

Women's support in limbo

By EXCLUSIVE KATINA CURTIS

The West Australian
Tuesday 3rd October 2023
344 words
Page 3 | Section: NEWS
243cm on the page



Women's support in limbo

EXCLUSIVE KATINA CURTIS

Long-promised sexual harassment advice centres not ready until mid-2024

Women dealing with sexual harassment at work are still waiting for promised help a year after the Government vowed to fund specialist support centres.

Tenders to establish working women's centres in WA and other States that don't already have them will be issued before the end of the year, the department in charge of setting them up has promised. But the head of the specialist legal services hoping to run the new centres says that means there is little chance they will be established before the middle of next year despite an urgent need.

The Respect@Work report recommended in mid-2020 working women's centres be set up in the five jurisdictions that didn't have them and that existing ones in South Australia, the Northern Territory and Queensland be given permanent funding.

The centres offer information, advice and support to women and education for employers on how to end sexual harassment.

Elena Rosenman, board chair of Women's Legal Services Australia, said the delay was concerning and inexplicable.

"We still think those services must be available to women," she said.

"The need was urgent in 2020, but I think at the end of 2023, when women's trust in systems related to sexual violence has been so eroded, there has never been a more important time to have a visible, supportive, holistic service, working with women to resolve their matters and engaging with the community to prevent sexual harassment than there is right now."

The Government set aside $32 million over four years in last October's Budget and promised ongoing funding for the centres.

Earlier this year, bureaucrats were in talks with specialist women's legal services about their proposal to run the new centres. But those involved in the discussion said they had heard nothing since June until after The West asked the department questions last week.

The Department of Employment and Workplace Relations says the money allocated but not yet spent will be split over the coming years.

1800 RESPECT

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EXCLUSIVE

Women still waiting on specialist services a year on after being recommended in Respect@Work report



Katina Curtis The West Australian
Tue, 3 October 2023 5:00AM Comments

Katina Curtis



loyers on how to end sexual harassment. Credit: Woraphon - stock.adobe.com

Women dealing with sexual harassment in their workplaces are still waiting for a key part of the system to help them a year after the government promised funding.

Tenders to establish working women's centres in WA and other States that don't already have them will be issued before the end of the year, the department in charge of setting them up has promised.

But the head of the specialist legal services hoping to run the new centres says that means there's little chance they will be established before the middle of next year despite an urgent need.

Department of Employment and Workplace Relations - Released under FOI

The Respect@Work report recommended in mid-2020 that working women's centres be set up in the five jurisdictions that didn't have them and that existing ones in South Australia, the Northern Territory and Queensland be given permanent funding.

The centres offer information, advice and support to women about various workplace issues and education for employers on how to end sexual harassment.



GENDER EQUALITY

WA to get women's only employment rights centre

Katina Curtis

They typically help women who have no one else to turn to, such as a union or their own lawyer.

Elena Rosenman, board chair of Women's Legal Services Australia, said the delay was concerning and inexplicable.

"We still think those services must be available to women," she said.

"The need was urgent in 2020, but I think at the end of 2023, when women's trust in systems related to sexual violence has been so eroded, there has never been a more important time to have a visible, supportive, holistic service, working with women to resolve their matters and engaging with the community to prevent sexual harassment than there is right now."

The Government set aside $32 million over four years in last October's Budget and promised ongoing funding for the centres.

Earlier this year, bureaucrats were in talks with specialist women's legal services about their proposal to run the new centres.



'WE HAVE AN OBLIGATION'

FIFO workers across WA urged to support safe workplaces

Jordan Murray



EXCLUSIVE 'NOT KEPT PACE'

All things not equal at 'restrictive' opportunity commission

Hannah Cross

But those involved in the discussion said they had heard nothing since June until after The West asked the department questions last week.

The Department of Employment and Workplace Relations says the money allocated but not yet spent will be split over the coming years.

"An open competitive grant opportunity will be run later in 2023 to identify organisations to deliver WWC services in jurisdictions that do not currently have a WWC in operation," the department's spokesman said.

"Funding for the 2023-24 financial year is expected to be disbursed in late 2023-early 2024."

An existing organisation in each State will be chosen to deliver the services, with the requirement the working women's centre be identifiable as such rather than a branch of another service.

Ms Rosenman said women's legal services had made the case to the government that they already had specialist employment and sexual harassment services that would be easy to expand.

"Basically, as soon as funding is secured, we will be able to commence recruitment or expansion of those services," she said.

Despite that, she warned it seemed unlikely the services would be running until mid-2024 based on the Government's time frame.

"The funding was provisioned in the 22-23 financial year, and we still don't have any indication that it will even flow by the end of the 23-24 financial year," she said.

"There's potentially $15 million of funding that could be being used right now making sure that women have access to services right now."

Support is available from 1800RESPECT (1800 737 732) or the Men's Referral Service on 1300 766 491.

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Australian Government
Department of Employment and Workplace Relations

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DB ECD: Data - Insecure Work

SB23-00279

Adverse impacts of insecure work

Evidence (cited in the Employment White Paper and Senate Select Committee Job Security) shows serious negative consequences from insecure work such as poorer physical and mental health, and financial instability, leading to an increased risk of long-term poverty.

There is no definition of insecure work - it is multifaceted

Secure work is the outcome of a range of relevant factors:

- certainty about future employment prospects
- predictability of hours and days of work
- appropriate pay and conditions, without risk of underpayment
- access to training and development opportunities
- ability to exercise workplace rights without fear of job loss
- access to entitlements that allow for rest, recovery and care and recreation without financial implications
- jobs that do not have unfair or discriminatory assumptions about the value of work, and
- the ability to balance work and other responsibilities, such as caring.

These job characteristics are not specific to full-time, permanent jobs and the relative value of these characteristics will vary, dependent on individual preferences and circumstances, including across different stages of work and personal lives.

Secure Jobs Better Pay legislation started to address insecure work; with future reforms in Closing Loopholes Bill and more to come

Secure Jobs Better Pay means FWC must now take job insecurity and secure work into account in its decisions; and limits rolling fixed-term contracts

- Job security is an object of the Fair Work Act (s3).
- The modern awards objective includes secure work (s134).
- Fixed term contracts limited to 2 years or 2 contracts – whichever is shorter. Exceptions allow genuine use to continue beyond limits. Limits commence from 6 December 2023.

Closing Loopholes Bill focuses on closing loopholes in the workplace relations system to ensure that the job security, pay and conditions, is not being undercut, regardless of employment status

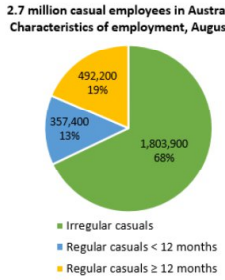
- **Casuals:** introduce a fair and objective definition and provide a clearer pathway for casuals to move to permanent employment.
- **Employee-like workers:** allow the FWC to set minimum standards for employee-like workers and to provide protection from unfair deactivation from a digital labour platform.
- **Labour hire:** allow the FWC to make orders that labour hire employees must be paid at least what they would receive under a host businesses' enterprise agreement.

Employment White Paper puts job security and strong, sustainable wage growth at the centre of the Government's agenda

- White Paper outlines Government's vision for a dynamic and inclusive labour market in which everyone has an opportunity for secure and fairly paid work (Objective 2).

Some people in insecure work have patterns of work akin to those of permanent employees

One third of casuals have regular work

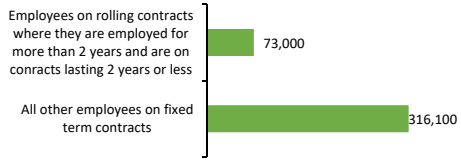


Source: ABS Characteristics of employment, August 2022

- 32%[1] of casual employees had regular working arrangements – guaranteed minimum hours each week and earnings or hours that don't vary each week
- Regular casuals are most likely to be employed in **Health care and social assistance**, **Accommodation and food services**, and **Retail trade**.

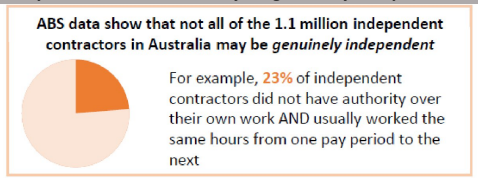
24 % of employees on fixed term contracts have been with their employer for more than 2 years and on contracts lasting 2 years or less.

- 389,100 employees (3.4% of all employees) are working on fixed-term contracts. Of these:



Source: ABS Characteristics of employment, August 2022

Not all independent contractors may be genuinely independent



Source: ABS Characteristics of employment, August 2022

1. The Employment White Paper states that 60% of casual workers work regular hours (p50) this figure refers to the percentage of all casuals that usually worked the same hours per week in main job i.e. it doesn't take into account whether they were guaranteed a minimum number of hours or if their pay varied or not.

DATA: Headline indicators of insecure work have remained broadly stable but when unpacked, it is clear that the prevalence of insecure work has risen (Attachment A – Data Detail)

- In June 2023, the rate of **multiple job holders** was 6.7%[2] (or 958,600 people) of all employed people.
  - The rate of multiple job holding had been roughly stable for the past two decades, but the current rate of 6.7% is a record high.
- In June 2023, there were 327,100 workers (or 2.3% of all employed people) employed in the **Labour supply services industry**.
  - The incidence of labour hire employees increased between 2.1% in March 2010 and 2.7% in March 2020 (peak), but has since declined.
- In August 2023, there were 2.7 million **casual employees** (22.4% of all employees).
  - Until the onset of COVID-19, the incidence of casual employees was steady at around 25% for the last two decades.
- Data on **digital platform economy workers** is scarce, with the Victorian National Survey suggesting as many as 7.1% of the workforce participated in digital platform work over a 12 month period, and Uber estimating that 150,000 workers use their platform alone.
  - The first ABS data is expected to be published at the end of 2023.

The prevalence of job insecurity differs by gender

- Job insecurity affects men and women in different ways:
  - Most labour hire workers (61.4%) are male
  - Most casual employees (53.7%) and fixed-term employees (61.5%) are women.

It is difficult to make local comparisons using international evidence on insecure work

- Australia has a unique workplace relations system, which makes international comparisons difficult. For instance, there are currently 2.7 million casual employees, or 22.4% of all employees, who do not have paid leave entitlements. This is a concept unique to Australia and it would not be feasible to make international comparisons.

Work continuing on longer term reforms

Portable entitlements

- Beginning in 2024, the department will consult with stakeholders to assess where **portability of entitlements** is practical and addresses insecure work.
- Following a request from the Minister, the Fair Work Commission commenced the **Modern Awards Review 2023-24**, will include consideration of whether the terms of modern awards appropriately reflect the new object of the Fair Work Act 2009 and modern awards objective regarding job security and the impact of workplace relations settings on work and care.

2. Employment White Paper states 6.6% people holding multiple jobs (p49). This is out of date as it is from 2019. Most recent data is *ABS, Multiple Job-Holders, June 2023*

Department of Employment and Workplace Relations - Released under FOI

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DB ECD: Data - Insecure Work

SB23-00279

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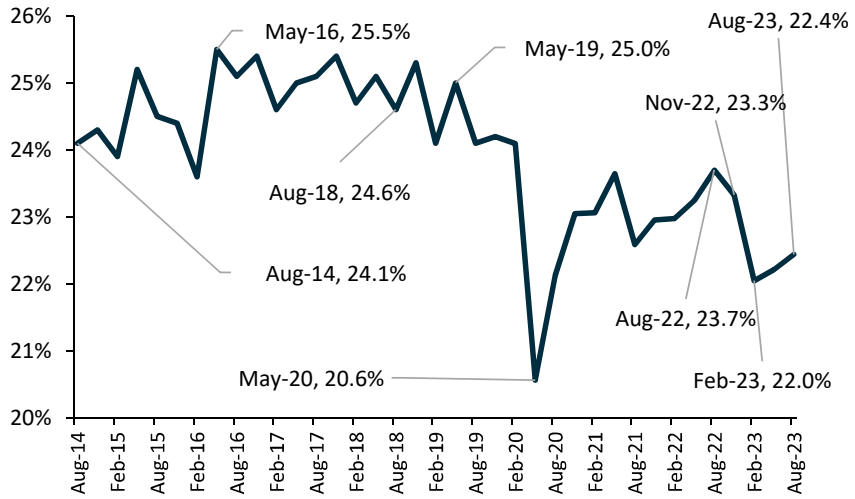
Attachment A: Data Detail

Casual Employees

There are 2.7 million casual employees (22.4% of all employees) who do not have paid leave entitlements (ABS, *Labour Force Detailed, August 2023*). Until the onset of COVID-19, the incidence of casual employees was steady at around 25% for the last two decades.

More than half (53.7%) of all casual employees are women.

Chart 1: Casual employees as a proportion of all employees, 2014-2023



The following industries reported the highest casual incidence in August 2023:

- Accommodation and food services (63.8 per cent);
- Agriculture, forestry and fishing (45.7 per cent); and
- Arts and recreation services (38.7 per cent).

Source: ABS*, Labour Force Detailed, August 2023.*

There were **851,100 casual employees who have regular working arrangements** (guaranteed minimum hours and either hours or earnings do not vary from one pay period to the next) (ABS, *Characteristics of Employment, August 2022)*.

- More than half of all casuals with regular working arrangements are **women** (53.4%), and 55.4% work **part-time**.
- Regular casuals are most likely to be employed in **Health care and social assistance**, **Accommodation and food services**, and **Retail trade**.
- There are 492,200 casuals who have had **regular work** for 12 months or more.

Over **two thirds of casual employees (around 1.8 million employees) have irregular working arrangements** where minimum hours are not guaranteed, and either hours or earnings/income can vary from one pay period to the next.

Around a quarter (24.5%) of casual part-time workers reported **underemployment** in August 2022.

Independent contractors

There are 1.1 million independent contractors (or 8.3% of all employed persons) (ABS, *Characteristics of Employment, August 2022*). The proportion of Australian workers who are independent contractors has remained relatively stable over the last decade at around 8-9% of all employed persons.

Most independent contractors do not have paid leave entitlements – they are people who operate their own business and contract to perform services for others without having the legal status of an employee.

In 2022:

- Over two thirds (69.5% or 777,500) of independent contractors were **men**; 30.5% (341,100) were **women**.
- **Men** had a higher incidence of working as independent contractors: 11.0% of men were employed as independent contractors compared with 5.3% of women.
- Most independent contractors work **full-time** in their main job (59.8% or 669,200 persons).
- The main industries of employment for independent contractors were **Construction** (28.2%), **Professional, scientific and technical services** (15.7%) and **Health care and social assistance** (12.3%).

Fixed term contracts

389,100 employees (3.4% of all employees) are working on fixed term contracts (ABS, *Characteristics of Employment, August 2022).* The proportion of Australian employees who are fixed-term contractors has remained relatively stable over the last decade at around 3-4%.

- 18.8% of these (73,000) **are long-term workers on rolling fixed-term contracts** (have been with their employer for over 2 years and contract length is 2 years or less).
- 27.9% of these (108,500) have been **with their employer for over two years**.
- More than half (61.5%) of employees engaged on fixed term contracts are **women**.
- 22.7% of employees engaged on fixed term contracts are **casual employees**.
- Over half (51.0%) of employees engaged on fixed-term contracts work in either the **Education and training** industry (30.7%) or the **Health care and social assistance** industry (20.3%).
- Over half of employees on fixed term contracts (54.6%) work in the **private sector**.

Employees paid by a labour hire firm

There were 327,100 workers (or 2.3% of all employed people) employed in the Labour supply services industry (ABS, *Labour Hire Workers, June 2023,* using *Labour Account, June 2023*). The incidence of labour hire employees has **increased over the past two decades** but has declined from its peak of 2.7% in March 2020.

- Most labour hire workers (61.4%) were **men** (ABS, *Labour Hire Workers, June 2023*, using *Jobs in Australia, 2019-20)*.
- Most labour hire workers (81.2%) were **full-time** (ABS, *Labour Hire Workers, June 2023,* using *Characteristics of Employment, August 2022*).

- Most labour hire workers (83.6%) were **casual employees** (ABS, *Labour Hire Workers, June 2023,* using *Characteristics of Employment, August 2022*).
- Labour hire employment is often short-term – most labour hire workers (62.6%) had been **with their current employer for less than one year** (compared to 26.0% for all employees) (ABS, *Labour Hire Workers, June 2023,* using *Characteristics of Employment, August 2022*).
- **Median hourly earnings** for labour hire workers are $34.90, compared with $37.30 for all employees (ABS, *Labour Hire Workers, June 2023,* using *Characteristics of Employment, August 2022*).

Digital platform workers

Data on digital platform economy workers is scarce. The ABS has been provided funding to collect information for the first time on digital platform workers. The first data are expected in November 2023.

In the absence of ABS data on the digital platform economy, a number of groups have provided their own estimates of the size of the digital platform economy. These estimates range from 0.8 % of the workforce, or approximately 100,000 workers (HILDA[1]), to 7.1 % of the workforce, or 909,500 workers (Victorian National Survey).[2]

Most of these estimates are also before the onset of COVID-19. There is not readily available information about the changes to the digital platform economy since the COVID-19 pandemic and how the size of the digital platform workforce may have changed since then. However, Uber indicated in 2023 that more than 150,000 rideshare and food delivery workers use the Uber platform to work each month[3].

The department has assessed the Victorian National Survey to currently be the best data source for digital platform workers. The survey shows that:

- **Transport and food delivery** was the most common work performed (18.6%), followed by **Professional services** (16.9%).
- **Men** have a higher incidence of digital platform work (9.1% of men had worked through a digital platform in the last 12 months, compared to 5.0% of women).
- **Younger workers** were more likely to work through a digital platform (11.0% of those aged 18-34 worked through digital platforms within the last 12 months, the highest incidence of all age groups).

Multiple job holders

In June 2023, the rate of **multiple job-holding**[4] was 6.7% (or 958,600 people) of all employed people, **a series high** and up from 6.6% (950,900) in March 2023 and 6.4% (895,600) in June 2022 (ABS,

[1] R Wilkins et al., 'The Household, Income and Labour Dynamics in Australia Survey: Selected Findings from Waves 1 to 20', Melbourne Institute: Applied Economic & Social Research, University of Melbourne, 2022, p. 89.
[2] P McDonald. et al, 'Digital Platform Work in Australia: Prevalence, Nature and Impact (Digital platform work in Australia)', commissioned by the Victorian Department of Premier and Cabinet, 2019
[3] Uber, 'Flexibility works', https://www.uber.com/au/en/u/gig-reform/, accessed 28 June 2023.
[4] The Australian Bureau of Statistics defines multiple job-holders as people who work for more than one employer during the same period. A multiple job-holder can be actively employed by different employers in the same industry or across multiple different industries. The rate of multiple job-holding is calculated as the proportion of workers having more than one job over all workers.

Multiple Job Holders, June 2023). The rate of multiple job holding had been roughly stable between 5% and 6% for the past two decades (until September 2021).

- **Women** are more likely to be multiple job holders. 7.6% of employed women hold multiple jobs, compared with 5.7% of employed men.
- Multiple job-holders work on average 30.7 hours per week in their main job and 9.4 hours in their secondary jobs (or 40.1 hours per week total). Single job-holders tend to work 35.5 hours per week in their job.
- **Young workers** (ages 15-24) are the most likely to be multiple-job holders, with 8.1% of the age group holding multiple jobs, the highest incidence across all age groups.

Bargaining

What has been announced

- Last year, the Government passed the *Fair Work Legislation Amendment (**Secure Jobs, Better Pay**) Act 2022* to enhance the enterprise bargaining framework.
    - Multi-enterprise bargaining reforms commenced on 6 June 2023:
        - Single-interest bargaining stream
        - Supported bargaining stream
        - Cooperative Workplaces bargaining stream
    - Other key bargaining changes included:
        - Ensuring the process for agreement termination is fit for purpose and fair
        - Providing a fair process for sunsetting 'zombie' agreements
        - Removing unnecessary complexity for workers and employers by simplifying the agreement pre-approval requirements (this includes the Fair Work Commission (**FWC**) finalising the Statement of Principles)
        - Removing unnecessary limitations on access to single-enterprise agreements by removing the requirement for employee bargaining representatives to obtain a majority support determination
        - Making the Better Off Overall Test simple, flexible and fair
        - Giving the FWC the ability to arbitrate intractable bargaining disputes
    - Industrial action changes included:
        - Allowing the FWC to direct bargaining representatives to attend a conference for the purposes of mediation or conciliation in relation to the agreement during the protected action ballot period;
        - A new notice requirement for employee bargaining representatives to provide 120 hours written notice before protected industrial action may be taken for a proposed multi-enterprise agreement (excluding co-operative workplace and greenfields agreements);
        - Empowering the FWC to 'pre-approve' persons authorised to conduct protected action ballots, including by electronic means, in addition to the Australian Electoral Commission.
- On 30 June 2023, the *Fair Work Legislation Amendment (**Protecting Worker Entitlements**) Act 2023* received Royal Assent.
    - From 1 July 2023, the Fair Work Act was amended to clarify that an enterprise agreement ceases applying to employees when the FWC makes a replacement

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workplace determination covering the employees in relation to the same employment.

- Through the Fair Work Legislation Amendment (**Closing Loopholes**) Bill 2023, the Government is seeking to improve existing arrangements in the bargaining framework to:
    - enable multiple franchisees to access the single-enterprise bargaining stream,
    - enable parties to transition from multi-enterprise agreements to single-enterprise agreements, and
    - require the FWC to issue model terms for enterprise agreements, and the dispute resolution term for copied State instruments.

Current status of the policy

Secure Jobs, Better Pay

- From 6 June 2023, the Fair Work (**Statement of Principles** on Genuine Agreement) Instrument 2023 commenced operation.
- On 27 September 2023, the FWC approved a **supported bargaining authorisation** in relation to a multi-enterprise agreement to cover employers and their employees in the early childhood education and care (**ECEC**) sector.
    - The authorisation covers 64 employers and their approximately 12,000 employees.
    - This is a small subset of the sector, which employs approximately 250,000.
    - The FWC may provide assistance to the parties by directing a person who is not an employer to attend a conference at a specified time and place if the FWC is satisfied that the person exercises such a degree of control over the terms and conditions of the employees who will be covered by the agreement that the participation of the person in bargaining is necessary for the agreement to be made.
- On 28 September 2023, the FWC approved a **single-interest employer authorisation** in relation to a multi-enterprise agreement to cover employees and 10 employers in educational facilities in Western Australia.
- On 4 October 2023, the FWC made an **intractable bargaining declaration**, in relation to the proposed *Fire Rescue Victoria, United Firefighters' Union Operational Staff Agreement*, which specifies a post-declaration negotiating period of two weeks.
    - Bargaining between the parties reached an impasse. The UFU sought a remuneration outcome which would pass on to employees the value of efficiencies of at least $117M. Fire Rescue Victoria and the Victorian Government are unable to meet the UFU's offer.

Closing Loopholes Bill 2023 (Spring Reform)

- On 4 September 2023, the Closing Loopholes Bill was introduced to the Parliament.

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- Under Part 3 of the Bill (relating to franchisees):
    - Franchisees of a common franchisor can collectively bargain in the single enterprise bargaining stream.
    - Franchisees will retain the capacity to bargain individually for a single enterprise agreement or be covered by a multi-enterprise agreement (subject to meeting eligibility requirements).
- Under Part 4 of the Bill (relating to transitioning from multi-enterprise agreements):
    - Employers and employees who are covered by a multi-enterprise agreement can bargain at any time for a replacement single-enterprise agreement.
    - Applying the Better Off Overall Test against a multi-enterprise agreement, rather than a modern award, will ensure workers are not left worse off than the agreement they are leaving.
    - Where an existing agreement has not passed its nominal expiry date, registered organisations covered by the agreement will need to provide consent before employees are asked to vote on the replacement agreement.
- Under Part 5 of the Bill (relating to model terms):
    - The FWC will make and issue model terms for enterprise agreements.
    - Model terms would be made by the Full Bench of the FWC taking into account matters such as best practice workplace relations and stakeholder views.

Stakeholders consulted

Closing Loopholes (Spring Reform)

- The department issued consultation materials in March 2023 about bargaining measures:
    - Stakeholders generally did not raise concerns with the FWC issuing model terms for enterprise agreements, however some stakeholders have raised concerns about whether the FWC will change the model terms. This will be for the FWC to decide.
    - Stakeholders were generally supportive of preserving arrangements for employers already using single interest agreements.

Recent protected industrial action

Chevron (Offshore oil and gas)

- AWU members, under the banner of the Offshore Alliance, and ETU members at Chevron's Gorgon and Wheatstone sites (WA) participated in a series of bans and stoppages in September 2023. The parties reached in-principle agreement with the assistance of the FWC on 22 September.
- Parties subsequently returned to the FWC for clarification of several of the FWC recommendations and the unions notified the recommencement of protected industrial action from 19 October 2023.
- The parties once again reached in-principle agreement on 17 October 2023 and the unions withdrew their notification of further protected industrial action.

DP World (Stevedoring)

- MUA members commenced protected industrial action at DP Worlds' four container ports (Melbourne, Sydney, Brisbane and Fremantle) on 6 October 2023, including bans and work stoppages of up to 48 hours.

Recent Data

- As at 30 June 2023, the Fair Work Commission has approved 2,094 agreements since Royal Assent of the Secure Jobs, Better Pay Act (7th December 2022). The agreements covered a total of 348,832 employees (at lodgement).
- The Average Annual Wage Increase (AAWI) for those agreements approved since 7th December 2022 is 3.7%. This result compares to an AAWI of 2.7% in the immediately preceding year and an AAWI of 2.7% for agreements approved in the preceding 5 years.
- The top 5 industries (by number of agreements) where agreements have been approved since 7th December 2022 include:
    - Construction: 677 (32.3%)
    - Manufacturing: 400 (19.1%)
    - Transport, Postal and Warehousing: 293 (14.0%)
    - Health care and Social Assistance: 183 (8.7%)
    - Education and Training: 109 (5.2%)
- Zombie agreements – Departmental estimates of zombie agreement decisions as of 22 September 2023:
    - 1 AWA extended
    - 2 AWAs not extended
    - 7 zombie enterprise agreements extended, 7 zombie enterprise agreements not extended
- Protected industrial action – from the end of the June quarter 2022 to the June quarter 2023 (latest available data), there have been 67,100 working days lost to industrial action, or an average of 16,800 working days per quarter.
    - This compares with 234,600 working days lost over the year to the June quarter 2022, or an average of 58,700 working days per quarter.
    - The higher rates of industrial action in the year to June 22 were largely due to strikes in the education sector in New South Wales.

Next steps, including consideration by Government where expected

- Measures in the Closing Loopholes Bill are subject to the passage of legislation.
- On 7 September 2023, the Senate referred the Closing Loopholes Bill to the Education and Employment Legislation Committee for inquiry and report by 1 February 2024.

Related Questions received on notice

N/A

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	20 October 2023

SB23-000291
Data for: 2 May to 2 October 2023

WR Appointments – Recent Developments

Key points

What boards are in the WR portfolio?

- There are 7 boards in the WR portfolio:
    - Asbestos Safety and Eradication Council
    - Coal Mining Industry (Long Service Leave Funding) Corporation Board
    - National Construction Industry Forum
    - National Workplace Relations Consultative Council
    - Safe Work Australia
    - Safety, Rehabilitation and Compensation Commission
    - Seafarers Safety, Rehabilitation and Compensation Authority.
- Appointments to these boards are part-time and made in accordance with the relevant legislation and the Cabinet Handbook.
- As the board positions are part-time, they are not subject to the Government's Merit and Transparency policy.

Which WR appointments require a full selection process, under the Merit and Transparency policy?

- The following positions generally require a full selection process under the Government's Merit and Transparency policy:
    - Asbestos Safety and Eradication Agency CEO
    - Comcare CEO
    - Fair Work Commission General Manager
    - Fair Work Ombudsman
    - Safe Work Australia CEO.
- However, the policy also provides that in some circumstances, such as when an incumbent is to be reappointed, a full selection process may not be necessary.
- The Minister may also request the Prime Minister's approval to fill a position without conducting a full selection process in certain circumstances, including:
    - there is an urgent requirement to fill a position;
    - the availability of an eminent person, where there would be little value in conducting a selection process; or
    - there is another office holder at a similar level that is appropriate to be appointed to the position.

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Key facts figures or dates

Fair Work Commission member recruitment

- An expression of interest process for Fair Work Commission member positions opened on 21 December 2022 and closed on 20 January 2023.
- A total of 480 expressions of interest were received.
- As a result of that process:
    - Vice President Ingrid Asbury was appointed on 30 March 2023 (promoted from Deputy President);
    - 5 new Deputy Presidents have been appointed:
        - Judith Wright (commenced 11 April 2023);
        - Thomas Roberts (commenced 17 April 2023);
        - Peter O'Keefe (commenced 1 May 2023);
        - Tony Slevin (commenced 5 June 2023);
        - Alex Grayson (commenced 14 July 2023);
    - 8 new Commissioners have been appointed:
        - Sharon Durham (commenced on 3 April 2023);
        - Scott Connolly (commenced 15 May 2023)
        - Stephen Crawford (commenced 22 May 2023)
        - Mark Perica (commenced 22 May 2023)
        - Pearl Lim (commenced 24 May 2023);
        - Susie Allison (commenced 10 July 2023);
        - Oanh Tran (commenced 31 July 2023);
        - Emma Thornton (commenced 18 September 2023);
    - 3 new Expert Panel Members have been appointed:
        - Marian Baird on 2 March 2023;
        - Leonora Risse on 2 March 2023; and
        - Mark Cully on 2 March 2023.
- The last time an independent merit-based selection process was undertaken in respect of FWC member appointments was prior to the appointments made by former Minister Bill Shorten in early 2013.

Fair Work Commission member background

- Now that all recent appointees have commenced their roles, there are 52 primary Fair Work Commission members (excluding a dual appointee and Expert panel Members). Of these:
    - 30 could be characterised as having experience representing employers;
    - 21 could be characterised, as having experience representing employees; and
    - one could be characterised as having neither an employer nor an employee representative background.
- Further information on characterisation methodology and a list of all current members and nominating Minister is at Attachment A.

Fair Work Ombudsman appointment

- Sandra Parker PSM indicated that she would not seek reappointment as Fair Work Ombudsman at the expiry of her term on 14 July 2023.

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- Advertising of the Fair Work Ombudsman position commenced on 24 March 2023 and applications closed on 16 April 2023.
- Ms Anna Booth was appointed for a 5-year term that commenced on 1 September 2023.

Safe Work Australia CEO appointment

- The term of Michelle Baxter as CEO of Safe Work Australia will expire on 31 October 2023.
- The appointment of Marie Boland as CEO for a 5-year term commencing 1 November 2023 was announced on 12 October 2023.
- Consistent with paragraph 2.6.6 of the Government's Merit and Transparency policy, the Prime Minister gave approval for Minister Burke to fill the position of CEO of Safe Work Australia without conducting a full selection process due to the availability of Ms Boland, who is widely considered an eminent person in work health and safety.

Asbestos Safety and Eradication Agency CEO appointment

- The term of Justine Ross as CEO of the Asbestos Safety and Eradication Agency will expire on 18 November 2023.
- Advertising of the CEO position commenced on 24 July 2023 and applications closed on 20 August 2023.
- Approval for the appointment of the Minister's preferred candidate will be sought from the Prime Minister or, at his discretion, Cabinet.

National Construction Industry Forum appointments

- Foundation appointments to the National Construction Industry Forum were made on 14 July 2023.
- Six members with experience representing employees in the building and construction industry and 6 members with experience representing employers in the building and construction industry were appointed for 3-month terms.
- The members with experience representing employers include at least one member with experience representing contractors in the building and construction industry, and one member with experience in small to medium sized enterprises in the residential building sector as required by section 789GZE of the *Fair Work Act 2009*.
- The members were nominated by the Minister. There was no formal expression of interest process prior to the appointments.

Appointments made between 2 May 2023 and 2 October 2023 (the Senate Order 15 reporting period)

Organisation	Appointee	Position	Start date
Asbestos Safety and Eradication Council	Paul Bastian	Chair	30/06/2023
	Elizabeth De Hoog*	Member	2/08/2023
	Tracey Browne*	Member	30/06/2023
	Carolyn Davis*	Member	30/06/2023
	Vicki Hamilton	Member	30/06/2023
Fair Work Commission	Tony Slevin	Deputy President	5/06/2023
	Scott Connolly	Commissioner	15/05/2023
	Mark Perica	Commissioner	22/05/2023

Organisation	Appointee	Position	Start date
	Stephen Crawford	Commissioner	22/05/2023
	Pearl Lim	Commissioner	24/05/2023
	Susan Allison	Commissioner	10/07/2023
	Oanh Thi Tran	Commissioner	31/07/2023
	Emma Thornton	Commissioner	18/09/2023
National Construction Industry Forum	Irma Beganovic	Member	14/07/2023
	Brent Crockford	Member	14/07/2023
	Melissa Adler	Member	14/07/2023
	Naomi Brooks	Member	14/07/2023
	Alison Mirams	Member	14/07/2023
	Anthony (Tony) Callinan	Member	14/07/2023
	Michael Wright	Member	14/07/2023
	Stacey Schinnerl	Member	14/07/2023
	Jonathan (Jon) Davies	Member	14/07/2023
	Steven (Steve) Murphy	Member	14/07/2023
	Deborah Coakley	Member	14/07/2023
	Zachary (Zach) Smith	Member	14/07/2023
National Workplace Relations Consultative Council	Melissa Adler*	Member	17/05/2023
	Tara Diamond	Member	17/05/2023
	Jessica Tinsley	Member	17/05/2023
	Wendy Black	Member	17/05/2023
	Liam O'Brien*	Member	17/05/2023
	Joseph Mitchell	Member	15/06/2025
Office of the Fair Work Ombudsman	Anna Booth	Fair Work Ombudsman	1/09/2023
Safety, Rehabilitation and Compensation Commission	Melissa Maggioros*	Member	9/08/2023
	Catherine Hudson*	Member	9/08/2023
Safe Work Australia	Glenn Farrell	Member	23/08/2023
	Jennifer Low*^	Member	23/06/2023
	Colin Radford*	Member	2/08/2023
	Jody Anderson*^	Member	3/05/2023
	Peggy Cheong	Member	8/06/2023
	Andrea Fox	Member	8/06/2023
	Penny Howard*	Member	7/09/2023

Organisation	Appointee	Position	Start date
Seafarers Safety, Rehabilitation and Compensation Authority	Greg Vines	Deputy Chair	28/05/2023

* denotes reappointment

^ These long-term appointments were made (i.e. signed) in the previous reporting period, but only initial short-term appointments were included in the relevant Factsheet table and SO15 reporting.

Vacancies as at 2 October 2023

Organisation	Position	Status
Asbestos Safety and Eradication Council	Member	Nomination sought
	Member	Nomination sought
Safe Work Australia	Member	Under consideration
	Member	Nomination sought

Appointments due to expire from 2 October 2023 to 30 April 2024

Organisation	Appointee	Position	Expiry date
Asbestos Safety and Eradication Agency	Justine Ross	CEO	18/11/2023
Board of the Coal Mining Industry (Long Service Leave Funding) Corporation	Scott Faragher	Director	26/02/2024
Fair Work Commission	Michelle Bissett	Acting Commissioner	1/11/2023
National Construction Industry Forum	Naomi Brooks	Member (employees)	13/10/2023
	Tony Callinan	Member (employees)	13/10/2023
	Steve Murphy	Member (employees)	13/10/2023
	Stacey Schinnerl	Member (employees)	13/10/2023
	Michael Wright	Member (employees)	13/10/2023
	Zach Smith	Member (employees)	13/10/2023
	Melissa Adler	Member (employers) (small to medium sized enterprises in the residential building sector)	13/10/2023

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Organisation	Appointee	Position	Expiry date
	Irma Beganovic	Member (employers)	13/10/2023
	Deborah Coakley	Member (employers)	13/10/2023
	Brent Crockford	Member (employers) (contractors)	13/10/2023
	Jon Davies	Member (employers)	13/10/2023
	Alison Mirams	Member (employers)	13/10/2023
National Workplace Relations Consultative Council	Annie Butler	Member	17/02/2024
Safe Work Australia	Michelle Baxter	CEO	31/10/2023
	Robyn Pearce	Member	24/03/2024
Safety, Rehabilitation and Compensation Commission	Peter Richards	Chair	21/10/2023
	Michelle Baxter	CEO of Safe Work Australia	31/10/2023
	Louisa Hudson	Member	26/11/2023
	Stephen Somogyi	Member	14/12/2023
	Trevor Gauld	Member	6/03/2024
	Jane Hall	Member	14/03/2024
	Amanda Johnston	Deputy Member	31/10/2023
	Lorraine Biviano	Deputy Member	8/11/2023
	Laura Buckley	Deputy Member	26/11/2023
	Lisa-Maree Bahls	Deputy Member	6/03/2024
Seafarers Safety, Rehabilitation and Compensation Authority	Penny Howard	Member	6/12/2023
	Jamie Newlyn	Deputy Member	6/12/2023
	Ian Del Rosso	Deputy Member	23/11/2023

Gender balance as at 2 October 2023 (reportable positions)

Organisation	Men	%	Women	%	Total
Asbestos Safety and Eradication Council	4	57%	3	43%	7
Board of the Coal Mining Industry (Long Service Leave Funding) Corporation	4	67%	2	33%	6
National Construction Industry Forum	6	50%	6	50%	12
National Workplace Relations Consultative Council	5	36%	9	64%	14
Safe Work Australia	4	36%	7	64%	11
Safety, Rehabilitation and Compensation Commission	4	50%	4	50%	8
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)	2	40%	3	60%	5

Recent media

- The Minister announced the appointment of Marie Boland as CEO of Safe Work Australia on 13 October 2023. (An advance copy of the Media Release was provided to Workplace Express on 12 October 2023.)
- The Minister announced appointments to the National Construction Industry Forum on 23 July 2023
    - Prior to Mr Zach Smith's appointment to the National Construction Industry Forum on 13 October 2023, an article in The Australian attributed a number of quotes to Mr Smith (see article at **Attachment B**: 'CFMEU boss Zach Smith lays down the law'.
    - The department undertakes due diligence checks for all nominees to statutory positions in the Workplace Relations portfolio. Due diligence results for Mr Smith are available at **Attachment D.**
- The Minister announced the appointment of Anna Booth as Fair Work Ombudsman on 7 July 2023

Department of Employment and Workplace Relations - Released under FOI

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000662	Cash, Michaelia	Will there be a formal expression of interest process for appointments to the National Construction Industry Forum?	No.
SQ23-000672	Cash, Michaelia	Would verbal abuse of women be a barrier to a person being appointed to the National Construction Industry Forum?	The abuse of women in any environment is unacceptable. Each potential appointee will be assessed on their merits, having regard to the Forum's function.
SQ23-000795	Hume, Jane	How many new entities have been created within the portfolio since May 2022?	Workplace Relations created entities have been the Office of the Fair Work Ombudsman (reconstituted from the Fair Work Ombudsman and Registered Organisations Commission Entity), and the National Construction Industry Forum.
SQ23-000637	Grogan, Karen	Fair Work Commission imbalance breakdown	As at the day of the 2022 Federal Election (21 May 2022), the Fair Work Commission had 43 primary commission members, characterised as follows: 32 with experience representing employers, 10 with experience representing employees and one 'other'. Once all recent FWC appointees commence the numbers will be 30, 21 and one respectively.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	

Department of Employment and Workplace Relations - Released under FOI

Attachment A: Fair Work Commission member background

Recent Fair Work Commission appointments have increased the number of members with experience representing employees, but there are still more members with experience representing employers

- The Government has made a number of appointments to the FWC, including 13 new appointments announced on 30 March 2023 and 12 May 2023.
- Now that all recent appointees have commenced their roles, there are 52 primary Fair Work Commission members.
    - Primary commission members include the President, Vice Presidents, Deputy Presidents, and Commissioners, but do not include expert panel members or members of state industrial tribunals who hold a dual appointment to the Fair Work Commission.
- Of these 52 members:
    - 30 could be characterised as having experience representing employers;
    - 21 could be characterised, as having experience representing employees; and
    - one could be characterised as having neither an employer nor an employee representative background.

The department used publicly available information to assess whether a member had experience representing employees or employers

- The department used publicly available information about members' activities prior to their appointments to the Fair Work Commission. This includes information on who they worked for or represented, the roles undertaken and how long they were in those roles. Based on this, the department made an assessment on category.
    - Information sources included Minister press releases announcing the appointments and other media reporting.
- Categories used came from the Government's election commitment to rebalance the Fair Work Commission. The 'other' category was added where the department could not easily assess the member's background.
- Some members worked for or represented both employer and employee groups over their career. These members were categorised based on whether they had primarily worked for employers or employees.

Department of Employment and Workplace Relations - Released under FOI

Table 1: Fair Work Commission appointments as at 2 October 2023:

Name	Position	State	Commenced	Expires	Nominated by
Hon Justice Adam Hatcher	President *Acting President* *Vice President*	NSW	**19.02.23** *19.11.22* *04.06.13*	**10.03.28** *18.02.23* *18.11.22*	Tony Burke *(ALP)* Tony Burke *(ALP)* Bill Shorten *(ALP)*
Ms Ingrid Asbury	Vice President *Deputy President* *Commissioner*	QLD	**30.03.23** *28.03.13* *30.03.12*	**10.10.28** *29.03.23* *27.03.13*	Tony Burke *(ALP)* Bill Shorten *(ALP)* Bill Shorten *(ALP)*
Mr Joseph Catanzariti AM	Vice President	NSW	**04.06.13**	**03.06.24**	Bill Shorten *(ALP)*
Mr Peter Anderson	Deputy President	SA	**18.04.17**	**22.04.25**	Michaelia Cash *(Coalition)*
Ms Abbeygail Beaumont	Deputy President	WA	**14.08.17**	**25.12.36**	Michaelia Cash *(Coalition)*
Mr Andrew Bell	Deputy President	VIC	**18.01.22**	**08.11.39**	Michaelia Cash *(Coalition)*
Ms Melanie Binet	Deputy President	WA	**01.02.16**	**15.09.34**	Michaelia Cash *(Coalition)*
Mr Gerard Boyce	Deputy President	NSW	**14.01.19**	**09.04.38**	Kelly O'Dwyer *(Coalition)*
Mr William Clancy	Deputy President	VIC	**03.02.16**	**31.03.36**	Michaelia Cash *(Coalition)*
Mr Alan Colman	Deputy President	VIC	**26.04.17**	**06.08.35**	Michaelia Cash *(Coalition)*
Mr Bryce Cross	Deputy President	NSW	**01.02.19**	**19.06.28**	Kelly O'Dwyer *(Coalition)*
Ms Lyndall Dean	Deputy President	NSW	**30.05.16**	**12.05.37**	Michaelia Cash *(Coalition)*
Ms Theresa Dobson OAM	Deputy President	QLD	**21.02.22**	**24.09.32**	Michaelia Cash *(Coalition)*
Mr Michael Easton	Deputy President	NSW	**07.04.21**	**17.12.33**	Michaelia Cash *(Coalition)*
Mr Val Gostencnik	Deputy President	VIC	**08.04.13**	**10.04.28**	Bill Shorten *(ALP)*
Ms Alexandra Grayson	Deputy President	NSW	**14.07.23**	**07.08.40**	*Tony Burke (ALP)*
Mr Peter Hampton	Deputy President *Commissioner*	SA	**27.10.22** *11.01.10*	**02.12.25** *26.10.22*	Tony Burke *(ALP)* Julia Gillard *(ALP)*
Mr Nicholas Lake	Deputy President	QLD	**07.01.19**	**19.02.27**	Kelly O'Dwyer *(Coalition)*
Mr Ian Masson	Deputy President	VIC	**31.07.17**	**11.01.27**	Michaelia Cash *(Coalition)*
Ms Amber Millhouse	Deputy President	VIC	**24.09.17**	**02.11.46**	Michaelia Cash *(Coalition)*
Mr Peter O'Keefe	Deputy President	WA	**01.05.23**	**30.11.32**	Tony Burke *(ALP)*
Ms Bernadette O'Neill	Deputy President *Commissioner*	VIC	**27.10.22** *06.04.21*	**28.12.30** *26.10.22*	Tony Burke *(ALP)* Michaelia Cash *(Coalition)*

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Name	Position	State	Commenced	Expires	Nominated by
Mr Thomas Roberts	Deputy President	NSW	**17.04.23**	**23.10.28**	Tony Burke *(ALP)*
Mr Tony Saunders	Deputy President *Commissioner*	NSW	**10.12.18** *12.10.15*	**02.05.39** *09.12.18*	Kelly O'Dwyer *(Coalition)* Eric Abetz *(Coalition)*
Mr Tony Slevin	Deputy President	NSW	**05.06.23**	**01.09.30**	Tony Burke *(ALP)*
Ms Judith Wright	Deputy President	NSW	**11.04.23**	**19.05.37**	Tony Burke *(ALP)*
Ms Susan Allison	Commissioner	VIC	**10.07.23**	**12.07.41**	Tony Burke *(ALP)*
Ms Michelle Bissett	Acting Commissioner *Commissioner*	VIC	**02.11.22** *25.01.10*	**01.11.23** *01.11.22*	Tony Burke *(ALP)* Julia Gillard *(ALP)*
Ms Tanya Cirkovic	Commissioner	VIC	**02.11.15**	**22.04.28**	Eric Abetz *(Coalition)*
Mr Scott Connolly	Commissioner	VIC	**15.05.23**	**11.08.40**	Tony Burke *(ALP)*
Mr Stephen Crawford	Commissioner	NSW	**22.05.23**	**16.08.46**	Tony Burke *(ALP)*
Ms Sharon Durham	Commissioner	QLD	**03.04.23**	**26.10.37**	Tony Burke *(ALP)*
Ms Katrina Harper-Greenwell	Commissioner	VIC	**01.02.16**	**10.09.33**	Michaelia Cash *(Coalition)*
Ms Jennifer Hunt	Commissioner	QLD	**08.02.16**	**18.11.38**	Michaelia Cash *(Coalition)*
Mr Leigh Johns OAM	Commissioner	NSW	**08.04.13**	**06.10.34**	Bill Shorten *(ALP)*
Mr Tim Lee	Commissioner	VIC	**08.09.11**	**09.03.29**	Chris Evans *(ALP)*
Ms Pearl Lim	Commissioner	WA	**24.05.23**	**15.01.53**	Tony Burke *(ALP)*
Ms Alana Matheson	Commissioner	NSW	**05.07.21**	**13.06.47**	Michaelia Cash *(Coalition)*
Ms Donna McKenna	Commissioner	NSW	**30.03.12**	**17.12.25**	Bill Shorten *(ALP)*
Ms Sarah McKinnon	Commissioner	VIC	**01.05.17**	**15.02.42**	Michaelia Cash *(Coalition)*
Mrs Sophie Mirabella	Commissioner	VIC	**24.05.21**	**26.10.33**	Michaelia Cash *(Coalition)*
Mr Mark Perica AM	Commissioner	VIC	**22.05.23**	**04.01.29**	Tony Burke *(ALP)*
Mr Christopher Platt	Commissioner	SA	**02.11.15**	**18.01.26**	Eric Abetz *(Coalition)*
Mr Bernie Riordan	Commissioner	NSW	**26.03.12**	**23.05.27**	Bill Shorten *(ALP)*
Mr Phillip Ryan	Commissioner	NSW	**28.06.21**	**28.11.42**	Michaelia Cash *(Coalition)*
Mr Paul Schneider	Commissioner	VIC	**02.05.22**	**09.12.49**	Michaelia Cash *(Coalition)*
Mr Chris Simpson	Commissioner	QLD	**20.05.10**	**13.11.34**	Julia Gillard *(ALP)*
Ms Paula Spencer	Commissioner	QLD	**26.05.09**	**25.05.29**	Tony Abbott *(Coalition)*
Ms Emma Thornton	Commissioner	SA	**18.09.23**	**08.03.43**	Tony Burke *(ALP)*
Ms Oanh Tran	Commissioner	VIC	**31.07.23**	**23.07.44**	Tony Burke (*ALP)*
Mr Nicholas Wilson	Commissioner	VIC	**29.04.13**	**02.05.25**	Bill Shorten *(ALP)*
Ms Leyla Yilmaz	Commissioner	VIC	**18.02.19**	**04.08.30**	Kelly O'Dwyer *(Coalition)*

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MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

13 October 2023

New Safe Work Australia Chief Executive Officer

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

Ms Marie Boland AO has been appointed as Chief Executive Officer of Safe Work Australia.

Ms Boland brings significant experience to the role, having completed the National Review of Australia's model work health and safety laws in December 2018 – known as the Boland Review.

Prior to this Ms Boland was Executive Director of SafeWork SA from 2015 to 2017.

Ms Boland's considerable skills, knowledge and experience make her the perfect person to lead Safe Work Australia.

Her five-year term will begin on 1 November 2023.

The Albanese Labor Government is committed to safe workplaces for all Australians.

Safe Work Australia needs to be strong, trusted and independent. Ms Boland's appointment will ensure that.

Safe Work Australia is the national policy setting body for matters relating to work health and safety and workers compensation.

This includes developing, evaluating and – if necessary – revising national policies and supporting strategies to improve work health and safety and workers' compensation arrangements across Australia.

Department of Employment and Workplace Relations - Released under FOI

The Chief Executive Officer is responsible for Safe Work Australia's day-to-day operations and overall management of the organisation including governance, financial accountability and reporting requirements.

My thanks to Ms Michelle Baxter for her work and professionalism as Chief Executive Officer since 2015. Her term will end on 31 October 2023.

Biography:

Ms Boland is currently conducting a review of the Office of the Federal Safety Commissioner.

Ms Boland is also Presiding Officer of the Construction Industry Long Service Leave Board and offers independent workplace relations consultancy services.

Her previous experience includes:

- Completed the 2022 Review of the Conduct of Work Health and Safety Prosecutions in the Australian Capital Territory.
- The 2021 Inaugural Thinker in Residence at the University of South Australia's Psychosocial Safety Climate Global Observatory.
- Completed an independent review of the South Australian local government sector's One System WHS Management System in December 2020.
- Completed the National Review of the model work health and safety laws in December 2018 (Boland Review).

Ms Boland has previously held numerous executive roles at SafeWork SA, including Executive Director (2015–2017), Policy and Community Engagement Director (2010–2015), and Chief Policy Officer (2007–2010).

Before joining SafeWork SA, Ms Boland was an industrial officer with the Australian Services Union (2004–2005).

Ms Boland holds a Bachelor of Arts (Hons) and Master of Arts from University College, Dublin, and a Bachelor of Laws (Hons) from the University of Adelaide.

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

23 July 2023

Appointments to National Construction Industry Forum

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

Today I announce the appointment of 12 representatives to the National Construction Industry Forum.

The Forum will constructively and cooperatively tackle issues facing the building and construction sector – with a focus on safety, productivity, skills and training, workplace relations, industry culture, diversity and gender equity.

The National Construction Industry Forum is a direct outcome of the Albanese Labor Government's Jobs and Skills Summit.

Last year we brought together business, unions and governments to talk about the shared challenges facing our economy – including workplaces in the building and construction industry.

We agreed to work together, taking a tripartite approach – a principle of equal and shared collaboration between governments, unions and industry – on matters that affect workers and businesses.

That's what the National Construction Industry Forum will do.

As a priority the Forum will look at issues around gender equity, particularly the recruitment and retainment of women workers.

I welcome the appointees to their new roles and know that their experience and insights will

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be invaluable as we work together to address key issues within the industry.

Appointments

The appointees are:

- Ms Melissa Adler – Housing Industry Association
- Ms Irma Beganovic – National Electrical and Communications Association
- Ms Deborah Coakley – Dexus Funds Management and the Property Council of Australia
- Mr Brent Crockford – Australian Owned Contractors
- Mr Jon Davies – Australian Constructors Association
- Mrs Alison Mirams – Roberts Co.
- Ms Naomi Brooks – Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)
- Mr Tony Callinan, – Australian Workers' Union (AWU)
- Mr Steve Murphy – Australian Manufacturing Workers' Union
- Ms Stacey Schinnerl – Australian Workers' Union (AWU)
- Mr Michael Wright – Electrical Trades Union
- Mr Zach Smith – Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)

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MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

7 July 2023

New Fair Work Ombudsman

The Hon Tony Burke MP
Minister for Employment and Workplace Relations
Minister for the Arts

Ms Anna Booth has been appointed as Fair Work Ombudsman.

Ms Booth brings extensive experience in workplace relations to the role, including eight years as Deputy President of the Fair Work Commission from 2012 to 2020.

I'm confident Ms Booth will execute her duties with skill, rigour and impartiality in the role.

Ms Booth's 5-year term will begin on 1 September 2023.

The Albanese Labor Government is committed to an independent, trusted and empowered Fair Work Ombudsman.

The role of the Fair Work Ombudsman is more important than ever as the Government moves to implement a better and fairer workplace relations system for Australian workers.

It includes promoting harmonious, productive and co-operative workplaces, and improving compliance in workplaces covered by the *Fair Work Act 2009 (Cth)* and fair work instruments.

The Fair Work Ombudsman is responsible for the Office of the Fair Work Ombudsman's day-to-day operations and overall management of the organisation including governance, financial accountability and reporting requirements.

My thanks to Ms Sandra Parker PSM for her work as Fair Work Ombudsman since 2018.

I am grateful for the judgment and professionalism she has applied to the role.

The term of Ms Parker will end on 14 July 2023. In the period between then and the commencement of Ms Booth on 1 September 2023, Ms Kristen Hannah, Deputy Fair Work

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Ombudsman, Policy and Communication, will be the Acting Fair Work Ombudsman.

Biography:

Mr Anna Booth returned as Director of CoSolve Pty Ltd in 2020 after serving as a Deputy President of the Fair Work Commission since 2012. Before then, Ms Booth combined her CoSolve directorship with non-executive directorships of ME Bank and IFM and was the non-executive chair of Slater & Gordon Ltd.

Prior to that, Ms Booth was a National Secretary of the Textile, Clothing and Footwear Union of Australia and a Vice President of the Australian Council of Trade Unions.

During her work in the union movement, she came to national attention exposing sweatshop operations where predominantly migrant women workers were being exploited.

Ms Booth went on to roles as Vice President Corporate Affairs at Sydney Harbour Casino and lecturer at the Macquarie Graduate School of Management and Australian Institute of Management.

Ms Booth has been a board member of the Commonwealth Bank of Australia, the Sydney Organising Committee for the Olympic Games and NRMA Ltd. Ms Booth holds a Bachelor of Economics (Hons) from the University of Sydney and is the Patron of the Industrial Relations Society of NSW.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000662

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 50

Direct appointments to Minister's office

Question

Senator CASH: Will they be direct appointments from the minister's office?

Mr Breen: Yes. Direct appointments by the minister. Yes, that's right.

Senator CASH: There is a direct appointment process?

Mr Breen: Yes. That is set out in the provisions.

Senator CASH: I know that they are now direct appointments. Will there be a formal expression of interest process for the appointment to this forum?

Mr Breen: That would be a matter for government.

Senator CASH: Minister, in terms of the appointments, will there be a formal expression of interest process?

Senator Watt: I'm happy to take that on notice.

Answer

There will not be a formal expression of interest process for appointments to the National Construction Industry Forum.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000672

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 51

Matters for appointment for Minister

Question

Senator CASH: If a person had previously been found to have, say, verbally abused women within the building and construction industry in particular, would this be a barrier to them being appointed?

Mr Breen: The grounds are set out as I just read out.

Senator CASH: That was for termination, though.

Mr Breen: That's right.

Senator CASH: I am looking at appointment. If a name is put forward and there is a record that this person has previously abused women, is that a barrier to appointment?

Mr Breen: With the process of appointment, as I mentioned earlier, there are due diligence checks undertaken. Matters for appointment or decisions around appointments are a matter for the minister, ultimately.

Senator CASH: Minister, in particular, because it is the construction industry, if a person has engaged in, for example, the verbal abuse of women, would they be considered a fit and proper person to attend meetings of the forum or to actually sit on the forum as a member?

Senator Watt: I'm happy to take that on notice.

Answer

The Australian Government has high expectations around conduct and the abuse of women in any environment is unacceptable.

Each potential appointee to the National Construction Industry Forum will be assessed on their merits as to their suitability to be appointed having regard to the Forum's function, being to provide advice to the Government in relation to work in the building and construction industry, and the results of due diligence checks undertaken by the Department of Employment and Workplace Relations in relation to those persons.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000795

Senator Jane Hume provided in writing.

Also, refer to previous hearing Question No. SQ23-000411

How many new entities have been created

Question

How many new entities (including advisory boards and agencies) have been created within the portfolio since May 2022?
Please list each entity, its purpose, and the date it was created.

Answer

Five new entities have been created within the Employment and Workplace Relations portfolio since May 2022.

A further two entities have been identified since the answer to SQ23-000411 was tabled.

The complete list of new entities created since May 2022 detailed below:

Entity Name	Purpose	Date Created
Foundation Skills Advisory Group	The Foundation Skills Advisory Group was established in October 2022 to ensure stakeholder views are properly understood and considered during development and redesign of Foundation Skills policy and programs and to support broader work to build the evidence base on levels of these foundation skills among Australian adults. The Advisory Group brings together individual experts and representatives from a range of organisations, including foundation skills peak bodies, industry, employers, unions, First Nations people, and state and territory governments.	24 October 2022
Jobs and Skills Australia	Jobs and Skills Australia was established to provide independent advice to the Minister for Employment and Workplace Relations and the Minister for Skills and Training and work with the department in relation to a range of current and emerging labour market and workforce skills and training issues to improve employment opportunities for individuals and help drive economic growth.	16 November 2022
Jobs and Skills Australia Consultative Forum	Jobs and Skills Australia (JSA) was established to support the JSA Director with advice from tripartite partners on key matters relating to JSA's interim operations and assist to lay the foundations for JSA's longer-term ways of working.	13 February 2023

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Office of the Fair Work Ombudsman	Office of the Fair Work Ombudsman formally commenced on 6 March 2023 with the reconstitution of the Fair Work Ombudsman and Registered Organisations Commission Entity, reflecting the change of the name and composition of the Entity for the purposes of the *Public Governance, Performance and Accountability Act 2013* with the transfer of the Registered Organisation Commission's functions to the General Manager of the Fair Work Commission and the Office of the Fair Work Ombudsman being re-established as a stand-alone body. The Office of the Fair Work Ombudsman assist the Fair Work Ombudsman to provide education, assistance, advice and guidance to employers, employees, outworkers, outworker entities and organisations; promotes and monitors compliance with workplace laws; inquires into and investigates breaches of the Fair Work Act; and takes appropriate enforcement action.	6 March 2023
National Construction Industry Forum	National Construction Industry Forum was established in line with Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022	1 July 2023

Department of Employment and Workplace Relations - Released under FOI 434 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Workplace Relations

Department of Employment and Workplace Relations Question No. SQ23-000637

Senator Karen Grogan on 30 May 2023, Proof Hansard page 20-21

Fair Work Commission Imbalance

Question

Senator GROGAN: Great. Obviously, Mr Hatcher would have satisfied all of that criteria in being appointed. The minister has previously said that the nine years of the previous government had created a significant imbalance due to the manner in which appointments were made. Can you take us through what that imbalance might look like? What is the breakdown of those positions in the commission? Obviously, if you are not comfortable with that, we can go to Minister Watt to take us through that. I would be keen on a breakdown, if you want to take that on notice.
Ms James: We might take on notice a detailed breakdown. There are many members of the Fair Work Commission who clearly come from an employer background or a union or employee representative background. There are many members of the commission who have done both or come from the public sector. We would want to make sure we get those numbers right.
Senator GROGAN: I appreciate your concern about that. If you could do that on notice, that would be great.

Answer

As at the day of the 2022 Federal Election (21 May 2022), the Fair Work Commission had 43 primary commission members.

- Primary commission members include the President, Vice Presidents, Deputy Presidents, and Commissioners, but do not include expert panel members or members of state industrial tribunals who also hold an appointment with the Fair Work Commission.

Of the 43 members of the Fair Work Commission as at that date:

- 32 could be characterised as having experience representing employers
- 10 could be characterised as having experience representing employees, and
- one could be characterised as having neither an employer or an employee representative background.

The Government has made a number of appointments to the Fair Work Commission (as announced on 30 March 2023 and 12 May 2023). Prior to these appointments, four members of the Fair Work Commission departed, as a result of their retirement from the Commission or appointment to other bodies.

Once all the new appointees start their roles at the Fair Work Commission (with the final start date being 18 September 2023), the Fair Work Commission will have 52 primary commission members.

Of these 52 members:

- 30 could be characterised as having experience representing employers
- 21 could be characterised, as having experience representing employees, and
- one could be characterised as having neither an employer or an employee representative background.

Department of Employment and Workplace Relations - Released under FOI

Department of Employment and Workplace Relations - Released under FOI

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ATTACHMENT D

National Construction Industry Forum – Due diligence checks

- The Department undertakes the following due diligence checks for all nominees for appointment to statutory positions in the Workplace Relations portfolio:
    - Media checks of nominees, including Google News checks
    - Bankruptcy check – name and date of birth search of the Australian Financial Security Authority bankruptcy register
    - Company directorships check – personal name search of the Australian Securities & Investments Commission (ASIC) database
    - Banned and disqualified check – a search of ASIC's banned and disqualified register
    - Lobbyist register check – a lobbyists search of the Attorney-General's Department Lobbyist Register
    - Google for the first five pages of results to check for anything adverse in relation to the nominee
    - AustLII to ensure that the nominee's declarations in relation to being a respondent in any criminal or civil matters are correct.

- These checks were completed for all NCIF nominees ahead of their appointment by the Minister.

Publicly available information –Zach Smith

Court/FWC proceedings

- Respondent in Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union (The Constitution Place Case) [2020] FCA 1070 (28 July 2020) (austlii.edu.au) as a CFMEU Official and found to have contravened s 47 of the *Building and Construction Industry (Improving Productivity) Act 2016* by engaging in an unlawful picket at a building site in the ACT and was fined $12,600.

- Respondent in Commissioner of the Australian Building and Construction Commission v Hall & Ots (No. 3) [2020] FCCA 2352 and held to have contravened s 499 and s 500 of the *Fair Work Act 2009* by exercising a State or Territory OHS right and failing to comply with a reasonable request made to comply with an occupational health and safety requirement that applied to the site, namely a request not to walk around the site unaccompanied, and acting in an improper manner at the site by yelling and swearing at workers on site. A declaration of contravention was made and he was fined $6,000.

- Respondent in Director, Fair Work Building Industry Inspectorate v Hall & Ors [2015] FCCA 2874 for alleged breaches of ss 340, 343 and 355 of the *Fair Work Act 2009* (adverse action and coercion) in respect of an alleged 'blockade' at a building site in the ACT, but the case was dismissed as the applicant failed to discharge the onus of proof imposed on him.

Allegations of involvement in cartel conduct

- During the Trade Union Royal Commission allegations surfaced of corrupt payments, intimidation and cartel behaviour by the ACT branch of the union. It was alleged ACT branch secretary s. 22(1)(a)(ii) , assistant secretary s. 22(1)(a)(ii) , and other officials including s. 22(1)(a)(ii) were involved. The allegations concerned trying to coerce contractors to sign union-drafted enterprise bargaining agreements (EBAs), getting all contractors of a major trade to charge the same base rate for their services, and trying to shut down sites for alleged safety breaches if such conditions were not adhered to (Volume 3 of the Report refers).

- From 2016-2018 the ACCC conducted an investigation into those allegations of cartel conduct by the Union and officers of the Union and in 2018 the Director of Public Prosecutions commenced proceedings against the Union and an officer (s. 22(1)(a)(ii)) alleging contravention of section 44ZZRF and subsection 79(1)(b) of the *Competition and Consumer Act 2010*. The charges related to allegedly seeking to induce suppliers of steelfixing and scaffolding services to reach cartel contracts, arrangements or understandings containing cartel provisions in relation to services provided to builders in the ACT between 2012 and 2013.

- s. 22(1)(a)(ii) was not charged.

- All charges were withdrawn and no convictions were entered. ACCC chairman s. 22(1)(a)(ii) was quoted as saying "In this case, the decision to withdraw was made in the context of the extended period of time which has elapsed since the alleged conduct occurred, and the challenges that posed for witnesses' memories of relevant events"

Recent media (non-exhaustive)

- In 'CFMEU boss Zach Smith lays down the law', published in The Australian on 4 March 2023 (attached), the following statements were attributed to Zach Smith:

  - "sometimes bad laws need to be broken".
  - "CFMEU officials do not seek to 'break laws wantonly' but will act where the safety of members, or the security of their conditions, are on the line".
  - "I think if you have a look at a lot of social change, and improvements to safety that have been made in this country by unions, it's often, if not in nearly all cases, involved some sort of breach of the law"

Australian Government
Department of Employment and Workplace Relations

SKILLS AND TRAINING		
1.	SB23-000079	Commonwealth Funding for Skills and NSA
2.	SB23-000099	Five-year National Skills Agreement
3.	SB23-000100	Fee-Free TAFE - Tranche 2
4.	SB23-000237	*Corporate* | Fee free TAFE campaign
5.	SB23-000109	Apprenticeships and Skills shortages
6.	SB23-000077	Women in Apprenticeships
7.	SB23-000106	Australian Apprenticeship Support Network/Procurement
8.	SB23-000082	JSA governance arrangements
9.	SB23-000083	Jobs and Skills Australia Clean Energy Capacity Study
10.	SB23-000078	Jobs and Skills Councils
11.	SB23-000089	VET Students affected by delayed student loans IT issue
12.	SB23-000081	Nuclear powered submarine program (NPSP)
13.	SB23-000084	International Students and Skills
14.	SB23-000090	Budget saves/Audit of wasteful spending

Last Cleared By s. 22(1)(a)
Date Last Cleared 23 October 2023

SB23-000079
Data for: 2022-23 and 2023-24

Commonwealth Funding for Skills and NSA

Key Points

- The final budget outcome (FBO) for 2022-23 shows the Government spent $7.1 billion on VET in the 2022-23 financial year (refer Attachment A).
- As at the 2023-24 Budget, the Government expects to spend $4.5 billion on VET in the 2023-24 financial year (refer Attachment B).
    - The 2022-23 FBO is $759 million higher than estimated at the October 2022-23 Budget. This is primarily due to revised estimates of demand for the COVID-19 apprenticeship support measures introduced by the previous government (largely the Boosting Apprenticeships Commencements measure).
    - Commonwealth expenditure for 2023-24 is $60 million higher in the 2023-24 Budget than estimated at the October 2022-23 Budget, again primarily due to revised estimates for apprenticeship support.
- Of the $7.1 billion in investment in 2022-23, the Commonwealth provided an estimated $2.2 billion in funding transfers to state and territory governments to support their skills systems in 2022-23 (refer Attachment A). Of the $4.5 billion in expected VET expenditure in 2023-24, transfers to states is currently $1.9 billion (refer Attachment B), however this will increase following the signing of the National Skills Agreement (NSA).
- The NSA provides states and territories with access to additional Commonwealth funds of up to $3.7 billion over 5 years from 1 January 2024. This takes total Commonwealth investment in state and territory training systems to up to $12.6 billion over 5 years.
    - The additional Commonwealth investment through the NSA will be reflected in the 2023-24 Mid-Year Economic and Fiscal Outlook.

Savings Measures

- Consistent with the Government's commitment to budget repair and responsible spending, opportunities have been identified in the 2023-24 Budget to review a number of programs. The savings achieved have been redirected to fund other priorities in the Skills and Training portfolio.
- These savings include:
    - A temporary reduction in uncommitted funding for the Industry Workforce Training (IWT) Program (-$27.5m). The net reduction to IWT is $12 million over 4 years with the inclusion of new IWT initiatives under the Support for Better Quality Apprenticeships measure. No existing projects under the IWT will be affected.
    - A temporary reduction in uncommitted funding for the Jobs and Skills Councils (JSC) Program (-$20m). This will not affect JSC's core or activity-based funding or program evaluation activities.
    - Cessation of the Accelerating Australian Apprenticeships (AAA) Pilot program ($-10m). The pilot was announced by the former government, but no further substantial work was done on the program.

Outlook over the Forward Estimates

- In response to the COVID-19 pandemic, total Commonwealth funding for VET more than doubled to reach a peak of $7.1 billion in 2022-23. From 2023-24, total investment is expected to decrease over the forward estimates.
- The decrease is primarily due to the planned conclusion of emergency COVID-19 response measures, which created a rapid temporary increase in expenditure. This includes the apprenticeship incentives introduced during the pandemic, which are no longer required.
- The COVID-19 response measures were time-limited interventions with planned funding profiles and completion dates. A reduction in funding over time was reflected in the previous government's budget estimates due to the conclusion of these measures.
- Total funding over the forward estimates is still estimated to be higher than in the years preceding the COVID-19 pandemic. This is the case even without the additional funding the through the NSA.

Estimated Commonwealth Expenditure on VET ($m) – 2022-23

Item	October Budget 2022-23	FBO 2022-23	Difference
Transfers to states and territories	2,272.2	2,234.2	-38
Commonwealth own programs	3,373.0	4,337.4	964.4
Loans (VSL and TSL)*	673.4	506.0	-167.4
Total	**6,318.6**	**7,077.6**	**759.0**

* Loan outlays, not program expenses

Estimated Commonwealth Expenditure on VET ($m) – 2023-24

Item	October Budget 2022-23	2023-24 Budget	Difference
Transfers to states and territories**	1,892.6	1,900.1	7.5
Commonwealth own programs	1,846.1	2,033.3	187.2
Loans (VSL and TSL)*	699.7	565.3	-134.4
Total	**4,438.3**	**4,498.6**	**60.3**

* Loan outlays, not program expenses
**This will increase under the NSA

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000236	Kerrynne Liddle	Funding of VET Placements in the Previous 3 Years	Commonwealth VET funding increased during the COVID-19 pandemic due to emergency response measures that are no longer required.
SQ23-000347	Matt O'Sullivan	VET Places (q. 1-2)	VET is a shared system and decisions around how many places are subsidised generally rest with the states and territories, outside of specific agreements.

Department of Employment and Workplace Relations - Released under FOI

In 2022-23, the Commonwealth Final Budget Outcome expenditure on VET was $7.1 billion

$2.2 billion to states & territories

National Skills and Workforce Development Specific Purpose Payment
$1.6 billion

12-Month Skills Agreement
$350 million

JobTrainer
$268 million

Revitalising TAFE Campuses Across Australia
$4.5 million

Energising Tasmania
$4.7 million

$4.3 billion in Commonwealth own programs

Australian Apprenticeship Incentives Program	$3,664 million
Australian Apprenticeship Support Network	$255 million
Australian Apprenticeships Incentives System	$78 million
Note AAIP and AASN include components of:	
- *Boosting Apprenticeship Commencements (BAC)**	*$2,636 million*
- *Completing Apprenticeship Commencements (CAC)**	*$356 million*
**Please note BAC/CAC numbers were not updated at FBO*	
Skills For Education & Employment Program	$84 million
Jobs and Skills Councils (formally Industry Clusters)	$54 million
ASQA	$45 million
National Training System COPE	$44 million
Trades Recognition Australia	$31 million
Industry Workforce Training	$18 million
National Careers Institute and Ambassador	$14 million
Mid-Career Checkpoint	$9 million
VET Data Streamlining	$8 million
Industry Training Hubs	$7 million
Foundation Skills for Your Future (Inc remote community pilots)	$6 million
Skills Organisation Pilots	$5 million
Skills Checkpoint for Older Workers Program	$5 million
Jobs and Skills Australia (National Skills Commission)	$3 million
Other Program 2.1	*$7.1 million*

Notes:
1. The expense component of VET Student Loans and Trade Support Loan is excluded from these figures given the nominal loan value is counted in the next column.
2. Individual numbers in this sheet are rounded. Component figures may not add up to headline figures.

$506 million in income contingent loans
^nominal value of loans

VET Student Loans (and VET FEE-HELP)
$235 million
(unpublished)

Trade Support Loans
$272 million
(unpublished)

Not included in Commonwealth figure

In 2021, states & territories also contributed **$ 4.2 billion** to VET
Source: NCVER Government Funding of VET 2021

Other funding sources include:
- Training purchased by other portfolios
- Self-education tax deductions
- Income support payments

Sources:

2022-23 FBO.

VET-FEE HELP, VET Student Loans and Trade Support Loans nominal loan values are unpublished departmental estimates current as at September 2023.

In 2023-24, the Commonwealth is budgeting $4.5 billion for VET*

***The Government has provisioned an additional $3.7 billion over five years to support the National Skills Agreement**

$1.9 billion to states & territories

National Skills and Workforce Development Specific Purpose Payment
$1.7 billion

12-Month Skills Agreement
$163 million

Fee-Free TAFE from 2024
$67 million

$2.0 billion in Commonwealth own programs

Australian Apprenticeship Incentives System	$682 million
Australian Apprenticeship Incentives Program	$678 million
Australian Apprenticeships Support Network	$246 million
Note AAIP and AASN include components of:	
- Boosting Apprenticeship Commencements (BAC)	*$150 million*
- Completing Apprenticeship Commencements (CAC)	*$388 million*
Industry Clusters	$105 million
Skills for Education and Employment Program	$104 million
National Training System COPE	$45 million
ASQA	$43 million
Trades Recognition Australia	$43 million
VET Data Streamlining	$20 million
Jobs and Skills Australia	$15 million
Foundation Skills for Your Future	$9 million
Skills Checkpoint for Older Workers	$8 million
Migrant Skills Incentive	$7 million
Industry Workforce Training	$7 million
Student Identifiers Special Account	$6 million
National Careers Institute and Ambassador	$4 million
Foundation Skills for Your Future – Remote Community Pilots	$3 million
Other Program 2.1	*$7 million*

Note: The expense component of VET Student Loans and Trade Support Loans is excluded from these figures given the nominal loan value is counted in the next column.

$565 million in income contingent loans

^ nominal value of loans

VET Student Loans
$275 million
(unpublished)

Trade Support Loans
$290 million
(unpublished)

Not included in Commonwealth figure

In 2021, states & territories also contributed **$4.2 billion** to VET
Source: NCVER Government Funding of VET 2021

Other funding sources include:
- Training purchased by other portfolios
- Self-education tax deductions
- Income support payments

Sources:

- *2023-24 Budget*
- *VET Student Loans and Trade Support Loans nominal loan values are unpublished departmental estimates current as at May 2023.*

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000236

Senator Kerrynne Liddle on 16 February 2023, Proof Hansard page 27

Funding of VET Placements in the Previous 3 Years

Question

Senator LIDDLE: What I'm trying to understand is the difference between Commonwealth funding going to the states and actually delivering the outcomes. That's what I'm wanting to understand. Ms N Williams: That certainly make sense. Maybe a good way of thinking about it is to look at this financial year, 2022-23, and the breakdown of where the Commonwealth's funding is allocated or distributed. If you look at 2022-23, there is approximately $6.3 billion in Commonwealth funding for VET that's available. $2.3 billion of that is transferred to the states and territories. That goes through a range of mechanisms. One is the National Agreement for Skills and Workforce Development specific purpose payment. That's around $1.6 billion a year. It includes things such as the 12-month Skills Agreement, which we've run through. There are other funding flows, such as the JobTrainer MPA that we talked about. So $2.3 billion flows through to the states. The majority of that, the $1.6 billion, is untied, so it's unconditional. The states have the ability to distribute that within the system and buy places and allocate it to other forms of training support and delivery. Things such as the 12-month Skills Agreement do actually tie that funding to the delivery of a specific number of places. Around $3.4 billion of that $6.3 billion is allocated to Commonwealth-owned programs. They are programs that we run ourselves. The biggest component of that is the apprenticeships incentive program. There are also a range of other programs where we directly procure training, such as the Skills for Education and Employment program, the SEE program, which I mentioned, which is the foundation skills program that we run for job seekers. There are a range of other programs that we would run in that space as well. That $3.4 billion then goes also into what I would describe as the national architecture. That includes things such as running ASQA, running the national training system and ensuring that Jobs and Skills Australia is funded. So $3.4 billion is allocated to that purpose. Then the Commonwealth has a role in providing income contingent loans directly to students. In the 2022-23 year, around $673 million is provisioned for income contingent loans. That's the VET Student Loan, the Trade Support Loan et cetera. There is some other funding that sits in the Commonwealth space which goes to training or other measures. I am thinking of things such as foundation skills for migrants, for example. That runs out of the Home Affairs portfolio. There is other training within the Commonwealth, but those are the really big buckets of funding that are allocated to training. That $6.3 billion is the Commonwealth's contribution. Separate to that, the states and territories also make their own contributions to the training system. In 2021, for example, that was in the vicinity of $4.2 billion. When we say VET is a shared system, that's essentially what we mean: that the Commonwealth and the states and territories contribute funding to that system, but the Commonwealth's role tends to sit predominately at the national level. A lot of the delivery does get operationalised by the state and territory governments.
Senator LIDDLE: I am also wondering if you have the same data for, say, the last three years, if you can provide that on notice? You don't have to provide it all now.
Ms N Williams: I am happy to do that breakdown over the last three years. The important thing to remember, of course, is that during the pandemic the funding for VET was very different from perhaps what you would see as status quo funding. We can provide you with the last couple of years, but it is important to put that filter over it. The pandemic was a unique situation when it comes to the funding flows.

Answer

Breakdown of Commonwealth VET funding ($m):

	2017-18	2018-19	2019-20	2020-21	2021-22
Transfers to States and Territories (National Skills and Workforce Development SPP and National Partnership payments)	1,732.8	1,665.6	1,721.5	2,176.8	2,077.0
Commonwealth own programs	960.4	983.2	1,104.1	2,244.6	4,404.0
Income contingent loans	567.3	501.9	515.3	464.8	475.4
Total	**3,260.5**	**3,150.7**	**3,340.8**	**4,886.2**	**6,956.4**

Sources: Final Budget Outcomes, internal departmental data. Totals may not reconcile with published figures due to methodological and scope differences.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000347

Senator Matt O'Sullivan provided in writing.

VET Places

Question

1. Please provide data on how many VET placements the Commonwealth is funding for the financial year 2022-23.
2. Please provide data on the number of VET placements the Commonwealth funded in the financial years 2021-22, 2020-21 and 2019-20.
3. On an electorate-by-electorate basis please provide data on the number of apprentice currently in training.
a) Please also provide data on an electorate-by-electorate basis on the number of apprentices in training for the financial years 2019-20, 2020-21, 2021-22.
b) Please include data as to how many of those places are with public versus private providers.

Answer

1 and 2.

Vocational education and training (VET) is a shared responsibility between the Commonwealth and state and territory governments. The Commonwealth provides funding to states to support their VET systems. The majority of Commonwealth funding is provided through the National Skills and Workforce Development Specific Purpose Payment (NASWD SPP). States and territories have discretion over how the NASWD SPP is allocated across their training systems.

Government-funded training is largely delivered through state VET systems, using a combination of Commonwealth and state funding. The Commonwealth does not hold data regarding the number of students (or 'VET placements') supported by Commonwealth funding only, noting the role of the state and territories in resource allocation.

The Commonwealth also provides funding to states under time-limited National Partnership Agreements, some of which contain components specifically related to training delivery. Currently, the 12-Month Skills Agreement is providing funding for 180,000 fee-free TAFE and vocational education and training places in high skills need areas. The Commonwealth has also announced funding for 300,000 fee-free places to become available from January 2024.

3. The following tables provide the number of Australian Apprentices (which includes apprentices and trainees) in training as at 30 June each year.

Table 1: Apprentices and Trainees in training by Electorate.

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Adelaide	3,980	5,280	7,900
Aston	1,730	2,025	2,225
Ballarat	1,950	2,445	3,070
Banks	1,410	1,690	1,690
Barker	2,320	3,025	3,835
Barton	1,180	1,370	1,425
Bass	1,710	2,115	2,510
Bean	1,625	1,925	1,935
Bendigo	1,920	2,400	2,770
Bennelong	1,490	1,370	1,525
Berowra	1,155	1,360	1,345
Blair	1,480	1,930	2,465
Blaxland	1,975	2,350	2,485
Bonner	1,550	2,120	2,925
Boothby	1,150	1,620	2,240
Bowman	1,325	1,730	2,205
Braddon	2,205	2,685	3,295
Bradfield	840	1,090	1,140
Brand	1,175	1,615	2,075
Brisbane	2,975	3,980	6,285
Bruce	1,865	2,290	2,585
Burt	1,140	1,760	2,360
Calare	2,415	3,070	3,375
Calwell	2,585	3,000	3,535
Canberra	3,035	3,225	3,345
Canning	1,175	1,760	2,175
Capricornia	3,280	3,965	4,970
Casey	1,840	2,120	2,315
Chifley	1,805	2,360	2,860
Chisholm	880	1,255	1,655
Clark	2,195	2,625	3,125
Cook	1,715	2,285	2,435
Cooper	1,190	1,805	2,185
Corangamite	1,470	1,885	2,385
Corio	2,260	2,910	3,615
Cowan	1,700	2,455	3,450
Cowper	2,130	2,925	3,610
Cunningham	2,430	3,060	3,305
Curtin	675	1,205	1,600
Dawson	2,420	2,850	3,265
Deakin	1,645	1,900	2,255
Dickson	1,870	2,405	2,960

Department of Employment and Workplace Relations - Released under FOI 446 of 853

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Dobell	1,805	2,370	2,795
Dunkley	1,580	1,885	2,150
Durack	4,330	5,405	6,125
Eden-Monaro	2,000	2,460	2,655
Fadden	1,695	2,375	3,220
Fairfax	1,660	2,570	3,570
Farrer	2,380	3,140	3,460
Fenner	1,695	1,910	1,825
Fisher	1,575	2,360	3,240
Flinders	3,325	3,665	3,700
Flynn	2,725	3,060	3,535
Forde	2,465	2,845	3,945
Forrest	1,695	2,535	3,305
Fowler	1,030	1,405	1,500
Franklin	1,535	1,830	2,145
Fraser	1,030	1,260	1,415
Fremantle	2,205	2,860	3,805
Gellibrand	1,980	2,360	2,805
Gilmore	1,890	2,600	2,800
Gippsland	1,965	2,205	2,420
Goldstein	575	785	955
Gorton	1,325	1,440	1,625
Grayndler	935	1,080	1,085
Greenway	1,505	1,690	1,945
Grey	2,390	3,065	3,730
Griffith	1,525	2,030	3,115
Groom	2,615	3,180	4,315
Hasluck	1,800	2,230	2,875
Herbert	2,150	2,735	3,425
Higgins	550	825	1,145
Hindmarsh	2,290	2,725	3,370
Hinkler	1,275	1,770	2,215
Holt	810	1,010	1,345
Hotham	1,300	1,900	2,260
Hughes	1,260	1,805	1,885
Hume	2,125	2,685	3,030
Hunter	2,640	3,095	4,050
Indi	2,850	3,520	4,035
Isaacs	2,390	2,860	3,170
Jagajaga	1,340	1,375	1,625
Kennedy	2,130	2,655	2,890
Kingsford Smith	1,610	1,750	1,980
Kingston	970	1,385	1,925
Kooyong	935	1,245	1,470

Department of Employment and Workplace Relations - Released under FOI

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
La Trobe	1,465	1,790	2,165
Lalor	1,080	1,315	2,180
Leichhardt	2,265	2,945	3,425
Lilley	1,885	2,810	3,985
Lindsay	2,285	2,845	3,100
Lingiari	1,690	1,865	1,895
Longman	1,345	1,785	2,445
Lyne	1,485	2,045	2,495
Lyons	1,105	1,365	1,910
Macarthur	1,690	2,160	2,450
Mackellar	1,805	2,145	2,125
Macnamara	1,650	1,980	2,795
Macquarie	1,560	2,010	2,135
Makin	1,035	1,430	1,915
Mallee	2,115	2,610	3,040
Maranoa	2,315	2,950	3,500
Maribyrnong	1,085	1,465	1,730
Mayo	1,025	1,575	1,920
McEwen	1,265	1,585	1,755
McMahon	2,760	3,210	3,555
McPherson	1,710	2,580	3,420
Melbourne	2,755	3,375	4,255
Menzies	785	985	1,110
Mitchell	1,650	2,080	2,405
Monash	1,610	2,035	2,345
Moncrieff	2,120	3,265	4,450
Moore	780	1,095	1,435
Moreton	2,085	3,100	4,445
New England	2,110	2,970	3,075
Newcastle	2,375	3,180	3,765
Nicholls	2,120	2,635	3,085
North Sydney	1,160	1,505	1,780
O'Connor	3,180	4,175	5,200
Oxley	1,915	2,455	3,325
Page	1,855	2,390	2,370
Parkes	2,160	2,850	3,105
Parramatta	1,605	2,025	2,305
Paterson	2,535	3,515	4,045
Pearce	795	1,315	1,845
Perth	1,915	2,735	3,870
Petrie	1,040	1,560	2,030
Rankin	1,560	2,265	3,110
Reid	1,475	1,680	1,960
Richmond	1,405	2,100	2,510

Department of Employment and Workplace Relations - Released under FOI 448 of 853

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Riverina	2,920	3,690	4,270
Robertson	1,740	2,190	2,525
Ryan	950	1,090	1,525
Scullin	1,175	1,470	1,855
Shortland	1,800	2,325	2,610
Solomon	1,320	1,705	1,850
Spence	1,150	1,370	1,860
Stirling	1,780	2,415	3,340
Sturt	1,540	2,105	2,960
Swan	3,035	3,815	4,810
Sydney	2,200	3,425	4,860
Tangney	835	940	1,110
Wannon	2,540	3,190	3,585
Warringah	1,265	1,620	1,695
Watson	1,000	1,215	1,205
Wentworth	685	975	1,235
Werriwa	1,145	1,450	1,600
Whitlam	1,715	2,325	2,500
Wide Bay	1,465	1,980	2,470
Wills	880	1,040	1,130
Wright	1,440	1,755	2,225
Unallocated, unknown, invalid and overseas codes	2,095	2,585	3,675
Total	**267,010**	**341,595**	**415,240**

Source: *Australian vocational education and training statistics: apprentices and trainees 2022 — June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5.

Table 2: Apprentices and Trainees in training by RTO Type.

In-training by RTO type as at	30/06/2020	30/06/2021	30/06/2022
Public provider	149,795	173,135	185,025
Private Provider	116,765	167,955	229,345
Unknown	450	510	870
Total	**267,010**	**341,595**	**415,240**

Source: *Australian vocational education and training statistics: apprentices and trainees 2022 — June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5.

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s 22(1)
Date Last Cleared 19 October 2023

SB23-000099
Data as at: 31 August 2023

Five-year National Skills Agreement

- The National Skills Agreement (NSA) was **endorsed by National Cabinet on 16 October 2023**, and has been **co-signed by Skills Ministers from most jurisdictions.**

Signed multilateral and bilateral	NSW, Victoria, SA (16 October 2023), Queensland (17 October 2023)
Signed multilateral	ACT, NT (16 October 2023)
Not signed	WA, Tasmania

- The Commonwealth Government will invest **up to $12.6 billion over the next 5 years** from January 2024.
- This figure includes an **additional $3.7 billion** over 5 years—above the funding that would have been available under the current projected national specific purpose payments for skills and workforce development—over the same period. The agreed additional funding includes:
  - up to **$2.4 billion in flexible funding** to increase the capacity of state and territory skills sectors and deliver skills for critical and emerging industries
  - up to **$1.3 billion to support the delivery of agreed reforms**.
- Agreed reforms are:
  - $325 million to establish nationally networked **TAFE Centres of Excellence** and strengthen collaboration between TAFEs, universities and industry
  - $100 million to support, grow and retain a quality **VET workforce**
  - $155 million to establish a **National TAFE Network** to promote cutting edge curriculum
  - $214 million for **Closing the Gap** initiatives to be designed in partnership with First Nations peoples and led by them
  - $250 million to improve **VET completions** including women and others who face completion challenges
  - $142 million to improve **foundation skills** training capacity, quality and accessibility, and
  - $116 million to improve **VET evidence and data**.
- The NSA is based on principles agreed by National Cabinet - on **31 August 2022, National Cabinet agreed to a vision statement and guiding principles** as the basis for long term reform through a new NSA, and on **28 April 2023, National Cabinet agreed the promotion of gender equality** as an additional priority in the development of the NSA.
- The NSA will be the first to embed a **new National Stewardship model** to coordinate investment and action to support agreed national priorities.
- **Inaugural national priorities** are:
  - Gender equality
  - Closing the Gap
  - Supporting the Net Zero transformation
  - Sustaining essential care services
  - Developing Australia's sovereign capability and food security
  - Ensuring Australia's digital and technology capability, and
  - Delivering reforms to improve the regulation of VET qualifications and quality.

What has been announced

New Five-year National Skills Agreement timeline

- **20 July 2022**: all Skills and Training Ministers agreed to **reset negotiations on the NSA**.
- **31 August 2022**: First Ministers agreed to **commence work on a new long-term NSA** in accordance with the agreed vision statement and guiding principles (Attachment A refers).
- **27 April 2023:** Minister O'Connor announced an **additional offer of $3.7 billion** to negotiate and agree upon a 5-year NSA, in addition to $400 million for a further 300,000 Fee-Free TAFE and vocational education places.
- **13 October 2023**: NSA signed by Minister O'Connor for the Commonwealth and offered to states and territories.
- **16 October 2023**: NSA endorsed by National Cabinet. Ministers from NSW, Victoria, SA, NT and ACT signed the NSA.
- On **17 October 2023**, the Minister for Skills and Training, the Hon Brendan O'Connor MP, and the Prime Minister, the Hon Anthony Albanese MP, announced that National Cabinet had endorsed the NSA.

Key Government statements

Minister for Skills and Training, Jobs and Skills Summit: The Minister for Skills and Training announced that National Cabinet agreed to 6 guiding principles that will underpin the 5-year NSA from 2024.

Minister O'Connor media centre	2 September 2022

Minister for Skills and Training, Media Release: The Albanese Government is prepared to invest an additional $3.7 billion for a 5-year NSA to be negotiated with states and territories, in addition to $400m to support another 300,000 TAFE and VET fee-free places.

Minister O'Connor media centre	27 April 2023

Skills and Workforce Ministerial Council Communique*: Skills and Training Ministers met to progress negotiations towards a new NSA to support a modern and responsive skills sector.*

Skills and Workforce Ministerial Council Communiques	19 May and 30 June 2023

Skills and Workforce Ministerial Council Communique*: Skills and Training Ministers met on Friday, 25 August 2023 to further progress the development of a new NSA and associated reforms and continue important discussions on the VET sector's role in meeting governments' commitments in the National Agreement on Closing the Gap.*

Skills and Workforce Ministerial Council Communique	25 August 2023

Ministers' Media Centre*: the Minister for Skills and Training, the Hon Brendan O'Connor MP, and the Prime Minister, the Hon Anthony Albanese MP, announced that National Cabinet had agreed the NSA.*

Ministers' Media Centre	16 October 2023

Current status of the policy

- The NSA will commence on 1 January 2024.

Stakeholders consulted

- A stakeholder briefing was held on 17 October 2023.
- The NSA was developed in partnership with states and territories. Since June 2022 to 10 October 2023, 43 multilateral meetings and 84 bilateral meetings have been held with states and territories (EC23-004917 refers).
- The NSA was developed drawing on extensive consultations that fed into the National Agreement on Closing the Gap, and the Coalition of Peaks was consulted on the drafting of the NSA. Under the Agreement, all governments have committed to ongoing and meaningful engagement with First Nations organisations and communities.

Next steps, including consideration by Government where expected

- The department will work closely with states and territories and stakeholders on the implementation of the NSA.

Expenditure/Budget

- The Commonwealth Government will invest up to $12.6 billion over 5 years from January 2024.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000610	Grogan, Karen	Vision and Guiding Principles	Details of vision and guiding principles – publicly available
SQ23-001169	O'Sullivan, Matt	Skills Reform Taskforce	Skills Reform Taskforce details and actions

Department of Employment and Workplace Relations - Released under FOI

Last Cleared By s 22(1)
Date Last Cleared 19 October 2023

SB23-000099
Data as at: 31 August 2023

Department of Employment and Workplace Relations - Released under FOI

National Skills Agreement: Vision and Principles

The following vision statement and guiding principles for longer-term vocational education and training (VET) reform under a new National Skills Agreement have been agreed by Skills Ministers and endorsed by the National Cabinet on 31 August 2022:

"Australia needs a VET sector that provides high-quality, responsive and accessible education and training to boost productivity and support Australians to obtain the skills they need to participate and prosper in the modern economy. Recognising the key role the VET sector plays in providing strong economic and social outcomes for Australians, all governments commit to working in partnership to negotiate a National Skills Agreement which:

1. provides critical and emerging industries at a national, state and local level with the skilled workers they need and secures a domestic workforce to deliver on current and future priorities
2. supports training providers to deliver quality education and training, with a modern and responsive TAFE at the heart of the VET sector — including by upgrading TAFE facilities, prioritising wrap-around supports for priority groups, supporting a quality teaching workforce and strengthening collaboration with industry and unions
3. ensures that all Australians — particularly women, First Nations Australians, young people, mature age Australians, those experiencing long-term unemployment, people from culturally and linguistically diverse communities, people with disability, and regional and remote learners — have access to the education, training and support needed to obtain well-paid, secure jobs
4. ensures that no Australians are left behind as the Australian economy transitions and adapts to structural change, including by providing opportunities for life-long learning and foundation skills development
5. supports informed decision-making for students, workers, employers and governments through skills and labour market analysis informed by Jobs and Skills Australia, access to relevant career information and improved transparency
6. pursues greater national consistency where beneficial to ensure access, equity, and transparency, while providing states and territories with appropriate flexibility and autonomy to deliver national, state and territory priorities; is clear and simple; and reflects genuine tripartite engagement with the sector on reform."

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000610

Senator Karen Grogan on 16 February 2023, Proof Hansard page 14

Vision and guiding principles for 5 year National Skills Agreement

Question

Senator GROGAN: I just wanted to touch on that five-year agreement with the states and territories and just ask how that's going, what the underpinnings of the negotiations might be, and any issues that are popping up that you can talk to us about.
Ms N Williams: As you'd be aware, we are in the process of discussions and negotiations with states and territories, so there's probably a limit to the detail that I can go into. But, as I said, it is an extraordinarily collaborative process. It is guided by a vision and a set of guiding principles that skills ministers agreed to and then first ministers agreed to through the national cabinet process in August.
Senator GROGAN: Are those available?
Ms N Williams: They certainly are. They are publicly available, but we're happy also to table a copy of those if that would assist the committee.
Those guiding principles set the frame for what skills ministers will be working through, and they set out a vision around a range of areas. Priorities in that vision include, for example, securing a domestic workforce for critical and emerging industries, supporting a modern and responsive TAFE at the heart of the VET system, greater equality and access to training, ensuring that no Australians are left behind as the economy transitions, particularly as we go through the clean energy transition, informed decision-making, and balancing national consistency with local flexibility and autonomy. Those principles of objectives are at the core of what we're discussing with the states and territories. From memory, though, they have been published. They were published in September. So, they will be available publicly. Governments are now working very closely on what the detail would look like for an agreement that would sit underneath and meet those first objectives as set out in those principles.

Answer

The Vision and Guiding Principles for the five-year agreement are available at:
https://www.dewr.gov.au/skills-reform/national-skills-agreement-vision-and-principles

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001169

Senator Matt O'Sullivan provided in writing.

Also, refer to previous hearing Question No. SQ23-000345

Skills Reform Taskforce

Question

1. Is the Skills Reform Taskforce inter-departmental or purely situated within the Department of Employment and Workplace Relations?
2. Please provide a list of the membership of this taskforce.
3. Has membership of the Taskforce changed within the last six months?
4. On what basis were the various members determined?
5. Does the Taskforce meet regularly with inter-departmental colleagues?
6. What KPIs will the Taskforce work to in 2023?
7. What consultation work has been undertaken by the Taskforce to date?
8. Is there a forward plan for consultation in 2023? Please provide if yes.
9. Have Taskforce Officials met with state and territory counterparts? If so, when and from which states or territories?
10. Please provide a list of external stakeholders that the Taskforce has met with to date.
11. On how many occasions has the Minister met with the Skills Reform Taskforce?
12. On how many occasions has the Minister's Office met with the Skills Reform Taskforce?
13. Will the Skills Reform Taskforce publish a publicly available progress report?

Answer

The Skills Reform Taskforce is now known as the National Skills Agreement Taskforce.

For questions 1-8, and 10-13, refer to previous response SQ23-000345.

9. Meetings are detailed at Attachment A with additions from previous response SQ23-000345 to 30 June 2023.

Attachment A

Multilateral and Bilateral Meetings (since June 2022)

Yes, both multilateral and bilateral meetings have been held with each jurisdiction.

Dates of Multilateral meetings

- 18 July 2022
- 24 August 2022
- 6 September 2022
- 16 September 2022
- 19 September 2022
- 27 September 2022
- 6 October 2022
- 10 November 2022
- 17 November 2022
- 16 December 2022
- 25 January 2023
- 1 February 2023
- 8 February 2023
- 8 February 2023
- 22 February 2023
- 1 March 2023
- 15 March 2023
- 31 March 2023
- 6 April 2023
- 21 April 2023
- 10 May 2023
- 18 May 2023
- 8 June 2023
- 19 June 2023
- 29 June 2023
- 17-18 January 2023
- 2-3 November 2022
- 4-5 May 2023.

Dates of Bilateral meetings

- 9 September 2022
- 12 September 2022
- 13 September 2022
- 14 September 2022
- 15 September 2022
- 4 October 2022
- 5 October 2022
- 10 October 2022
- 14 October 2022
- 17 October 2022
- 18 October 2022
- 19 October 2022
- 24 October 2022
- 27 October 2022
- 28 October 2022
- 31 October 2022
- 1 May 2023
- 2 May 2023
- 23 May 2023
- 1 June 2023
- 7 June 2023
- 14 June 2023
- 15 June 2023
- 16 June 2023.

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

2 September 2022

Jobs and Skills Summit delivers results for skills and training

The Hon Brendan O'Connor MP
Minister for Skills and Training

The Jobs and Skills Summit has kicked off a national conversation on how to improve the vocational education and training sector and tackle the national skills shortage.

Consensus between unions, business, state and territory government's has been achieved on a range of issues and a number of outcomes have been agreed with the aim of ensuring Australia's vocational education and training (VET) system can drive future economic growth of the nation.

Minister for Skills and Training, the Hon Brendan O'Connor MP, said the summit had focused on what can be done immediately to strengthen VET, get more people trained for real jobs and to give business the skilled workers they need. There was also a significant focus on long term challenges that are structural, systemic and cultural.

"After a decade of inaction, we have taken immediate steps since taking Government to plan for the future, address skills gaps and strengthen our VET sector," Minister O'Connor said.

"As an immediate first step, state and territory skills ministers and the Australian Government will work together to agree a 12-month Skills Agreement to strengthen the TAFE sector.

"The agreement will accelerate the delivery of 465,000 additional fee-free TAFE places, with 180,000 to be delivered next year, and with costs shared with the states and territories on a 50:50 basis.

"We have also agreed to reset negotiations with states and territories on a new long-term funding agreement for skills, so the sector can be fit for purpose.

"Outcomes from the summit also range from taking a detailed look at a new model for VET qualifications to ensure they are most relevant to labour market needs; improving the VET

workforce; and strengthening foundational skills, including digital literacy.

“A key theme resonating from the summit was to focus on enabling all Australians, including women, regional and remote learners, First Nations peoples and those facing vulnerability and disadvantage to develop new skills.

“It is crucial to invest in our most important asset – our people. The Summit is only part of our ambition to bring Australians together.

“It has been a critical opportunity to bring people together and start negotiating the path to solutions, unleashing a national conversation about the best way forward.”

The Jobs and Skills Summit outcomes document can be viewed in full at www.treasury.gov.au/employment-whitepaper/jobs-summit (www.treasury.gov.au/employment-whitepaper/jobs-summit)

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

27 April 2023

Investment of $4.1 billion in skills and training to meet critical economic challenges

The Hon Brendan O'Connor MP
Minister for Skills and Training

The Albanese Government is prepared to invest an additional $3.7 billion for a five-year National Skills Agreement (NSA) to be negotiated with states and territories, in addition to $400m to support another 300,000 TAFE and vocational education and training (VET) Fee-Free places.

This investment shows the commitment of the Albanese Government to working in partnership with states and territories to ensure Australia's VET sector, with TAFE at the heart, provides high-quality, responsive and accessible education and training, equipping Australians with the skills they need for well-paid, secure work and filling skill gaps for employers.

Subject to successful negotiation of the NSA, this will take total Commonwealth investment in state and territory training systems to $12.8 billion over five years.

After a decade of discord, our Government is pursuing a collaborative approach with states and territories and is inviting them to participate in national stewardship to address agreed national priorities and VET reform areas through the five-year NSA commencing January 2024.

Subject to successful negotiations, funds will be available in line with the vision and guiding principles agreed at National Cabinet prior to the Jobs and Skills Summit, to support major reform areas including:

- Foundation skills: coordinated effort to ensure that Australian adults lacking language, literacy, numeracy and digital skills can gain essential skills for work, career progression and successful completion of a vocational education training course or an apprenticeship. Lack of foundation skills is estimated to impact three million Australians.
- 300,000 Fee-Fee TAFE courses: in essential sectors such as care and support (aged, disability, veterans and early childhood and education), clean economy, manufacturing

and sovereign capability (including defence industries), construction, agriculture, hospitality, tourism, cybersecurity and technology.
- Closing the Gap for First Nations students and apprentices - working closely with First Nations people, their communities and training providers to support skill development that works for them and supports their career opportunities.
- Women's participation and gender equality – coordinated effort to support women to successfully enrol and complete VET courses and apprenticeships, with an emphasis on accessing skills in better paid occupations including trades traditionally dominated by men. Men will also be encouraged to participate and gain skills in fields where women have been historically over-represented, such as care.
- Completion rates and support for students who face barriers: coordinated national effort to lift completion rates and improve outcomes for VET students and apprentices, with a focus on students facing barriers and historically underrepresented in the workforce, including those with a disability.
- Centres of Excellence: TAFE Centres of Excellence to partner with industry, universities, and governments to address critical challenges in our economy such as transition to a clean economy, manufacturing and sovereign capability and care and support.
- TAFE at the heart: supporting high-quality vocational education and training, curriculum development, research and innovation through leadership networks and collaboration.
- VET Workforce capability: to be developed in partnership with the sector a VET Workforce Blueprint will strengthen the sector and support a high-quality VET workforce, which teaches up to date industry relevant curriculum.

Strides have already been made through the Albanese Government's partnership approach, with delivery of a 12-month agreement that has created 180,000 Fee-Free TAFE and Vocational Education Training places this year.

Australia is facing an acute skill shortage, with the number of occupations experiencing a skills shortage almost doubling from 153 in 2021 to 286 in 2022. Furthermore, 60 per cent of total employment growth is in jobs for which VET is the primary pathway.

It is vital the Commonwealth, State and Territory governments work together to create a higher quality, more dynamic and more resilient VET sector to deliver our future workforce and provide hundreds of thousands of Australians access to high-quality training.

All governments have committed to working in partnership to negotiate the NSA to be in place by 1 January 2024.

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Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

19 May 2023

Communique of meeting of Federal, State and Territory Skills Ministers

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Blair Boyer MP
South Australian Minister for Education, Training & Skills
The Hon Tim Crakanthorp MP
NSW Minister for Skills, TAFE and Tertiary Education
The Hon Felix Ellis MP
Tasmanian Minister for Skills, Training and Workforce Growth
The Hon Di Farmer MP
Queensland Minister for Training and Skills Development
The Hon Paul Kirby MLA
Northern Territory Minister for Business, Jobs and Training
The Hon Simone McGurk MLA
Western Australian Minister for Training, Water and Youth
The Hon Chris Steel MLA
ACT Minister for Skills
The Hon Gayle Tierney MLC
Victorian Minister for Training and Skills

Federal, State and Territory Skills and Training Ministers met in Darwin to progress negotiations towards a new National Skills Agreement (NSA) to support a modern and responsive skills sector. Building on the success of Fee-Free TAFE which has delivered over 146,000 enrolments in the first quarter of this year, Skills Ministers agreed to take action to achieve better outcomes for students and deliver more access and equity to the Vocational Education and Training (VET) system through a number of priority reform initiatives.

A new 5-year National Skills Agreement
Skills Ministers continued discussion about reform opportunities under the proposed 5-year NSA to address the urgency and opportunity of skills needed by employers and current and future skills for the economy. Commencing in January 2024, the NSA will provide States and

Territories with access to additional Commonwealth investment of $4.1 billion over 5 years from 2024.

This includes a Commonwealth investment in TAFE which contributes an additional $400 million for a further 300,000 TAFE and vocational education places to become fee-free.

This investment shows the commitment of the Australian Government to work in partnership with States and Territories to ensure Australia's VET sector, with TAFE at the centre, is high-quality, responsive, affordable and accessible, equipping Australians with the skills they need for well-paid, secure work and filling skill gaps for employers.

Skills Ministers agreed to progress the following shared reform directions to give effect to the Vision and Guiding Principles for a new NSA. National Cabinet and all jurisdictions remain committed to a 1 January 2024 commencement date for the new NSA:

- Shared stewardship of the national VET system
- High quality and accessible training
- Increasing access and completions, especially for those most in need, including for apprenticeships
- Establishing nationally networked TAFE Centres of Excellence
- Supporting the TAFE and training sector, including investment in the VET workforce
- Closing the Gap in partnership with First Nations people
- Coordinating access to foundation skills training to ensure 'no wrong door'
- Enhancing VET data and evidence
- Fee-Free TAFE
- Progressing gender equality
- Continuing to work together on priorities including quality and qualifications reform, Jobs and Skills Australia, Jobs and Skills Councils and the Universities Accord process.

Skills Ministers will continue to work through the details of the agreement and will design clear and simple arrangements to deliver on National Cabinet's vision and principles for the agreement, including providing States and Territories appropriate flexibility, autonomy and funding certainty to deliver national, State and Territory priorities.

Closing the Gap
To achieve a fairer and more effective system, which works towards Closing the Gap, Ministers agreed that measures to support First Nations students must be a priority in the proposed NSA. This means a VET system which will support First Nations people and communities, through greater participation, increased attainment and completion of VET qualifications to obtain culturally safe and meaningful employment.

Skills Ministers reaffirmed that Closing the Gap in vocational education and training is a priority of all governments and key focus of the NSA, warranting collective national leadership, listening to, being guided by First Nations communities. Ministers agreed to a shared response to achieve tangible results.

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Skills Ministers agreed key areas of action will be aligned to the four Priority Reforms of the National Agreement on Closing the Gap, a crucial element of which is First Nations people being involved in developing and designing initiatives through partnerships and shared decision making from the outset.

Working together, governments will coordinate with Aboriginal and Torres Strait Islander peak organisations, Community-controlled Registered Training Organisations and other First Nations stakeholders to co-design the Closing the Gap initiatives and approaches that will be included in the next NSA.

Skills Ministers held a roundtable with representatives from Indigenous Registered Training Organisations delivering training in remote areas of the Northern Territory, to discuss challenges, successful approaches and to gain insights regarding meaningful support for First Nations people from the VET sector.

Success of Fee-Free TAFE in 2023
Skills Ministers noted the strong uptake of the 180,000 Fee-Free TAFE and vocational education places, available under the 12-month Skills Agreement since January 2023. In the first quarter of this year, Ministers noted there have already been more than 146,000 enrolments in priority skills need areas. Fee-free TAFE will continue to help students with cost-of-living pressures and secure a future workforce.

Fee-free TAFE and vocational education places are available across national priority sectors including care, digital and technology, tourism and hospitality, construction, agriculture and sovereign capability. Access is also prioritised for First Nations Australians, young people (17-24), people with disability, and women studying in non-traditional fields.

Federal, State and Territory Skills and Training Ministers are also working together on projects to be funded under the TAFE Technology Fund, with $28.2 million already committed to 14 priority projects that will upgrade essential TAFE infrastructure and provide modern training facilities.

Education pathways and the Universities Accord
Skills Ministers provided input to the Australian Universities Accord (the Accord), a 12-month review of Australia's higher education system. The Australian Universities Accord is an opportunity to facilitate a national discussion and build consensus around a better integrated tertiary education system.

Professor Mary O'Kane, Chair of the Accord Panel, provided Skills Ministers with an update on the Accord process, including key themes identified in consultations to date and explored opportunities with Ministers to support greater alignment between the VET and higher education systems, with a focus on the benefits to students and the economy.

Skills Ministers discussed how the reform directions under the NSA could also serve a more cohesive and connected tertiary sector and acknowledged the importance of continued engagement with States and Territories by the Accord Panel to test and refine its findings and recommendations to the Federal Government.

National VET Completion Project
In February 2023, Skills Ministers endorsed a project to be led by South Australia to improve VET completions, with future directions to be driven by collective national leadership.

Skills Ministers discussed the National VET Completions project, which includes the establishment of a National Taskforce to provide recommendations to Governments on improving VET completions in the context of national skills reform.

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The taskforce is undertaking consultation and engagement to better understand major factors impacting completion rates and key intervention points, and identify practical solutions, as well as exploring national and international best practice models.

The discussion highlighted a collaborative data analysis approach between the National Centre for Vocational Education Research (NCVER), Jobs and Skills Australia, and Governments, to improve data collection and outcomes reporting.

VET Information Standard and NCVER Strategic Plan
Skills Ministers noted the progress on the VET Data Streamlining program which aims to modernise the way VET student activity data is collected, managed, and used. Skills Ministers noted progress to date on the program's work to develop the VET Information Standard Release 1.0, and plan for the VET Information Standard to be released later in 2023.

Skills Ministers also agreed that the NCVER develop a five-year strategic plan to ensure NCVER continues to be aligned with the broader skills reform agenda.

NT VET Initiatives
Skills Ministers noted the success of the Northern Territory's recent professional development training and work placements program for students from Timor-Leste in agriculture, hospitality, aged care and construction sectors, underpinned by a 4-year Strategic Partnership Agreement. Skills Ministers discussed the benefits of new approaches to training for remote-based VET students and provided strong support for further innovation in the community of practice for VET.

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Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

25 August 2023

Communique - Skills Ministers Meeting

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Blair Boyer MP
South Australian Minister for Education, Training & Skills
The Hon Felix Ellis MP
Tasmanian Minister for Skills, Training and Workforce Growth
The Hon Di Farmer MP
Minister for Employment and Small Business
Minister for Training and Skills Development
Minister for Youth Justice
The Hon Paul Kirby MLA
Northern Territory Minister for Business, Jobs and Training
The Hon Simone McGurk MLA
Western Australian Minister for Training
The Hon Chris Steel MLA
ACT Minister for Skills
The Hon Gayle Tierney MLC
Victorian Minister for Higher Education, Training and Skills

Senior officials observed the meeting for the New South Wales Government

Federal, State and Territory Skills and Training Ministers met on Friday, 25 August 2023 to further progress the development of a new National Skills Agreement (NSA) and associated reforms, and continue important discussions on the VET sector's role in meeting governments' commitments in the National Agreement on Closing the Gap.

5-year National Skills Agreement Skills

Skills Ministers continued discussions on a new 5-year NSA, reaffirming governments' shared commitment to have the NSA commence on 1 January 2024, that delivers on National Cabinet's shared vision and principles for VET.

Skills Ministers agreed that the NSA will be the first to embed a model for shared national stewardship to provide national and State and Territory leadership on skills delivery shared priorities – including:

- Gender equality
- Closing the Gap
- Foundation Skills
- Supporting the Net Zero transformation
- Sustaining essential care services
- Developing Australia's sovereign capability and food security
- Ensuring Australia's digital and technology capability
- Improving the quality of apprenticeships and improving completion rates
- Delivering reforms to improve the regulation of VET qualifications and quality, and
- Boosting VET workforce capacity

Skills Ministers emphasised that the focus on national priorities will complement state priorities and local contexts to ensure that the VET sector provides high-quality, responsive and accessible education and training to boost productivity and support Australians to obtain the skills they need to participate and prosper in the modern economy.

TAFE Centres of Excellence

Skills Ministers also agreed that the NSA will establish nationally networked TAFE Centres of Excellence to provide skills for strategically important industries and meet economic challenges that demand a coordinated national response. Nationally networked TAFE Centres of Excellence will partner with industry and universities to address skills needs and support productivity in key sectors.

Skills Ministers discussed priorities for TAFE Centres of Excellence under the NSA, to help grow the skills needed for high-potential and strategically important industries nationally. Skills Ministers and their departmental officials will work closely with TAFEs to expedite delivery on this commitment. National priorities for Centres of Excellence will include supporting transformation to a net zero economy, sustaining essential care and support services, ensuring Australia's digital and technological capability and sovereign capability.

Fee-Free TAFE

Skills Ministers noted that Fee-Free TAFE enrolments have been extremely successful, exceeding the national target of 180,000 enrolments under the 2023 12-month Skills Agreement. Skills Ministers welcomed progress on an extension to the existing 12-month Skills Agreement to deliver an additional 300,000 Fee-Free TAFE places for students across Australia over three years from January 2024.

Consistent with the Commonwealth's commitment to put TAFE at the centre of the VET sector, these places would provide further opportunities to upskill for priority groups such as First Nations peoples, women, young people, people out of work, unpaid carers, and people with disability, in areas of national priority such as the care sector, technology and digital, hospitality and construction.

Closing The Gap

Skills Ministers reaffirmed their commitment to the National Agreement on Closing the Gap as a national priority in the proposed National Skills Agreement and to increase their combined efforts to realise better skills, training and career outcomes for First Nations people. Catherine Liddle, Deputy Convenor Coalition of Peaks, attended to speak with Skills Ministers on the importance of partnership with First Nations peoples and embedding the Priority Reform areas of the National Agreement on Closing the Gap to ensure that government policy

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development processes and decision-making drives real and meaningful change for First Nations people. This included:

- examples of how partnerships and shared decision-making between all levels of government and First Nations peoples can work in practice,
- the importance of investing in and supporting the Aboriginal and Torres Strait Islander community controlled sector's and its workforce,
- the critical role that Aboriginal Community Controlled Registered Training Organisations (RTOs) play in developing a strong and sustainable sector workforce and the need to support the development of RTOs, and
- the importance of ongoing partnership and engagement with First Nations peoples and organisations at all stages of policy, strategy and program design, implementation and evaluation.

Jobs and Skills Australia establishment
Skills Ministers noted the passage of the Jobs and Skills Australia Amendment Bill 2023 through Federal Parliament. Jobs and Skills Australia has a crucial role in identifying and analysing the skills needed for the future workforce. Skills Ministers acknowledged Jobs and Skills Australia is essential to shared national stewardship of the training system because it will provide data and analysis to enable evidence-based decision making on national VET system reforms.

National VET Completions Project

Skills Ministers welcomed the National Vocational Education and Training Completions report that outlines approaches to improve the number of people completing their VET training. Skills Ministers acknowledged the work by the tripartite National VET Completions Taskforce, led by the South Australian Government, and the valuable contribution of the National Centre for Vocational Education Research, Jobs and Skills Australia, and governments.

Skills Ministers noted the report and agreed that its important findings may be used to inform future completion policy initiatives, including through the National Skills Agreement. The report will be released soon.
Western Australia VET Initiatives

Skills Ministers had the opportunity to view a demonstration of the state-of-the-art interactive maritime simulator on their site visit to the South Metropolitan TAFE campus in Fremantle.

The simulator's world-class technology enables training for a broad range of operations, such as navigation, ship handling, bridge watch-keeping, communication and Global Maritime Distress and Safety Systems, preparing future shipmasters, officers and engineers for their maritime careers.

The simulators allow for training in new and emerging maritime technologies and maritime engineering studies, and highlights the investment the Western Australian and Commonwealth Governments are making in skills.

Skills Ministers noted the success of Western Australia's TAFE sector in building the skills needed for clean energy transformation through place-based solutions.

Quality Reforms: RTOs Standards and VET Workforce Blueprint update

Skills Ministers noted progress on the VET Workforce Blueprint and agreed to progress a range of early changes to the current Standards for Registered Training Organisations (RTOs) 2015 in areas where there was broad support from the sector through recent consultation.

This includes changes to alleviate pressures on the VET workforce through expanding the workforce pool and enabling the broader use of industry experts. The Standards will also be amended to reflect the new training products from the updated Training and Education Training Package.

Skills Ministers discussed the importance of reforms underway to Standards for RTOs embedding quality aspirations, articulating clearly and strongly characteristics required of RTOs and reflecting the central role of TAFE as trusted providers. Reforms should embed the value of quality skills and training provision. Officials will be tasked with developing a program for Skills Ministers to fully embed quality aspirations into the Standards.

New Fit and Proper Person Instrument: Requirements for RTOs

Skills Ministers agreed to amend the Fit and Proper Person Requirements under the Standards for Registered Training Organisations (RTO) 2015 as a key step towards strengthening integrity in the sector.

These amendments will enable the VET Regulator to increase scrutiny of persons and organisations seeking to become RTOs and make more informed assessments through expanding the range of matters that can be considered by the Regulator in assessing whether those in management and operational positions in an RTO are fit and proper.

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MINISTERS' MEDIA CENTRE
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Joint Media Release

30 June 2023

Communique of meeting of Federal, State and Territory Skills Ministers

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Blair Boyer MP
South Australian Minister for Education, Training & Skills
The Hon Tim Crakanthorp MP
NSW Minister for Skills, TAFE and Tertiary Education
The Hon Felix Ellis MP
Tasmanian Minister for Skills, Training and Workforce Growth
The Hon Di Farmer MP
Minister for Training and Skills Development of Queensland
The Hon Paul Kirby MLA
Northern Territory Minister for Business, Jobs and Training
The Hon Simone McGurk MLA
Western Australian Minister for Training, Water and Youth
The Hon Chris Steel MLA
ACT Minister for Skills
The Hon Gayle Tierney MLC
Victorian Minister for Higher Education, Training and Skills

Federal, State and Territory Skills and Training Ministers met on Friday, 30 June 2023 to progress key reforms to vocational education and training (VET) and the development of a new National Skills Agreement (NSA). Skills Ministers are committed to ensuring reforms deliver on the skills and workforce needed for a high-performing economy.

A new 5-year National Skills Agreement
Skills Ministers discussed the key architecture for new funding and stewardship arrangements under the NSA, due to commence from 1 January 2024. Discussion included arrangements for the Commonwealth's investment over 5 years, providing States and Territories with flexibility, autonomy and funding certainty to deliver national, State and Territory priorities. The NSA will embed joint stewardship of the VET sector that will identify and address national

priorities, while recognising the need for place-based responses and State and Territory flexibility.

Qualifications Reform
Qualifications reform is a key to supporting workforce development and a stronger, more resilient, and productive economy. Skills Ministers recommitted to important qualifications reform, agreeing to a VET qualifications system which is:

- high-performing, easy to navigate, and meets the needs of employers and learners now and into the future;
- supports innovation and excellence in training delivery and assessment;
- supports safety and quality in training outcomes;
- delivers an adaptable skilled workforce resilient to structural changes; and
- supports more employers to use nationally recognised training.

In response to stakeholder feedback, a time-limited tripartite Qualifications Reform Design Group will be established to take this reform forward. The Qualifications Reform Design Group will draft new rules for the development of units of competency and qualifications that recognise the differing needs of industry by the end of 2023. This will be the first step of a multi-year program of work to deliver on the Skills Ministers' reform ambition.
The Qualifications Reform Design Group will be comprised of members with strong VET sector experience and representation from unions, employers, a State/Territory government, and education experts. The group will be supported by advice from a wide representation of industry stakeholders including Jobs and Skills Councils, TAFEs and RTOs, and students. Jobs and Skills Councils will be integral to the reform process, providing expert advice and leading the transition.

Jobs and Skills Australia
Professor Peter Dawkins AO, Interim Director of Jobs and Skills Australia (JSA), provided Skills Ministers with an update on the work of JSA, including its upcoming priorities and the 2023-24 workplan that has been developed with tripartite partners.
Skills Ministers welcomed the new governance arrangements and expanded functions contained in the Jobs and Skills Australia Amendment Bill 2023. The arrangements represent a significant opportunity to provide independent data and analysis to Skills Ministers and the nation on current, emerging, and future workforce, skills, and training needs.

Quality Reforms: RTOs Standards and VET Workforce Blueprint update
Skills Ministers discussed the progress of Quality Reforms, including possible early changes to the current Standards for Registered Training Organisations (RTOs) 2015 (RTO Standards).
As an immediate priority, Skills Ministers committed to work together to strengthen the Fit and Proper Person Requirements under the RTO Standards, to ensure integrity in the VET sector. Skills Ministers also discussed potential changes to the RTO Standards to reflect the updated Training and Education Package, and to support growing the available VET workforce, with a final suite of amendments to be considered separately.

TAFE Centres of Excellence
Skills Ministers discussed the ongoing development of nationally networked TAFE Centres of Excellence.
These TAFE Centres of Excellence will partner with industry, universities, and governments to address critical challenges in our economy such as transition to a clean economy, manufacturing and sovereign capability, and care and support and other place-based regional priorities.
Not only will these Centres address key skills shortage areas, they will work to establish trust and confidence in a high-quality training sector.

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Fee-Free TAFE - Tranche 2

- The Commonwealth is investing $414.1 million over the calendar years 2024 to 2026 to cover the cost of student contributions for a further 300,000 existing TAFE and vocational education places.
- Fee-Free TAFE Tranche 2:
    - has no requirement for states and territories to match Commonwealth funding
    - prioritises disadvantaged cohorts (First Nations peoples, young people, people out of work, unpaid carers, women facing economic security, women undertaking study in non-traditional fields, people with disability, certain categories of visa holders identified by states)
    - prioritises industry sectors with skill shortages or growth (aged care, childcare, health care, disability care, technology and digital, hospitality and tourism, construction, agriculture, sovereign capability (including manufacturing, and defence) and from 2024, the vocational education and training (VET) workforce).
- Fee-Free TAFE Tranche 2 continues the Government's commitment to put TAFE at the centre of the vocational education and training system, with most of the training places to be delivered by TAFE.
- Where TAFE does not have capacity to deliver jurisdictions are able, by exception, to utilise private providers.
- The Commonwealth and states and territories are finalising implementation arrangements for Tranche 2. Eligibility may vary between jurisdictions but will aim to strike a balance between the twin policy goals of addressing skills shortages and improved access for priority cohorts.
- All Fee-Free TAFE Tranche 2 places are for existing training places only (as identified by jurisdictions). Jurisdictions will manage their programs to meet the local demand and supply for training places. This will include monitoring take-up of the program and working with the Commonwealth to minimise service gaps.
- On 8 October 2023, a national media campaign commenced to promote Fee-Free TAFE Tranche 2. (Refer SB23-000237).
- The aim of the campaign is to promote the availability of Fee-Free TAFE training places and drive them to the YourCareer website to find out more about courses, eligibility and where to enrol.
- Further details on the second tranche of Fee-Free TAFE will be made public once negotiations with states are complete.

What has been announced

- On 25 August 2023, federal and state Skills and Training Ministers welcomed progress on an extension to the existing 12-month Skills Agreement.
- Media statements with jurisdictions that have signed up to Fee-Free TAFE Tranche 2 have been issued as follows:

Jurisdiction	Date Announced	C/W Investment ($m)	Places (2024-26)
Western Australia	20 September 2023	$44.505	22,200
South Australia	26 September 2023	$28.527	15,000
Victoria	16 October 2023	$106.963	62,800

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Australian Capital Territory	17 October 2023	$7.360 *No figure in media statement*	3,600 *No figure in media statement*

***NOTE**: Queensland and Northern Territory have signed up but not yet announced. New South Wales and Tasmania are yet to sign up.*

Key Government statements

ACT Chief Minister, Media Release: We have committed to delivering thousands more Fee Free TAFE places over the coming years, with a specific focus on renewable energy, cyber security, the care sector, construction, hospitality and foundation skills.

ACT welcomes new National Skills Agreement	17 October 2023 – Attachment A

Minister for Skills and Training, Joint Media Release: Victoria will receive a $105 million extension to the Free TAFE funding arrangements, securing an additional 62,800 Free TAFE places for Victorian students over the next three years.

Landmark National Skills Agreement between Albanese and Allan Governments	16 October 2023 – Attachment B

Minister for Skills and Training, Joint Media Release: The Albanese and Malinauskas Governments will deliver thousands of additional Fee-Free TAFE and VET places for South Australians from January next year, with the partnership continuing to work towards addressing skills shortages and providing training opportunities to Australians.

Australian and South Australian Governments announce more Fee-Free TAFE from 2024	26 September 2023 – Attachment C

Minister for Skills and Training, Joint Media Release: The Albanese and Cook Governments will continue their partnership to deliver Fee-Free TAFE and vocational education and training (VET) places to Western Australians over the next three years.

Albanese and Cook Governments deliver more Fee-Free TAFE	20 September 2023 – Attachment D

Minister for Skills and Training, Op-Ed: Demographic data also shows Fee-Free TAFE is making inroads supporting disadvantaged and in-need Australians, with enrolments including 50,849 job seekers, 15,269 people with disability and 6,845 First Nations Australians. And we're not stopping there, as we provide funding for a further 300,000 Fee-Free TAFE places starting next year.

Fee-Free TAFE can change lives and our economy	7 September 2023 – Attachment E

Minister for Skills and Training, Media Release: Albanese government's Fee-Free TAFE blitz smashes target six months early. The Albanese Government expects to announce the next tranche of Fee-Free training places for 2024 in coming weeks.

Albanese government's Fee-Free TAFE blitz smashes target six months early	28 August 2023 – Attachment F

Skills and Workforce Ministerial Council (SWMC) Communique: SWMC announces agreement to progress a further 300,000 Fee-Free TAFE places over three years from January 2024.

Communique - Skills Ministers Meeting	25 August 2023 – Attachment G

Current status of the policy

- Fee-Free TAFE agreements for Tranche 2 are being finalised with state and territory governments.

Stakeholders consulted

- All states and territories have been consulted as part of negotiating an extension to Fee-Free TAFE arrangements.

Recent media on this policy

Fee-Free TAFE to continue in 2024 in South Australia, 28 September 2023

Media: The Federal and South Australian Governments will deliver thousands of additional Fee-Free TAFE and VET places for South Australians from January 2024, with the partnership continuing to work towards addressing skills shortages and providing training opportunities to Australians.

Fee-Free TAFE to continue in 2024 in South Australia (thesector.com.au) – Attachment H

More money for TAFE in jobs plan, The Australian, 25 September 2023

Media: In the May budget, the government set aside $3.7bn towards a yet-to-be finalised national skills agreement and committed $400m for an extra 300,000 fee-free TAFE places.

More money for TAFE in jobs plan | The Australian – Attachment I

Fee Free TAFE here to stay in WA following three-year funding announcement, 22 September 2023

Media: This is a $44.5 million investment in skills and training in WA. This is what genuine collaboration and partnership can achieve.

Fee Free TAFE boost in WA | thesector.com.au – Attachment J

Next steps, including consideration by Government where expected

- All governments are working closely to progress the next tranche of Fee-Free TAFE places, this will include agreement of jurisdictional implementation plans.

Expenditure/Budget

Table 1: Fee-free TAFE from 2024

Financial Year	$ (million)
2023-24	66.9
2024-25	136.7
2025-26	139.8
2026-27	70.7
Total	414.1

Source: Original funding profile set out in Budget 2022-23, Budget Paper No. 3 at https://budget.gov.au/content/bp3/download/bp3_06_part_2_skills.pdf

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	20 October 2023

ACT Government

Media release

Andrew Barr MLA
Chief Minister

Treasurer
Minister for Climate Action
Minister for Economic Development
Minister for Tourism

Member for Kurrajong

17 October 2023

ACT welcomes new National Skills Agreement

The ACT Government is supporting a strong and skilled workforce for Canberra's future by signing up to the National Skills Agreement.

This landmark five year agreement between the Commonwealth and all states and territories will deliver one of the biggest investments into building a more resilient and diverse workforce.

The Agreement will focus on lifting the national skill level and attracting more skilled workers into critical and emerging industries.

It's an extensive investment in Canberra, supporting our vision to grow our total workforce to 300,000 by 2030.

The agreement incorporates funding for a number of new initiatives in the ACT which will support key priorities in skills and workforce development, including:

- Over $24 million in matched ACT-Commonwealth funding for TAFE Centres of Excellence, with a focus in the ACT on the transition to a net zero economy
- $6.5 million in matched funding for Closing the Gap initiatives to support training for First Nations Canberrans
- $14 million in matched funding to improve VET and apprentice completion rates, with a focus on groups such as First Nations students, women and other vulnerable cohorts

- Approximately $13 million in matched funding to foster collaboration between CIT and other public training providers to enhance quality and capability in the VET workforce and sector
- Close to $1.5 million to improve access to foundation skills and learning

The ACT Government will continue to support Fee Free TAFE at CIT, so priority cohorts such as young people, jobseekers and women in non-traditional fields will have access to free training in areas of skills need.

We have committed to delivering thousands more Fee Free TAFE places over the coming years, with a specific focus on renewable energy, cyber security, the care sector, construction, hospitality and foundation skills.

With more than 2500 Canberrans already taking up this opportunity for free training in 2023, the Government will continue this popular program to achieve better education outcomes and support local businesses with the skills they need to succeed.

Statement ends

Media contact:

s. 22(1)(a)(ii)

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Department of Employment and Workplace Relations - Released under FOI 475 of 853

Joint Media Release

VICTORIA State Government

The Hon Gayle Tierney MP
Minister for Skills and TAFE
Minister for Regional Development

Australian Government

The Hon Brendan O'Connor MP
Minister for Skills and Training

LANDMARK NATIONAL SKILLS AGREEMENT BETWEEN ALBANESE AND ALLAN GOVERNMENTS

Tuesday, 16 October 2023

Today marks a national agreement between the Albanese and Allan Labor Governments that will unlock billions of dollars to build the skills and prosperity of Victoria.

The landmark five-year National Skills Agreement (NSA) – which will take effect from January next year – was developed under principles agreed by National Cabinet, and will embed national cooperation and strategic investment into Victoria's TAFE and training sector.

The Albanese Government is prepared to invest up to $3.15 billion to expand access to Victoria's VET sector, which will support quality training, and address critical skills needs. This investment will further strengthen Victoria's existing investment of over $4 billion into the sector since 2014.

With Victoria expected to experience significant workforce growth over the next five years, the NSA will provide investment into training, infrastructure, and initiatives to uplift participation.

The NSA places TAFE at the heart of the sector reform, with the agreement including significant baseline funding commitments. In addition, Victoria will receive a $105 million extension to the Free TAFE funding arrangements, securing an additional 62,800 Free TAFE places for Victorian students over the next three years.

This builds on the Allan Labor Government's existing commitment to Free TAFE, including the lifting of eligibility requirements which means all Victorians can access tuition-free training across more than 80 courses in priority areas, even if they already hold a separate qualification.

Nationally, the $12.6 billion investment by the Commonwealth includes an extra $2.4 billion in flexible funding to support State and Territory skills sectors with capacity to deliver skills for critical and emerging industries. Priorities include:

- Clean energy and Net Zero transformation of the economy.

- Australia's sovereign capability, including advanced manufacturing skills, national security, food security and construction.
- Care and support services.
- Ensuring Australia's digital and technology capability.

Additional major reforms will include the establishment of nationally networked TAFE Centres of Excellence involving partnerships between TAFEs, universities, Jobs and Skills Councils and industry.

In a historic first, a new National Stewardship model will coordinate investment in skills across the country to address national priority areas, while also providing States and Territories with flexibility to meet local industry skills needs.

It is a significant shift away from the short- term, transactional working relationships of the past decade, with a new National Stewardship approach on skills providing the nation with a framework for cooperation across state borders and across national and State and Territory priorities.

Quotes attributable to Minister for Skills and Training Brendan O'Connor

"This landmark agreement will kickstart real change, with the NSA heralding a new era for training and education and provides an exciting opportunity for Victorians to equip themselves with the skills to work in high quality employment for their future."

"I'd like to thank my colleague Gayle Tierney for her genuine cooperation in looking to rebuild national vocational education and training, with TAFE at its heart."

"By working in partnership with states and territories through a new National Stewardship approach, we are building a system that is greater than the sum of its parts."

Quotes attributable to Victorian Minister for Skills and TAFE Gayle Tierney

"We have signed on to the new National Skills Agreement because the Victorian Government believes our shared national vision for TAFE and skills will build a stronger future for Victoria."

"The Agreement includes crucial measures for Victoria including additional funding for TAFE Centres of Excellence and working together to tackle the skills needs of our fastest growing industries."

"With more opportunities for Victorians, we're making sure everyone has access to the training they need for the job they want."

Media contact: s. 22(1)(a)(ii)

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

26 September 2023

Australian and South Australian Governments announce more Fee-Free TAFE from 2024

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Blair Boyer MP
South Australian Minister for Education, Training & Skills

The Albanese and Malinauskas Governments will deliver thousands of additional Fee-Free TAFE and VET places for South Australians from January next year, with the partnership continuing to work towards addressing skills shortages and providing training opportunities to Australians.

The investment by the Commonwealth Government of more than $28 million will support 15,000 Fee-Free vocational education and training places from the start of 2024 and builds on the enormous success of Fee-Free TAFE throughout this year.

The announcement continues the genuine collaboration between the Commonwealth and the South Australian governments and will target areas of skills shortage such as early childhood education and care, health care, aged and disability care, technology and digital skills, hospitality and tourism, construction, agriculture, vocational and educational training (VET) workforce, and the defence industry.

The Agreement will increase opportunities and workforce participation of priority groups, including First Nations Australians, young people (17-24), people out of work or receiving income support, unpaid carers, women undertaking study in non-traditional fields, people with disability and certain categories of visa holders.

This year saw a strong take-up of Fee-Free places in South Australia, with qualifications in the Care sector, Construction, the Technology and Digital sector and Hospitality and Tourism having the strongest enrolments, adding much-needed skills for these priority industries.

The Fee-Free TAFE initiative has had overwhelming success in its first year exceeding the

180,000-enrolment target by almost 40,000 students, hitting nearly 215,000 enrolments. Around 12,500 of those 215,000 students were in South Australia. Fee-Free TAFE is providing substantial savings to students and providing post-secondary education to students who might not otherwise have had the opportunity to pursue it.

In South Australia, a student studying a Diploma of Nursing could save almost $15,500 over the life of their course while someone studying a Diploma of Community Services could save almost $8,000 ($7,700).

With more and more in demand jobs having VET pathways and the Albanese government funding a further 300,000 Fee-Free TAFE places national from next year, Fee-Free TAFE will continue playing a vital role in plugging skills gaps and helping people into well-paid and secure work.

Over the next five years, it is predicted that nine out of ten jobs will require post-secondary education with half of those jobs requiring vocational training.

Fee-Free TAFE and VET will benefit our economy and give many more Australians access to secure and rewarding careers.

In 2023, Fee-Free training has been available in over 100 courses including a range of qualifications and skill sets with all South Australians eligible to access the program at TAFE SA and training providers.

Quotes from the Minister for Skills and Training Brendan O'Connor:

"This is what genuine collaboration and partnership can achieve – real results for everyday Australians, for industry and the economy."

"Fee-Free TAFE and VET has been such a success that we're committing a further $415 million to deliver an additional 300,000 places nationally beginning next year."

"A total of 15,000 of the additional Fee-Free TAFE VET places will be delivered in South Australia."

"Fee-Free training offers a huge cost of living relief for South Australian students, grows the recruitment pool for businesses and eases the skills shortages that hold our economy back."

Quotes from the South Australian Minister for Education, Training and Skills, the Hon Blair Boyer:

"Fee-Free TAFE is such an important initiative to break down barriers to education and training and make courses more accessible to people who otherwise would not have had the opportunity.

"It has been a gamechanger for South Australians seeking to get the skills they need for a rewarding career – and this additional investment in skills is one of the most significant in our State's history.

"We promised South Australians we would rebuild TAFE SA and that's exactly what we are doing with this investment in high-quality training.

"Courses offered through Fee-Free TAFE directly align with areas where we need thousands more highly trained workers, including for the huge projects we will be delivering as a State such as AUKUS, three-year-old preschool and the hydrogen plant."

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Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

20 September 2023

Albanese and Cook Governments deliver more Fee-Free TAFE

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Roger Cook MLA
Premier of Western Australia
The Hon Simone McGurk MLA
Western Australian Minister for Training

The Albanese and Cook Governments will continue their partnership to deliver Fee Free TAFE and vocational education and training (VET) places to Western Australians over the next three years.

Under the joint partnership, a further 22,200 Fee-Free TAFE and VET places will be available for Western Australians from January 2024.

This injection of Fee-Free training places builds on the success of the initiative throughout 2023 and will continue to provide cost of living support for West Australians choosing to study in priority areas.

It continues the genuine collaboration and partnership between the Commonwealth and Western Australian governments to plug the skills gap and provide training opportunities for Australians.

Fee-Free places target areas of skills shortage such as early childhood education and care, health care, aged and disability care; technology and digital skills, hospitality and tourism, construction, agriculture, VET workforce, and defence industry.

This year saw a strong take up of Fee-Free places, with qualifications in Early Childhood Education and Care, Aged and Disability Care, Nursing, and Information Technology and Hospitality having the strongest enrolments, adding much-needed skills for these priority industries.

In 2023, fee free training is available across 130 courses including a range of qualifications and skill sets with all Western Australians eligible to access the program at WA TAFE colleges and training providers.

Quotes attributable to Minister for Skills and Training Brendan O'Connor:

"This is what genuine collaboration and partnership can achieve – real results for everyday Australians.

"Fee-Free TAFE and VET has been such a success, the Albanese Government is committing to a further 300,000 places beginning next year, with 22,200 of those places in Western Australia.

"This is a $44.5 million investment in skills and training in Western Australia.

"Fee-Free training offers a huge cost of living relief for students, grows the recruitment pool for businesses and eases the skills shortages that hold our economy back."

"In WA, plans are also underway to implement the Albanese Government's $8.2 million TAFE Technology Fund to improve training facilities in the state, yet another way we're supporting the training of workers for vital industries that are in demand now and in the future."

Quotes attributable to Premier of Western Australia Roger Cook:

"My Government has a track record on training – whether it's slashing TAFE fees, delivering free courses or investing almost $250 million into upgrades at TAFEs across the State.

"Our economic strength relies on our skilled workforce, so it's critical every Western Australian has access to our TAFE and vocational courses.

"This investment will give workers the skills they need to find quality work across our State.

"Through our partnership with the Albanese Government, the FEE FREE initiative helps to build our pipeline of skilled workers in in-demand occupations like construction, early childhood education, nursing and hospitality."

Quotes attributable to Training Minister Simone McGurk:

"Education and training can be life changing – and with Fee Free TAFE set to continue into 2024 there has never been a better time to try one of the free courses on offer.

"FREE IN '23 has already supported women and youth to overcome the cost barriers through the waiving of fees, which combined with additional wrap-around support for more vulnerable students has enabled Western Australia to smash its targets for fee free training enrolments.

"Continuing this successful initiative for Western Australians into 2024 and beyond will see more students graduating with industry relevant skills in the areas our economy needs most."

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Ministers of the Employment and Workplace Relations Portfolio

Op-Ed

7 September 2023

Fee-Free TAFE can change lives and our economy

The Hon Brendan O'Connor MP
Minister for Skills and Training

About 50 years ago the Whitlam Government sought to significantly widen educational opportunities for all Australians, and reform post school training.

The focus was on increasing participation, both at the school and tertiary levels, and it represented a dramatic social and cultural shift.

Whitlam's government improved our tertiary education sectors, established national training and removed cost barriers for students.

Today the Albanese Government is materially reforming our vocational education and training (VET) sector.

We're rebuilding a sector wilfully neglected by the previous government because we understand a strong VET sector is critical.

Today is National TAFE Day, which is the perfect opportunity to highlight that whether it's re-training people for a career change or upskilling workers to help them adapt to rapidly changing labour markets.

TAFE is one of our greatest assets for ensuring our country is well positioned for future skills challenges, and meeting those challenges will be no small feat.

Upon entering government, I was immediately struck by the skills shortage we inherited.

OECD data identified Australia as having the second highest labour shortage amongst OECD countries.

The Skills Priority List, which shows what occupations are in shortage nearly doubled, jumping from 153 to 286 in a year.

And yet, despite this landscape, 9 out of 10 future jobs will require post school qualifications, and four of those will require vocational level training.

Think about where the jobs growth is coming from: software and application programming, technical professions, nursing, aged and disabled care are key examples.

And all of them require advanced skills that can be access through TAFE.

I want to ensure we have the skilled workers our economy needs, while also giving every Australian the best opportunity to secure a stable, well-paid job.

This is only possible if we have a strong TAFE at the heart of our training. And our TAFE sector must be significantly complemented by other high quality VET providers, which is why we are serious about stamping out unethical and badly performing operators, strengthening the integrity of the entire vocational education and training sector.

Travelling around the country I have the pleasure of meeting many people already benefiting from Fee-Free TAFE and VET.

And the story I keep hearing is that eliminating fees is making a huge difference in people's ability to access quality training, and not be under added financial stress.

I met Marcus recently at a South Australian TAFE who is undertaking a Cert III in Electrotechnology. He told me that Fee-Free TAFE has given him more freedom to focus on his studies, instead of worrying about scraping by at a time where cost-of-living is a very real challenge.

Another was Jacqueline from Ballina, who is studying disability care, a course she had always wanted to do after losing a family member with a disability.

She too told me if it wasn't for Fee-Free TAFE she would have found it very difficult to access that course.

These are just two examples, but there are thousands more.

That is why we are committed to building a strong, resilient and dynamic skills and training sector. For too long, there has been a tendency to see university study as superior to TAFE.

And we're paying the price for that now with the most significant skills shortage in recent memory.

University is important, but no more important than TAFE. We need to support both to keep up with skills needs that are growing faster than ever and have the skilled workforce to best face the national challenges of our time.

By working in genuine partnership with our state and territory counterparts, our Fee-Free TAFE program is the flagship initiative to help support key industries experiencing skills shortages.

It's focused on areas of emerging growth, while providing access to priority cohorts, including the most vulnerable in our communities.

And the numbers speak for themselves.

In the first 6-months, we exceeded our target for 180,000 enrolments, with almost 215,000 Australians enrolling in a Fee-Free course.

That’s 215,000 people who are accessing high-quality training in areas we need skilled workers.

Demographic data also shows Fee-Free TAFE is making inroads supporting disadvantaged and in-need Australians, with enrolments including 50,849 job seekers, 15,269 people with disability and 6,845 First Nations Australians.

And we’re not stopping there, as we provide funding for a further 300,000 Fee-Free TAFE places starting next year.

Put simply, the opportunities of Fee-Free study can change lives, and our economy.

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Joint Media Release

28 August 2023

Albanese government's Fee-Free TAFE blitz smashes target six months early

The Hon Anthony Albanese MP
Prime Minister
The Hon Brendan O'Connor MP
Minister for Skills and Training

The Albanese Government's plan to train, retrain or upskill Australians and tackle skills shortages is a raging success with all 180,000 Fee-Free places filled within six months.

New figures show Fee-Free TAFE enrolments have hit more than 214,300 in the first six months – six months earlier than anticipated and nearly 35,000 places more than expected.

The biggest winner is set to be the care sector, with courses across health care, aged care and disability care attracting more than 51,000 students or 23.8 per cent of total enrolments.

These urgently needed care sector places will help address Australia's shortfall of care workers, which has been estimated to grow to a gap of 100,000 care workers nationwide by 2027-28.

Enrolments are also strong across other priority sectors, with:

- Construction attracting 20,987 enrolments (9.8 per cent)
- Technology and digital attracting 16,768 enrolments (7.8 per cent)
- Early childhood education and care attracting 11,868 enrolments (5.5 per cent)

Demographic data also shows Fee-Free TAFE is making inroads supporting disadvantaged and in-need Australians, with enrolments including 50,849 job seekers (23.7 per cent), 15,269 people with disability (7.1 per cent) and 6,845 First Nations Australians (3.2 per cent).

Women make up the majority (60.2 per cent) of enrolments, with nearly 130,000 women taking on a qualification under the program.

More than a third of enrolments (34.1 per cent) are located in inner and outer regional locations.

The Fee-Free TAFE and VET agreement was only possible because of genuine partnership on skills and training with State and Territory Government's established at the Jobs and Skills Summit.

We will continue to work together to ensure excellence and quality in the vocational education and training sector.

The Albanese Government expects to announce the next tranche of Fee-Free training places for 2024 in coming weeks.

Quotes attributable to Prime Minister, Anthony Albanese

"One of our major commitments from the Jobs and Skills Summit was delivering free TAFE places to train, retrain and upskill Australian workers.

"Working with states and territories, in six months we have smashed our target of 180,000 Fee-Free enrolments by almost 35,000 places – this is a terrific achievement.

"Fee-Free training offers a huge cost of living relief for students, grows the recruitment pool for businesses and eases the skills shortages that hold our economy back."

Quotes attributable to Minister for Skills and Training, Brendan O'Connor

"This is an encouraging sign that Australia is making progress on easing skills shortages still affecting many areas of the economy post-pandemic. These shortages affect up to 31 per cent of occupations according to the 2022 Skills Priority List.

"The Australian Government is committed to working with the States and Territories, who have been great partners and advocates during the delivery of this program.

"Fee-Free TAFE is the spark that is igniting a renewed sense of optimism and potential in our vocational education and training sector and I'm looking forward to building on our success."

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Ministers of the Employment and Workplace Relations Portfolio

Joint Media Release

25 August 2023

Communique - Skills Ministers Meeting

The Hon Brendan O'Connor MP
Minister for Skills and Training
The Hon Blair Boyer MP
South Australian Minister for Education, Training & Skills
The Hon Felix Ellis MP
Tasmanian Minister for Skills, Training and Workforce Growth
The Hon Di Farmer MP
Minister for Employment and Small Business
Minister for Training and Skills Development
Minister for Youth Justice
The Hon Paul Kirby MLA
Northern Territory Minister for Business, Jobs and Training
The Hon Simone McGurk MLA
Western Australian Minister for Training
The Hon Chris Steel MLA
ACT Minister for Skills
The Hon Gayle Tierney MLC
Victorian Minister for Higher Education, Training and Skills

Senior officials observed the meeting for the New South Wales Government

Federal, State and Territory Skills and Training Ministers met on Friday, 25 August 2023 to further progress the development of a new National Skills Agreement (NSA) and associated reforms, and continue important discussions on the VET sector's role in meeting governments' commitments in the National Agreement on Closing the Gap.

5-year National Skills Agreement Skills

Skills Ministers continued discussions on a new 5-year NSA, reaffirming governments' shared commitment to have the NSA commence on 1 January 2024, that delivers on National Cabinet's shared vision and principles for VET.

Skills Ministers agreed that the NSA will be the first to embed a model for shared national stewardship to provide national and State and Territory leadership on skills delivery shared priorities – including:

- Gender equality
- Closing the Gap
- Foundation Skills
- Supporting the Net Zero transformation
- Sustaining essential care services
- Developing Australia's sovereign capability and food security
- Ensuring Australia's digital and technology capability
- Improving the quality of apprenticeships and improving completion rates
- Delivering reforms to improve the regulation of VET qualifications and quality, and
- Boosting VET workforce capacity

Skills Ministers emphasised that the focus on national priorities will complement state priorities and local contexts to ensure that the VET sector provides high-quality, responsive and accessible education and training to boost productivity and support Australians to obtain the skills they need to participate and prosper in the modern economy.

TAFE Centres of Excellence

Skills Ministers also agreed that the NSA will establish nationally networked TAFE Centres of Excellence to provide skills for strategically important industries and meet economic challenges that demand a coordinated national response. Nationally networked TAFE Centres of Excellence will partner with industry and universities to address skills needs and support productivity in key sectors.

Skills Ministers discussed priorities for TAFE Centres of Excellence under the NSA, to help grow the skills needed for high-potential and strategically important industries nationally. Skills Ministers and their departmental officials will work closely with TAFEs to expedite delivery on this commitment. National priorities for Centres of Excellence will include supporting transformation to a net zero economy, sustaining essential care and support services, ensuring Australia's digital and technological capability and sovereign capability.

Fee-Free TAFE

Skills Ministers noted that Fee-Free TAFE enrolments have been extremely successful, exceeding the national target of 180,000 enrolments under the 2023 12-month Skills Agreement. Skills Ministers welcomed progress on an extension to the existing 12-month Skills Agreement to deliver an additional 300,000 Fee-Free TAFE places for students across Australia over three years from January 2024.

Consistent with the Commonwealth's commitment to put TAFE at the centre of the VET sector, these places would provide further opportunities to upskill for priority groups such as First Nations peoples, women, young people, people out of work, unpaid carers, and people with disability, in areas of national priority such as the care sector, technology and digital, hospitality and construction.

Closing The Gap

Skills Ministers reaffirmed their commitment to the National Agreement on Closing the Gap as a national priority in the proposed National Skills Agreement and to increase their combined efforts to realise better skills, training and career outcomes for First Nations people. Catherine Liddle, Deputy Convenor Coalition of Peaks, attended to speak with Skills Ministers on the importance of partnership with First Nations peoples and embedding the Priority Reform areas of the National Agreement on Closing the Gap to ensure that government policy

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development processes and decision-making drives real and meaningful change for First Nations people. This included:

- examples of how partnerships and shared decision-making between all levels of government and First Nations peoples can work in practice,
- the importance of investing in and supporting the Aboriginal and Torres Strait Islander community controlled sector's and its workforce,
- the critical role that Aboriginal Community Controlled Registered Training Organisations (RTOs) play in developing a strong and sustainable sector workforce and the need to support the development of RTOs, and
- the importance of ongoing partnership and engagement with First Nations peoples and organisations at all stages of policy, strategy and program design, implementation and evaluation.

Jobs and Skills Australia establishment
Skills Ministers noted the passage of the Jobs and Skills Australia Amendment Bill 2023 through Federal Parliament. Jobs and Skills Australia has a crucial role in identifying and analysing the skills needed for the future workforce. Skills Ministers acknowledged Jobs and Skills Australia is essential to shared national stewardship of the training system because it will provide data and analysis to enable evidence-based decision making on national VET system reforms.

National VET Completions Project

Skills Ministers welcomed the National Vocational Education and Training Completions report that outlines approaches to improve the number of people completing their VET training. Skills Ministers acknowledged the work by the tripartite National VET Completions Taskforce, led by the South Australian Government, and the valuable contribution of the National Centre for Vocational Education Research, Jobs and Skills Australia, and governments.

Skills Ministers noted the report and agreed that its important findings may be used to inform future completion policy initiatives, including through the National Skills Agreement. The report will be released soon.
Western Australia VET Initiatives

Skills Ministers had the opportunity to view a demonstration of the state-of-the-art interactive maritime simulator on their site visit to the South Metropolitan TAFE campus in Fremantle.

The simulator's world-class technology enables training for a broad range of operations, such as navigation, ship handling, bridge watch-keeping, communication and Global Maritime Distress and Safety Systems, preparing future shipmasters, officers and engineers for their maritime careers.

The simulators allow for training in new and emerging maritime technologies and maritime engineering studies, and highlights the investment the Western Australian and Commonwealth Governments are making in skills.

Skills Ministers noted the success of Western Australia's TAFE sector in building the skills needed for clean energy transformation through place-based solutions.

Quality Reforms: RTOs Standards and VET Workforce Blueprint update

Skills Ministers noted progress on the VET Workforce Blueprint and agreed to progress a range of early changes to the current Standards for Registered Training Organisations (RTOs) 2015 in areas where there was broad support from the sector through recent consultation.

This includes changes to alleviate pressures on the VET workforce through expanding the workforce pool and enabling the broader use of industry experts. The Standards will also be amended to reflect the new training products from the updated Training and Education Training Package.

Skills Ministers discussed the importance of reforms underway to Standards for RTOs embedding quality aspirations, articulating clearly and strongly characteristics required of RTOs and reflecting the central role of TAFE as trusted providers. Reforms should embed the value of quality skills and training provision. Officials will be tasked with developing a program for Skills Ministers to fully embed quality aspirations into the Standards.

New Fit and Proper Person Instrument: Requirements for RTOs

Skills Ministers agreed to amend the Fit and Proper Person Requirements under the Standards for Registered Training Organisations (RTO) 2015 as a key step towards strengthening integrity in the sector.

These amendments will enable the VET Regulator to increase scrutiny of persons and organisations seeking to become RTOs and make more informed assessments through expanding the range of matters that can be considered by the Regulator in assessing whether those in management and operational positions in an RTO are fit and proper.

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Fee-Free TAFE to continue in 2024 in South Australia

The Federal and South Australian Governments will deliver thousands of additional Fee-Free TAFE and VET places for South Australians from January 2024, with the partnership continuing to work towards addressing skills shortages and providing training opportunities to Australians.

15,000 Fee-Free vocational education and training places will be on offer from the start of 2024 building on the enormous success of Fee-Free TAFE throughout this year.

The announcement continues the ‘genuine collaboration’ between the Commonwealth and the South Australian governments and will target areas of skills shortage such as early childhood education and care (ECEC), health care, aged and disability care, technology and digital skills, hospitality and tourism, construction, agriculture, vocational and educational training (VET) workforce, and the defence industry.

The Commonwealth Government will invest more than $28 million in support of the 15,000 Fee-Free vocational education and training places from the start of 2024.

The Agreement will increase opportunities and workforce participation of priority groups, including First Nations Australians, young people (17-24 years of age), people out of work or receiving income support, unpaid carers, women undertaking study in non-traditional fields, people with disability and certain categories of visa holders.

In 2023 there was a strong take-up of Fee-Free places in South Australia, with qualifications in the Care sector (including ECEC), Construction, the Technology and

Digital sector and Hospitality and Tourism having the strongest enrolments, adding much-needed skills for these priority industries.

The Fee-Free TAFE initiative has had overwhelming success in its first year exceeding the 180,000-enrolment target by almost 40,000 students, hitting nearly 215,000 enrolments. Around 12,500 of those 215,000 students were in South Australia. Fee-Free TAFE is providing substantial savings to students and providing post-secondary education to students who might not otherwise have had the opportunity to pursue it.

Over the next five years, it is predicted that nine out of ten jobs will require post-secondary education with half of those jobs requiring vocational training.

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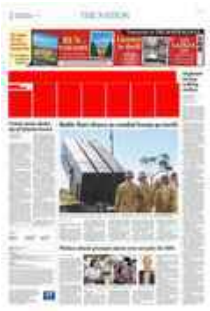
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More money for TAFE in jobs plan

By GREG BROWN CANBERRA BUREAU CHIEF

The Australian
Monday 25th September 2023
591 words
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297cm on the page



More money for TAFE in jobs plan

GREG BROWN
CANBERRA BUREAU CHIEF

Jim Chalmers will commit an extra $41m over the next six years to the TAFE sector while unveiling the government's jobs blueprint, aiming to train more workers in the growth sectors of green energy, care and digitisation.

The Treasurer will on Monday hand down the employment white paper that will become the framework for the Albanese government's jobs strategy, with Labor using the report to distance itself from the Reserve Bank's 4.5 per cent unemployment target.

The employment roadmap will act as a guide for the government as it formulates a migration strategy, the national skills agreement and reform of the university sector. The white paper, which was informed by last year's jobs and skills summit, will include nine new policy initiatives and 31 "broad reform directions".

It will also recommend 70 "specific actions" already implemented by the Albanese government and another 80 the government is in the process of implementing.

Dr Chalmers said the white paper was a "whole-of-government initiative focused on how we can make Australians big beneficiaries of the shifts that will shape our economy into the future".

"This is about Australians being masters of their own destiny and really making the most of the great opportunities we have in the defining decade ahead," he said.

Included in the white paper is extra funding to fast-track the creation of up to six TAFE centres of excellence backed by federal, state and territory governments during negotiations for the national skills agreement.

The centres of excellence will be hubs where figures from industry, universities and government can connect with the TAFE sector to help address skill shortages in growth areas of the economy.

Skills Minister Brendan O'Connor said the government was reforming the vocational education system to ensure there were more workers in growth industries.

"As the economy continues to transform with the ageing of our population, with the transition from hydrocarbons to renewables, with the evolution of information technology to artificial intelligence, it will necessitate highly skilled workers with vocational training be complemented with cutting-edge research and knowledge," Mr O'Connor said.

"For the workers of the future, it doesn't necessarily have to be one or the other – TAFE or uni – it can be a combination of technical skills development and conceptual knowledge.

"We want students of all ages to be able move more easily between vocational education and higher education to develop skills, boost productivity, and meet the skills challenge that confronts the whole of the economy."

In the May budget, the government set aside $3.7bn towards a yet-to-be finalised national skills agreement and committed $400m for an extra 300,000 fee-free TAFE places.

The government will also progress a recommendation in the white paper to establish a national skills passport, making it easier for workers to demonstrate their formal qualifications.

The Weekend Australian reported the government would use the white paper to officially distance itself from the RBA's "technical" 4.5 per cent unemployment target, with Labor endorsing the union-backed goal of work for every Australian who wants it.

RBA governor Michele Bullock was condemned by union bosses after she said in June that "unemployment will have to rise" to 4.5 per cent in order to bring inflation back under control.

On Sunday, Dr Chalmers denied the government's jobs goal would make it harder for the RBA to curtail inflation.

He told Sky News the government was aiming to pursue policies that could drive down the RBA's unemployment target "over time" without impacting inflation.

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Fee Free TAFE here to stay in WA following three year funding announcement

A joint partnership between the Federal and West Australian Governments has secured the future of Fee-Free TAFE and vocational education and training (VET) places in WA for the next three years.

Under the joint-partnership, a further 22,200 Fee-Free TAFE and VET places will be available for Western Australians from January 2024.

“Education and training can be life changing – and with Fee-Free TAFE set to continue into 2024, there has never been a better time to try one of the free courses on offer,” Western Australian Training Minister Simone McGurk said.

Demand for previously offered places was strong, soaring to more than 34,000 this year. The Fee-Free places target areas of skills shortage such as early childhood education and care (ECEC), health care, aged and disability care, technology and digital skills, hospitality and tourism, construction, agriculture, VET workforce, and the defence industry.

“Fee-Free TAFE and VET has been such a success, the Albanese Government is committing to a further 300,000 places beginning next year, with 22,200 of those places in Western Australia,” Federal Minister for Skills and Training Brendan O’Connor said.

“This is a $44.5 million investment in skills and training in Western Australia. This is what genuine collaboration and partnership can achieve – real results for everyday

Australians."

In 2023 uptake of the Fee-Free places has been strong, with ECEC, aged care, disability care, nursing, IT and hospitality having the strongest enrolments.

"Our economic strength relies on our skilled workforce, so it's critical that every Western Australian has access to our TAFE and vocational courses," WA Premier Roger Cook said.

"Through our partnership with the Albanese Government, the Fee-Free initiative helps to build our pipeline of skilled workers in in-demand occupations like construction, early childhood education, nursing and hospitality."

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*Fee-Free TAFE campaign

Fee-Free TAFE Campaign			
Dates in Market	**Aim**	**Audience**	**Channels**
8 October 2023 – 23 March 2024	• Inform target audiences of the availability of Fee-Free TAFE training places available and drive them to the YourCareer website to find out more about courses, eligibility and where to enrol.	• Australians aged 25-54 who are looking to gain new skills or change careers their career path including: ○ Women ○ First Nations Australians ○ People out of work or receiving income support ○ People with disability • Young people aged 17-24 who are eligible for a Fee-Free TAFE course.	• Advertising will appear on **television** for five weeks from 8 October. • **Digital video, digital search and digital social** will be 'always on' throughout the duration of the campaign.

Funding summary

- Funding of $7.01 million was received in the October 2022 Budget for the Fee-Free TAFE campaign, including $5.89 million in 2022–23 and $1.12 million in 2023–24.
- A Movement of Funds request to move $5.573 million in unspent funding from 2022–23 to the 2023–24 financial year was approved by the Department of Finance. This brings the total budget for 2023-34 to $6.693 million, as reflected below.

Impact on underlying cash ($ millions)			
	2022-2023	**2023-2024**	**Total**
Total	-0.317	-6.693	-7.01

Expenditure/Budget ($ millions)

*Source: Budget tracker maintained by campaign team.

Item	2022–23 Budget	2023–24 Budget
Media	-	4.801
Advertising	0.137	1.092
Research	0.18	0.11
Public relations	-	0.25
Multicultural community	-	0.22
First Nations	-	0.22
Total	**0.317**	**6.693**

- As at 30 September 2023, $7.01 million has been committed and $1.273 million has been expended.

Timeline

Critical date	Event or action
8 December 2022	Minister for Finance and Chair of the Government Communications Subcommittee (GCS) approved the Fee-Free TAFE campaign proposal.
24 July 2023	GCS Stage 1 considered the campaign and approved the campaign to proceed to development.
14 August 2023	Independent Communication Committee (ICC) considered the Fee-Free TAFE campaign and found it capable of complying with Principles 1 to 5 of the Guidelines.
18 September 2023	GCS Stage 2 approval of the final advertisements for placement in the media.
8 October 2023	Campaign launch
TBC	The Fee-Free TAFE campaign will be evaluated by the GCS (Q3, 2024)

Related factsheet

PDR Link	Title
SB23-000100	*Fee-Free TAFE - Tranche 2 (Skills and Training Group)

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000399	*Hume, Jane*	*Total expenditure on advertising and information campaigns*	*The Departments total expenditure from 1 July 2022 to 28 February 2023 is $171,362 (ex GST) for the Fee-Free TAFE campaign.*
SQ23-000776	*Hume, Jane*	*Total expenditure on advertising and information campaigns*	*The Departments total expenditure in 2022/23 to 21 June is $229,884 (ex GST) for the Fee-Free TAFE campaign. (Refer to SQ22-001047)*
SQ23-001103	*Cash, Michaelia*	*External advice on the production of advertising material*	*The Government Communications Campaign Panel (GCCP) is the mandatory whole of government panel. DEWR is required to use this panel for campaigns above the value of $500,000. Clemenger BBDO tendered for creative services on the advice from the DoF which managed the GCCP.*

DRAFT

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000399

Senator Jane Hume provided in writing.

Total expenditure on advertising and information campaigns

Question

What was the Department s/agency's total expenditure on advertising and information campaigns in financial year 2022/23 to date? Please provide an itemised list of the campaigns with costs.

Answer

Expenditure on information and advertising campaigns from 1 July 2022 to 28 February 2023 is as follows.

Campaign	Expenditure to 28 February 2023 (ex GST)
Fee-Free TAFE	$171,362

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000776

Senator Jane Hume provided in writing.

Total expenditure on advertising and information campaigns

Question

What was the Department's total expenditure on advertising and information campaigns in financial year 2022/23 to date?
Please provide an itemised list of the campaigns, their purpose, and their expected costs.

Answer

The Department's total expenditure on advertising and information campaigns in financial year 2022/23 to 21 June is $229,844 (GST exclusive) for the Fee-Free TAFE campaign.

Refer to SQ22-001047 for further details.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001103

Senator Michaelia Cash provided in writing.

External advice on the production of advertising material

Question

Please provide a list of tenders that were tendered to external organisations to provide external advice on the production of advertising material.
- Please provide the basis by which tenders were undertaken.
- Please provide the number of suppliers that were approached as part of the tender process.
- Please provide quotes provided by other suppliers in the tender process.
- Please provide the reason this particular supplier identified by the Department of Employment and Workplace Relations for this contract.
- Please provide (in monetary terms) the amount incurred by the Department of Employment and Workplace Relations under this contract since it was tendered.

Answer

The Government Communications Campaign Panel (GCCP) is a mandatory whole-of-government panel of communications suppliers who work on Australian Government advertising and information campaigns. Non-corporate Commonwealth entities subject to the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) must use the GCCP where they have a need for external communication expertise, and the campaign is expected to be above the value of $500,000.

Clemenger BBDO tendered for creative services on advice from the Department of Finance, which manages the GCCP.

As at 23 August 2023, $691,001 (excl. GST) has been expended on the contract.

Apprenticeships and Skills shortages

Overview

- Apprentices and trainees are vital for our economic growth, but too many of them are failing to complete their training and more needs to be done to support key client groups to succeed.

Commencements

- As expected, in the March quarter 2023, there was a decrease in commencements, an increase in non-trade completions and a decrease in in-training apprentices and trainees compared to the March quarter 2022.
- The decrease in commencements was not unexpected and reflects the end of the Boosting Apprenticeship Commencement (BAC) program on 30 June 2022. BAC was an emergency response measure during the height of the pandemic, with an unsustainable subsidy of 50%.
- Commencement numbers are returning to pre COVID-19 levels (2019). Commencements were up **13.1%** in March 2023, with a total of **62,355** people starting their apprenticeship.
- The increase is particularly strong for trades with **34,580** commencements, up **19.1%** in March 2023 compared to March 2019. This reflects the targeting of our incentive on priority occupations which are predominately in Trade.

If Asked: What is being done to support apprenticeship commencements?

There is continued investment in Australian Apprenticeships, providing $3.1 billion over 5 years from 2022-23 into the Australian Apprenticeships Incentive System to target skill shortages, improve completions and provide direct support to apprentices.

- The incentives focus investment on priority occupations, to ensure those industries in greatest demand receive the most support.

If Asked: Are commencements continuing to increase?

- Annual commencement numbers continue to perform strongly reflecting the focus on improving support for apprentices and employers along an apprentice's journey.
- Comparing March 2023 commencements to the same quarter in recent pre-pandemic years, commencements in March 2023 are up **14.4%** compared to March 2018 and are up **13.1%** compared to March 2019. This is particularly pronounced for trade commencements for March 2023 which increased by **21.3%** compared to March 2018 and **19.1%** compared to March 2019.
- While commencements are down compared to the pandemic years, this was to be expected. Commencements during pandemic years were boosted by the additional financial support provided through time-limited, unsustainable economic response measures.
- Commencements in the 12 months to 31 March 2023 decreased **17.9%** to **204,885**.

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If Asked: Why did commencements decrease in the March quarter 2023?

- Commencements were expected the decrease from 1 July 2022 as the apprenticeship system transitioned from the temporary BAC measure to the more sustainable level of support provided under the Australian Apprenticeships Incentive System.
- Commencements in the March quarter 2023 declined **37.4%** to 62,355 (compared to March quarter 2022) reflecting the change in the level of support coming down from a 50% wage subsidy, and employer behaviour bringing forward hiring decision before the BAC closed to new entrants on 30 June 2022.
- While commencements have decline from COVID-19 levels, compared to pre-COVID-19 the Incentives System has driven an increase in commencements in the March quarter 2023 compared to 55,110 in March quarter 2019.

In-training

- Whilst the NCVER data shows that the number of apprentices and trainees in-training grew considerably throughout the COVID-19 pandemic, the number has declined by **10%** since 30 June 2022 (**429,445**).
- This decline coincides with the closure of the BAC program, which provided a **50%** wage subsidy to employers as temporary emergency stimulus in response to economic conditions in the COVID-19 pandemic.
- The BAC was a temporary COVID-19 measure, which was extended from its original end date of 31 March 2022 to 30 June 2022, to account for the economic conditions at the time and ensure a smooth transition to the new Australian Apprenticeships Incentives System.
- Given the substantial increase in commencements under the BAC program, it was expected that when BAC ceased that commencements would decline, resulting in a decline in the in-training number.
- The **trade in-training numbers** as at end March 2023 are the second highest on record for a **March 2023 quarter at 240,338**. This is an increase of **30.1%** (or 55,560) when compared to March 2019.

Trade apprentices in-training as at 31 March 2023:

2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
210,720	210,715	206,848	187,916	179,399	174,519	178,982	184,778	183,620	212,068	241,563	240,338

Women in-training

- There has been a year-on-year increase in the number of women in-training in a trade apprenticeship, with a 2.7 percentage points increase in March 2023 compared to the same time the year before.
- There has also been a steady increase in the proportion of women in trade apprenticeships. Over the past 10 years, the proportion of women in trade apprenticeships has increased (includes all trades including hairdressing) – however this progress has been incremental and slow: 11.5% (23,825 in training) as at 31 March 2014 to 12.0% (28,935 in training) as at 31 March 2023.
- But the proportion of women in an apprenticeship and a trade occupation has been increasing at a faster rate – more women apprentices are choosing a trade – 20.6% as at 31 March 2014 to 25.2% as at 31 March 2023.
- As at 31 March 2023, 8.1% (19,555) of women in trades were in male dominated trades (not hairdressing or animal care) (this compares to 7.7% (18,670) as at 31 March 2022).

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Completion rates and number of completions

- The rate at which apprentices are completing their training has been falling over recent years and women continue to be under-represented in the higher paying vocational education and training (VET) occupations, particularly in male-dominated trades.
    - Individual completion rates for apprentices have been declining steadily over the last 5 reporting periods (2014-2018 commencement cohorts) and is currently at 55.8 % for all occupations, down 0.8% from 2017 (NCVER).
- Completion numbers are still strong, the highest for this quarter since 2017 reflecting the number of apprentices currently in training.
    - An army of skilled workers will be required to build and install the infrastructure needed to achieve a **43%** emissions reductions target by 2030 and net zero by 2050.
- Completions for March 2023 were 23,440, up **3.6%** compared to March 2022, cancellations and withdrawals were 32,815, up **2.6%** compared to March 2022, reflecting the strong in-training numbers.

If Asked: Why have completion numbers in March 2023 increased?

- Completions have increased because there are more apprentices in training. The COVID-19 stimulus measures resulted in a record high number of apprentices in-training which is expected to translate to an increase in the number of completions over the coming years.
- **101,050** apprentices and trainees successfully completed their apprenticeship in the **12 months to 31 March 2023**. This was a **17.1%** increase from the same period the previous year.
- The Australian Government is strengthening targeted support and services available to apprentices to lift completions, address critical skills shortages and ensure all apprentices feel valued in the workplace and encouraged to succeed.
    - Support prioritises key client groups who face barriers to engaging in apprenticeships such as, First Nations apprentices, apprentices with disability, remote apprentices, and women in male-dominated trades.
- A new Australian Apprenticeships service delivery model will be rolled out from 1 July 2024, delivering strengthened support for apprentices who are at the highest risk of non-completion. This will deliver on the Government's Jobs and Skills Summit commitments to explore options to improve apprenticeship support services and drive-up completions.

Key apprenticeship reforms

Investment	Description	Implementation
$3.1 billion over 5 years from 2022-23 into the Australian Apprenticeships Incentives System (Incentive System) Combined with grandfathered payments and funding for non-financial supports, investment over the	Investment under the Incentives System is focused on priority occupations, based on the Australian Apprenticeship Priority List. An additional 39 Priority Occupations were added to the Priority List in January 2023, **expanding the list of occupations to 111** and increasing investment in incentives. The expansion of the Priority List has provided greater financial assistance for apprentices in priority occupations to increase the attractiveness of apprenticeships in areas of skills shortage (see EC23-004630 for further details)	**Commenced 1 July 2022** **Incentives System:** Target skills shortages, improve completions and ensure supports are accessible.

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Investment	Description	Implementation
forward estimates is $8.685 billion.	Financial support of up to $20,000 is available for apprentices in a priority occupation, with a **wage subsidy of up to $15,000 for employers and a $5,000 direct payment to apprentices**. For apprentices not on the priority list a $3,500 hiring incentive is available.	
$54.3 million over 5 years from 2022-23 to introduce a new model for apprenticeship services and non-financial supports (see SB23-000106 for further details). As part of this measure, the **Government will commit a total of $1.0 billion** over a 5-year contract for organisations to deliver the new Australian Apprenticeships Support Services model. This will include grant funding of **$5 million** over 3 years from 2024-25 for organisations with appropriate expertise in supporting women in the workplace, to further support women in male-dominated trade apprenticeships. This will include providing education, advice or support to increase culturally safe and inclusive workplaces, reduce the cultural barriers to women's participation, address workplace challenges and support businesses to attract and retain women. This will be offset by **$55.6 million** in savings achieved from streamlining Australian Apprenticeships Incentives System service arrangements and from transferring the processing of wage subsidy claims from Services Australia to processing in house within the department.	Informed by 2 rounds of consultations, the new model will place apprentices at the centre of service provision and ensure apprentices and employers are provided with better support throughout the apprenticeship journey. The new service model will: Provide improved wraparound support and mentoring for Key Client Groups including First Nations apprentices, apprentices with disability, those who live remotely, women in male-dominated trades while continuing to support all apprentices and employers who experience additional barriers to completing their apprenticeship. Provide better support and mentoring to employers to help them to better understand their role in supporting their Australian Apprentice, including ensuring a safe and respectful workplace, free from harassment, and connecting employers to support services and training to improve their capacity to effectively supervise and support their apprentices in the workplace. Introduce specialist services to provide expert support to certain cohorts of Australian Apprentices including Women in male-dominated trades, First Nations Australian Apprentices and Australian Apprenticeships working towards clean energy occupations. Leverage improved technology to increase and better target communications and streamline program administration to free up service providers to spend more time supporting apprentices. Include a readiness check for apprentice language, literacy, numeracy and digital skills to identify what support might be needed to help the apprentice complete their training, both on and off the job and go on to have successful careers.	**From 1 July 2024** **New model for apprenticeship services and non-financial supports: S**trengthened support for apprentices who are at the highest risk of non-completion. This includes delivery of assessment services, mentoring support and specialist services to provide expert support to certain cohorts of Australian Apprentices including Women in male-dominated trades, First Nations Australian Apprentices and Australian Apprenticeships working towards clean energy occupation.
$105.1 million over 9 years for the New Energy	A subset of 40 of the 111 occupations on the Australia Apprenticeship Priority List are	**Commenced 1 July 2022**

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Investment	Description	Implementation
Apprenticeships and New Energy Skills Programs, as key components of the Powering Australia Plan. Funding was re-allocated between these measures through the 2023-24 Budget with **$87.3 million** to be provided over 9 years to support 10,000 New Energy Apprentices to complete their apprenticeship, and secure the workforce needed to transition Australia's economy to net zero.	occupations in shortage in Australia that can directly support opportunities in the clean energy sector for the pipeline of skilled workers needed now and into the future. Supported sectors in the first phase of the program include solar installation, large-scale renewables, electric vehicles, green hydrogen, and renewable manufacturing. New Energy Apprentices will also have access to an Industry Mentor to guide their clean energy career through the **$14.4 million** New Energy Apprenticeship Mentoring Program, a component of the **$17.8 million** New Energy Skills Program.	**Incentives System:** Target skills shortages in clean energy sectors, improve completions by providing additional financial support for apprentices.
$8.6 million over 4 years to design and implement the Australian Skills Guarantee.	This investment delivers on an election commitment to deliver and implement the Australian Skills Guarantee, which will leverage the significant purchasing power of the Government to drive the demand for apprentices, trainees and paid cadets across the country and to increase opportunities for women in these sectors.	**Tender processes from 1 July 2024** Drive the demand for apprentices, trainees and paid cadets and increase the diversity of the workforce for major projects
Approximately $10 million to develop higher and degree apprenticeships, as part of a broader measure to turbocharge TAFE Centres of Excellence ($41 million, total).	This will accelerate the take up of higher and degree apprenticeships in the priority areas of net zero, care and digitalisation (see EC23-004716 for further detail).	Rapidly build partnerships with employers, unions, universities and others that will be required to lay the groundwork for increased take-up of higher apprenticeships.

Key Government statements

- The Government is strengthening targeted support and services available to apprentices to lift completions, address critical skills shortages, and ensure that all apprentices feel valued in the workplace and encouraged to succeed.
    - During one of the worst skills shortages in decades, forecast to persist for at least the next 5 years, the Government is re-focussing apprenticeship support services to tackle this decline.
    - Getting support for apprentices right will be rewarded with the next generation of highly skilled, vocationally educated Australians.

- Australia is facing an acute skill shortage, with Jobs and Skills Australia's Skills Priority List advising the number of occupations experiencing a skills shortage has increased from 286 in 2022 to 332 in 2023. Over half the total employment growth is in jobs that require Vocational Education and Training pathways.

- Providing targeted support to increase the uptake and completion of apprenticeships in critical sectors is essential to plugging the skills gaps Australia faces.
- Targeting areas with current and emerging skills demand will ensure apprentices have secure employment for years to come and ultimately fill urgently needed skills vacancies.

Current status of the policy

- The Australian Apprenticeships Incentives System was announced through the 2022-23 Budget. The existing women in traditional trades measure will continue to run until 1 July 2024. Phase one of the Australian Apprenticeships Incentives System was implemented 1 July 2022 to better align the program of incentives to skills in demand. Progress towards meeting the objectives for the Incentives System will be assessed in a checkpoint review in 2023–24.
- The first phase of the New Energy Apprenticeships Program commenced on 1 January 2023. New Energy Apprentices will have access to industry specialist mentoring as par to the program. The second phase of this program will be informed by a clean energy capacity study delivered by Jobs and Skills Australia released 3 October 2023.
- The Government will continue to work with the sector and state and territory governments on the detailed program design and guidelines for the Skills Guarantee ahead of targets applying to tender processes from 1 July 2024.

Stakeholders consulted

- The new model for Australian Apprenticeship Support Services was informed by 2 rounds of stakeholder consultation in November-December 2022 and May-June 2023 (see EC23-004611 for further detail).
- Feedback has been clear that actions to improve apprenticeship completions and address skills shortages must address both the nonfinancial issues that apprentices and employers face—such as improving working relationships and addressing challenges with studying and working—as well as the very real financial pressure faces by apprentices.

Recent media on this policy

Albanese government pledges $41m for 6 Tafe centres of excellence and more higher apprenticeships	The Guardian	25 September 2023
Speech – 'Apprenticeship Support Australia 25th Year Celebration Lunch	Minister for Skills and Training	31 August 2023
Why the perception of vocational education and training as a 'second option' is holding students back from lucrative careers	9 News	15 August 2023

Next steps, including consideration by Government where expected

- The Request for Tender for Australian Apprenticeship Support Services was released on 8 August 2023 and closed on 12 September 2023. Assessment of applications is underway, with the new services model to commence from 1 July 2024.
- The Government commissioned Jobs and Skills Australia to carry out a Clean Energy Capacity Study, which outlines the workforce needs for Australia's transition to clean energy. Jobs and Skills Australia delivered the Clean Energy Capacity Study report on 3 October 2023. The report will contribute to the evidence base for the second Phase of the New Energy Apprenticeships Program.
- For the Skills Guarantee, in the second half of 2023, the department will undertake:

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- a public consultation process to seek stakeholder views on draft guidelines for the Procurement Connected Policy, providing an opportunity for stakeholders to inform the final guidelines ahead of their release in early 2024
- a discovery process to help inform the design and delivery of a robust and reliable reporting system in consultation with the sector.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000714	O'Sullivan, Matt	Apprenticeship Completion Rates	Completion rate for top 5 trade occupations is 58.1%.
SQ23-000713	O'Sullivan, Matt	Apprentice commencement data by state	Jul – Sep 2022 total commencements were 29,420.
SQ23-001175	O'Sullivan, Matt	Targeted Support for Apprenticeships	The purpose of the $5m grant is to have expert organisations support women in the workplace, particularly those in apprenticeships in male-dominated trades.
SQ23-001172	O'Sullivan, Matt	Data on apprenticeships and traineeships	The National Centre for Vocational Education Research (NCVER) report reflects the transition from the COVID-19 response measures to the new Incentives System.
SQ23-001174	O'Sullivan, Matt	Clean Energy Apprenticeships	As at 30 June 2023, a total of 1,087 New Energy Apprentices had commenced the New Energy Apprenticeship Program.
SQ23-001171	O'Sullivan, Matt	VET Places	Please refer SQ23-000347.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	13 October 2023

Department of Employment and Workplace Relations - Released under FOI 506 of 853

Apprenticeships and Skills Shortages

Purpose of the program and key statistics

Apprentices and trainees **represent 3.0% of the Australian workforce**, with some key sectors, such as the construction industry, relying heavily on apprenticeships to build a skilled workforce.

- 9.3% of construction workers are apprentices in March Quarter 2023.

As at 31 March 2023, there were **387,505 Australian Apprentices in-training**.

- In the 12 months to March 2023, we can see 204,885 commencements which is more than the average annual commencements pre-COVID (160,000 commencements per year based on average of 5 years 2015 to 2019).

Providing **targeted support to increase the uptake and completion of apprenticeships in critical sectors is essential to filling the skills gaps Australia faces.** This includes investing in the Australian Apprenticeships Incentives System, the New Energy Apprenticeships Program, and the Australian Skills Guarantee.

- The first 3 quarters following the introduction of the new Australian Apprenticeships Incentives Systems shows an **upwards trend and reflect the system recalibrating and returning to pre-pandemic (2019) commencement levels** (noting that commencements for these months are continuing to settle).

Commencements by quarter	Commencements 2019			Commencements 2022/2023		
	Trade	Non-trade	Total	Trade	Non-trade	Total
September (2019 & 2022)	16,325	18,190	34,515	14,630	16,190	30,815
December (2019 & 2022)	12,390	16,320	28,710	16,780	17,640	34,420
March (2019 & 2023)	29,045	26,060	55,110	34,580	27,755	62,355

- Top 5 Trade Occupations by commencements in the March 2023 quarter **demonstrate the demand for priority occupations in shortage** with all 5 on the Priority List.

Top 5 Trade Occupations - Commenced in March quarter	2023	2019	Difference
* 341111 Electrician (General)	6,105	4,610	32.4%
* 321211 Motor Mechanic (General)	4,755	3,700	28.5%
* 331212 Carpenter	4,555	3,980	14.4%
* 334116 Plumber (General)	2,795	2,195	27.3%
* 322211 Sheetmetal Worker	2,010	1,675	20.0%

Priority Occupations marked with *

Key financial incentives for Australian Apprenticeships Priority List occupations

Apprentices in Priority Occupations	Employers of Apprentices in Priority Occupations
Australian Apprentice Training Support Payment $5,000 payment direct to apprentices and trainees paid in milestones	**Priority Wage Subsidy** 10% of the apprentice's wage in the first year, 10% in the second year and 5% in the third year add max – up to $15,000.
New Energy Apprenticeship Support Payment $10,000 payment direct to apprentices and trainees paid in milestones	

Announcement

$3.1 billion over 5 years from 2022-23 for the **Australian Apprenticeships Incentives System**.

- Investment is focused on priority occupations, based on the Australian Apprenticeship Priority List, which is updated annually, reflecting the latest National Skills Priority List.
- Australian Apprentice Training Support Payment provides up to 2 years of direct financial assistance for apprentices undertaking Certificate III level and above qualification in an occupation listed on the Australian Apprenticeship Priority List.
- The Priority Wage Subsidy provides up to 3 years of assistance to employers. Eligible employers are able to be reimbursed a percentage of wages paid on a quarterly basis.

An additional $54.3 million over 5 years from 2022-23 to introduce a **new model for apprenticeship services and non-financial supports** from 1 July 2024. As part of this measure, Government will commit to a total of $1.0 billion over a 5-year contract for organisations to deliver the new Australian Apprenticeship Support Services model.

- Includes $5 million over 3 years from 2024-25 for organisations with appropriate expertise in supporting women in the workplace to provide education, advice, and support for women in trades dominated by men.

$105.1 million over 9 years for the **New Energy Apprenticeships and New Energy Skills Programs**, as key components of the Powering Australia Plan.

- Apprentices who choose to train in new energy industries will receive up to $10,000 over the duration of the apprenticeship, paid in 5 milestone payments of $2,000 (at 6, 12, 24, and 36 months and on successful completion).

$8.6 million over 4 years to design and implement the **Australian Skills Guarantee**.

- Applying to procurements from 1 July 2024, for construction and information and communication technology projects, the Skills Guarantee will introduce national targets for apprentices, trainees and paid cadets working on Australian Government-funded major projects with a total contract value of $10 million or more.
- It will also introduce targets for women apprentices, trainees, and paid cadets on eligible construction projects. These targets will increase each year to drive sustainable, achievable change. There will also be more ambitious targets for women in flagship construction projects with a total contract value of $100 million or more.

Approximately $10 million to develop higher and degree apprenticeships, as part of a broader measure to turbocharge TAFE Centres of Excellence ($41 million, total). This will accelerate the take up of higher and degree apprenticeships in the priority areas of net zero, care and digitalisation.

Budget ($'000s)

Item	2022–23 Budget	2023–24 Estimate	2024–25 Estimate	2025–26 Estimate	2026–27 Estimate
Australian Apprenticeships Incentives System	160,569	682,452	899,179	781,907	570,100
Australian Apprenticeships Support Network	273,006	246,392	229,991	205,127	200,920
New Energy Skills Program*	2,142	4,862	3,603	3,603	3,603
Australian Skills Guarantee*	0.0	2,828	2,101	2,088	1,535
Higher Apprenticeships					

* Includes departmental Funding

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Albanese government pledges $41m for six Tafe centres of excellence and more higher apprenticeships

White paper to be released on Monday promises new policy initiatives including national skills passport

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Paul Karp *Chief political correspondent*
@Paul_Karp
Mon 25 Sep 2023 01.00 AEST

The Albanese government will spend an extra $41m in a bid to double higher apprenticeships in the care economy, digitisation and net zero, three priorities identified by the employment white paper.

The treasurer, Jim Chalmers, will release the white paper on Monday, promising nine new policy initiatives including a national skills passport and the bid to boost Tafe with six new centres of excellence around Australia.



Australian economy adds 65,000 jobs in August, raising prospect of further rate hikes

Read more

Labor will spend $31m on the Tafe centres and $10m to develop higher and degree apprenticeships, to develop bachelor level qualifications to enter into clean industries and the care economy without going to university.

Higher apprenticeships are vocational qualifications combined with paid employment. The government aims to double higher apprenticeships in a period of five years.

The white paper outlines five objectives for the Australian government: delivering sustained and inclusive full employment; promoting job security and strong, sustainable wage growth; improving productivity; filling skills needs and building the future workforce; and overcoming barriers to employment and broadening opportunity.

According to the employment white paper, around 2.8m people – one-fifth of the size of the total workforce – is either unemployed and looking for work or in a job but under-utilised.

“For every person in Australia reported in the labour force statistics as unemployed, there are four others who want to work but are not actively searching or available to work, or who want to work more hours,” it said.

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The white paper defines the goal of “sustained” full employment as using the budget and interest rates to reduce economic volatility; and “inclusive” full employment as broadening labour market opportunities to prevent structural underutilisation.

“Everyone who wants a job should be able to find one without searching for too long,” the white paper said.

The white paper, excerpts of which were distributed by the treasurer’s office, said that full employment has often been “too narrowly” defined as the rate of employment that is believed to not increase inflation.

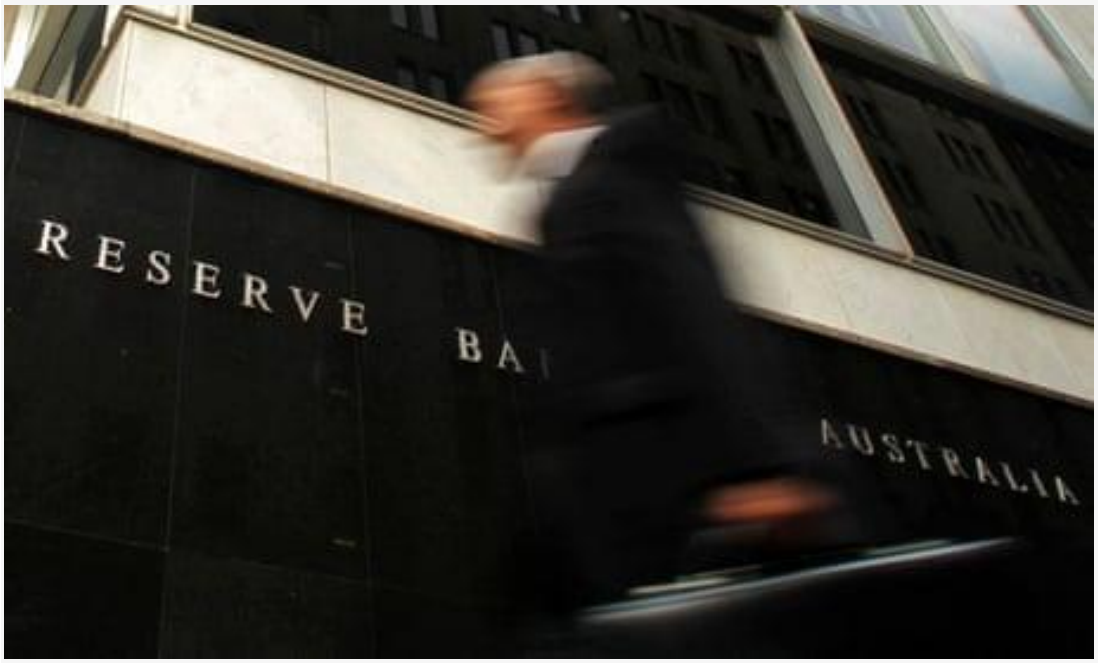
That can be “useful to gauge macroeconomic conditions” because it is “the current maximum level of employment that can be sustained in the short-term”.

“But it does not capture the full extent of spare capacity in our economy or the full potential of our workforce.”

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Chalmers said the Tafe component will produce "more graduates with more of the skills they'll need to make the most of the big shifts that are shaping our economy into the future – whether it's the net zero transformation, growth in the care economy or adapting and adopting new technology".



OECD inflation outlook suggests further Australian interest rate rises possible

Read more

The skills and training minister, Brendan O'Connor, said the changing economy will need "highly skilled workers with vocational training [to] be complemented with cutting-edge research and knowledge".

He cited trends including "the ageing of our population, the transition from hydrocarbons to renewables, [and] the evolution of information technology to artificial intelligence".

"At its heart, these reforms are about what we need to do now and in the decade ahead, to set the vocational education and training sector up for success and we will continue to develop these reforms through the national skills agreement."

On Sunday the government announced it will spend $9.1m on a business case to define the scope, outcomes and benefits of a national skills passport.

The policy aims to make it easier for employees to demonstrate their skills, change jobs and upskill, while making it simpler for employers to hire new staff with the skills and qualifications they need.

Speech - Apprenticeship Support Australia 25th Year Celebration Lunch

Ministers:
The Hon Brendan O'Connor MP
Minister for Skills and Training

Acknowledgement of Country

I want to acknowledge the Wurundjeri and Woi Wurrung people of the Kulin Nation, and pay my respects to Elders past, and present.

And I extend that respect to any First Nations and Torres Strait Islander people here today.

I am proud to be part of a government that will give every Australian the opportunity to vote for constitutional recognition of Aboriginal and Torres Strait Islander people.

Introduction

We are here today to celebrate 25 years of achievement.

Since 1998, the Australian Apprenticeship Centre, and more recently, Apprenticeship Support Australia, has a played pivotal role in supporting apprentices to transition from training to tradesperson.

Yet right now, we face a dramatic skills shortage. The worst since WW2.

And in overcoming this shortage we must work together, and every group represented in this room has a part to play.

Government values greatly the role of stakeholders in determining practical and viable policy alternatives, and we recognise that those closest often have some of the most powerful insights into solving ongoing challenges.

Your unique positioning gives you the ability to envisage problems and propose solutions, ultimately having a deeply positive influence on the direction of future apprenticeship policy.

And this is coupled with a passion for VET, apprentices and trainees.

It’s become clear, without a properly funded VET sector, and a genuine support structure for apprentices and trainees, we will not keep up with changing industry needs.

Department of Employment and Workplace Relations - Released under FOI

Needs that are changing faster than ever. Industries are innovating rapidly, and our workforce needs to keep pace.

We must have the skills pool to face the global challenges of our time.

And to make a real difference one of the priority challenges is improving apprenticeship completion rates.

Apprenticeship completion rates

Recent data shows only 56 percent of apprentices complete their apprenticeships.

Just over half of apprentices are finishing their training at a time when we're grappling with the most serious skills shortage in decades.

I don't need to spell out just how important it is that we turn this around.

Now, I get the chance to meet and talk with great VET students, apprentices and trainees from all around the country.

And I'm under no illusions.

A lot of them are young and exploring their first career.

So naturally there will always be some apprentices who decide that it's not for them.

But we must remain ambitious and understand the reasons why many are not completing.

Of the 44 per cent of apprentices dropping out, it's a safe bet that some of them would have made great qualified tradespeople, had they just been better supported to finish.

That's why our government wants to offer more proactive support services over the life of apprenticeships.

This is particularly important in the first two years, when wages are typically at their lowest and apprentices are at the highest risk of dropping out.

Mentoring and in-training support is an important focus – especially for apprentices who experience additional barriers to finishing their training.

We are focusing our efforts on ensuring Australians have the skills in demand

now, and into the future, to support secure employment and address skills needs.

One-in-four apprentices drop out during their first year when wages are at their lowest.

This says to me they need more support.

So, for that reason we've expanded the list of occupations covered by the Australian Apprenticeship Priority List from 77 to 111.

This means more apprentices can access direct payments of up to $5,000 under the Apprentice Training Support payments, or up to $10,000 under the New Energy Apprenticeship program.

And it's not just trade apprentices and trainees that need extra support.

People training for vital jobs in our care sectors are another example of where we need thousands more skilled workers.

It's why we recently passed legislation that expands interest-free, income-contingent support loans to non-trade apprentices for the very first time.

This means approximately 35,000 additional apprentices and trainees in areas of skills shortage will become eligible for important cost-of-living support.

In addition to financial incentives, our government is strengthening apprenticeship services and supports to lift completion rates, but just as importantly make sure apprentices feel valued in the workplace.

In 2021, 14 percent of trade apprentices who dropped out did so because they didn't get on with their boss.

Not always but in many instances - that's a solvable problem.

They could switch employers and remain in an apprenticeship.

They could be better supported to adapt to a workplace, and employers could be mentored to improve their engagement with apprentices.

And we're focusing support on under-represented groups who face additional barriers to engaging and continuing apprenticeships.

Women in male-dominated trades, First Nations apprentices, apprentices in remote locations, and apprentices with disability.

We are also leveraging government investment in major projects to help train the next generation of skilled workers through the Australian Skills Guarantee.

The Skills Guarantee will ensure one in 10 workers on major Commonwealth-funded projects is an apprentice, trainee or paid cadet.

It will also include targets for women to drive long-term sustainable change and reduce gender segregation in the apprenticeship system.

And to access improved support, we are vastly improving access to TAFE courses needed to access apprenticeships, or complete them.

Conclusion

Many in this room have made a significant contribution to the skills development of Australians.

I commend your commitment to industry, employers and apprentices, and thank you for a generation long legacy of success.

Please enjoy the rest of the lunch.

Department of Employment and Workplace Relations - Released under FOI

Why the perception of vocational education as a 'second option' is holding students back from lucrative careers

By Rebecca Masters • Senior Producer
10:50am Aug 15, 2023

Earning a six-figure salary in a job you love sounds like career success.

But Rachel Dudok grew up in Hong Kong with parents who were determined to see her go to university and become a doctor or lawyer.

Becoming an aircraft maintenance engineer with Qantas was not the path they had in mind for her.

She didn't even need a university degree to do it.

READ MORE: Four Australians missing on boat trip in Indonesia



Rachel Dudok is the national technical training manager for Komatsu. She started her career with an apprenticeship as an aircraft maintenance engineer. (Supplied)

"They are proud that I've made something of myself and that I am successful in my own right," Dudok said.

"I've got a rewarding career, I'm making good money, and I'm happy in my job. I'm contributing, I'm making a difference.

Department of Employment and Workplace Relations - Released under FOI

"That's what they wanted for me, it's just not the pathway that they would have wanted me to take."

Dudok said people were often surprised she achieved her trade through vocational education.

"They just can't comprehend the fact that it's a four-year apprenticeship and it's not actually a university degree in order to do a very technical, highly skilled job like aircraft maintenance," Dudok told 9news.com.au.

"They don't necessarily associate those highly skilled roles with a trade background."

Dudok later did diplomas in international business and leadership and management and is now the national technical training manager at mining and construction manufacturer Komatsu, where she says her trade background allows her to easily relate to both the technicians and corporate managers.

But despite her career success, she says she's never been invited back to her former private girls' school to speak to students or parents.

"Anyone who did go on to tertiary studies and even had a minor award or achievement, they do like to push that in their newsletters and get them back to speak to kids at career days."

This lingering perception that TAFE or vocational education is a second option to the first choice of university is holding kids back, according to an expert on the sector.



TAFE is widely perceived as a "second option" compared to the "first choice" of university, according to National Skills Week chair and SkillsOne CEO Brian Wexham. (Louise Kennerley)

National Skills Week chair and SkillsOne CEO Brian Wexham said parents have been led to believe a university education will automatically mean a better outcome for their child but that "nothing could be further from the truth".

He said schools often held up their percentage of graduates that had qualified for university in an appeal to parents that theirs was a quality school.

"It's not actually very meaningful, but it reinforces that perception," he said.

"It's an issue we've been dealing with for 10 years.

"It never ceases to amaze me that when you are actually able to talk to parents one-on-one and you explain to them the options and then you produce someone who, say, started his own business after doing VET education and he's happy and he's doing really well, and they look almost amazed."

Do you have a story? Contact reporter Rebecca Masters at rmasters@nine.com.au

The cost of university, particularly with the recent effect of inflation on HECS debt indexation, in comparison to TAFE or vocational education was another factor to consider, he said.

"People often say to me, you know, apprentices don't get paid very much, and I say, well actually, they're getting paid to learn," Wexham said.

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"When you go to university you pay the university to learn and you end up with a $20,000-odd debt."

TAFE and vocational education is typically cheaper than university, with fees generally ranging between $4000 and $20,000, and courses in areas of high skill demand are often heavily subsidised or provided free.

Dudok told 9news.com.au her tuition fees were fully reimbursed by her employer, Qantas.

READ MORE: Free TAFE courses rolled out across country to combat skills shortage


Electricians are among the top 20 occupations in demand nationally. (Getty Images/iStockphoto)

The last Labour Market Update report from Jobs and Skills Australia in May listed the top 20 occupations in demand nationally.

Apart from general practitioners, registered nurses and software programmers, which require a degree, the majority required vocational level qualifications, including early childhood teachers, aged carers, motor mechanics, chefs, electricians and retail managers.

However, an interim report by the Australian Universities Accord, the panel tasked with reviewing the university sector, released last month found the percentage of the Australian workforce that has a university degree will increase from the current rate of 36 per cent to 55 per cent by 2050.



The jobs most at risk of being replaced by artificial intelligence

View Gallery

It recommended filling that gap by making university more accessible to students from low-socioeconomic areas.

"It's always a question of balance and I guess common sense," Wexham said.

"I think we'd all agree that everybody should have the opportunity and indeed the right to be able to go to university if that is their choice.

"But what I don't believe we should do is actually not provide the other options.

"We need something like 600,000 more people to undertake digital skills by 2030, then you've got the health and community workforce where they are looking for another 250,000 workers by 2025."

He said the expansion of dual-sector universities, that incorporate academic and vocational learning, was an example of the university sector recognising it needed to work more closely with the VET sector.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000714

Senator Matt O'Sullivan on 31 May 2023, Proof Hansard page 97

Apprenticeship Completion Rates

Question

Ms Sharp: On completion rates, because there's a four-year time period, our latest available completion rate is measured off apprentices who commenced in 2017. The current completion rate for an individual is 55.7 per cent of the apprentices who commenced in 2017 have completed.
Senator O'SULLIVAN: How's that tracking historically?
Ms Sharp: That has been tracking down. If you look at apprentices who commenced in 2012, 61.6 per cent completed. Of the apprentices who commenced in 2013, 59.9 per cent completed. For apprentices who commenced in 2014, 57 per cent. Basically we've been losing somewhere between half a percentage point and a percentage point each year since the commencements of 2012.
Senator O'SULLIVAN: Do you put that down to anything in particular?
Ms Sharp: We've been doing a lot of work on that. It's a combination of a whole range of factors. The research we've done says that 80 per cent of the time the decision to end the apprenticeship is a decision made by the apprentice. That's for a whole range of reasons ranging from they don't like the workplace, they don't get along with their boss, they're not getting enough training, they're unhappy with the wages or they get offered a better job.
Ms Campbell: I would also say it varies greatly by industry. If you look at some industries like electricians, they're completing at a higher rate than the average, so that's 67.6 per cent. Bricklayers, carpenters and joiners are 57.1 per cent. You also have other occupations like general clerks who are completing at 64.6 per cent, which compares to some other occupations like hospitality workers who are completing below that national level, at 48.2 per cent. So there's quite a range.
Senator O'SULLIVAN: Are you able to table that table you're reading from?
Ms Campbell: Yes.
Ms Sharp: What Belinda was reading from—for when you receive it—is the top five occupations in the trade and non-trade areas, and their completion rates.

Answer

Top 5 occupations as at 30 September 2022 (based on in-training numbers) for trade and non-trade Australian Apprentices:

Trade occupations for starters 2017 (54.0%)	**Completion rate***
341 Electricians	67.6%
331 Bricklayers, and Carpenters and Joiners	57.1%
321 Automotive Electricians and Mechanics	60.3%
334 Plumbers	58.2%
351 Food Trades Workers	43.0%
Completion rates for top 5 trade occupations	**58.1%**

Department of Employment and Workplace Relations - Released under FOI

Non-trade occupations for starters 2017 (56.8%)	Completion rate*
531 General Clerks	64.6%
621 Sales Assistants and Salespersons	59.8%
421 Child Carers	62.5%
431 Hospitality Workers	48.2%
512 Office and Practice Managers	48.2%
Completion rates for top 5 non-trade occupations	**58.0%**

**Data source (completion rate): DEWR program data extracted on 30 April 2023.*

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000713

Senator Matt O'Sullivan on 31 May 2023, Proof Hansard page 97

Apprentice commencement data by state

Question
Senator O'SULLIVAN: Well, we have big shortages and the economy needs apprentices. I'm happy if you take this on notice, but can I get the commencement data by state and, if you've got it, also by electorate on those same quarter periods that we've discussed there—so going back 18 months on the data you have?
Ms Sharp: Yes, we can provide that on notice.
Ms Sharp: There are currently 402,245 apprentices and trainees in training. Of those, 162,655 are studying at TAFE.
...
Senator O'SULLIVAN: So the balance would be private?
Ms Sharp: No, not quite. There are 204,380 at private training providers; 13,605 at universities, like at a dual sector university; 970 are training in school; 7,930 are training in a community education provider; 11,895 are training at an enterprise provider—that would be employers that has their own; and 810 at 'not known'.
Senator O'SULLIVAN: Do you have a completion rate by those categories?
Ms Sharp: Not to hand. We would have to take that on notice.

Answer

Please note that the below tables include the first quarter (Jul-Sep 2022) of commencement data available post the conclusion of the Boosting Apprenticeships Commencements (BAC) Wage Subsidy.

The BAC wage subsidy was a time-limited emergency response measures designed to support the apprenticeship system in a time of the COVID-19 challenge. Through the BAC wage subsidies, eligible employers could claim:

- 50 per cent of wages paid for a 12 month period from the date of commencement as set out in the approved Training Contract, up to $7,000 per quarter (BAC).

The BAC wage subsidies closed to new entrants on 30 June 2022.

As a result of the announcement of the wage subsidy ending on 30 June 2022, many employers brought forward recruitment activities ahead of the closure date.

The previous government announced the end ofthe BAC in the March 2022 Budget, as well as the transition to the Australian Apprenticeship Incentives System from 1 July 2022.

Table 1: Apprentices and Trainees commencements by State

Commencements by State - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
New South Wales	12,935	11,230	13,130	27,510	18,800	6,905
Victoria	9,905	9,800	10,410	21,415	16,490	6,495
Queensland	13,195	14,945	13,815	25,900	21,095	8,275
South Australia	3,310	3,935	3,615	7,020	5,565	1,645
Western Australia	6,230	6,835	6,510	11,575	9,125	4,155
Tasmania	1,795	1,850	1,745	3,030	2,535	915
Northern Territory	505	390	430	960	595	305
Australian Capital Territory	1,170	1,120	1,015	1,610	1,375	725
Total	49,045	50,105	50,675	99,020	75,585	29,420

Source: *Australian vocational education and training statistics: apprentices and trainees 2022 — June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5

Table 2: Apprentices and Trainees commencements by Electorate

Commencements by Electorate - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
Adelaide	965	960	1,060	2,015	1,780	395
Aston	235	205	270	445	345	180
Ballarat	340	340	345	725	575	235
Banks	170	90	135	345	200	70
Barker	340	495	420	810	495	190
Barton	155	110	185	290	230	60
Bass	340	345	290	555	475	175
Bean	310	315	260	445	335	220
Bendigo	300	285	320	605	500	205
Bennelong	175	160	185	365	250	100
Berowra	145	90	155	285	150	55
Blair	380	360	350	610	675	270
Blaxland	250	210	230	510	375	115
Bonner	385	430	470	755	595	215
Boothby	205	300	270	465	380	85
Bowman	300	350	270	525	450	155
Braddon	400	465	485	750	630	275
Bradfield	165	100	110	235	210	70
Brand	275	270	295	385	375	170
Brisbane	865	1,275	1,045	1,970	1,660	565
Bruce	270	270	235	555	525	215
Burt	295	315	285	540	440	210
Calare	280	265	365	860	420	185
Calwell	370	420	410	785	515	235

Commencements by Electorate - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
Canberra	525	500	500	745	705	320
Canning	265	245	290	465	330	210
Capricornia	505	610	630	1,275	740	515
Casey	215	205	195	580	285	160
Chifley	330	285	360	650	515	110
Chisholm	170	175	145	485	380	130
Clark	480	500	455	705	620	215
Cook	245	180	270	495	325	85
Cooper	210	295	235	445	355	150
Corangamite	260	275	250	510	395	155
Corio	400	400	455	815	705	225
Cowan	365	435	375	720	550	220
Cowper	395	385	395	895	580	215
Cunningham	300	280	315	770	505	190
Curtin	175	220	225	535	315	80
Dawson	435	385	295	745	620	230
Deakin	240	275	250	510	370	160
Dickson	495	465	495	750	680	295
Dobell	340	295	390	645	425	160
Dunkley	270	210	190	425	340	215
Durack	995	920	675	1,465	1,105	565
Eden-Monaro	240	230	275	605	320	170
Fadden	440	460	485	880	650	295
Fairfax	485	530	465	850	830	255
Farrer	315	315	305	790	515	200
Fenner	300	270	230	390	330	180
Fisher	490	635	465	775	690	295
Flinders	415	305	305	635	475	265
Flynn	395	450	315	875	555	270
Forde	690	750	775	1,095	970	450
Forrest	335	360	470	840	495	190
Fowler	165	85	140	360	280	75
Franklin	360	255	270	520	395	130
Fraser	160	240	185	300	295	115
Fremantle	455	510	480	835	675	340
Gellibrand	280	370	355	650	570	185
Gilmore	275	300	310	565	330	140
Gippsland	300	270	230	505	400	175
Goldstein	85	105	110	230	195	55
Gorton	195	155	180	435	270	165
Grayndler	135	80	110	260	205	45
Greenway	180	145	140	430	380	85

Commencements by Electorate - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
Grey	420	415	335	860	555	325
Griffith	400	535	515	845	815	210
Groom	560	565	710	990	1,035	330
Hasluck	320	350	350	630	490	230
Herbert	365	405	380	870	625	280
Higgins	150	140	155	240	285	65
Hindmarsh	325	400	330	625	445	135
Hinkler	270	305	275	570	370	215
Holt	130	135	185	330	280	95
Hotham	235	260	225	495	470	105
Hughes	165	140	195	395	250	90
Hume	265	295	335	655	370	150
Hunter	460	495	495	1,020	745	495
Indi	475	395	420	865	645	260
Isaacs	330	315	275	635	585	270
Jagajaga	130	140	155	315	295	100
Kennedy	320	315	245	745	390	195
Kingsford Smith	190	135	260	500	350	85
Kingston	170	285	210	360	380	75
Kooyong	150	140	180	605	275	60
La Trobe	205	200	255	580	320	160
Lalor	230	255	645	480	440	150
Leichhardt	495	440	375	880	645	285
Lilley	560	550	550	1,140	885	280
Lindsay	300	235	345	690	425	160
Lingiari	235	185	195	495	300	165
Longman	305	335	345	565	530	235
Lyne	250	260	255	625	375	115
Lyons	215	280	240	500	420	120
Macarthur	255	180	295	560	485	180
Mackellar	185	160	210	365	175	100
Macnamara	295	255	375	730	680	210
Macquarie	210	130	210	465	220	80
Makin	245	300	220	390	380	90
Mallee	340	340	345	790	480	260
Maranoa	410	370	370	945	605	245
Maribyrnong	190	210	195	400	360	120
Mayo	205	185	185	390	310	80
McEwen	180	175	160	375	280	150
McMahon	495	300	415	785	670	170
McPherson	415	560	495	865	730	270
Melbourne	575	520	465	1,115	1,105	400

Department of Employment and Workplace Relations - Released under FOI

Commencements by Electorate - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
Menzies	130	130	145	235	160	95
Mitchell	250	200	285	570	405	135
Monash	255	220	245	545	340	170
Moncrieff	605	740	750	1,080	1,120	295
Moore	190	180	200	320	340	145
Moreton	645	690	575	1,195	905	340
New England	320	320	325	715	410	160
Newcastle	465	425	365	950	625	235
Nicholls	310	325	325	755	430	185
North Sydney	255	210	255	445	330	105
O'Connor	735	740	660	1,370	955	515
Oxley	360	405	420	900	710	230
Page	295	260	255	475	310	150
Parkes	355	320	335	800	405	180
Parramatta	285	195	280	545	500	135
Paterson	415	375	475	915	585	270
Pearce	200	250	290	435	330	175
Perth	560	825	575	1,015	935	385
Petrie	320	335	340	530	440	130
Rankin	385	575	405	900	670	340
Reid	200	160	230	470	405	110
Richmond	325	315	310	560	390	135
Riverina	315	485	360	935	500	345
Robertson	320	235	250	620	415	105
Ryan	210	250	200	445	360	130
Scullin	235	240	165	360	365	140
Shortland	280	300	235	635	420	140
Solomon	250	200	225	445	295	135
Spence	175	220	190	435	295	130
Stirling	390	395	395	735	730	180
Sturt	260	380	385	665	555	135
Swan	555	640	790	1,005	855	450
Sydney	595	605	740	1,400	1,260	345
Tangney	100	165	145	255	190	75
Wannon	415	410	405	1,130	550	180
Warringah	225	130	170	405	205	95
Watson	135	90	160	225	165	70
Wentworth	145	100	165	375	270	50
Werriwa	185	115	180	340	280	110
Whitlam	270	240	235	570	350	125
Wide Bay	305	380	285	575	475	205
Wills	120	115	140	260	180	95

Commencements by Electorate - quarter	Apr - Jun 2021	Jul - Sep 2021	Oct - Dec 2021	Jan - Mar 2022	Apr - Jun 2022	Jul - Sep 2022
Wright	250	295	255	535	445	180
Unallocated, unknown, invalid and overseas codes	580	550	775	1,000	985	195
Total	**49,045**	**50,105**	**50,675**	**99,020**	**75,585**	**29,420**

Source: *Australian vocational education and training statistics: Apprentices and Trainees 2022 —June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5.

Table 3: Individual completion rates by Registered Training Organisation (RTO) type for starting year 2017

Individual completion rate by RTO Type	Starting year 2017
TAFE institutes	58.8% *
Universities	60.4% *
Schools	54.2% *
Community education providers	57.2% *
Enterprise providers	68.5% *
Private training providers	53.6% *
Unknown	57.4% *
Total	55.7%

Data sources:
** DEWR Program data extracted on 15 June 2023*
Note: The RTO, the apprentice first enrolled at is used to determine the RTO Type. Completion rate by RTO type is from DEWR program data which compares to the NCVER completion rate of 55.7% for Apprentices and Trainees starting in 2017.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001175

Senator Matt O'Sullivan provided in writing.

Targeted Support for Apprenticeships

Question

1. Regarding the measure which provides $5 million over 3 years from 2024-25. The measure says that this will be in the form of grant funding, can you please advise of:
   a. What will be the purpose of the grant? Who will be eligible to apply?
   b. Will it be a competitive grant opportunity?
   c. If so, when will the grant guidelines be available?
   d. Who will approve those guidelines?
   e. How much will the grants be? I.e., will there be a limit or a capped amount?
   f. Who will be the decision maker for funding?

Answer

a. The purpose of the $5 million grant is to expert organisations to support women in the workplace, particularly those in apprenticeships in male-dominated trades. This includes providing education, advice or support inclusive workplaces and improve cultural safety; reducing barriers to women's participation in some heavily male-dominated workplaces; and supporting businesses in those sectors to attract and retain women.

b. The Grant Opportunity Guidelines, including eligibility criteria, are yet to be finalised.

c. The Grant Opportunity Guidelines are expected to be available from early 2024.

d. The Grant Opportunity Guidelines will be prepared and approved as per the Commonwealth Grants Rules and Guidelines (CGRG). Consistent with the CGRG's, the Grant Opportunity Guidelines will be authorised or endorsed by the Minister for Finance.

e. The Grant Opportunity Guidelines, including grant amount and grant period, are yet to be settled.

f. The Grant Opportunity Guidelines, including the grant selection process, are yet to be settled.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001172

Senator Matt O'Sullivan provided in writing.

Data on apprenticeships and traineeships

Question

1. Referring to the Sept 2022 quarterly report on apprentices and trainees, there was a 41.3% decrease in the number of commencements from the Sept 2021 quarter to the Sept 2022 quarter. Was there any analysis conducted on the factors behind this?

2. Referring to the Sept 2022 quarterly report on apprentices and trainees, there was a 28.1% increase in the number of cancellations from the Sept 2021 quarter to the Sept 2022 quarter. Was there any analysis conducted on the factors behind this?
a. Do you collect data on the reasons why there are cancellations and/or withdrawals from apprenticeships and traineeships?
b. What categories do you use when collecting this data?
c. Could you please provide a breakdown of these categories of reasons behind cancellations and/or withdrawals?

3. I note that the 10-year series indicates that on average, commencements at the Sept quarter hovers around the 35,000 mark. Given that the Sept 2022 quarter had 29,420 commencements, this is a decrease of around 15%. What is the reason for this significant decrease given the stability over the past 10 years, with the exception of COVID-19?

4. The 10-year time series provides data that saw cancellations and withdrawals at record high levels in 2011-12. These start to decrease and hold consistent from late 2013 the start of the 2020 impacts of COVID-19. We now see cancellations and withdrawals climbing rapidly, returning to the same peak levels as we saw in 2011. What is the reason for the rapid escalation in the rate of cancellations and withdrawals?

Answer

1. The National Centre for Vocational Education Research (NCVER) Apprentices and Trainees Quarterly report reflects the transition of the Commonwealth Australian Apprenticeship incentives program from the COVID-19 response measures, including the Boosting Apprenticeship Commencements (BAC) program, to the more sustainable Australian Apprenticeship Incentive System (Incentives System).

The BAC program was a COVID pandemic period relates measure and the closure of the BAC program was announced as part of the Budget in March 2022, under the previous government. The data shows, following the announcement, employers brought forward hiring decisions resulting in an increase in commencements towards to the end of the program. This hiring pattern was also evident in significant increases in commencements coinciding with the previously announced program end dates in February and March 2021, and then again in March 2022.

2. The reported number of cancellations and withdrawals between the September 2021 quarter and the September 2022 quarter reflects the overall increase in the number of apprentices and trainees in-training. The reported number of cancellations and withdrawals, includes apprentices and trainees changing training contracts to move between employers or change jobs, as well as those deciding to no longer continue their training.

Departmental analysis of program data indicates that as a proportion of the total number of apprentices in training, the level of movement between employers, changing training contracts and apprentices dropping out of their apprenticeship has not increased significantly.

2a. Data is collected based on why apprentices and trainees cancel or withdraw. Each year the NCVER publishes the Apprentice and Trainee Outcomes report which includes data on the main reasons why apprentices and trainees did not complete their training. This information is collected from an annual survey of apprentices and trainees.

2b. The NCVER Apprentice and Trainee Outcomes 2022 report states that the main reason for an apprentice or trainee not completing is employment related (66.5%) followed by personal reasons (15.6%), training related (11.3%) or other (6.5%). (https://www.ncver.edu.au/research-and-statistics/publications/all-publications/apprentice-and-trainee-outcomes-2022)

2c. See response to Question 2b.

3. The reported decrease in commencements in the September 2022 quarter reflects the closure of the COVID pandemic period related BAC program on 30 June 2022, as announced in the March 2022 Budget by the previous government.

Apprenticeship commencement data to June 2022 shows following the announcement of end of the BAC program, employers brought forward hiring decisions resulting in an increase in commencements towards the end of the program. This hiring pattern, and the significant increase in commencements, was also evident with the previously announced program end dates in February and March 2021, and then again in March 2022.

Employers bringing forward hiring decisions into the period ending 30 June 2022, resulted in the September 2022 quarter commencement numbers being lower overall.

4. The reported increase in the number of cancellations and withdrawals reflects the overall increase in the number of apprentices and trainees in-training, as a result of the high volume of commencements following the introduction of the COVID-19 response measure - BAC.

The closure of the BAC program was announced as part of the Budget in March 2022, under the previous government. The data shows, following the announcement, employers brought forward hiring decisions resulting in an increase in commencements towards to the end of the program. This hiring pattern was also evident in significant increases in commencements coinciding with the previously announced program end dates in February and March 2021, and then again in March 2022.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001174

Senator Matt O'Sullivan provided in writing.

Clean Energy Apprenticeships

Question

1. How many clean energy apprenticeship places have been taken up under the New Energy Apprenticeships Program since it commenced (on 1 Jan 2023)?
   a. Can I have a breakdown of the course types have been undertaken – cert 1, cert 2, cert 3 etc.
2. Does the Department have a list of courses that will make students eligible for this payment? If so, could you please table those course lists.
3. What work has been undertaken to determine a course list? Did you do any modelling or analyses of areas of skills shortages?
4. In what timeframe will these 10,000 places be delivered?
5. How many have been delivered so far this year, and how many are to be delivered in 2023?
6. Will funding be provided to the states to administer the payments for these positions, or will the Commonwealth provide the payment to apprentices?
7. Can you provide a breakdown of how many positions will be provided to students in public institutions such as TAFE versus in private organisations?
8. Will this program form a component of the government's fee-free TAFE scheme?
9. Will this program fund 10,000 places, additional to those promised in the fee-free TAFE program?

Answer

1. As at 30 June 2023, a total of 1,087 New Energy Apprentices have commenced in the New Energy Apprenticeship Program.

   To be eligible for the New Energy Apprenticeships Program, an Australian Apprentice must:

   - commence a new training contract on or after 1 January 2023, and
   - be undertaking a Certificate III, IV, Diploma or Advanced Diploma level qualification listed on the Australian Apprenticeships Priority List, and
   - be training towards an identified clean energy occupation on the Australian Apprenticeships Priority List.

   In addition, the employer must demonstrate:

   - their business engagement and operation is in the clean energy sector
   - the majority of the Australian Apprentice's work will be in the clean energy sector at commencement or recommencement of the Australian Apprenticeship, and on an ongoing basis.

   a. Based on current enrolment numbers, 99.4% of apprentices (1,081) are undertaking a Certificate III qualification, 5 apprentices are undertaking Certificate IV and one apprentice is undertaking a Diploma or above qualification.

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2. As detailed in the previous response apprentices need to meet program eligibility criteria in order to commence in the New Energy Apprenticeship Program. This includes training in an occupation identified on the Australian Apprenticeship Skills Priority List as a skill relevant to the clean energy sector – see attached list (see Attachment A – occupations marked with a ❖ symbol and coloured green).
3. The Australian Apprenticeships Priority List is derived from the Skills Priority List which is produced annually by Jobs and Skills Australia to identify occupations in shortage, as well as future demand for occupations in Australia. The Skills Priority List is provides a detailed view of occupations in shortage, nationally, and by state and territory, as well as future demand for occupations in Australia. It based on detailed analysis and modelling completed by Jobs and Skills Australia.

   For inclusion in the Australian Apprenticeships Priority List, an occupation must be classified by the Australian New Zealand Standard Classification of Occupations (ANZSCO) as either Technicians and Trades Workers (ANZSCO Major Group 3) or Community and Personal Service Workers (ANZSCO Major Group 4).
4. The New Energy Apprenticeships Program commenced from 1 January 2023 and closes on 30 June 2026.
5. To date, there have been 1,087 commencements in the New Energy Apprenticeships Program. The program does not have annual targets but is expected to deliver 10,000 New Apprentices by 30 June 2026.
6. The New Energy Apprenticeships Program is a Commonwealth program managed through Commonwealth providers and systems, with payments made directly to apprentices.
7. In line with standard sign up procedures, Australian Apprentices determine their preferred Registered Training Organisation as they are completing their training contract.
8. The New Energy Apprenticeships Program is a Commonwealth apprenticeship incentive program and does not form part of the Fee-Free TAFE program.
9. The New Energy Apprenticeships Program is separate to the Fee-Free TAFE program.

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Australian Government
Department of Employment and Workplace Relations

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
311112	❖ Agricultural and Agritech Technician	AHC40219	Certificate IV in Protected Horticulture
		AHC51920	Diploma of Applied Agronomy
		AHC50122	Diploma of Agriculture
		AHC50116	Diploma of Agriculture
		AHC50110	Diploma of Agriculture
		AHC60216	Advanced Diploma of Horticulture
		AHC60210	Advanced Diploma of Horticulture
		AHC50422	Diploma of Horticulture Management
		AHC50416	Diploma of Horticulture
		AHC50410	Diploma of Horticulture
		AHC40116	Certificate IV in Agriculture
		AHC40110	Certificate IV in Agriculture
		AHC50320	Diploma of Production Horticulture
		AHC50316	Diploma of Production Horticulture
		AUR30420	Certificate III in Agricultural Mechanical Technology
		AHC30422	Certificate III in Pork Production
		AHC30416	Certificate III in Pork Production
		AHC30116	Certificate III in Agriculture
		AHC30122	Certificate III in Agriculture
		AHC30110	Certificate III in Agriculture
		AHC40122	Certificate IV in Agriculture
		AHC41019	Certificate IV in Agribusiness

Department of Employment and Workplace Relations - Released under FOI

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		AHC41016	Certificate IV in Agribusiness
		AHC33822	Certificate III in Permaculture
		AHC33816	Certificate III in Permaculture
		MSL30122	Certificate III in Laboratory Skills
		MSL30118	Certificate III in Laboratory Skills
		MSL30116	Certificate III in Laboratory Skills
334112	❖ Airconditioning and Mechanical Services Plumber	UEE51220	Diploma of Air Conditioning and Refrigeration Engineering
		UEE51211	Diploma of Air-conditioning and Refrigeration Engineering
		UEE42720	Certificate IV in Air Conditioning and Refrigeration Servicing
		UEE42711	Certificate IV in Air-conditioning and Refrigeration Servicing
		UEE32220	Certificate III in Air Conditioning and Refrigeration
		UEE32111	Certificate III in Appliance Service
		UEE40520	Certificate IV in Electrical - Air Conditioning Split Systems
		UEE40511	Certificate IV in Electrical - Air-conditioning Split Systems
		MEM31319	Certificate III in Refrigeration and Air Conditioning
		MEM31322	Certificate III in Refrigeration and Air Conditioning
		MEM30205	Certificate III in Engineering - Mechanical Trade
		UEE42920	Certificate IV in Refrigeration and Air Conditioning Systems
		UEE42911	Certificate IV in Refrigeration and Air-conditioning Systems
		UEE50320	Diploma of Electrical and Refrigeration and Air Conditioning
		UEE50320	Diploma of Electrical and Refrigeration and Air Conditioning
		CPC32420	Certificate III in Plumbing
		CPC32413	Certificate III in Plumbing
		CPC40920	Certificate IV in Plumbing and Services
		CPC40912	Certificate IV in Plumbing and Services
342111	❖ Airconditioning and Refrigeration Mechanic	MEM31319	Certificate III in Refrigeration and Air Conditioning
		MEM31322	Certificate III in Refrigeration and Air Conditioning
		MEM30205	Certificate III in Engineering - Mechanical Trade

Department of Employment and Workplace Relations - Released under FOI

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE42820	Certificate IV in Air-conditioning Systems Energy Management and Control
		UEE42811	Certificate IV in Air-conditioning Systems Energy Management and Control
		UEE32220	Certificate III in Air Conditioning and Refrigeration
		UEE32211	Certificate III in Air-conditioning and Refrigeration
		UEE42720	Certificate IV in Air Conditioning and Refrigeration Servicing
		UEE42711	Certificate IV in Air-conditioning and Refrigeration Servicing
		UEE42920	Certificate IV in Refrigeration and Air Conditioning Systems
		UEE42911	Certificate IV in Refrigeration and Air-conditioning Systems
		UEE50320	Diploma of Electrical and Refrigeration and Air Conditioning
		UEE50311	Diploma of Electrical and Refrigeration and Air-conditioning
		UEE51120	Diploma of Engineering Technology - Refrigeration and Air Conditioning
		UEE51111	Diploma of Engineering Technology - Refrigeration and Air-conditioning
		UEE51220	Diploma of Air Conditioning and Refrigeration Engineering
		UEE51211	Diploma of Air-conditioning and Refrigeration Engineering
		UEE62420	Advanced Diploma of Engineering Technology - Air Conditioning and Refrigeration
		UEE62411	Advanced Diploma of Engineering Technology - Air-conditioning and Refrigeration
		UEE62520	Advanced Diploma of Air Conditioning and Refrigeration Engineering
		UEE62511	Advanced Diploma of Air-conditioning and Refrigeration Engineering
		UEE40520	Certificate IV in Electrical - Air Conditioning Split Systems
		UEE40511	Certificate IV in Electrical - Air-conditioning Split Systems
		UEE32120	Certificate III in Appliance Service
		UEE32111	Certificate III in Appliance Service
321111	❖ Automotive Electrician	AUR30320	Certificate III in Automotive Electrical Technology
		AUR30316	Certificate III in Automotive Electrical Technology
		AUR40620	Certificate IV in Automotive Electrical Technology
		AUR40616	Certificate IV in Automotive Electrical Technology
		AUR40116	Certificate IV in Automotive Management
		AUR40112	Certificate IV in Automotive Management
		AUR32721	Certificate III in Automotive Electric Vehicle Technology
342411	❖ Cabler (Data and Telecommunications)	UEE30420	Certificate III in Data and Voice Communications

Department of Employment and Workplace Relations - Released under FOI

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE30411	Certificate III in Data and Voice Communications
		ICT30519	Certificate III in Telecommunications Technology
		ICT30515	Certificate III in Telecommunications Technology
		UEE40220	Certificate IV in Electrical - Data and Voice Communications
		UEE40211	Certificate IV in Electrical - Data and Voice Communications
		ICT41219	Certificate IV in Telecommunications Engineering Technology
		ICT41215	Certificate IV in Telecommunications Engineering Technology
		ICT60220	Advanced Diploma of Information Technology
		ICT60120	Advanced Diploma of Information Technology
		ICT60615	Advanced Diploma of Telecommunications Network Engineering
		ICT30419	Certificate III in Telecommunications Network Build and Operation
		ICT30415	Certificate III in Telecommunications Network Build and Operate
		UET40422	Certificate IV in ESI - Network Systems
		UET40421	Certificate IV in ESI - Network Systems
		UET40419	Certificate IV in ESI - Network Systems
		UEE40720	Certificate IV in Electronics and Communications
		UEE40711	Certificate IV in Electronics and Communications
312211	❖ Civil Engineering Draftsperson	RII40820	Certificate IV in Civil Construction Design
		RII40815	Certificate IV in Civil Construction Design
		RII50520	Diploma of Civil Construction Design
		RII50515	Diploma of Civil Construction Design
		RII60520	Advanced Diploma of Civil Construction Design
		RII60615	Advanced Diploma of Civil Construction
		MEM40422	Certificate IV in Engineering Drafting
		MEM40412	Certificate IV in Engineering Drafting
		CPP60421	Advanced Diploma of Building Design
312212	❖ Civil Engineering Technician	RII50420	Diploma of Civil Construction Management
		RII50415	Diploma of Civil Construction Management
		RII60620	Advanced Diploma of Civil Construction
		RII60615	Advanced Diploma of Civil Construction

Department of Employment and Workplace Relations - Released under FOI

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		RII40720	Certificate IV in Civil Construction
		RII40615	Certificate IV in Civil Construction Operations
		RII40715	Certificate IV in Civil Construction Supervision
		RII40820	Certificate IV in Civil Construction Design
		RII40815	Certificate IV in Civil Construction Design
		RII50520	Diploma of Civil Construction Design
		RII50515	Diploma of Civil Construction Design
		RII60520	Advanced Diploma of Civil Construction Design
342211	❖ Electrical Linesworker / Electrical Line Mechanic	UET30521	Certificate III in ESI - Transmission Overhead
		UET30519	Certificate III in ESI - Power Systems - Transmission Overhead
		UET30721	Certificate III in ESI - Rail Traction
		UET30719	Certificate III in ESI - Power Systems - Rail Traction
		UET30921	Certificate III in ESI - Very Remote Community Utilities
		UET30919	Certificate III in ESI - Remote Community Utilities Worker
		UET40522	Certificate IV in ESI - Substations
		UET40521	Certificate IV in ESI - Power Systems Substations
		UET40519	Certificate IV in ESI - Power Systems Substations
		UET40619	Certificate IV in ESI - Power Systems Network Infrastructure
		UET30621	Certificate III in ESI - Distribution Overhead
		UET30619	Certificate III in ESI - Power Systems - Distribution Overhead
		UET40422	Certificate IV in ESI - Network Systems
		UET40421	Certificate IV in ESI - Network Systems
		UET40419	Certificate IV in ESI - Network Systems
341111	❖ Electrician (General)	MEM31219	Certificate III in Engineering - Industrial Electrician
		MEM31215	Certificate III in Engineering - Industrial Electrician
		UEE30620	Certificate III in Electrical Machine Repair
		UEE30611	Certificate III in Electrical Machine Repair
		UEE30720	Certificate III in Switchgear and Controlgear
		UEE30711	Certificate III in Switchgear and Controlgear

Department of Employment and Workplace Relations - Released under FOI

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE30820	Certificate III in Electrotechnology Electrician
		UEE30811	Certificate III in Electrotechnology Electrician
		UEE31020	Certificate III in Fire Protection Control
		UEE31011	Certificate III in Fire Protection Control
		UEE32120	Certificate III in Appliance Service
		UEE32111	Certificate III in Appliance Service
		UEE33020	Certificate III in Electrical Fitting
		UEE33011	Certificate III in Electrical Fitting
		UEE40320	Certificate IV in Installation Inspection and Audits
		UEE40311	Certificate IV in Installation Inspection and Audits
		UEE40420	Certificate IV in Electrical - Instrumentation
		UEE40411	Certificate IV in Electrical - Instrumentation
		UEE40620	Certificate IV in Electrotechnology - Systems Electrician
		UEE40611	Certificate IV in Electrotechnology - Systems Electrician
		UEE42020	Certificate IV in Electrical - Photovoltaic systems
		UEE42011	Certificate IV in Electrical - Photovoltaic systems
		UEE42120	Certificate IV in Electrotechnology - Electrical Contracting
		UEE42111	Certificate IV in Electrotechnology - Electrical Contracting
		UEE42622	Certificate IV in Hazardous areas - Electrical
		UEE42620	Certificate IV in Hazardous areas - Electrical
		UEE42611	Certificate IV in Hazardous areas - Electrical
		UEE43020	Certificate IV in Electrical Equipment and Systems
		UEE43011	Certificate IV in Electrical Equipment and Systems
		UEE43322	Certificate IV in Electrical - Renewable Energy
		UEE50220	Diploma of Electrical and Instrumentation
		UEE50211	Diploma of Electrical and Instrumentation
		UEE53020	Diploma of Electrical Systems Engineering
		UEE53011	Diploma of Electrical Systems Engineering
		UEP40622	Certificate IV in Wind Power Generation
		UEP40618	Certificate IV in Large Scale Wind Generation - Electrical

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		UEE32020	Certificate III in Renewable Energy - ELV
		UEE32011	Certificate III in Renewable Energy - ELV
		UEE41620	Certificate IV in Renewable Energy
		UEE41611	Certificate IV in Renewable Energy
		UEE41920	Certificate IV in Electrical - Renewable Energy
		UEE41911	Certificate IV in Electrical - Renewable Energy
		UEE43120	Certificate IV in Energy Efficiency and Assessment
		UEE43111	Certificate IV in Energy Efficiency and Assessment
		UEE62122	Advanced Diploma of Engineering Technology - Electrical
		UEE62120	Advanced Diploma of Engineering Technology - Electrical
		UEE62111	Advanced Diploma of Engineering Technology - Electrical
		UEP40322	Certificate IV in ESI Generation Maintenance - Electrical Electronics
		UEP40318	Certificate IV in ESI Generation Maintenance - Electrical Electronics
		UET30621	Certificate III in ESI - Distribution Overhead
		UET30619	Certificate III in ESI - Power Systems - Distribution Overhead
		UET30721	Certificate III in ESI - Rail Traction
		UET30719	Certificate III in ESI - Power Systems - Rail Traction
		UET50219	Diploma of ESI - Power Systems
		UET50319	Diploma of ESI - Power Systems Operations
		UEE40520	Certificate IV in Electrical - Air Conditioning Split Systems
		UEE40511	Certificate IV in Electrical - Air-conditioning Split Systems
		UEE41223	Certificate IV in Rail Signalling
		UEE41220	Certificate IV in Electrical - Rail Signalling
		UEE41211	Certificate IV in Electrical - Rail Signalling
		MEM30422	Certificate III in Engineering - Electronic Trade
		MEM30405	Certificate III in Engineering - Electrical/Electronic Trade
341112	❖ Electrician (Special Class)	UEE41920	Certificate IV in Electrical - Renewable Energy
		UEE41911	Certificate IV in Electrical - Renewable Energy

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE43120	Certificate IV in Energy Efficiency and Assessment
		UEE43111	Certificate IV in Energy Efficiency and Assessment
		UEE43322	Certificate IV in Electrical - Renewable Energy
		UEE50420	Diploma of Electrical Engineering
		UEE50411	Diploma of Electrical Engineering
		UEE50722	Diploma of Renewable Energy Engineering
		UEE50720	Diploma of Renewable Energy Engineering
		UEE50711	Diploma of Renewable Energy Engineering
		UEE50920	Diploma of Industrial Electronics and Control Engineering
		UEE50911	Diploma of Industrial Electronics and Control Engineering
		MEM31219	Certificate III in Engineering - Industrial Electrician
		MEM31215	Certificate III in Engineering - Industrial Electrician
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		UEE40220	Certificate IV in Electrical - Data and Voice Communications
		UEE40211	Certificate IV in Electrical - Data and Voice Communications
		UEE40420	Certificate IV in Electrical - Instrumentation
		UEE40411	Certificate IV in Electrical - Instrumentation
		UEE40620	Certificate IV in Electrotechnology - Systems Electrician
		UEE40611	Certificate IV in Electrotechnology - Systems Electrician
		UEE40820	Certificate IV in Electrical - Fire Protection Control Systems
		UEE40811	Certificate IV in Electrical - Fire Protection Control Systems
		UEE40920	Certificate IV in Industrial Electronics and Control
		UEE40911	Certificate IV in Industrial Electronics and Control
		UEE41520	Certificate IV in Video and Audio Systems
		UEE41511	Certificate IV in Video and Audio Systems
		UEE50220	Diploma of Electrical and Instrumentation
		UEE50211	Diploma of Electrical and Instrumentation
		UEE62122	Advanced Diploma of Engineering Technology - Electrical
		UEE62120	Advanced Diploma of Engineering Technology - Electrical

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE62111	Advanced Diploma of Engineering Technology - Electrical
		UEP40322	Certificate IV in ESI Generation Maintenance - Electrical Electronics
		UEP40318	Certificate IV in ESI Generation Maintenance - Electrical Electronics
		UEP40622	Certificate IV in Wind Power Generation
		UEP40618	Certificate IV in Large Scale Wind Generation - Electrical
		UET50219	Diploma of ESI - Power Systems
		UET50319	Diploma of ESI - Power Systems Operations
		UEE42622	Certificate IV in Hazardous areas - Electrical
		UEE42620	Certificate IV in Hazardous areas - Electrical
		UEE42611	Certificate IV in Hazardous areas - Electrical
		UEE30820	Certificate III in Electrotechnology Electrician
		UEE30811	Certificate III in Electrotechnology Electrician
		UEE30720	Certificate III in Switchgear and Controlgear
		UEE30711	Certificate III in Switchgear and Controlgear
		UET30621	Certificate III in ESI - Distribution Overhead
		UET30619	Certificate III in ESI - Power Systems - Distribution Overhead
		UEE33020	Certificate III in Electrical Fitting
		UEE33011	Certificate III in Electrical Fitting
		MEM30422	Certificate III in Engineering - Electronic Trade
		MEM30405	Certificate III in Engineering - Electrical/Electronic Trade
		UEE30620	Certificate III in Electrical Machine Repair
		UEE30611	Certificate III in Electrical Machine Repair
342313	❖ Electronic Equipment Trades Worker	CPP30519	Certificate III in Technical Security
		CPP30507	Certificate III in Technical Security
		UEE30920	Certificate III in Electronics and Communications
		UEE30911	Certificate III in Electronics and Communications
		UEE31420	Certificate III in Security Equipment
		UEE31411	Certificate III in Security Equipment
		UEE40720	Certificate IV in Electronics and Communications
		UEE40711	Certificate IV in Electronics and Communications

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE30120	Certificate III in Business Equipment
		UEE30111	Certificate III in Business Equipment
		UEE30220	Certificate III in Computer Systems Equipment
		UEE30211	Certificate III in Computer Systems Equipment
		UEE32120	Certificate III in Appliance Service
		UEE32111	Certificate III in Appliance Service
		MEM30422	Certificate III in Engineering - Electronic Trade
		MEM30405	Certificate III in Engineering - Electrical/Electronic Trade
		UEE31220	Certificate III in Instrumentation and Control
		UEE31211	Certificate III in Instrumentation and Control
		UEE42220	Certificate IV in Instrumentation and Control
		UEE42211	Certificate IV in Instrumentation and Control
		MEM31219	Certificate III in Engineering - Industrial Electrician
		MEM31215	Certificate III in Engineering - Industrial Electrician
		UEE41620	Certificate IV in Renewable Energy
		UEE41611	Certificate IV in Renewable Energy
		UEE32020	Certificate III in Renewable Energy - ELV
		UEE32011	Certificate III in Renewable Energy - ELV
		UEE40111	Certificate IV in Computer Systems
		UEE40120	Certificate IV in Computer Systems
		UEE40511	Certificate IV in Electrical - Air-conditioning Split Systems
		UEE40520	Certificate IV in Electrical - Air Conditioning Split Systems
		UEE40611	Certificate IV in Electrotechnology - Systems Electrician
		UEE40620	Certificate IV in Electrotechnology - Systems Electrician
		UEE40911	Certificate IV in Industrial Electronics and Control
		UEE40920	Certificate IV in Industrial Electronics and Control
		UEE41011	Certificate IV in Energy Management and Control
		UEE41020	Certificate IV in Energy Management and Control
		UEE41511	Certificate IV in Video and Audio Systems
		UEE41520	Certificate IV in Video and Audio Systems

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE41711	Certificate IV in Rail - Communications and Network Systems
		UEE41720	Certificate IV in Rail - Communications and Network Systems
		MEM40105	Certificate IV in Engineering
		MEM40119	Certificate IV in Engineering
		UEE30311	Certificate III in Custom Electronics Installations
		UEE30320	Certificate III in Custom Electronics Installations
		UEE30411	Certificate III in Data and Voice Communications
		UEE30420	Certificate III in Data and Voice Communications
		UEE30611	Certificate III in Electrical Machine Repair
		UEE30620	Certificate III in Electrical Machine Repair
		UEE30711	Certificate III in Switchgear and Controlgear
		UEE30720	Certificate III in Switchgear and Controlgear
		UEE30811	Certificate III in Electrotechnology Electrician
		UEE30820	Certificate III in Electrotechnology Electrician
		UEE31011	Certificate III in Fire Protection Control
		UEE31020	Certificate III in Fire Protection Control
342315	❖ Electronic Instrument Trades Worker (Special Class)	CPP30821	Certificate III in Fire Protection Inspection and Testing
		CPP30811	Certificate III in Fire Protection Inspection and Testing
		MEM30422	Certificate III in Engineering - Electronic Trade
		MEM30405	Certificate III in Engineering - Electrical/Electronic Trade
		UEE31220	Certificate III in Instrumentation and Control
		UEE31211	Certificate III in Instrumentation and Control
		UEE40820	Certificate IV in Electrical - Fire Protection Control Systems
		UEE40811	Certificate IV in Electrical - Fire Protection Control Systems
		UEE40920	Certificate IV in Industrial Electronics and Control
		UEE40911	Certificate IV in Industrial Electronics and Control
		UEE41020	Certificate IV in Energy Management and Control
		UEE41011	Certificate IV in Energy Management and Control
		UEE41220	Certificate IV in Electrical - Rail Signalling

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE41211	Certificate IV in Electrical - Rail Signalling
		UEE41223	Certificate IV in Rail Signalling
		UEE41720	Certificate IV in Rail - Communications and Network Systems
		UEE41711	Certificate IV in Rail - Communications and Network Systems
		UEE42220	Certificate IV in Instrumentation and Control
		UEE42211	Certificate IV in Instrumentation and Control
		UEE43220	Certificate IV in Industrial Automation and Control
		UEE43211	Certificate IV in Industrial Automation and Control
		UET40422	Certificate IV in ESI - Network Systems
		UET40421	Certificate IV in ESI - Network Systems
		UET40419	Certificate IV in ESI - Network Systems
		UEE40720	Certificate IV in Electronics and Communications
		UEE40711	Certificate IV in Electronics and Communications
		UEE30920	Certificate III in Electronics and Communications
		UEE30911	Certificate III in Electronics and Communications
		UEE61521	Advanced Diploma of Instrumentation and Control Engineering
		UEE61511	Advanced Diploma of Instrumentation and Control Engineering
		UEE50920	Diploma of Industrial Electronics and Control Engineering
		UEE50911	Diploma of Industrial Electronics and Control Engineering
		DEF50420	Diploma of Simulator Maintenance Management
		DEF53215	Diploma of Simulator Maintenance
322112	❖ Electroplater	MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		MEM30119	Certificate III in Engineering - Production Systems
		MEM30105	Certificate III in Engineering - Production Systems
323411	❖ Engineering Patternmaker	MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		MSA50108	Diploma of Manufacturing Technology
323211	❖ Fitter (General)	MEM31419	Certificate III in Engineering - Fixed and Mobile Plant Mechanic
		MEM30205	Certificate III in Engineering - Mechanical Trade

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		MEM30219	Certificate III in Engineering - Mechanical Trade
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUR31220	Certificate III in Mobile Plant Technology
		AUR31216	Certificate III in Mobile Plant Technology
		AUR31916	Certificate III in Elevating Work Platform Technology
		AUR31716	Certificate III in Forklift Technology
		UEP40522	Certificate IV in ESI Generation Maintenance (Mechanical)
		UEP40518	Certificate IV in ESI Generation Maintenance (Mechanical)
323212	❖ Fitter and Turner	MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
323213	❖ Fitter-Welder	AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade
334114	❖ Gasfitter	CPC32720	Certificate III in Gas Fitting
		CPC32713	Certificate III in Gas Fitting
		UEG30122	Certificate III in Gas Supply Industry Operations
		UEG30121	Certificate III in Gas Supply Industry Operations
		UEG30120	Certificate III in Gas Supply Industry Operations
		UEG40221	Certificate IV in Gas Supply Industry Operations
		UEG40220	Certificate IV in Gas Supply Industry Operations

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEG40222	Certificate IV in Gas Supply Industry Operations
		CPC32420	Certificate III in Plumbing
		CPC32413	Certificate III in Plumbing
		UEG50122	Diploma of Gas Supply Industry Operations
333111	❖ Glazier	MSF30422	Certificate III in Glass and Glazing
		MSF30418	Certificate III in Glass and Glazing
		MSF40422	Certificate IV in Glass and Glazing
		MSF40418	Certificate IV in Glass and Glazing
		MSF40413	Certificate IV in Glass and Glazing
		MSF50113	Diploma of Stained Glass and Leadlighting
		MSM30418	Certificate III in Fenestration
331213	❖ Joiner	CPC30220	Certificate III in Carpentry
		CPC32011	Certificate III in Carpentry and Joinery
		CPC30211	Certificate III in Carpentry
		CPC31511	Certificate III in Formwork/Falsework
		CPC31920	Certificate III in Joinery
		CPC32211	Certificate III in Joinery (Stairs)
		CPC31912	Certificate III in Joinery
		MSF31113	Certificate III in Cabinet Making
		LMF32109	Certificate III in Cabinet Making
		MSF30213	Certificate III in Furniture Making
		MSF30322	Certificate III in Cabinet Making and Timber Technology
		LMF30302	Certificate III in Furniture Making
312511	❖ Mechanical Engineering Draftsperson	CPC50520	Diploma of Fire Systems Design
		CPC50509	Diploma of Fire Systems Design
		MEM30522	Certificate III in Engineering - Technical
		MEM30505	Certificate III in Engineering - Technical
		MEM50222	Diploma of Engineering - Technical
		MEM50212	Diploma of Engineering - Technical
		MEM50211	Diploma of Engineering - Technical

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		MEM40422	Certificate IV in Engineering Drafting
		MEM40412	Certificate IV in Engineering Drafting
		UEE51120	Diploma of Engineering Technology - Refrigeration and Air Conditioning
		UEE51111	Diploma of Engineering Technology - Refrigeration and Air-conditioning
		MEM50119	Diploma of Engineering - Advanced Trade
		MEM50105	Diploma of Engineering - Advanced Trade
312512	❖ Mechanical Engineering Technician	MEM50212	Diploma of Engineering - Technical
		MEM50211	Diploma of Engineering - Technical
		MEM50222	Diploma of Engineering - Technical
		MEM60122	Advanced Diploma of Engineering
		MEM60112	Advanced Diploma of Engineering
		MEM60111	Advanced Diploma of Engineering
		MSA60108	Advanced Diploma of Manufacturing Technology
		MEM50119	Diploma of Engineering - Advanced Trade
		MEM50105	Diploma of Engineering - Advanced Trade
		UEE51120	Diploma of Engineering Technology - Refrigeration and Air Conditioning
		UEE51111	Diploma of Engineering Technology - Refrigeration and Air-conditioning
		CPC50620	Diploma of Hydraulic Services Design
		CPC50612	Diploma of Hydraulic Services Design
		UEP40522	Certificate IV in ESI Generation Maintenance (Mechanical)
		UEP40518	Certificate IV in ESI Generation Maintenance (Mechanical)
322114	❖ Metal Casting Trades Worker	MEM31719	Certificate III in Engineering - Casting and Moulding Trade
		MEM30305	Certificate III in Engineering - Fabrication Trade
		MEM30319	Certificate III in Engineering - Fabrication Trade
		MEM31922	Certificate III in Engineering - Fabrication Trade
322311	❖ Metal Fabricator	MEM30319	Certificate III in Engineering - Fabrication Trade
		MEM30305	Certificate III in Engineering - Fabrication Trade
		MEM40105	Certificate IV in Engineering
		MEM31922	Certificate III in Engineering - Fabrication Trade
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		MEM40119	Certificate IV in Engineering
323214	❖ Metal Machinist (First Class)	MEM30119	Certificate III in Engineering - Production Systems
		MEM30105	Certificate III in Engineering - Production Systems
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
		LMT31909	Certificate III in Engineering - TCF Mechanic
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade
		MEM31822	Certificate III in Engineering - Textile Mechanic
312912	❖ Metallurgical or Materials Technician	RII50315	Diploma of Minerals Processing
		RII50313	Diploma of Minerals Processing
		PMB50121	Diploma of Polymer Technology
		PMB50116	Diploma of Polymer Technology
321211	❖ Motor Mechanic (General)	AUR30420	Certificate III in Agricultural Mechanical Technology
		AUR30416	Certificate III in Agricultural Mechanical Technology
		AUR30520	Certificate III in Marine Mechanical Technology
		AUR30516	Certificate III in Marine Mechanical Technology
		AUR30620	Certificate III in Light Vehicle Mechanical Technology
		AUR30616	Certificate III in Light Vehicle Mechanical Technology
		AUR31120	Certificate III in Heavy Commercial Vehicle Mechanical Technology
		AUR31116	Certificate III in Heavy Commercial Vehicle Mechanical Technology
		AUR31220	Certificate III in Mobile Plant Technology
		AUR31216	Certificate III in Mobile Plant Technology
		AUR31916	Certificate III in Elevating Work Platform Technology
		AUR31716	Certificate III in Forklift Technology
		AUR31316	Certificate III in Automotive Engine Reconditioning
		AUR31312	Certificate III in Automotive Engine Reconditioning

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		AUR32518	Certificate III in Automotive Underbody Technology
		AUR32516	Certificate III in Automotive Underbody Technology
		AUR32721	Certificate III in Automotive Electric Vehicle Technology
		AUR40216	Certificate IV in Automotive Mechanical Diagnosis
		AUR40212	Certificate IV in Automotive Mechanical Diagnosis
		AUR40820	Certificate IV in Automotive Mechanical Overhauling
		AUR40816	Certificate IV in Automotive Mechanical Overhauling
		AUR50216	Diploma of Automotive Technology
		AUR50212	Diploma of Automotive Technology
		MSM31022	Certificate III in Recreational Vehicle Service and Repair
		MSM31015	Certificate III in Recreational Vehicle Service and Repair
		MSA30510	Certificate III in Recreational Vehicle Service and Repair
		AUR40320	Certificate IV in Motor Sport Technology
		AUR40316	Certificate IV in Motor Sport Technology
		AUR30920	Certificate III in Motor Sport Technology
		AUR30916	Certificate III in Motor Sport Technology
		AUR30820	Certificate III in Motorcycle Mechanical Technology
		AUR30816	Certificate III in Motorcycle Mechanical Technology
		AUR31520	Certificate III in Automotive Diesel Engine Technology
		AUR31516	Certificate III in Automotive Diesel Engine Technology
		AUR30720	Certificate III in Outdoor Power Equipment Technology
		AUR30716	Certificate III in Outdoor Power Equipment Technology
		AUR31820	Certificate III in Heavy Commercial Trailer Technology
		AUR31816	Certificate III in Heavy Commercial Trailer Technology
		MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
399916	❖ Plastics Technician	PMB40121	Certificate IV in Polymer Technology
		PMB40116	Certificate IV in Polymer Technology

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		PMB50121	Diploma of Polymer Technology
		PMB50116	Diploma of Polymer Technology
		PMB30121	Certificate III in Polymer Processing
		PMB30116	Certificate III in Polymer Processing
334116*	❖ Plumber (General)	CPC40920	Certificate IV in Plumbing and Services
		CPC40912	Certificate IV in Plumbing and Services
		CPC32420	Certificate III in Plumbing
		CPC32413	Certificate III in Plumbing
		CPC32820	Certificate III in Fire Protection
		CPC32813	Certificate III in Fire Protection
		UEG40221	Certificate IV in Gas Supply Industry Operations
		UEG40220	Certificate IV in Gas Supply Industry Operations
322312	❖ Pressure Welder	MEM30319	Certificate III in Engineering - Fabrication Trade
		MEM30305	Certificate III in Engineering - Fabrication Trade
		MEM31922	Certificate III in Engineering - Fabrication Trade
334115	❖ Roof Plumber	CPC32620	Certificate III in Roof Plumbing
		CPC32612	Certificate III in Roof Plumbing
		CPC32420	Certificate III in Plumbing
		CPC32413	Certificate III in Plumbing
		CPC40920	Certificate IV in Plumbing and Services
		CHC40912	Certificate IV in Social Housing
322211	❖ Sheetmetal Trades Worker	MEM30319	Certificate III in Engineering - Fabrication Trade
		MEM30305	Certificate III in Engineering - Fabrication Trade
		MEM31922	Certificate III in Engineering - Fabrication Trade
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		MSM30216	Certificate III in Surface Preparation and Coating Application
		MSA30309	Certificate III in Surface Preparation and Coating Application
		MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade

Department of Employment and Workplace Relations - Released under FOI 143 551 of 853

ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering
321214	❖ Small Engine Mechanic	AUR30720	Certificate III in Outdoor Power Equipment Technology
		AUR30716	Certificate III in Outdoor Power Equipment Technology
		AUR30520	Certificate III in Marine Mechanical Technology
		AUR30516	Certificate III in Marine Mechanical Technology
		MEM30219	Certificate III in Engineering - Mechanical Trade
		MEM30205	Certificate III in Engineering - Mechanical Trade
342212	❖ Technical Cable Jointer	UET30521	Certificate III in ESI - Transmission Overhead
		UET30519	Certificate III in ESI - Power Systems - Transmission Overhead
		UET40422	Certificate IV in ESI - Network Systems
		UET40421	Certificate IV in ESI - Network Systems
		UET40419	Certificate IV in ESI - Network Systems
		UET30621	Certificate III in ESI - Distribution Overhead
		UET30619	Certificate III in ESI - Power Systems - Distribution Overhead
		ICT41219	Certificate IV in Telecommunications Engineering Technology
		ICT41215	Certificate IV in Telecommunications Engineering Technology
		ICT30419	Certificate III in Telecommunications Network Build and Operation
		ICT30415	Certificate III in Telecommunications Network Build and Operate
		UET30821	Certificate III in ESI - Distribution Underground
		UET30819	Certificate III in ESI - Power Systems - Distribution Cable Jointing
399999	❖ Technicians and Trades Workers nec	AHC41119	Certificate IV in Irrigation Management
		AHC41116	Certificate IV in Irrigation
		CPP31218	Certificate III in Swimming Pool and Spa Service
		CPP31212	Certificate III in Swimming Pool and Spa Service
		CPP41319	Certificate IV in Swimming Pool and Spa Service
		CPP41312	Certificate IV in Swimming Pool and Spa Service
		MEM31119	Certificate III in Engineering - Composites Trade
		MEM31112	Certificate III in Engineering - Composites Trade
		MSM30418	Certificate III in Fenestration

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		RII40520	Certificate IV in Resource Processing
		RII40515	Certificate IV in Resource Processing
342412	❖ Telecommunications Cable Jointer	ICT30419	Certificate III in Telecommunications Network Build and Operation
		ICT30415	Certificate III in Telecommunications Network Build and Operate
		ICT30519	Certificate III in Telecommunications Technology
		ICT30515	Certificate III in Telecommunications Technology
		ICT41219	Certificate IV in Telecommunications Engineering Technology
		ICT41215	Certificate IV in Telecommunications Engineering Technology
		UEE30420	Certificate III in Data and Voice Communications
		UEE30411	Certificate III in Data and Voice Communications
		UEE40220	Certificate IV in Electrical - Data and Voice Communications
		UEE40211	Certificate IV in Electrical - Data and Voice Communications
		UET40422	Certificate IV in ESI - Network Systems
		UET40421	Certificate IV in ESI - Network Systems
		UET40419	Certificate IV in ESI - Network Systems
		UET30821	Certificate III in ESI - Distribution Underground
		UET30819	Certificate III in ESI - Power Systems - Distribution Cable Jointing
		ICT60220	Advanced Diploma of Information Technology
		ICT60120	Advanced Diploma of Information Technology
		ICT60615	Advanced Diploma of Telecommunications Network Engineering
342413	❖ Telecommunications Linesworker / Telecommunications Line Mechanic	ICT30419	Certificate III in Telecommunications Network Build and Operation
		ICT30415	Certificate III in Telecommunications Network Build and Operate
		ICT41219	Certificate IV in Telecommunications Engineering Technology
		ICT41215	Certificate IV in Telecommunications Engineering Technology
		ICT30519	Certificate III in Telecommunications Technology
		ICT30515	Certificate III in Telecommunications Technology
		UEE30420	Certificate III in Data and Voice Communications
		UEE30411	Certificate III in Data and Voice Communications
		UEE40220	Certificate IV in Electrical - Data and Voice Communications

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		UEE40211	Certificate IV in Electrical - Data and Voice Communications
342414	❖ Telecommunications Technician	ICT41219	Certificate IV in Telecommunications Engineering Technology
		ICT41215	Certificate IV in Telecommunications Engineering Technology
		ICT30519	Certificate III in Telecommunications Technology
		ICT30515	Certificate III in Telecommunications Technology
		ICT41119	Certificate IV in Telecommunications Network Design
		ICT41115	Certificate IV in Telecommunications Network Design
		UEE30420	Certificate III in Data and Voice Communications
		UEE30411	Certificate III in Data and Voice Communications
		UEE30920	Certificate III in Electronics and Communications
		UEE30911	Certificate III in Electronics and Communications
		ICT50220	Diploma of Information Technology
		ICT51015	Diploma of Telecommunications Engineering
		ICT50120	Diploma of Information Technology
		ICT51115	Diploma of Telecommunications Planning and Design
		ICT60220	Advanced Diploma of Information Technology
		ICT60120	Advanced Diploma of Information Technology
		ICT60615	Advanced Diploma of Telecommunications Network Engineering
		UEE30820	Certificate III in Electrotechnology Electrician
		UEE30811	Certificate III in Electrotechnology Electrician
324211	❖ Vehicle Body Builder	AUM30113	Certificate III in Automotive Manufacturing Technical Operations - Passenger Motor Vehicle
		AUR30112	Certificate III in Automotive Administration
		MSM41015	Certificate IV in Recreational Vehicles
		MSA40510	Certificate IV in Recreational Vehicles
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM50113	Diploma of Automotive Manufacturing
		AUM50112	Diploma of Automotive Manufacturing
		AUR32120	Certificate III in Automotive Body Repair Technology

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ANZSCO Code	ANZSCO Title	TGA Code	Qualification Title
		AUR32116	Certificate III in Automotive Body Repair Technology
		MSM31122	Certificate III in Recreational Vehicle Manufacturing
		MSM31115	Certificate III in Recreational Vehicle Manufacturing
		MSA30610	Certificate III in Recreational Vehicle Manufacture
		AUM40113	Certificate IV in Automotive Manufacturing
		AUM40112	Certificate IV in Automotive Manufacturing
		MSM31022	Certificate III in Recreational Vehicle Service and Repair
		MSM31015	Certificate III in Recreational Vehicle Service and Repair
		MSA30510	Certificate III in Recreational Vehicle Service and Repair
322313	❖ Welder (First Class) (Aus) / Welder (NZ)	MEM30319	Certificate III in Engineering - Fabrication Trade
		MEM30305	Certificate III in Engineering - Fabrication Trade
		MEM31922	Certificate III in Engineering - Fabrication Trade
		AUM30218	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		AUM30213	Certificate III in Automotive Manufacturing Technical Operations - Bus, Truck and Trailer
		MEM40119	Certificate IV in Engineering
		MEM40105	Certificate IV in Engineering

Notes: *The Australian Apprenticeships Priority List is based on the Skills Priority List published by Jobs and Skills Australia (formerly known as the National Skills Commission) in October 2022. In November 2022, the Australian Bureau of Statistics (ABS) made the following changes to ANZSCO as part of the ABS review of the classification:

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001171

Senator Matt O'Sullivan provided in writing.

Also, refer to previous hearing Question No. SQ23-000347.

VET Places

Question

1. Please provide data on how many VET placements the Commonwealth is funding for the financial year 2022-23.
2. Please provide data on the number of VET placements the Commonwealth funded in the financial years 2021-22, 2020-21 and 2019-20.
3. On an electorate-by-electorate basis please provide data on the number of apprentices currently in training.
   a) Please also provide data on an electorate-by-electorate basis on the number of apprentices in training for the financial years 2019-20, 2020-21, 2021-22.
   b) Please include data as to how many of those places are with public versus private providers.
4. Can you please provide this broken down by financial year from:
   i. 2018-19;
   ii. 2019-20;
   iii. 2020-21;
   iv. 2021-22; and
   v. 2022-23 (if available).

Answer

Please refer to previously tabled QoN SQ23-000347 for answers.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000347

Senator Matt O'Sullivan provided in writing.

VET Places

Question

1. Please provide data on how many VET placements the Commonwealth is funding for the financial year 2022-23.
2. Please provide data on the number of VET placements the Commonwealth funded in the financial years 2021-22, 2020-21 and 2019-20.
3. On an electorate-by-electorate basis please provide data on the number of apprentice currently in training.
a) Please also provide data on an electorate-by-electorate basis on the number of apprentices in training for the financial years 2019-20, 2020-21, 2021-22.
b) Please include data as to how many of those places are with public versus private providers.

Answer

1 and 2.

Vocational education and training (VET) is a shared responsibility between the Commonwealth and state and territory governments. The Commonwealth provides funding to states to support their VET systems. The majority of Commonwealth funding is provided through the National Skills and Workforce Development Specific Purpose Payment (NASWD SPP). States and territories have discretion over how the NASWD SPP is allocated across their training systems.

Government-funded training is largely delivered through state VET systems, using a combination of Commonwealth and state funding. The Commonwealth does not hold data regarding the number of students (or 'VET placements') supported by Commonwealth funding only, noting the role of the state and territories in resource allocation.

The Commonwealth also provides funding to states under time-limited National Partnership Agreements, some of which contain components specifically related to training delivery. Currently, the 12-Month Skills Agreement is providing funding for 180,000 fee-free TAFE and vocational education and training places in high skills need areas. The Commonwealth has also announced funding for 300,000 fee-free places to become available from January 2024.

3. The following tables provide the number of Australian Apprentices (which includes apprentices and trainees) in training as at 30 June each year.

Table 1: Apprentices and Trainees in training by Electorate.

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Adelaide	3,980	5,280	7,900
Aston	1,730	2,025	2,225
Ballarat	1,950	2,445	3,070
Banks	1,410	1,690	1,690
Barker	2,320	3,025	3,835
Barton	1,180	1,370	1,425
Bass	1,710	2,115	2,510
Bean	1,625	1,925	1,935
Bendigo	1,920	2,400	2,770
Bennelong	1,490	1,370	1,525
Berowra	1,155	1,360	1,345
Blair	1,480	1,930	2,465
Blaxland	1,975	2,350	2,485
Bonner	1,550	2,120	2,925
Boothby	1,150	1,620	2,240
Bowman	1,325	1,730	2,205
Braddon	2,205	2,685	3,295
Bradfield	840	1,090	1,140
Brand	1,175	1,615	2,075
Brisbane	2,975	3,980	6,285
Bruce	1,865	2,290	2,585
Burt	1,140	1,760	2,360
Calare	2,415	3,070	3,375
Calwell	2,585	3,000	3,535
Canberra	3,035	3,225	3,345
Canning	1,175	1,760	2,175
Capricornia	3,280	3,965	4,970
Casey	1,840	2,120	2,315
Chifley	1,805	2,360	2,860
Chisholm	880	1,255	1,655
Clark	2,195	2,625	3,125
Cook	1,715	2,285	2,435
Cooper	1,190	1,805	2,185
Corangamite	1,470	1,885	2,385
Corio	2,260	2,910	3,615
Cowan	1,700	2,455	3,450
Cowper	2,130	2,925	3,610
Cunningham	2,430	3,060	3,305
Curtin	675	1,205	1,600
Dawson	2,420	2,850	3,265
Deakin	1,645	1,900	2,255
Dickson	1,870	2,405	2,960

Department of Employment and Workplace Relations - Released under FOI

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Dobell	1,805	2,370	2,795
Dunkley	1,580	1,885	2,150
Durack	4,330	5,405	6,125
Eden-Monaro	2,000	2,460	2,655
Fadden	1,695	2,375	3,220
Fairfax	1,660	2,570	3,570
Farrer	2,380	3,140	3,460
Fenner	1,695	1,910	1,825
Fisher	1,575	2,360	3,240
Flinders	3,325	3,665	3,700
Flynn	2,725	3,060	3,535
Forde	2,465	2,845	3,945
Forrest	1,695	2,535	3,305
Fowler	1,030	1,405	1,500
Franklin	1,535	1,830	2,145
Fraser	1,030	1,260	1,415
Fremantle	2,205	2,860	3,805
Gellibrand	1,980	2,360	2,805
Gilmore	1,890	2,600	2,800
Gippsland	1,965	2,205	2,420
Goldstein	575	785	955
Gorton	1,325	1,440	1,625
Grayndler	935	1,080	1,085
Greenway	1,505	1,690	1,945
Grey	2,390	3,065	3,730
Griffith	1,525	2,030	3,115
Groom	2,615	3,180	4,315
Hasluck	1,800	2,230	2,875
Herbert	2,150	2,735	3,425
Higgins	550	825	1,145
Hindmarsh	2,290	2,725	3,370
Hinkler	1,275	1,770	2,215
Holt	810	1,010	1,345
Hotham	1,300	1,900	2,260
Hughes	1,260	1,805	1,885
Hume	2,125	2,685	3,030
Hunter	2,640	3,095	4,050
Indi	2,850	3,520	4,035
Isaacs	2,390	2,860	3,170
Jagajaga	1,340	1,375	1,625
Kennedy	2,130	2,655	2,890
Kingsford Smith	1,610	1,750	1,980
Kingston	970	1,385	1,925
Kooyong	935	1,245	1,470

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
La Trobe	1,465	1,790	2,165
Lalor	1,080	1,315	2,180
Leichhardt	2,265	2,945	3,425
Lilley	1,885	2,810	3,985
Lindsay	2,285	2,845	3,100
Lingiari	1,690	1,865	1,895
Longman	1,345	1,785	2,445
Lyne	1,485	2,045	2,495
Lyons	1,105	1,365	1,910
Macarthur	1,690	2,160	2,450
Mackellar	1,805	2,145	2,125
Macnamara	1,650	1,980	2,795
Macquarie	1,560	2,010	2,135
Makin	1,035	1,430	1,915
Mallee	2,115	2,610	3,040
Maranoa	2,315	2,950	3,500
Maribyrnong	1,085	1,465	1,730
Mayo	1,025	1,575	1,920
McEwen	1,265	1,585	1,755
McMahon	2,760	3,210	3,555
McPherson	1,710	2,580	3,420
Melbourne	2,755	3,375	4,255
Menzies	785	985	1,110
Mitchell	1,650	2,080	2,405
Monash	1,610	2,035	2,345
Moncrieff	2,120	3,265	4,450
Moore	780	1,095	1,435
Moreton	2,085	3,100	4,445
New England	2,110	2,970	3,075
Newcastle	2,375	3,180	3,765
Nicholls	2,120	2,635	3,085
North Sydney	1,160	1,505	1,780
O'Connor	3,180	4,175	5,200
Oxley	1,915	2,455	3,325
Page	1,855	2,390	2,370
Parkes	2,160	2,850	3,105
Parramatta	1,605	2,025	2,305
Paterson	2,535	3,515	4,045
Pearce	795	1,315	1,845
Perth	1,915	2,735	3,870
Petrie	1,040	1,560	2,030
Rankin	1,560	2,265	3,110
Reid	1,475	1,680	1,960
Richmond	1,405	2,100	2,510

Department of Employment and Workplace Relations - Released under FOI

In-training by Electorate as at	30/06/2020	30/06/2021	30/06/2022
Riverina	2,920	3,690	4,270
Robertson	1,740	2,190	2,525
Ryan	950	1,090	1,525
Scullin	1,175	1,470	1,855
Shortland	1,800	2,325	2,610
Solomon	1,320	1,705	1,850
Spence	1,150	1,370	1,860
Stirling	1,780	2,415	3,340
Sturt	1,540	2,105	2,960
Swan	3,035	3,815	4,810
Sydney	2,200	3,425	4,860
Tangney	835	940	1,110
Wannon	2,540	3,190	3,585
Warringah	1,265	1,620	1,695
Watson	1,000	1,215	1,205
Wentworth	685	975	1,235
Werriwa	1,145	1,450	1,600
Whitlam	1,715	2,325	2,500
Wide Bay	1,465	1,980	2,470
Wills	880	1,040	1,130
Wright	1,440	1,755	2,225
Unallocated, unknown, invalid and overseas codes	2,095	2,585	3,675
Total	**267,010**	**341,595**	**415,240**

Source: *Australian vocational education and training statistics: apprentices and trainees 2022 — June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5.

Table 2: Apprentices and Trainees in training by RTO Type.

In-training by RTO type as at	30/06/2020	30/06/2021	30/06/2022
Public provider	149,795	173,135	185,025
Private Provider	116,765	167,955	229,345
Unknown	450	510	870
Total	**267,010**	**341,595**	**415,240**

Source: *Australian vocational education and training statistics: apprentices and trainees 2022 — June quarter*, NCVER, Adelaide.
Notes: Numbers have been rounded to the nearest 5.

Department of Employment and Workplace Relations - Released under FOI

Women in Apprenticeships

What has been announced

Australian Skills Guarantee

- The Government will provide **$8.6 million over 4 years to 2026-27** to design and implement the Australian Skills Guarantee (Skills Guarantee) election commitment.
- The Skills Guarantee will introduce national targets for apprentices, trainees and paid cadets working on Australian Government funded major projects, with a total contract value of **$10 million or more.**
- **Targets will apply to construction and information and communication technology (ICT) projects**. These targets will drive steady demand for skilled workers and stimulate the uptake of apprenticeships, traineeships, and paid cadetships, particularly for women.
- The Skills Guarantee will introduce **national targets for women apprentices, trainees, and paid cadets** on eligible major projects.
- Beginning **from 1 July 2024, the initial targets for women in major construction projects will be 6% for women in apprenticeships and traineeships and 4% for women in trade apprenticeships and traineeships.**
- The targets for women in the construction sector will increase each year to drive sustainable, achievable change. The targets will reach 12% for women in apprenticeships and traineeships, and 10% for women in trade apprenticeships and traineeships in construction by 2030.
- There will also be more ambitious targets for women in flagship construction projects with a contract value at $100 million or more.

Australian Apprenticeship Support Services

- **A new Australian Apprenticeships service delivery model will be rolled out from 1 July 2024,** delivering strengthened support for apprentices who are at the highest risk of non-completion. This will deliver on the Government's Jobs and Skills Summit commitments to explore options to improve apprenticeship support services and drive-up completions.
- Informed by 2 rounds of consultations, the new model will place apprentices at the centre of service provision and ensure apprentices and employers are provided with better support throughout the apprenticeship journey.
- In the new model, **women in male dominated trades** are a Key Client Group and will be offered specialised improved wraparound support with the opportunity for Specialist Service Providers to provide expert support.
- As part of the 2023-24 Budget, the Government is providing an additional **$54.3 million over 5 years from 2022-23 to introduce the new model**. This means the Government will commit a total of **$1.0 billion over 5 years** for providers to deliver Australian Apprenticeship services and supports to apprentices and employers using apprenticeship pathways.
- Government investment includes **$5.0 million over 3 years from 2024-25** to support women in the workplace, to further support women in male-dominated trade apprenticeships. This will include providing education, advice or support to increase culturally safe and inclusive workplaces, reduce the cultural barriers to women's participation, address workplace challenges and support businesses to attract and retain women.
- See Attachment A for women in apprenticeship A3 visual.

Key Government statements

- The Albanese Government is strengthening targeted support and services available to apprentices to lift completions, address critical skills shortages, and ensure that all apprentices feel valued in the workplace and encouraged to succeed.

Current status of the policy

- The department is now undertaking implementation and consultation – see next steps for more information.

Stakeholders consulted

- The department has engaged with over 100 organisations and professionals on the design and implementation of the Skills Guarantee.
- The new model for Australian Apprenticeship Support Services was informed by 2 rounds of stakeholder consultation in November-December 2022 and May-June 2023 (see EC23-004611 for further detail) including women's advocacy groups and women apprentices.
- Stakeholders welcomed the key reform elements of the new model, particularly noting the importance of better supporting the apprentice through their journey. The focus on Key Client Groups was a point of particular interest by stakeholders, who noted the additional support provided under the new model.

Recent media on this policy

Media/Statement	Source	Date
Why women are getting on the tools	The Age	29 July 2023
Speech 'Apprenticeship Support Australia 25th Year Celebration Lunch'	Minister for Skills and Training	31 August 2023

Next steps, including consideration by Government where expected

- The department is continuing to work with the sector and state and territory governments on the detailed program design and guidelines for the Skills Guarantee ahead of targets applying to tender processes from 1 July 2024. This includes consulting with stakeholders on the draft Skills Guarantee Procurement Connected Policy (PCP) guidelines and the reporting system.
- The draft guidelines were **publicly released on Friday 29 September 2023**, with **consultations due to commence from 9 October 2023** (see SB23-000107 for more information).
- **The Request for Tender for Australian Apprenticeship Support Services was released 8 August 2023 and closed 12 September 2023.** Assessment of applications is underway, with the new services model to commence from 1 July 2024 (see SB23-000106 for further detail).
- Work on the Grant Opportunity Guidelines for the **$5 million grant is underway** for organisations with appropriate expertise in supporting women in the workplace, with grants to commence in 2024-25.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000714	O'Sullivan, Matt	Apprenticeship completion rates	Provided completion rates for the top 5 occupations (based on in-training numbers) for trade and non-trade apprentices.
SQ23-001175	O'Sullivan, Matt	Targeted Support for Apprenticeships	The $5 million grant will support expert organisations to support women in the workplace. Grant Opportunity Guidelines is yet to be settled.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	06 October 2023

Department of Employment and Workplace Relations - Released under FOI 564 of 853

WOMEN IN APPRENTICESHIPS

Attachment A

Key policies and announcements to support women in trades

Initiative	Description
	New
Targets set under the Australian Skills Guarantee	• The Australian Skills Guarantee will introduce national targets for apprentices, trainees and paid cadets working on Australian Government funded **major projects, with a total contract value of $10 million or more.** • Beginning from **1 July 2024, the initial targets for women in major construction projects will be 6% for women in apprenticeships and traineeships and 4% for women in trade apprenticeships and traineeships**. • The targets for women in the construction sector will increase each year to drive sustainable, achievable change. The targets will reach 12% for women in apprenticeships and traineeships, and 10% for women in trade apprenticeships and traineeships in construction by 2030. There will also be more ambitious targets for women in flagship construction projects with a contract value at $100 million or more.
Introduction of the new Apprenticeship service delivery model	• **The new model will be rolled out from 1 July 2024**, delivering strengthened support for apprentices who are at the highest risk of non-completion. • The Government will commit a total of **$1.0 billion over 5 years** for organisations to deliver services. As announced at Budget this includes an additional **$54.3 million** over 5 years from 2022-23 to introduce the new model.
Greater support for women in male-dominated trades	• **As part of this package of support $5.0 million** over 3 years from 2024-25 will be provided to organisations with appropriate expertise in supporting women in the workplace to assist women in male-dominated trade apprenticeships. • This responds to key stakeholder feedback and backs into support under the Australian Skills Guarantee by leveraging industry specialist expertise to support women.
	CURRENT ceasing on 1 July 2024
Women in Non-Traditional Trades	• The **$38.6 million** women in non-traditional trades measure delivered by the Australian Apprenticeship Support Network (AASN) will continue until the new service arrangements come into effect from 1 July 2024. Funding ($18.6 million over 2 years) will be re-directed to continue support under the new service arrangements.

NCVER Apprenticeships Data as at 31 March 2023 (unless otherwise specified)

Top 5 industries and occupations for women apprentices in-training, as at 31 March 2023

Top 5 industries		Top 5 trade occupations		Top 5 non-trade occupations	
Social Assistance Services	17,755	Hairdressers	8,430	Child Carers	18,370
Food and Beverage Services	15,655	Food Trades Workers	4,660	General Clerks	10,040
Personal and Other Services	10,460	Electricians	2,375	Sales Assistants and Salespersons	9,360
Administrative Services	9,835	Automotive Electricians and Mechanics	2,055	Hospitality Workers	7,465
Medical and Other Health Care Services	6,590	Miscellaneous Technicians and Trades Workers	1,610	Office and Practice Managers	7,145

114,635 Australian Apprentices are women (trade and non-trade)

Women represent 29.6% of all apprentices in-training (387,505 total apprentices in-training)

25.3% of women apprentices in-training are in trades, with 5,670 women apprentices completing in the 12 months to 31 March 2023

74.7% of women apprentices in-training are in non-trades, with 30,975 women apprentices completing in the 12 months to 31 March 2023

Women's workforce participation continues to increase at 62.5% (*ABS Labour Force Aug 2023*)

The construction industry gender pay gap has decreased but women are still earning on average 16.1% less than men (*WEGA data as at May 2023*)

Only 5.0% of Australian Apprentices in-training in construction are women

There are 19,555 women apprentices in male-dominated trades

The number of women apprentices in trades is growing steadily, an increase of March 2023 when compared to March 2019 (increase of 62.4% or 11,115)

Women apprentices in male-dominated trades make up 8.1% of all trade apprentices

Trades = all of ANZSCO Major Group 3: Technicians and Trades Workers **Male-dominated trades** = Major Group 3, excluding hairdressers and animal attendants and trainers

Non-trades =All ANZSCO Major Groups, excluding Major Group 3 which is Technician and Trades Workers (e.g.includes Managers, Community and Personal Service workers & Sales)

Key Consultation Feedback

Consultations	Key points
Future Directions for Apprenticeship Support Services	• There is strong support for the reforms proposed, particularly the proactive mentoring and support to improve workplace practices through education and cultural change. Peer networks were highlighted as particularly important as was career advice, mentoring and pastoral care. • Stakeholders noted there is a need for cultural and systemic change within industry to increase flexibility and safer work environments. Workplaces need to be welcoming, and culturally safe. Wrap around support needs to be easy to access and readily available. • Stakeholders also re-iterated the need for information to be presented to girls and young women earlier to provide them with the knowledge to explore different options for their future careers.
Australian Skills Guarantee	• Target settings that consider the capacity of the current labour market as well as the training system to deliver enough apprentices and trainees. • Targets for women should be aimed at different cohorts in the workforce. • Streamlined and easy-to-use reporting.
Discussion Paper	• Workplaces need to be welcoming, and culturally safe. • Wrap around support needs to be easy to access and readily available.

The future policy direction will:

- address long-term structural problems of gender segregation in the apprenticeships system by setting a long-term target for women apprentices on working on public infrastructure projects
- under the Australian Skills Guarantee, the Government has committed to national targets that by 2030, 12% of apprenticeships and traineeships, and 10% of trade apprenticeships and traineeships in construction are women.

- increase the diversity of the apprentice workforce by providing additional funding of $54.3 million over 5 years from 2022-23 to reform apprenticeship support services to supporting more apprentices, particularly women, to complete their qualification and ensure that no woman is left behind during the transitioning of service delivery models

- support women in the workplace to reduce the cultural barriers to women's participation, address workplace challenges and support businesses to attract and retain women

- women apprentices in male-dominated trades will have guaranteed access to the support they need through specialised mentoring, peer networking and pastoral care services.

The Government is focused on improving women's experiences of the labour market and ensuring equal opportunity and equal pay. This includes a commitment to lifting the participation of women in apprenticeships and across the VET system, focused on helping the economic security of women through access to jobs in higher-paying and traditionally male-dominated industries.

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Why women are getting on the tools

BySue White
July 29, 2023 — 5.00am
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Bridget Bottcher had been a chef for eight years when COVID hit. Like many Australians, the time out of work gave her a chance to think about her career, and at age 27, she decided to turn to trades.

Although nobody in Bottcher's family was an electrician, she could see the field offered consistent work, no unsociable hours, and about $30,000 more a year than her chef's salary.



Former chef Bridget Bottcher (centre) connected with a new network of women including Lily Kingston and Vanessa Tierney.

To get started, she enrolled in Australia's first female-only pre-apprenticeship course for electricians at Victoria's Holmesglen Institute. Sixty-three women have already graduated from the training, with more than 85 per cent going on to get jobs.

"I saw it as a really good opportunity to create a network of women who each understood what we were going through, and we could support each other," Bottcher says.

Department of Employment and Workplace Relations - Released under FOI

Having an inbuilt network of contacts is something she believes is vital in a career, particularly a new one. “You need a strong backing to be successful and this can be hard to do in such a male-dominated industry,” Bottcher says.

Advocacy organisation Tradeswomen Australia (TWA) notes that although 65 trades are on Australia’s national skills priority list, women represent only 2 per cent of the trades workforce.

For some organisations, such as Endeavour Energy in western Sydney, the statistic is starting to budge. The organisation recently revealed that 60 per cent of its 2022 apprentice recruits were women. While these are impressive numbers, they are not represented industry-wide.

‘You need a strong backing to be successful and this can be hard to do in such a male-dominated industry.’

Bridget Bottcher

It’s one reason that earlier this year, Tradeswomen Australia joined Empowered Women in Trades and the National Association for Women in Construction to welcome measures announced in the federal budget that will help start to address the inequity for women in Australian trades.

The groups’ leaders highlighted several positives from the budget, including: the focus on women’s participation in labour markets in the national skills agreement (a $3.7 billion, five-year commitment to increase access for all to vocational education and training); targets to boost women’s participation in apprenticeships; and $5 million to better support women in male-dominated industries.

Department of Employment and Workplace Relations - Released under FOI

Speech - Apprenticeship Support Australia 25th Year Celebration Lunch

Ministers:
The Hon Brendan O'Connor MP
Minister for Skills and Training

Acknowledgement of Country

I want to acknowledge the Wurundjeri and Woi Wurrung people of the Kulin Nation, and pay my respects to Elders past, and present.

And I extend that respect to any First Nations and Torres Strait Islander people here today.

I am proud to be part of a government that will give every Australian the opportunity to vote for constitutional recognition of Aboriginal and Torres Strait Islander people.

Introduction

We are here today to celebrate 25 years of achievement.

Since 1998, the Australian Apprenticeship Centre, and more recently, Apprenticeship Support Australia, has a played pivotal role in supporting apprentices to transition from training to tradesperson.

Yet right now, we face a dramatic skills shortage. The worst since WW2.

And in overcoming this shortage we must work together, and every group represented in this room has a part to play.

Government values greatly the role of stakeholders in determining practical and viable policy alternatives, and we recognise that those closest often have some of the most powerful insights into solving ongoing challenges.

Your unique positioning gives you the ability to envisage problems and propose solutions, ultimately having a deeply positive influence on the direction of future apprenticeship policy.

And this is coupled with a passion for VET, apprentices and trainees.

It’s become clear, without a properly funded VET sector, and a genuine support structure for apprentices and trainees, we will not keep up with changing industry needs.

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Needs that are changing faster than ever. Industries are innovating rapidly, and our workforce needs to keep pace.

We must have the skills pool to face the global challenges of our time.

And to make a real difference one of the priority challenges is improving apprenticeship completion rates.

Apprenticeship completion rates

Recent data shows only 56 percent of apprentices complete their apprenticeships.

Just over half of apprentices are finishing their training at a time when we're grappling with the most serious skills shortage in decades.

I don't need to spell out just how important it is that we turn this around.

Now, I get the chance to meet and talk with great VET students, apprentices and trainees from all around the country.

And I'm under no illusions.

A lot of them are young and exploring their first career.

So naturally there will always be some apprentices who decide that it's not for them.

But we must remain ambitious and understand the reasons why many are not completing.

Of the 44 per cent of apprentices dropping out, it's a safe bet that some of them would have made great qualified tradespeople, had they just been better supported to finish.

That's why our government wants to offer more proactive support services over the life of apprenticeships.

This is particularly important in the first two years, when wages are typically at their lowest and apprentices are at the highest risk of dropping out.

Mentoring and in-training support is an important focus – especially for apprentices who experience additional barriers to finishing their training.

We are focusing our efforts on ensuring Australians have the skills in demand

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now, and into the future, to support secure employment and address skills needs.

One-in-four apprentices drop out during their first year when wages are at their lowest.

This says to me they need more support.

So, for that reason we've expanded the list of occupations covered by the Australian Apprenticeship Priority List from 77 to 111.

This means more apprentices can access direct payments of up to $5,000 under the Apprentice Training Support payments, or up to $10,000 under the New Energy Apprenticeship program.

And it's not just trade apprentices and trainees that need extra support.

People training for vital jobs in our care sectors are another example of where we need thousands more skilled workers.

It's why we recently passed legislation that expands interest-free, income-contingent support loans to non-trade apprentices for the very first time.

This means approximately 35,000 additional apprentices and trainees in areas of skills shortage will become eligible for important cost-of-living support.

In addition to financial incentives, our government is strengthening apprenticeship services and supports to lift completion rates, but just as importantly make sure apprentices feel valued in the workplace.

In 2021, 14 percent of trade apprentices who dropped out did so because they didn't get on with their boss.

Not always but in many instances - that's a solvable problem.

They could switch employers and remain in an apprenticeship.

They could be better supported to adapt to a workplace, and employers could be mentored to improve their engagement with apprentices.

And we're focusing support on under-represented groups who face additional barriers to engaging and continuing apprenticeships.

Women in male-dominated trades, First Nations apprentices, apprentices in remote locations, and apprentices with disability.

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We are also leveraging government investment in major projects to help train the next generation of skilled workers through the Australian Skills Guarantee.

The Skills Guarantee will ensure one in 10 workers on major Commonwealth-funded projects is an apprentice, trainee or paid cadet.

It will also include targets for women to drive long-term sustainable change and reduce gender segregation in the apprenticeship system.

And to access improved support, we are vastly improving access to TAFE courses needed to access apprenticeships, or complete them.

Conclusion

Many in this room have made a significant contribution to the skills development of Australians.

I commend your commitment to industry, employers and apprentices, and thank you for a generation long legacy of success.

Please enjoy the rest of the lunch.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000714

Senator Matt O'Sullivan on 31 May 2023, Proof Hansard page 97

Apprenticeship Completion Rates

Question

Ms Sharp: On completion rates, because there's a four-year time period, our latest available completion rate is measured off apprentices who commenced in 2017. The current completion rate for an individual is 55.7 per cent of the apprentices who commenced in 2017 have completed.
Senator O'SULLIVAN: How's that tracking historically?
Ms Sharp: That has been tracking down. If you look at apprentices who commenced in 2012, 61.6 per cent completed. Of the apprentices who commenced in 2013, 59.9 per cent completed. For apprentices who commenced in 2014, 57 per cent. Basically we've been losing somewhere between half a percentage point and a percentage point each year since the commencements of 2012.
Senator O'SULLIVAN: Do you put that down to anything in particular?
Ms Sharp: We've been doing a lot of work on that. It's a combination of a whole range of factors. The research we've done says that 80 per cent of the time the decision to end the apprenticeship is a decision made by the apprentice. That's for a whole range of reasons ranging from they don't like the workplace, they don't get along with their boss, they're not getting enough training, they're unhappy with the wages or they get offered a better job.
Ms Campbell: I would also say it varies greatly by industry. If you look at some industries like electricians, they're completing at a higher rate than the average, so that's 67.6 per cent. Bricklayers, carpenters and joiners are 57.1 per cent. You also have other occupations like general clerks who are completing at 64.6 per cent, which compares to some other occupations like hospitality workers who are completing below that national level, at 48.2 per cent. So there's quite a range.
Senator O'SULLIVAN: Are you able to table that table you're reading from?
Ms Campbell: Yes.
Ms Sharp: What Belinda was reading from—for when you receive it—is the top five occupations in the trade and non-trade areas, and their completion rates.

Answer

Top 5 occupations as at 30 September 2022 (based on in-training numbers) for trade and non-trade Australian Apprentices:

Trade occupations for starters 2017 (54.0%)	**Completion rate***
341 Electricians	67.6%
331 Bricklayers, and Carpenters and Joiners	57.1%
321 Automotive Electricians and Mechanics	60.3%
334 Plumbers	58.2%
351 Food Trades Workers	43.0%
Completion rates for top 5 trade occupations	**58.1%**

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Non-trade occupations for starters 2017 (56.8%)	Completion rate*
531 General Clerks	64.6%
621 Sales Assistants and Salespersons	59.8%
421 Child Carers	62.5%
431 Hospitality Workers	48.2%
512 Office and Practice Managers	48.2%
Completion rates for top 5 non-trade occupations	**58.0%**

**Data source (completion rate): DEWR program data extracted on 30 April 2023.*

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001175

Senator Matt O'Sullivan provided in writing.

Targeted Support for Apprenticeships

Question

1. Regarding the measure which provides $5 million over 3 years from 2024-25. The measure says that this will be in the form of grant funding, can you please advise of:
   a. What will be the purpose of the grant? Who will be eligible to apply?
   b. Will it be a competitive grant opportunity?
   c. If so, when will the grant guidelines be available?
   d. Who will approve those guidelines?
   e. How much will the grants be? I.e., will there be a limit or a capped amount?
   f. Who will be the decision maker for funding?

Answer

a. The purpose of the $5 million grant is to expert organisations to support women in the workplace, particularly those in apprenticeships in male-dominated trades. This includes providing education, advice or support inclusive workplaces and improve cultural safety; reducing barriers to women's participation in some heavily male-dominated workplaces; and supporting businesses in those sectors to attract and retain women.

b. The Grant Opportunity Guidelines, including eligibility criteria, are yet to be finalised.

c. The Grant Opportunity Guidelines are expected to be available from early 2024.

d. The Grant Opportunity Guidelines will be prepared and approved as per the Commonwealth Grants Rules and Guidelines (CGRG). Consistent with the CGRG's, the Grant Opportunity Guidelines will be authorised or endorsed by the Minister for Finance.

e. The Grant Opportunity Guidelines, including grant amount and grant period, are yet to be settled.

f. The Grant Opportunity Guidelines, including the grant selection process, are yet to be settled.

Department of Employment and Workplace Relations - Released under FOI

Australian Apprenticeship Support Network/Procurement

What has been announced

Request For Tender for Australian Apprenticeship Support Services 2024-2026

- On Tuesday 8 August 2023, the Request For Tender (RFT) for the Australian Apprenticeship Support Services (Support Services) was released into the market for 35 calendar days. The tender closed at 3:00pm (AEST), Tuesday 12 September 2023.
- The RFT for the Support Services will introduce a new non-financial model from 1 July 2024 that has been designed to lift completions, provide better quality support, and target skills shortages.
- The proposed services delivery model seeks to rebalance and strengthen non-financial support delivered by the Australian Government to improve the quality of the apprenticeships system.
- A key focus of the model is to increase the diversity of the apprentice workforce and the type of services delivered, to ensure tailored support to specific cohorts are delivered by Specialist Providers.
- There are three types of Service Specialisation cohorts:
    - Women in male-dominated trades
    - First Nations Australian Apprentices
    - Apprenticeships working towards Clean Energy occupations.

Table 1: Key Changes through the New Model

Key Changes
Pre-commencement assessment to help set-up Apprentices for success.
Higher quality, strengthened mentoring services to support **Key Client Groups** (women in male-dominated trades, First Nations apprentices, apprentices with disability, apprentices located in remote Australia).
Revised structure for Provider services and payments with **increased emphasis on successful completion.**
Improved technology to streamline payments and better target communication with apprentices and employers.
Introduction of **Specialist Providers** to diversify the range of organisations to deliver apprenticeship support services.

- By placing apprentices at the centre of delivery, the new model will increase the capacity of the system to support individuals to completion, and to deliver a pipeline of skilled workers to meet the needs of Australian industry and employers.
- The Department of Employment and Workplace Relations (the department) appointed Clayton Utz as the external Probity Adviser. The role of the Probity Adviser is to advise the Delegate (Deputy Secretary, Skills and Training Group) on the probity and integrity of the procurement process which is reflected in the Probity Plan.

- The RFT seeks to **engage Australian Apprenticeship Service Delivery Providers (Providers) in 8 Service Regions across Australia to deliver the new support model.** The final number and mix of Providers are expected to vary between Service Regions and will depend on the local characteristics and conditions in each Service Region.
- To promote diversity of provider delivery, Tenderers may choose to bid for a Service Region as either a Specialist Provider or as a Generalist Provider, or both.

Table 2: Australian Apprenticeship Support Services Regions

Service Regions
Australian Capital Territory
New South Wales
Queensland (*including* Torres Strait Islands)
South Australia
Tasmania
Victoria
Perth and Surrounds Western Australia
Outback Western Australia (Statistical Area 4 *Outback North* and *Outback South*)

Current status of the policy

- RFT submissions are currently under assessment.
- A separate procurement process will be undertaken for the Northern Territory (NT).

Stakeholders consulted

Pre-Budget Stakeholder Consultations

- At the September 2022 Jobs and Skills Summit, the Australian Government committed to improve the apprenticeship system, increase the diversity of the apprentice workforce and drive-up Australian Apprenticeship completion rates.
- Following this, the Australian Apprenticeship Services and Support Discussion Paper (Discussion Paper) was released on 16 November 2022 to examine the effectiveness of Commonwealth apprenticeship support services including non-financial support and to seek stakeholder views on ways to improve support and services.
- Consultations involved apprentices, employers, state and territory governments, unions, industry, Registered Training Organisations, Group Training Organisations and Australian Apprenticeship Support Network providers.
- Key advocacy groups were also consulted including those representing women, apprentices with a disability, and First Nations apprentices.
- Detailed consultations included site visits to talk with apprentices, employers and trainers, targeted roundtables and bilateral meetings. Over 100 written submissions were also received responding to the Discussion Paper.
- Feedback and advice from these consultations and submissions informed the development and design of the 2023-24 Budget submission on the future design of apprenticeship support services.

Post-Budget Stakeholder Consultations

- Following the Australian Government's agreement to a new package of non-financial apprenticeship support in the 2023–24 Budget, a further round of public consultation was undertaken in May 2023 through the Future Directions Australian Apprenticeship Consultation Paper (Future Directions Paper).
- All participants from the first round of consultations were engaged in the second round of focus groups and bilateral discussions. Advice from this consultation process was provided to the Minister for Skills and Training in order to finalise the design of new service arrangements.
- Feedback from the Future Directions Paper consultations and submissions received informed the finalisation of the RFT.

Next steps, including consideration by Government where expected

- In line with due tender process, tenders will be assessed and outcomes considered by the Tender Review Committee and recommendations put to the Delegate. Following this the Minister for Skills and Training will be provided with a Ministerial Noting brief, outlining the department's Delegate Recommendation Report. The brief will outline the key findings and recommendations of the Tender Review Committee and the Delegate's decisions.
- New contracts for Australian Apprenticeship Support Services will commence on 1 July 2024.
- The department will publish a list of all Deeds it enters into with successful Tenderers on AusTender (www.tenders.gov.au).

Program Budget

Table 3: Australian Apprenticeship Support Network Program Budget

2023-24 Budget $'000	**2024-25 Forward Estimates** $'000	**2025-26 Forward Estimates $'000**	**2026-27 Forward Estimates $'000**
246,392	229,991	205,127	200,920

Source: Budget 2023-24 Portfolio Budget Statements

ATTACHMENT A: Australian Apprenticeship Support Services Model Key Facts and Scripted Holding Lines *if Asked About* Procurement (A3)

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	09 October 2023

Australian Apprenticeship Support Services Model: Making it easier for Australian Apprentices and their Employers to engage with the Apprenticeships System from Commencement through to successful Completion

3 Key Services to Rebalance & Strengthen Non-Financial Supports to improve the Quality of the Apprenticeship System, increase Diversity and Drive-up Apprenticeship Completion Rates

1. Assessment Services (pre-commencement)*

For Apprentices

- Enhanced Assessment at the beginning of the apprenticeship to identify skills levels, skills needs and aptitude for occupations, including a **Readiness Check** of an apprentice's **language, literacy, numeracy and digita**l (LLND) skills.
- Focus on better **identifying** the apprentice's **needs earlier** and **recommending tailored supports** to help set-up Apprentices for success.

For Employers

- Assessing **Employer suitability and readiness** to take on and support an apprentice.
- Providing **ongoing support** to help ensure Apprentices will complete their Apprenticeship.

Please note, Assessment Services are intended to ensure Australian Apprentices and Employers Requiring Support are set up to **succeed, they are not intended to act as a barrier.*

2. Strengthened and Tailored Mentoring and Personal Support Services to support Key Client Groups and those most in need of support* (includes a broad range of individualised activities)

For Apprentices

- **Pastoral Care & Complex Needs** (social and emotional support to enhance well-being) - pastoral care will encompass regular supportive contact and complex care will include support for things such as ongoing workplace disputes, bullying, sexual harassment, personal or mental health issues, homelessness, financial strain, drug & alcohol counselling.
- **Career Guidance and Advice –** career planning & transitional issues i.e., change of employer, promotions.
- **Peer Support Networks** (structured peer and/or industry support networks & knowledge sharing) to connect apprentices & employers with business experts/comparable peers to improve workplace practices.

For Employers

- Helping the Employer to Better **Understand their role** in supporting their Apprentice through training.
- Where an Employer does not have demonstrated experience, working with Employers and Supervisors to implement **strategies to effectively supervise & manage** their apprentice
- Connecting Employers and Supervisors to relevant support services and training to improve their capacity.

** Mentoring Services will be provided over a **12-month period** from the date of the first Mentoring and Personal Support Services contact. Minimum requirements are a **Tailored Support Plan** and at least **3 x 15-minute contacts, 3 months apart**.*

3. Engagement and Apprenticeship Technical Support Services

- **Marketing** & promotion of support services to **key stakeholders.**
- **Regular ongoing contact** with the apprentice and employer, including the provision of technical and administrative support and advice on the apprenticeships system and accessing available support.

These services will be underpinned by:

- **revised structure for provider services and payments** with increased emphasis on successful completion
- **improved technology** (Apprenticeship Data Management System) to streamline payments and program administration to minimise the administrative burden on apprentices and employers
- **better targeting of communication** to apprentices and their employers with both parties having a clear understanding of the provider's role and how to contact and access more support as needed
- **improved visibility** of Australian Apprenticeships as a pathway to learning, including to assist secondary school students to find the right **VET pathway** or **Employment pathway.**

'Placing the Apprentice at the Centre of Service Provision'

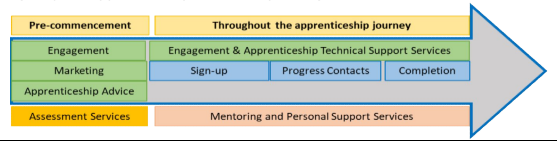
To **align fees with effort**, and to best target contact regimes, Australian Apprentices have been divided into **two groups** (Enhanced Services and Generalist Services).

- **Enhanced Services:** (i) Newly commencing **Key Client Group** apprentices from 1 July 2024; and (ii) all **Women** in Male-Dominated Trades who commenced prior to 1 July 2024.
- **Generalist Services:** (i) All Australian Apprentices who are **not** in a Key Client Group; and (ii) Key Client Group apprentices whose original commencement date was **prior to 1 July 2024** (excluding Women in Male Dominated Trades who will continue to have additional support)

Providers are expected to be highly responsive to the needs of Australian Apprentices and their Employers. They will have regular contact with Apprentices **throughout the life cycle** of the apprenticeship, particularly in the **early stages** of training where the likelihood of cancellation is greatest.

Providers will receive a higher fee for service based upon the level of **contact** with apprentices. Enhanced Services will incur a **higher fee** than Generalist Services, due to the more intensive and specialised support.

Stages of the Apprenticeship and Corresponding Service Elements



4 Key Client Groups

To increase the diversity of the apprentice workforce and service offer to increase participation rates and provide tailored wraparound support

Women undertaking an Australian Apprenticeship in a male-dominated trade	**First Nations** Australian Apprentices	Australian Apprentices with a **Disability**	Australian Apprentices located in **Remote Australia**

Introduction of Specialist Providers across 3 Service Specialisations

To deliver expertise to specific cohorts to improve completion rates. Employers and Apprentices may have a choice in the type of Provider (Generalist or Specialist) they use

Women in Male-Dominated Trades

- Fostering safe workplaces
- Providing support to attract & retain women
- Support to deal with bullying, harassment & antisocial behavior
- Peer networks & industry connections

First Nations

- Supporting employers to create culturally competent & safe workplaces
- Providing support to attract & retain First Nations Australian Apprentices
- Drawing on Indigenous business & Community Controlled Organisations
- Understanding opportunities within the Indigenous business sector

Clean Energy Occupations

- Building peer networking scale & capability
- Understanding the needs of the workforce
- Building the capacity of Australian Apprentices to succeed in the workforce of the future

Scripted Holding Lines if asked about the Procurement

Response to Apprenticeship Support Procurement Process Questions

1. **If asked questions about the procurement process the response should be:** *You will understand that to maintain the integrity and to preserve the probity of the department's purchasing processes, I am unable to discuss any issues relating to current, past or future purchasing activities. The department manages questions about procurement processes through their Employment Services Purchasing Hotline on 1300 733 514 or espurchasing@dewr.gov.au.*
   Note: A Separate Procurement Process will be undertaken for the Northern Territory
2. **If concerns are raised about the procurement process the response should be:** *You will understand that to maintain the integrity and to preserve the probity of the department's purchasing processes, I am unable to discuss any issues relating to current, past or future purchasing activities. In the first instance feedback can be provided regarding a procurement process/es to the Department through the Employment Services Purchasing Hotline on 1300 733 514 or espurchasing@dewr.gov.au.*

Response to New Energy Mentoring Procurement Process Questions

1. **If asked about the New Energy Mentoring Procurement the response should be**: *You will understand that to maintain the integrity and to preserve the probity of the department's purchasing processes, I am unable to discuss any issues relating to current, past or future purchasing activities. Any enquiries about this purchasing activity should be directed to the Department's contact information as listed on the AusTender website: EAMentoringProgram@dewr.gov.au.*

Response to Departmental Procurement Processes Considerations

1. **In support of Closing the Gap, the department is an active member of Supply Nation**, *which is an organisation dedicated to growing diversity in supply chains that promotes indigenous entrepreneurship and business development. **Supply Nation** is contracted by the Commonwealth to maintain a free registry of Indigenous enterprises known as 'Indigenous Business Direct' (IBD). Having access to the database helps procurement teams unlock the potential value of including Indigenous businesses in their supply chain whilst also helping achieve their Indigenous procurement targets. **Supply Nation** has assurance processes to verify ownership status of Indigenous entities listed on its IBD database.*

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2. **There is a current review of the department's Procurement Process** with *Grosvenor Performance Group engaged to ensure the department has effective and efficient procurement practices that deliver value for money, follow robust governance, probity, is compliant with the Commonwealth Procurement Rules and other interconnected policies such as **Indigenous Procurement Policy, Workplace Gender Equality Procurement Principles, Payment Times Procurement Connected Policy, Shadow Economy Procurement Connected Policy, Australian Industry Participation**. The review aims to uplift commercial processes and procedures, optimise the procurement pipeline, continue to further align with interconnected procurement policies and enhance the departments procurement process.*

SB23-000082
Data for up until 5 October 2023

Job and Skills Australia and Governance Arrangements

What has been announced?

Establishment of Jobs and Skills Australia

- The Government committed to establishing Jobs and Skills Australia (JSA) as a new secondary statutory body to work in partnership with business leaders, unions, education providers and state and territory governments to address the current skills crisis across the country.
- JSA provides independent advice on current, emerging and future workforce, skills and training issues to improve employment opportunities and economic growth. JSA's advice to Government will help inform decision making around the policies and programs targeting skilled workers needed to support the economy. JSA works in partnership with business leaders, unions, education providers and state and territory governments to address the current skills crisis across the country.
- JSA was established on 16 November 2022 through the *Jobs and Skills Australia Act 2022* (see Attachment A for detailed timeline).
- On 18 August 2023, the *Jobs and Skills Australia Amendment Act 2023* (the Amendment Act) commenced and established JSA's permanent model by providing additional and clarified functions and settling its governance arrangements.
- As part of the 2022-23 October budget, the Government also announced:
    - $12.9 million invested to establish JSA.
    - $1.9 million to prepare a capacity study into the clean energy workforce to provide critical evidence and insights needed to support workforce planning for the clean energy sector.
    - $12 million to lead the development and delivery of a study on adult literacy, numeracy and digital literacy. The findings of the national study will enable governments, education and training providers, peak bodies, employer and industry bodies, academics and researchers and the community sector to better understand people's learning needs and target policies and programs to address them.
- JSA will see a significant reduction in funding of approximately $20 million from 2023-24 to 2024-25. Ongoing funding for JSA will need to be secured for future years (see Attachment A for further information on JSA funding).

Commissioner statutory office

- Emeritus Professor Peter Dawkins AO's appointment as acting JSA Commissioner expired on 6 October 2023. Professor Dawkins oversaw JSA's initial establishment and operations.
- Mr David Turvey, First Assistant Secretary – Jobs and Skills Australia, has been appointed as acting Commissioner until 31 January 2024 while the Government continues to undertake a merit-based selection process for JSA's ongoing leadership arrangements.
- Appointment of the ongoing JSA Commissioner is progressing.
- The appointment will follow a merit-based selection process in line with Government's Merit and Transparency Policy.
- The appointment will be made by the Minister for Skills and Training under section 18 of the *Jobs and Skills Australia Act 2022* in line with Cabinet Handbook processes (paragraphs 114–118).

Commissioner recruitment timeline

Activity	Date
Advertising goes live	7 July 2023
Advertising closed (23 days later)	30 July 2023
Jobs and Skills Amendment Bill 2023 passed both house of Parliament	7 August 2023
Assessment panel shortlisting meeting #1	10 August 2023
Jobs and Skills Amendment Act 2023 came into effect and office of Commissioner was established	18 August 2023
Assessment panel shortlisting meeting #2	18 August 2023
Interviews conducted	11 September 2023

Deputy Commissioner statutory offices

- Section 13A of the JSA Act allows for up to 2 Deputy Commissioner positions. The Deputy Commissioners will support the Commissioner in delivering the functions of JSA. No specific detail on the roles of the Deputy Commissioners is included in the legislation.

Ministerial Advisory Board

- The Amendment Act established a 14-member, plus a Chair, Ministerial Advisory Board to provide strategic advice to the Minister for Skills and Training and the JSA Commissioner. The Advisory Board will not be a decision-making body but will support the JSA Commissioner to develop JSA's annual work plan and provide independent advice to Government on skills, labour market and workforce needs and priorities through discussions on JSA's key products.
- A public nomination process is being undertaken to ensure broad representation of Advisory Board members. This public nomination process is open for 2 weeks, commencing Friday 13 October through until 11:30pm Friday 27 October.
- The Advisory Board must be established within 12 months of the Amendment Act (by 18 August 2024).
- Under the legislation, when considering all Advisory Board appointments, the Minister for Skills and Training must be satisfied the person has substantial knowledge or experience in at least one of the following fields: VET; higher education; industry; employment; industrial relations; labour market analysis; workforce planning; economics; governance; regional, rural and remote Australia or any other appropriate field of expertise. The Minister may also appoint people with lived experience of disadvantage in the labour market or individuals who represent them.
- To ensure the Advisory Board membership includes key tripartite representatives, legislation stipulates the Board will consist of 2 state and territory representatives, and employee groups and employer groups must be in balance, with 4 representatives each, including at least one employer group representing small business.
- The additional 4 places have been reserved for other stakeholders to ensure a broad range of interests are represented on the Advisory Board. For example, these 4 places could be filled by those with evidence or experience that is relevant to JSA's remit, or filled by people with lived experience of disadvantage in the labour market or individuals who represent them. The legislation stipulates the additional 4 people cannot be a representative of an employee group, nor an employer group.

Consultative Forum

- Prior to the Amendment Act commencing, the Government established a time-limited Consultative Forum to provide the JSA Director (now acting JSA Commissioner) with advice from

tripartite partners on matters such as the development of JSA's annual work plan, the delivery of early JSA products and studies and enhanced stakeholder engagement functions.

- The Consultative Forum, convened by Mr John Azarias, includes individuals with expertise in the union movement, education and vocational training, small business, industry and representatives from state and territory governments.
- The Minister for Skills and Training selected members based on specific expertise and institutional knowledge. Current membership of the Forum is at Attachment B.
- The Consultative Forum has met 5 times and considered a range of issues including:
    - JSA's first workforce capacity study – the Clean Energy Capacity Study
    - development process of JSA's work plans for 2022-23 and 2023-24
    - the National Jobs and Skills Roadmap and Annual Jobs and Skills Report to guide JSA's priority areas of focus going forward.
- The Forum represents an effective example of tripartite engagement, collaboration and advice that provides a diverse range of views to support JSA's establishment and functions. Both the members, and the JSA Commissioner, have found it a valuable mechanism to inform the work of JSA.

Clean Energy Workforce Capacity Study *(questions on the development of and content in the final report should be referred to JSA).*

- JSA released the Clean Energy Workforce Capacity Study at the Jobs and Skills Australia Symposium on 3 October 2023.
- The final report included 50 recommendations covering a range of issues including: for the National Energy Workforce Strategy; data improvement; considerations for industry, Jobs and Skills Councils, and the VET and higher education sectors around pathways and education and training reform opportunities.

Annual Jobs and Skills Report *(questions should be referred to JSA).*

- Each year, JSA is required to prepare a report on current, emerging and future skills need.
- JSA released their first Annual Jobs and Skills Report at the Jobs and Skills Australia Symposium on 4 October 2023.
- The report aims to bring together JSA's inaugural analysis of Australia's current and future skills needs and initial assessment of how well the national skills system is going in meeting these needs.

2023-24 Annual Work Plan *(questions should be referred to JSA).*

- JSA released their 2023-24 Annual Work Plan on 4 October 2023, as part of the Annual Jobs and Skills Report, and published a copy on their website.
- The Annual Work Plan includes business-as-usual activity and the production of regular products along with the following key workforce capacity and cohort studies:
    - Early Childhood Education and Care (ECEC) workforce capacity study.
    - Food supply chain capacity study.
    - VET workforce cohort study.
    - A point in time analysis of pathways and barriers to employment outcomes for international students (cohort study).
- The Work Plan also covers JSA's input to emerging skills and workforce challenges and broader priorities, such as the Employment White Paper and the Migration Review.
- A copy of JSA's 2023-24 Annual Work Plan is at Attachment B.

Key Government statements

- Media Release – *Coalition votes against JSA*. The Hon Brendan O'Connor MP, Minister for Skills and Training – 8 August 2023.

Current status of the policy

- The department is continuing to support the Minister and JSA establish the ongoing governance arrangements, including supporting Ministerial appointments processes for the statutory offices including the Commissioner, Deputy Commissioners and Ministerial Advisory Board.

Commissioner statutory office

- The merit-based selection process commenced with national press media advertising conducted between 8 July 2023 and 28 July 2023, with advertisements placed in the Australian Financial Review, The Australian and paid LinkedIn social media.
- The department contracted NGS Global, an executive recruitment firm, to support the recruitment process including proactive search and outreach to potential candidates, and engagement with key stakeholders that could provide input to the process.
- A final determination has been made by the Remuneration Tribunal regarding the Commissioner statutory office. The Remuneration Tribunal Amendment Determination (No.7) 2023 applies from the 18 August 2023 and is consistent the previous JSA Director statutory office, replaced by the Commissioner office, which has the total remuneration set at $473,820 per year and an entitlement to Tier 2 travel.

Deputy Commissioner statutory offices

- The department is supporting the Minister with a submission to the Remuneration Tribunal regarding the remuneration of the Deputy Commissioner statutory offices. No indicative decision or determination has yet been made regarding the remuneration of these offices.

Ministerial Advisory Board

- A determination has now been issued by the Remuneration Tribunal in relation to the remuneration of the Ministerial Advisory Board Chair and member statutory offices. The Renumeration Tribunal Amendment Determination (No.7) 2023 setting the part time daily fees for the Chair at $1,070 and members set at $856, both with an entitlement to Tier 2 travel.

Consultative Forum

- The Consultative Forum has met on 5 occasions and is expected to meet at least once more in November 2023. More information regarding the meetings held to date is at Attachment C.

Stakeholders consulted

- The department consulted broadly on the proposed legislative and operational arrangements of JSA. Consultation was undertaken via various mechanisms including the extensive feedback facilitated by the Senate Committee inquiry into the initial legislation and the Bill, Jobs and Skills Summit, stakeholder roundtables and other forums and a public discussion paper process.
- A summary of responses received from various stakeholder groups to the Senate Committee inquiry into the Bill and submission details on the JSA discussion paper is included in Attachment A.
- Significant consultation has been undertaken as part of the JSA establishment process and in developing the 2023-24 Annual Work Plan. This includes engagement with Australian Government Ministers and their departments, state and territory Government Ministers and Senior Officials through the Skills and Workforce Ministerial Council and Skills Senior Officials Network, and key tripartite partners in unions and employers through the Consultative Forum and Jobs and Skills Councils.

Department of Employment and Workplace Relations - Released under FOI 582 of 853

Next steps, including consideration by Government where expected

Commissioner statutory office

- Following completion of the merit-based selection process, the appointment will be made by the Minister for Skills and Training in line with Cabinet Handbook processes. Timing of commencement of the Commissioner following appointment will be a matter for negotiation between the appointee and the Minister.

Ministerial Advisory Board

- The department will assess responses to the public nomination process based on the eligibility criteria established in the legislation at Section 16B(4) to ensure they have the required substantial experience or knowledge in the relevant fields, have lived experience of disadvantage in the labour market, or experience as a representative of people with lived experience in the labour market.
- The department will provide recommended, suitable nominees to the Minister for his consideration and decision.
- Appointments will be made by the Minister for Skills and Training in line with Cabinet Handbook processes. Appointees must complete a Private Interest Declaration advising of matters such as:
    - Disclosable criminal convictions or whether they have been a defendant in any civil or criminal court actions.
    - Any declaration of bankruptcy or personal insolvency.
    - Private, business and financial interests, including taxation affairs, that may conflict with their public duties if appointed.

Consultative Forum

- The Consultative Forum will continue to meet as required and provide the acting JSA Commissioner with strategic advice on JSA's operations and lay the foundations for JSA's longer-term ways of working, until the new Ministerial Advisory Board commences its operations.
- Any members of the Consultative Forum wishing to take part in the Advisory Board will need to take part in the public nomination process for those membership roles.

Expenditure/Budget (if relevant)

- A breakdown of the JSA budget is at Attachment A - Data and Facts – Jobs and Skills Australia.
- The department's expenditure in relation to appointment processes for JSA's governance arrangements is outlined in the table below.

Table 1: Departmental expenditure on establishing JSA governance arrangements

Item	Total Amount (GST inc.)	Expenditure to date (GST inc.)
Universal McCann – advertising for JSA Commissioner vacancy	$57,295.67	$57,295.67
NGS Global – Executive recruitment for JSA Commissioner	Up to $105,280.00	$51,700.00
Mr John Azarias – Consultative Forum Convenor	Up to $40,766.00	$21,582.00

Related questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
2022-23 Supplementary Budget Estimates			
SQ23-000346	Senator Matt O'Sullivan	JSA - Legislation	The Amendment Bill has been drafted to support the permanent arrangements of JSA, organisations who consent to their submissions from the discussion paper will be published, a gender impact statement was undertaken as part of the October 2022-23 Budget.
SQ22-001112	Senator Matt O'Sullivan	Severance package for National Skills Commissioner	Compensation for the loss of statutory offices is made in line with subsection 8(2) of the *Remuneration Tribunal (Compensation for Loss of Office for Holders of Certain Public Offices) Determination 2018*
2022-23 Budget Estimates			
SQ22-001111	Senator Matt O'Sullivan	National Skills Commissioner	Section 18 of the JSA Act provides the Minister with the power to appoint a person as Director of Jobs and Skills Australia if the Minister is satisfied that the person has appropriate qualifications, knowledge or experience.

Last Cleared By	s. 22(1)(a)
Date Last Cleared	17 October 2023

Department of Employment and Workplace Relations - Released under FOI 584 of 853

Data and Facts – Jobs and Skills Australia

Timeline

Critical date	Event or action
27 July 2022	*Jobs and Skills Australia Bill 2022 and Jobs and Skills Australia (National Skills Commissioner Repeal) Bill 2022* introduced to Parliament.
27 October 2022	*Jobs and Skills Australia Bill 2022 and Jobs and Skills Australia (National Skills Commissioner Repeal) Bill 2022* pass House of Representatives and the Senate.
16 November 2022	Commencement of the *Jobs and Skills Australia Act 2022*, establishing Jobs and Skills Australia as a secondary statutory body within the department.
5 December 2022	Interim JSA Director, Emeritus Professor Peter Dawkins AO appointed.
5 January 2023	JSA Discussion Paper released, seeking feedback on functions and permanent governance arrangements (see Stakeholders consulted below for further information).
10 February 2023	JSA Discussion Paper consultation period closed.
22 March 2023	*Jobs and Skills Australia Amendment Bill 2023 (the Bill)* introduced to Parliament.
23 March 2023	The Bill is referred to the Education and Employment Legislation Committee for inquiry and report by 24 April 2023.
11 April 2023	Public submissions due to the Education and Employment Legislation Committee. Department of Employment and Workplace Relations (DEWR) submission lodged.
17 April 2023	Public hearing into the Bill by the Education and Employment Legislation Committee, including representatives from the Department and JSA.
24 April 2023	Education and Employment Legislation Committee report produced, which included single recommendation that the Bill be passed.
11 May 2023	*Jobs and Skills Australia Amendment Bill 2023* passed by the House of Representatives.
7 August 2023	*Jobs and Skills Australia Amendment Bill 2023* passed by the Senate.
18 August 2023	*Jobs and Skills Australia Amendment Act 2023* commenced.

Jobs and Skills Australia Amendment Bill 2023 – Senate Inquiry (Stakeholder Submissions)

- The Inquiry accepted public submissions until 11 April 2023, with 23 submissions received, including the department's.
- All submissions were supportive of the proposed amendments, though the composition of the Ministerial Advisory Board was consistently raised as an issue, with submissions advocating either for inclusion or exclusion of specific representative bodies.
- Public hearings were held on 17 April 2023. All witnesses supported the passage of the Bill. Non-government witnesses included representatives from:
  - Employer groups: Australian Chamber of Commerce and Industry, Ai Group, Business Council of Australia.
  - Education peak bodies: Independent Tertiary Education Council of Australia, TAFE Directors Australia, Universities Australia.
  - Unions: Australian Council of Trade Unions.
- Coalition senators released a dissenting report, calling for their own amendments to be adopted, including removing the allocation of union representatives on the Ministerial Advisory Board and bringing forward the statutory review to 12 months from 24 months after commencement of the amendments.

Jobs and Skills Australia Discussion Paper

Stakeholder Group*	Submissions received
Union	4
Government or regulator	19
Higher education sector	10
Education and training sector	14
Employer or industry	26
Peak body for cohorts & industry	37
Career Development org	6
Researchers	7
Individual responses	10
Other**	4
Total	**137**

* While stakeholders have nominated their stakeholder group through the submission process, their views may be individual and are not representative of the stakeholder organisation in which they nominated or work.

** Submissions considered out of scope.

Expenditure/Budget ($'000s)

Item	2022-23 Estimated Actual $'000	2023–24 Budget $'000	2024–25 Estimate $'000	Total $'000
Jobs and Skills Australia – 2023-24 PBS - administered[1]	**4.300**	**15.188**	**4.474**	**23.962**
- National Study on Adult Foundation Skills	*0.500*	*9.196*	*2.574*	***12.270***
- Administered funding transitioned from National Skills Commission (NSC)	*3.800*	*5.992*	*1.900*	***11.692***
Jobs and Skills Australia – departmental[2]	**40.682**	**44.186**	**35.395**	**119.543**
- New Energy Skills Program (Clean Energy Capacity Study)	*1.392*	*0.533*	*0.000*	***1.925***
- Funding transitioned from NSC and other sources[3]	*35.141*	*36.272*	*34.027*	***105.44***
- Jobs and Skills Australia Establishment - 2022-2023 Budget	*4.149*	*7.381*	*1.368*	***12.898***
Total	**44.981**	**59.404**	**39.899**	**144.285**

(1) P43 refers to annual administered expenses for Jobs and Skills Australia and includes funding for the National Study on Adult Foundation Skills and ongoing administered funding transitioned from the NSC. Page 41 includes a Movement of Funds of $7.640 million from 2022-23 to 2023-24 (which includes $3.592 million for administered funding transitioned from NSC and $4.048 million administered for the National Study on Adult Foundation Skills).

(2) JSA's departmental funding is not visible as a separate item in the PBS as it is included in the DEWR Outcome 2 departmental resource funding on p22. The departmental funding in this table has been provided by JSA.

(3) Figure includes departmental funding transitioned from NSC, funding for VNDA and Micro-credentials and other internal transfers. Includes transfers for additional functions, contribution to JobTrainer and Local Jobs measures and indexation. Internal transfers include JEDI funding.

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Australian Government
Jobs and Skills Australia

2023-24 work plan

(as at 2 August 2023)

Annual Jobs and Skills Report *Analysis and advice on the short, medium and long-term skills needs of the Australian economy and how they could be met.*	
The Annual **Jobs and Skills Report** will bring together our analysis and advice on Australia's jobs and skills needs.	Published by October 2023
Strategic advice and deliverables *Strategic advice on the national skills system, including our major in-depth studies and input into policy processes*	
Undertaking **capacity studies** of national significance for the labour market and the national skills system, including a focus on regional, rural and remote aspects, and cohort-specific issues:	
• the National Study of Adult Literacy, Numeracy and Digital Skills to assess the current foundation skills across Australia	Study commenced as part of 2022-23 work plan and will continue in 2023-24, with initial findings by end 2024
• the Clean Energy Capacity Study to examine the workforce that Australia needs to transition to a clean energy economy	Ongoing into first quarter of 2023-24, with a final report by September 2023.
• an early childhood education and care (ECEC) workforce capacity study.	July 2023 – March 2024
• food supply chain capacity study	January 2024 – June 2024
Delivering studies on priority **cohorts** including in key industries and including a focus on regional, rural and remote aspects, and cohort-specific issues:	
• Vocational education and training (VET) workforce	July 2023 – December 2023
• International student pathways and outcomes.	October 2023 – June 2024
Making significant contributions to shape **national projects**. This includes:	Ongoing through 2023-24 and beyond
• responding to any **new priorities** in the 2023-24 Budget and the Mid-Year Economic and Fiscal Outlook	Details to be determined
• supporting the National Skills Agreement process; with an option to co-design a performance framework for the VET system to support the National Skills Agreement	Commenced as part of 2022-23 work plan and ongoing through 2023-24

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• follow on work from the Employment White Paper, Review of the Migration System and Universities Accord processes.	Details to be determined
Strengthening our **partnerships with Jobs and Skills Councils** and collaboration with the **states and territories**, including by: • providing a platform to share workforce planning and training data with Jobs and Skills Councils and settling a regular cadence of engagement between JSA and JSCs • pursuing opportunities to better integrate our data into state and territory analysis and products, including providing a platform for data sharing with states and territories • better integrating state and territory information into our products such as Skills Priority List • a joint project with the Finance, Technology and Business Jobs and Skills Council to define digital skills and pilot measuring them in the workplace • a joint project with Northern Territory Government on measuring foundation skills in First Nations communities • a project with Victorian Skills Authority using a skills approach to analyse VET to employment pathways.	Ongoing through 2023-24 and beyond
Labour market and skills analysis and products *Ongoing and regular publications, including analysis of labour markets, skills needs and skills shortages*	
Refining approaches to delivery of legislative functions, and, subject to its passage, developing approaches for **new functions in the *Jobs and Skills Australia Amendment Bill*** – including on the impact of work arrangements and insecure work, and labour market imbalances.	Ongoing through 2023-24 and beyond
Continuing to deliver **analysis of the labour market,** including the following **regular releases –** including a focus on regional, rural and remote aspects, and cohort-specific issues:	**Frequency** — **Publication timing**
• Nowcast of Employment by Region and Occupation	Monthly — ~Week 1 of each month
• Labour Market Dashboards	Monthly — ~Week 2-3 of each month
• Recruitment Insights Report	Monthly — ~Week 3 of each month
• Internet Vacancy Index	Monthly — ~Week 3-4 of each month
• Small Area Labour Markets	Quarterly — September, December, March, June
• Australian Labour Market for Migrants	Quarterly — July, October, January, April
• Skills Shortage Quarterly.	Quarterly — August, November, February, May
Progressing detailed analysis of **skills and skills needs**, including through the:	**Frequency** — **Publication timing**

Department of Employment and Workplace Relations - Released under FOI

• Quarterly Labour Market Update	Quarterly	August, November, February, May
• Skills Priority List	Yearly	September
• 5-yearly employment projections	Yearly	November/December
• National skills taxonomy project	Ongoing throughout 2023-24 and beyond	
Expanding the evidence base *Ongoing research and development to enhance advice, drive continuous innovation and improvement, develop new intellectual property and address data gaps*		
Expanding our capability on the labour market and skills outlook across industries, occupations, regions, and cohorts. Priorities also include development of:	Ongoing through 2023-24 and beyond	
• a national skills supply and demand framework to assess the demand and supply of skills across the economy over time • search and matching model to understand how well the labour market is matching supply and demand • analysis of VET and Higher Education outcomes, transitions and career pathways (combining Jobs and Education Data Infrastructure model with real-world transitions from administrative data) • development of further outputs based on the VET National Data Asset (for example, on student outcomes), and scoping a Higher Education Data Asset • utilising the Skills Tracker linked dataset to analyse labour market transitions for occupations, regions and cohorts • emerging occupations analysis, including analysis of real-time data on job advertisements • cognitive skills research and analysis • integrated analysis of employment and related formal training by gender • developing and publishing a framework for assessing the relative strength of regional labour markets • more detailed region-specific analysis that integrates labour market outcomes, labour demand and income volatility	Details to be determined – the specific projects in this area will be developed with partners and stakeholders; new areas for expanding the evidence may also be identified based on these consultations – to be implemented as our resourcing capacity allows	
Enabling activities *Enterprise systems and enabling activities to support strategic and effective operations*		
Operationalising the functions and responsibilities in the permanent legislative model, subject to passage of the *Jobs and Skills Australia Amendment Bill*. • This includes investing in **deepening our engagement** and outreach and onboarding the proposed Ministerial Advisory Board.	Ongoing through 2023-24 and beyond Details to be determined	
Ensure our **governance and data sharing** are fit for purpose in a tripartite arrangement, including expansion of data access and digital products to reflect user requirements and legislative functions.	Ongoing through 2023-24 and beyond	

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Attachment C – Additional Information regarding Jobs and Skills Australia Consultative Forum

Membership (as at 11 September 2023)

Member	Organisation
Mr John Azarias	*Convenor*
Mr Liam O'Brien	Australian Council of Trade Unions
Ms Correna Haythorpe	Australian Education Union
Ms Megan Lilly	Australian Industry Group
Mr Bran Black	Business Council of Australia
Mr Dom Schipano	Council of Small Business Organisations Australia
Ms Danielle Wood *(Replacement has been sought due to Ms Wood's appointment as Productivity Commission Chair)*	Grattan Institute
Ms Mary Faraone	TAFE Directors Australia
Ms Catriona Jackson	Universities Australia
Ms Natalie Heazlewood	Australian Chamber of Commerce and Industry
Ms Annie Butler	Australian Nursing and Midwifery Federation
Mr Andrew Dettmer	Australian Manufacturing Workers' Union
Ms Catherine White	Small state and territory representative, Department of Industry, Tourism and Trade, NT (shared with ACT)
Ms Lill Healy	Large state and territory representative, Department of Jobs, Skills Industry and Regions, Victoria
Ms Kareena Arthy	Small state and territory representative, Treasury and Economic Development Directorate, ACT (shared with NT)

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Meetings held to date

- The Consultative Forum has met on 5 occasions:
    - **13 February 2023** - The first Consultative Forum meeting covered the legislation establishing JSA on an ongoing basis, the Clean Energy Capacity Study, the Employment White Paper and JSA's work program for 2022–23 and process for development of the work program for 2023–24.
    - **13 April 2023** - The second meeting covered the Forum's purpose, the Strategic Plan on a Page, development of a National Jobs and Skills Roadmap as a core strategic deliverable, outcomes from the JSA State and Territory Partnership meeting and progress on the development of the 2023–24 Work Plan.
    - **18 July 2023** - The third meeting covered JSA engagement with the newly formed Jobs and Skills Councils, JSA's stakeholder engagement and outreach strategy, potential implications of the Migration Review on the work of JSA.
    - **21 August 2023** - The fourth meeting covered topics original proposed for the July meeting including the Skills Priority List, the finalisation of Clean Energy Workforce Capacity Study, and the Annual Jobs and Skills Report.
    - **14 September 2023** - The fifth meeting was a short meeting that provided the Minister for Skills and Training, the Hon Brendan O'Connor, the opportunity to thank members for their contributions to date.

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

8 August 2023

Coalition votes against JSA

The Hon Brendan O'Connor MP
Minister for Skills and Training

The Coalition has cemented themselves as the sole voice opposing Jobs and Skills Australia (JSA), voting against amendments to the bill in the Senate.

This is a bill supported by employers, unions, state and territory governments and education and training providers. No other members and senators, apart from those members of the Coalition, voted against the bill which will establish a crucial body that will identify and analyse the skills needed for the future workforce.

The Albanese Government is delivering on its commitment to drive VET education and strengthen workforce planning by working together with employers, unions and the training and education sector.

Under its permanent arrangements, JSA's functions are expanded to build on its current body of work and continue as a trusted source of advice to government on skills and labour market needs.

The Bill provides for the establishment of a tripartite Ministerial Advisory Board that includes representatives from state and territory governments, unions, employers, and experts. A public nomination process will be undertaken to ensure that broad representation.

Advice from the Ministerial Advisory Board will ensure JSA's guidance to government on current and emerging workforce needs is informed by a wide range of views, insights, and expertise.

New functions under the Amendment Bill include:

- Identifying labour market imbalances and analysis of demand and supply of skills
- Strengthening the economy-wide focus to include both higher education and VET
- Analysis of regional skills and labour needs, providing greater understanding of the labour market for regional, rural, and remote Australia

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- Analysis of skills and workforce needs in relation to migration
- Undertaking studies to ensure skills and labour market needs address specific priority cohorts, such as women, First Nations Australians, over-55s people with disability, culturally and linguistically diverse Australians, youth, and unpaid carers
- Supporting the evaluation, through the provision of data and analysis, of outcomes of programs and measurement of targets for these priority cohorts, who have historically experienced labour market disadvantage and exclusion
- Building an evidence base about the impact of various workplace arrangements, such as insecure work, on economic and social outcomes, and
- Contributing to industry consultation forums, including with Jobs and Skills Councils, to strengthen the national evidence base.

The amendments introduce new governance arrangements for JSA, with a new head of JSA, the JSA Commissioner, replacing the JSA Director.

The introduction of two Deputy Commissioners will support the JSA Commissioner and play a key role in building and maintaining stakeholder relationships and building networks across all sectors to enhance the advice and analysis provided by JSA.

The recruitment process for the JSA Commissioner is underway. Following Remuneration Tribunal decisions, the recruitment process for Deputy Commissioners will commence, as will a public nomination process for the Ministerial Advisory Board.

Quotes attributable to the Minister for Skills and Training, the Hon Brendan O'Connor MP

"The Albanese Government has successfully delivered its commitment to permanently establish Jobs and Skills Australia, which will play an essential role in addressing the workforce challenges facing Australia today.

"Australia's workforce needs are growing and changing, including what jobs are needed, what qualifications they require and where those jobs are needed, but the Opposition voted against the establishment of an independent body that will provide expert advice on investing in developing the skills of our nation.

"A lack of skilled workers is one of the biggest economic challenges currently facing Australia and JSA will play a critical role addressing Australia's current and emerging workforce skills and training needs.

"A permanently established JSA will develop a work plan to help the Australian Government improve skill development, employment opportunities and economic growth.

"JSA will take an economy-wide perspective in identifying where skills shortages exist, and project where they are likely to be in the future."

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Media Release – Jobs and Skills Australia – 4 October 2023

Towards a national jobs and skills roadmap

Three pivotal reports identifying Australia's current, emerging and future skills needs, and how the national skills system is meeting these needs, have been released by Jobs and Skills Australia (JSA).

JSA's first capacity study - *The Clean Energy Generation: workforce needs for a net zero economy*, has been released. The report provides important analysis to support Australia's transformation to net zero.

The latest Skills Priority List shows that 36% of the occupations assessed are in shortage, with Technicians and Trade Workers, and Professional occupations (health, engineering, information communication technology (ICT) and science roles) having the highest shortages, particularly in regional and remote areas.

Bringing it all together, the Jobs and Skills Report, *Towards a national jobs and skills roadmap* provides an initial assessment of current and future skills needs and opportunities for the national skills system.

Acting Commissioner of Jobs and Skills Australia, Professor Peter Dawkins AO said these three reports were priorities for JSA in its inaugural year to help realise the full skills potential of Australia, resulting in improved workforce participation, productivity, wages and equity.

"The Clean Energy Capacity Study into Australia's clean energy workforce is vital to provide better analysis of the skills needed to support the clean energy transformation," Professor Dawkins said.

"Looking forward over the next three decades the transition to net zero emissions will present further skills challenges, including for occupations already in significant shortage, such as electricians.

"Reaching net zero by 2050 will require a workforce transformation in Australia that is substantial but not unprecedented.

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Media Release – Jobs and Skills Australia – 4 October 2023

“The report includes recommendations which focus on harnessing knowledge from industry, education and training providers to build more pathways into trades and professions, as well as helping workers transition from other sectors by recognising microcredentials, and other types of training.”

“The latest annual Skills Priority List provides a current assessment of the Australian labour market, including a detailed view of occupations in shortage and the anticipated future demand for occupations.

“Australia is experiencing widespread skill shortages, the like of which we have not seen since the 1960s. “The most recent list shows that technicians and trade workers, and professional occupations (health, engineering, information communication technology (ICT) and science roles) have the highest shortages, particularly in regional and remote areas.

“It shows that 36% of occupations assessed are in shortage - up from 31% last year.

“The increases over the last 3 years are being driven by the continued tightness in labour market conditions.

“While underlying drivers of shortages can vary across occupations, it is anticipated that these shortages reflect either a lack of people who have the essential technical skills or other (non-technical) qualities that employers consider are important; or those with the right technical skills and other qualities who aren’t willing to apply for the vacancies under current pay and working conditions.

“As evident by these reports, our labour market is facing widespread and elevated skills shortages.

“We are seeing low levels of unemployment and high participation rates, and with the strong labour market brings considerable challenges.

“Significant action will be required to address Australia’s current skills needs – these are multifaceted with different underlying reasons.

“A focused and coordinated effort across the national skill system is required to retain the strong labour market gains of recent years and ensure Australians are equipped with the knowledge, skills and capabilities needed for today and tomorrow.

Media Release – Jobs and Skills Australia – 4 October 2023

“To meet Australia’s current and future skills and workforce needs, we need a well-functioning and joined-up national skills system, informed by the best available data and the on-the-ground intelligence from participants in the system.

“A well-functioning national skills system also needs robust assessment of how well the national skills system is meeting those needs.

“This is the fundamental role of Jobs and Skills Australia.”

“The Jobs and Skills Report lays the groundwork towards a national jobs and skills roadmap to be developed over the coming year in collaboration with industry, Jobs and Skills Councils, education and training sectors, the states and territories, and Australian Government agencies.

“The roadmap will seek to chart milestones and deliverables across the national skills system to enable Australia to deliver skilled workers to meet current and future needs.”

The reports can be found at jobsandskills.gov.au

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000346

Senator Matt O'Sullivan provided in writing.

JSA – Legislation

Question

1. Has any legislation been drafted in regard to the permanent arrangements for JSA?
2. How many submissions have you received through the consultation process?
3. Will you publish submissions online for the public to access?
4. When will consultation conclude?
5. When will the proposed permanent arrangements for the JSA will be introduced?
6. It states on page 14 of the Women's Budget Statement "The Office for Women worked in collaboration with the Department of Employment and Workplace Relations to support the development of the Jobs and Skills proposals in the October 2022–23 Budget, ensuring that these programs contribute to reducing gender segregation across industries." How did the Department of Employment and Workplace Relations consider the gender impacts on which the Office for Women has stated they collaborated with regard to the Jobs and Skills proposals in the October 2022-23 Budget?
7. What analysis was completed by your department on the impact of the proposed changes within this legislation on women? Please provide this analysis.
8. What advice was provided by the Office of Women to your department with regards to the impact of this legislation on gender equality? Please provide this advice.
9. How was this advice incorporated into the final policies?
10. Was a 'gender impact statement' included in the explanatory memorandums of these Bills?

Answer

1. The Jobs and Skills Australia Amendments Bill 2023 is being drafted to support the permanent arrangements for Jobs and Skill Australia.

2. As of 2 March 2023, the department had received 135 submissions.

3. Submissions were received in a variety of forms. The department will publish submissions from organisations and individuals who provide consent to do so. Some organisations have already chosen to publish their submissions on their website.

4. Consultation is ongoing.

5. The Jobs and Skills Amendment Bill 2023 will be introduced in the Autumn 2023 sitting.

6. A gender impact analysis of Jobs and Skills Australia was undertaken in the October 2022-23 Budget context to consider existing gender inequalities and policy design for gender equality.

7. The advice provided by the Office for Women is reflected in the Women's Budget Statement.

8. The Office for Women noted the potential for Jobs and Skills Australia analysis to draw out issues affecting women in training and the workforce, where appropriate.

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9. Analysis and understanding the impact of gender is an ongoing role for Jobs and Skills Australia and will be a function that enables government and other jobs and skills stakeholders to improve gender equality in the skills and employment system.

   The *Jobs and Skills Australia Act* 2022 requires JSA to 'provide advice to the Minister or the Secretary in relation to opportunities to remove barriers to achieving gender equality in the provision of training and in the labour market, and opportunities to improve gender equality outcomes'.

10. No.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ22-001112

Senator Matt O'Sullivan on 09 November 2022, Proof Hansard page 86

Severance Package for National Skills Commissioner

Question
Senator O'SULLIVAN: Is there some sort of severance package being paid? He was contracted for a longer period.

Ms James: Mr Boyton is engaged under a Remuneration Tribunal determination, so the circumstances of him no longer being in the position, because the role has been abolished, would be set out in that Remuneration Tribunal determination.

Senator O'SULLIVAN: I'm not completely familiar with that determination. My question is: is there a severance package?

Ms N Williams: Yes, and that severance package is, as Secretary James noted, usually set out in the Remuneration Tribunal determination. It's a pretty set formula, as a rule, and it generally relates to the length of time that the individual has left within their role within the office, with a couple of parameters around that.

Senator O'SULLIVAN: Can that be provided?

Ms N Williams: I'm happy to provide that on notice.

Answer
The National Skills Commissioner role was a statutory office under the repealed *National Skills Commissioner Act 2020*. Compensation for the loss of statutory offices is made in line with subsection 8(2) of the *Remuneration Tribunal (Compensation for Loss of Office for Holders of Certain Public Offices) Determination 2018*, which states that compensation is calculated on the basis of one-third of one month's reference salary for each month remaining in the term of appointment with;

- a minimum payment of four month's reference salary; and
- a maximum payment of one year's reference salary.

The reference salary is the office holder's total remuneration less the amount that reflects the employer superannuation contribution for the office holder.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ22-001111

Senator Matt O'Sullivan on 09 November 2022, Proof Hansard page 85-86

National Skills Commissioner

Question
Senator O'SULLIVAN: During the Senate deliberations on the Jobs and Skills Australia Bill 2022, Mr Chisholm, you confirmed that Mr Boyton would not be continuing in the comparable role in JSA; is that correct?

Senator Chisholm: That's my understanding.

Senator O'SULLIVAN: Does anyone else want to confirm that?

Ms Angus: Would you mind repeating the question?

Senator O'SULLIVAN: Mr Boyton is not going to continue, even in a comparable role, with Jobs and Skills Australia; is that correct?

Ms N Williams: That is our understanding.

Senator O'SULLIVAN: Minister, were there any considerations given to that decision? Did the government not have confidence in the performance of Mr Boyton?

Senator Chisholm: I'd have to take that on notice, but my briefing at the time was that Mr Boyton wouldn't be appointed to the new role.

Answer
The commencement of the *Jobs and Skills Australia Act 2022* (JSA Act) repeals the *National Skills Commissioner Act 2020*, including the office of National Skills Commissioner.

Section 18 of the JSA Act provides the Minister with the power to appoint a person as Director of Jobs and Skills Australia if the Minister is satisfied that the person has appropriate qualifications, knowledge or experience.

Department of Employment and Workplace Relations - Released under FOI

Jobs and Skills Australia Clean Energy Capacity Study

Overview

- The Clean Energy Workforce Capacity Study report, released on 3 October 2023, provides critical evidence and insights to support the workforce planning, policy development and program design needed to build a strong and vibrant clean energy sector.

Key Government statements

Jobs and Skills Summit Outcomes	*2 September 2022 Media Release* – Attachment A
Jobs and Skills Australia begins its work	*16 November 2022 Media Release* – Attachment B
Ministers National Press Club Address - Skilling the Nation for Future	*3 October 2023 Conference* – Attachment C

Current status of the policy

- The report makes 50 recommendations which range across multiple Australian Government agency portfolios, as well as recommendations relevant to state and territory governments, industry and education and training providers.
- The report has broadened understanding of the clean energy sector, for example by:
    - clarifying what jobs and industries make up Australia's clean energy workforce.
    - analysing scenarios for how we could reach net zero by 2050, and understanding how many workers will be needed, with the workforce projected to reach around 84,000 in 2050 – with most of these in electrical trades.
    - identifying education, training, and migration pathways such as addressing the capacity of the vocational education and training (VET) system to deliver a skilled workforce, and on-the-job skilling and industry-led training, and ensuring inclusive pathways for priority cohorts.

Key points regarding the report's findings

- The report **identified 38 critical clean energy occupations** - with demand likely to increase for these jobs by around 240,000 workers by 2030. Examples of these occupations with highest growth rates include electronics trades workers, construction managers, and general electricians.
- A dramatic increase in skilled workers is needed to meet net zero economy requirements. The capacity of the VET system needs to be broadened and this should include on the job skilling and industry-led training.
- Global competition for skilled workers in clean energy is high and Australia should consider solutions related to skilled migration.
- There is a shared responsibility for inclusive pathways to offer solutions to obstacles faced by priority cohorts such as First Nations people, women, and workers born overseas in participating in the clean energy economy.

Highlights of the report's recommendations and DEWR policy response

- Rather than responding directly to the report's individual recommendations, the report's key findings and recommendations are being considered by the department in the development of new policy proposals for the 2024-25 Budget, and for longer-term policy development in the broader skills system.

  Examples include:

  - 4.6 recommends **skilled migration genuine targets areas of shortage and national priority** (as committed through the Migration System Review). This could be explored in the context of the 2024-25 Budget, in collaboration with other relevant government departments such as Home Affairs, for example, where specific visa pathways are concerned.
  - 7.1 recommends **TAFE Centres of Excellence collaborate with industry, community, universities, and government** on new course offerings to meet emerging needs of industry – and should consider a 'regulatory sandbox' approach that relaxes current constraints. This is supported through negotiation of the new National Skills Agreement where net zero is an agreed priority, including establishment of TAFE Centres of Excellence to support innovation in training pathways.
  - 7.3 recommends the **National Careers Institute collaborate with tertiary providers, industry and other stakeholders to improve awareness of clean energy pathways** including different education and training options to specialise. This is supported by the department policy thinking in relation to building a skilled pipeline of workers including those yet to enter the workforce and will be explored in the context of the 2024-25 Budget. This could also include career support for priority cohorts such as First Nations people and women.
  - 7.13 recommends governments explore opportunities to **support and incentivise experienced tradespeople in critical occupations to become VET teachers and trainers.** This is supported by the department policy thinking regarding increasing the pool of trainers to address current constraints with trainer shortages to adequately train the workforce needed. This could be considered in collaboration with states and territories through the shared stewardship of the national VET system. Suitable candidates might include electricians no longer job-fit (eg injury, illness, age).
  - 7.15 is an **example of targeted support for priority cohorts**. It recommends that financial supports and incentives for women in trades are at the scale required to generate transformational change in the clean energy workforce's composition and culture. This is consistent with policy thinking that seeks to build the skilled workforce through underrepresented cohorts and those facing barriers to enter the labour market. This will be considered in the context of the Budget 2024-25, for example, in the context of the current New Energy Apprenticeship Program.

- The department continues to collaborate across government to consider whole-of-government policy responses for the transition to net zero and in response to the report's recommendations. This includes regular consultation with the Net Zero Economy Agency (NZEA - as part of PM&C), and the Department for Climate Change, Energy, the Environment and Water (DCCEEW).

Stakeholders consulted

- Consistent with SA's legislative requirements, JSA undertook extensive consultation in carrying out the study. State governments, industry and education peaks, unions, employers, First Nations representative groups and the general public informed the study.
- Relevant Australian Government agencies were also consulted throughout development of the final report.

- A Project Steering Committee was established to ensure the study was informed by a complete view of the sector's current and emerging workforce needs. The Steering Committee includes members from across industry, unions, training providers, state governments, research organisations and the Australian Government. Its members were:

s. 22(1)(a)(ii)

JSA
JSA
The Treasury
Department of the Prime Minister & Cabinet
Department of Climate Change, Energy, the Environment and Water
Qld Department of Employment, Small Business and Training
WA Department of Training and Workforce Development
AiGroup
Clean Energy Council
Smart Energy Council
Impact Investment Partners (First Nations Clean Energy Network)
Holmesglen Institute
ANU
Gas and Renewables Jobs and Skills Council
Electrical Trades Union of Australia
Australian Workers Union
Australian Services Union
CSIRO
Centre for Economic Development of Australia

Recent media on this policy

- Immediately following the public release of the study's final report, a small number of stakeholders issued media releases, including the Electrical Trades Union (ETU), AI Group, Universities Australia (UA), TAFE Directors Australia (TDA), Master Builders Australia, and the Clean Energy Council.
    - While the media releases are mostly supportive of the study's findings, the ETU has called for a renewed focus on VET, expansion of TAFE, and efforts to make teaching careers more attractive.
    - AI Group has used the report's release to call for structural improvements across the whole knowledge and skills spectrum, while UA advocates for the right funding and policy settings to continue the education and research needed to guide Australia's transition to a clean energy future.
- There has been no mainstream press coverage as of 4 October 2023.

Next steps, including consideration by Government where expected

- The Government will consider the final report's findings and recommendations in the context of the 2024-25 Budget, noting that some content in Chapter 5 of the report may be re-issued later in the year with updated modelling.

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Expenditure/Budget (if relevant)

- The broad parameters for the study and $1.9 million in funding were agreed through the 2022-23 Budget.

Table 1: Clean Energy Capacity Study ($'000s)

Measure as referenced in the October 2022-23 DEWR PBS	2020-21 Actual	2021-22 Budget	2022-23 Estimate	2023-24 Estimate	2024-25 Estimate	Total
New Energy Skills Program (see note)	N/A	N/A	1,392	509	-	**1,900**

NOTE: p26 of the PBS refers to the Clean Energy Capacity Study (departmental funding)

Background

- As an outcome of the Jobs and Skills Summit in September 2023, the Government committed to commission Jobs and Skills Australia (JSA) to undertake a capacity study on the workforce needs for Australia's transition to a clean energy economy.
- The Clean Energy Capacity Study was announced as part of the October 2023 Budget.
- The Clean Energy Workforce Capacity Study final report, titled 'The Clean Energy Generation - Workforce needs for a net zero economy' (Attachment D), was publicly released at the JSA Symposium on 3 October 2023.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	11 October 2023

MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

2 September 2022

Jobs and Skills Summit delivers results for skills and training

The Hon Brendan O'Connor MP
Minister for Skills and Training

The Jobs and Skills Summit has kicked off a national conversation on how to improve the vocational education and training sector and tackle the national skills shortage.

Consensus between unions, business, state and territory government's has been achieved on a range of issues and a number of outcomes have been agreed with the aim of ensuring Australia's vocational education and training (VET) system can drive future economic growth of the nation.

Minister for Skills and Training, the Hon Brendan O'Connor MP, said the summit had focused on what can be done immediately to strengthen VET, get more people trained for real jobs and to give business the skilled workers they need. There was also a significant focus on long term challenges that are structural, systemic and cultural.

"After a decade of inaction, we have taken immediate steps since taking Government to plan for the future, address skills gaps and strengthen our VET sector," Minister O'Connor said.

"As an immediate first step, state and territory skills ministers and the Australian Government will work together to agree a 12-month Skills Agreement to strengthen the TAFE sector.

"The agreement will accelerate the delivery of 465,000 additional fee-free TAFE places, with 180,000 to be delivered next year, and with costs shared with the states and territories on a 50:50 basis.

"We have also agreed to reset negotiations with states and territories on a new long-term funding agreement for skills, so the sector can be fit for purpose.

"Outcomes from the summit also range from taking a detailed look at a new model for VET qualifications to ensure they are most relevant to labour market needs; improving the VET

workforce; and strengthening foundational skills, including digital literacy.

“A key theme resonating from the summit was to focus on enabling all Australians, including women, regional and remote learners, First Nations peoples and those facing vulnerability and disadvantage to develop new skills.

“It is crucial to invest in our most important asset – our people. The Summit is only part of our ambition to bring Australians together.

“It has been a critical opportunity to bring people together and start negotiating the path to solutions, unleashing a national conversation about the best way forward.”

The Jobs and Skills Summit outcomes document can be viewed in full at www.treasury.gov.au/employment-whitepaper/jobs-summit (www.treasury.gov.au/employment-whitepaper/jobs-summit)

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Ministers of the Employment and Workplace Relations Portfolio

Media Release

16 November 2022

Jobs and Skills Australia begins its work

The Hon Brendan O'Connor MP
Minister for Skills and Training

Jobs and Skills Australia (JSA) has today been formally established, after legislation passed through Parliament and received Royal Assent.

Minister for Skills and Training, the Hon Brendan O'Connor MP, said JSA will begin its important work providing independent advice to government on current and emerging workforce needs.

"JSA will have a tripartite approach with state and territory governments, employers, business peaks, unions and training providers to provide independent advice to government on current and emerging workforce needs.

"Australia faces one of its biggest economic challenges in decades – a lack of skilled workers across the labour market," Minister O'Connor said.

"We have invested an additional $12.9 million in last month's budget to help JSA more precisely identify and anticipate skills shortages, based on the best available evidence.

"This Government is providing $1.9 million so that JSA can get to work preparing a capacity study into Australia's clean energy workforce to provide better analysis of the skills needed to support the clean energy transition.

"JSA will also lead the development and delivery of a $12 million study on adult literacy, numeracy and digital literacy skills, which will provide up-to-date evidence on the level of foundation skills among Australian adults.

"This is on top of our investment in 180,000 fee free TAFE and vocational education places across all States and Territories from January 2023.

"We'll set the skills and training sector back on the right path to provide for a secure economy and bright future for all Australians.

“We’ll continue to consult on the next phase of the legislation on how the JSA will operate.”

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Speech

3 October 2023

Address to the National Press Club - Skilling the Nation for the Future

The Hon Brendan O'Connor MP
Minister for Skills and Training

In this momentous month for our nation, it is more important than ever to acknowledge the traditional owners of the lands that we meet on - the Ngunnawal and Ngambri peoples.

I pay my respects to their elders past and present. And I extend that respect to all Aboriginal and Torres Strait Islander people with us today.

What a privilege it is for us to have as a central part of our national history and identity, the oldest continuous, living culture in the world.

In just under two weeks, each of us will be given the opportunity to answer the generous invitation made at Uluru six years ago, to walk together with First Nations Australians for a better future.

The simple act of accepting that invitation, by saying YES, will make us an even better, more united, country.

It's exactly fifty years since the Whitlam Government commissioned Myer Kangan to provide advice on the development of technical and further education in Australia.

His report to the Government established the foundations for a modern TAFE sector, built on the traditions of our finest state technical schools and trade colleges.

But with a vision for something bigger.

The Report made the link between vocational education and training and national prosperity, and for the first time this link was comprehensively acknowledged by a Commonwealth Government.

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Significantly, the report was tri-partite. It brought together employers, unions and educators, State and Territory governments.

The report was of such seminal importance to Australia's national development that one of Australia's exceptional TAFE colleges bears the author's name.
For the first time, significant Commonwealth funds were invested through grants to the states to build new technical colleges, create new and more facilities, and train new teaching staff.

It was the birth of Australia's modern vocational education sector.

It was a moment of promise that should have created a great national skills training sector, equal in status to our university sector, as is the case in many other countries.

But if we're being honest, the policies of successive governments have cast TAFE, community providers, and the VET sector adrift from its purpose of national prosperity.

The VET sector has endured underfunding, de-regulation, loose rules of VET market entry, a lack of national cohesion and an obsession for competition at the expense of collaboration.

In the face of this neglect, and policy missteps, the sector has performed admirably – but we can do better.

And fifty years since Myer Kangan first conceived of a national TAFE sector, in 2023 we are restoring TAFE to its rightful place, at the heart of Vocational Education and Training.

TAFE is one of our strongest national assets, despite the headwinds it has faced.

Every time I visit a TAFE or a community college I'm encouraged by the passion of the teachers and the enthusiasm of the students.

Upon election, not only was the Albanese Government faced with a trillion dollars of debt, we were bequeathed one of the worst skills shortages this country has experienced.

A decade of Commonwealth dysfunction on skills policy was never going to help address severe skills shortages across the country.
Our vocational education and training sector needed genuine ambition, investment, and cooperation.

And it needs champions.

That's exactly what it has in the Albanese Government.

Regardless of the challenges we inherited, we are determined to produce the reforms required.

And skilled migration will play a role.

I'm working with ministers Jason Clare, Claire O'Neil and Andrew Giles to ensure the skills delivered by our education and training sectors are complemented by informed skilled migration pathways.

Equally important will be reaching out to Australians currently under-represented in the vocational education and training sector, and ensuring they're supported to successfully complete their qualifications.

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Today, I want to outline the key reform areas the Albanese Government has embarked on to transform vocational education and training.

A five-year National Skills Agreement will be concluded before the end of the year. It is a reform Agreement that will embed true collaboration in the interests of regional and national prosperity.

The National Skills Agreement will create TAFE Centres of Excellence to increase the collaboration between universities and the VET sector and deliver the skills and knowledge our labour market and economy requires.

It will accelerate higher and new degree apprenticeships to bridge the outdated divide between the VET and University sectors.

We're driving qualifications reform to ensure qualifications are relevant, timely, portable and of high-quality.
We're improving foundation skills delivery to respond to the alarming statistic that one in five adults have skills gaps in literacy, numeracy and digital literacy.

We're lifting apprenticeship completion rates and supporting more women, First Nations people, and people from a range of backgrounds to access apprenticeships.

We are progressing the VET Workforce Blueprint to support, attract and retain teachers and trainers.

We are continuing to deliver Fee-Free TAFE and VET places to respond to immediate industry needs.

We have established Jobs and Skills Australia, a tripartite expert body that will improve our capacity to plan the workforce needs of the future.

Its work will be complemented by ten new Jobs and Skills Councils to ensure that government decisions are informed by real economy insight.

And because more must be done to stop substandard and dodgy VET providers, we are strengthening VET integrity, lifting RTO standards and implementing stricter rules of entry to the sector.

A high-performing and world-class VET sector is crucial for our country's future in so many ways.

For a start, it's essential for achieving a fairer society and a stronger economy.

And for producing qualified students with the skills to compete and succeed now and in the new economy.

For many decades we have been understandably focused on the shift to a knowledge economy.
In much discussion and debate this has resulted in a competition between VET and University, between the hand and the head. Between doing and thinking.

As if hands and heads are somehow disconnected and we need to choose between them.

Data in the Employment White Paper paints a more nuanced picture of the trends that are shifting in the economy.

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The shift in employment has not been from manual to cognitive work. It has been from routine to non-routine work.

High-skilled, non-routine work, both manual and cognitive is growing. While repetitive, routine work, both manual and cognitive is declining.

Thinking and doing are not in tension with each other, together they are far more powerful, and more of what the economy needs.

If we as a nation are going to meet major national challenges, such as growing the care economy, reaching net zero, responding to rapidly changing technology, and building a future made in Australia, we need education and training sectors that are fit for purpose.

Vocational education and training must be held in the same high public esteem as a university pathway – just as it is in countries such as Germany and Switzerland.

In Switzerland over 60 per cent of students take a vocational education pathway and around half of those go on to gain a university level qualification.

The interim report of the Accord Panel review, commissioned by my colleague the Hon Jason Clare, affirmed that we need to increase collaboration between the two tertiary sectors.

And if that wasn't always evident you only need to look at what will be required to assist our economy transform to net zero to conclude that such collaboration must accelerate.

It shouldn't be surprising therefore that the first major workforce study I assigned to Jobs and Skills Australia was the Clean Energy Workforce Capacity Study.

The study provides governments, industry and education providers with a workforce planning roadmap of the type and volume of skills that will be needed.

After years of profound neglect towards skills needed for decarbonisation and net zero transformation, the task is bigger and more urgent than ever.

Decarbonising will need highly skilled workers to do all the rewiring, replacing, the relocating, the re-programming and the maintaining.

Having been briefed on the study, which will be released shortly by Jobs and Skills Australia, it identifies the most critical occupations comprising the clean energy workforce: including electricians; engineers; and construction and production managers.

Emerging occupations include solar installers, wind turbine technicians, energy auditors and energy efficiency engineers.

The report outlines that the pace and complexity of the work needed for the huge job ahead will require new methods of delivering and designing curricula.

This presents a significant challenge in preparing a workforce. It also presents a myriad of opportunities for the next generation of workers.

Many of the jobs we will need for our clean energy future straddle traditional trades and professions.

A pilot program for example combines an electrical engineering degree with a Certificate III electrical trade apprenticeship.

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Federation University is planning to launch an apprenticeship with NECA to provide a Cert III in parallel with an Electrical Engineering degree.

This is important work but we need to ensure that these types of programs are the norm, not the exception.

Which is why nationally networked TAFE Centres of Excellence that bring industry, universities and TAFEs together will prioritise clean energy skills, along with other critical areas.

These Centres of Excellence will help in the development of new degree apprenticeships in this field and to double the number of higher apprenticeships in clean energy, care and IT within five years.

Engaging industry and academic experts in the design and delivery of training, engaging students in emerging research to solve real world industry problems and bridging the gap between vocational and university education.

What this is all about is giving workers the depth and breadth of skills they need to meet future challenges.

Helping Australians to get the right skills for the jobs the economy will need.

Let me be clear: Our nation's economic, social and environmental agenda – the Albanese Government's agenda – cannot be achieved without a major systemic change to the way we educate and train our people.

We not only have to arrest the current skills crisis, but we must avert a future skills crisis that could have very real and profound consequences for our future national wellbeing.

We just need to look at meeting our national security challenges. To deliver AUKUS, we will rely on the skills of our people.

And defence industries are a core example of the skills development that necessitate a focus on the hand and the head.

We have to expand our sovereign workforce with skills across engineering, operations and support functions to keep building and sustaining our defence assets whether they be land, air, ocean or space.

Similarly, the $15 billion National Reconstruction Fund led by Minister Husic will create demand for more and different skills, providing great opportunities for good secure jobs.

Whether it is advanced manufacturing, green minerals, or supply chain, the NRF will facilitate innovation that will require new ways of working and new skills.

Whether it is our national security, our economic security, or our environmental security, we are going to need to ensure the VET and higher education sectors work collaboratively.

Skills development of our people is the foundation of every major agenda we are pursuing.

As I mentioned earlier, we're finalising a new five-year National Skills Agreement with the States and Territories. Along with funding for Fee-Free TAFE, this delivers a $13 billion investment in VET over the next 5 years.

Together we can fill skills shortages in priority areas.

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The goal is to achieve National Stewardship, ensuring the coordination of strategic investment in skills across the economy.

I'd like to thank my counterpart State and Territory Ministers for their genuine cooperation in looking to rebuild national vocational education and training with TAFE at its heart.

I look forward to a National Skills Agreement signed by all governments before the year is out.

This cooperation hasn't always been evident.

The Coalition Government failed to land a national skills agreement with any State or Territory.

They just gave up.

Apathy and hubris meant they thought it wasn't worth their effort.

Well we need this agreement to kickstart real change.

Change that makes VET what Myer Kangan and the Whitlam Government intended it to be – an engine room of opportunities and an essential tool in modernising Australia's economy and society.

The agreement has several crucial elements that when pieced together will revitalise the sector.

Ensuring adequate opportunities are provided for lifelong learning and foundation skills development so Australians can skill and reskill as the economy transforms.

Improving completion rates of VET qualifications through better and more targeted support.

A key element of our agenda is Fee-Free TAFE and VET places.

Delivered in partnership with State and Territory governments it's a flagship initiative to help support key industries experiencing skills shortages, as well as providing access to those that have historically experienced barriers to training.

And the numbers speak for themselves.

In the first 6 months, we exceeded our target for 180,000 enrolments, with around 215,000 Australians enrolling in a Fee-Free course already.

That's 215,000 people who are accessing high-quality education and training in areas we need skilled workers; like nursing and aged care, traditional trades and IT.

And we're not taking our foot off the pedal.

We're funding a further 300,000 Fee-Free TAFE and VET places starting next year, to continue this vital program.

Every time I visit a TAFE I meet with students who tell me how they wouldn't have been able to study in these areas of critical need if the cost barriers to studying hadn't been lifted.

And I'm proud to be part of a Labor government that can provide these opportunities to students and industries crying out for skilled workers.

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To give industry the up-to-date skills that they really need, we want to see a return to true tripartism.

That's governments working together with employers and unions, and educators and training providers to ensure we have the complete picture of the skills industry needs.

Our government's deep commitment to consultation and inclusion comes from an understanding that listening gets better answers.

The ten new Jobs and Skills Councils are a case in point. They are collecting intelligence on the needs of industry to ensure the VET sector delivers the right training outcomes for students, workers and employers.

And for too long unions have been locked out of this crucial area of our economy.

We know that you get better policy outcomes when those who are affected by those policies have a seat at the table.

To ensure skills and training is relevant and enduring I have established, with the support of my state and territory ministerial colleagues, the tripartite Qualifications Reform Design Group.

For too long, we have treated the VET system as one amorphous thing, rather than a diverse sector meeting the needs of different industries with widely varying attributes and needs.

I have asked the group to look at how we keep the best of what we have where it is working, and how we can adopt different approaches in industries and jobs where it makes sense.

Ultimately, we need to make it easier for workers to gain transferable skills so they have more mobility and more choice.

Recasting vocational education and training to make it less fragmented and rigid, and more responsive and user friendly.

So that people don't have to take years out of work to receive a new qualification.

So that the skills and knowledge learnt are relevant and enduring, and that people can deepen and build on those strong foundations over the course of their lives.

None of this is going to be easy.

In order for any of this agenda to be successful, we first have to overcome perceptions about the poor relative quality of vocational education and training in Australia.

That is why I asked my colleague Lisa Chesters to chair a parliamentary inquiry into the perceptions and status of vocational education and training, which will report this year.

The next wave of vocational education and training reforms must focus on guaranteeing integrity.

We are serious about stamping out the unethical and badly performing training providers that tarnish the whole sector.

The sense of drift regarding vocational education and training is over.

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In August the Skills Ministerial Council agreed to tighten the eligibility of who can run and operate Registered Training Organisations.

Today I've announced further measures - a compliance blitz on unlawful behaviour with other government agencies and a significant boost to the capacity of the Australian Skills Quality Authority to achieve this end.

The Albanese government will require ASQA to establish an Integrity Unit to identify and address threats to the integrity of VET and improve student protections.

A new confidential tip-off line will be established, giving a safe and confidential avenue for potential whistle-blowers to alert the regulator to serious allegations of non-compliance and fraudulent practices.

We will also improve ASQA's technology to improve intelligence gathering and to more effectively detect and prevent unlawful conduct.

These improvements address recommendations made by Christine Nixon in her review of Exploitation of Australia's Visa System.

They will enhance ASQA's ability to detect and remove unlawful and non-genuine providers, following a decade of inaction under the previous Coalition Government.

Not only do we need to lift the standards on behaviour, we need to lift the focus on quality to ensure students are getting the skills they and the economy need.
Whether that's from TAFE, GTOs, not-for-profit industry or private providers.

Fifty years after the commissioning of the Kangan Report, I am proud to work to fulfil a great Labor aspiration for a modern VET sector.

This is a generational reform agenda for our vocational education and training sector.

By investing in the people and institutions that deliver the skills that workers and the economy need, we are improving national prosperity.

By getting the right people with diverse perspectives around the table in common purpose, we are focussing on the right skills for now and the future.

By providing genuine national leadership in partnership with states and territories, we are bringing together our national, regional and local interests to embrace global opportunities.

We are building a system that is greater than the sum of its parts.

And in doing so we are giving life to a great Labor vision of fifty years.

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Australian Government
Jobs and Skills Australia

Clean Energy Capacity Study

Terms of Reference

Overview

The Government has commissioned Jobs and Skills Australia to undertake a capacity study on the workforce needs for Australia's transition to a clean energy economy. The Capacity Study will provide critical evidence and insights to support workforce planning, policy development and program design, needed to build a strong and vibrant Clean Energy sector, and contribute to the Government's Powering Australia Plan.

It is expected that the Capacity Study will form the basis of further work to inform the Government's strategy for workforce planning as it pertains to delivering the energy transition and the transformation to a net zero economy by 2050.

The Capacity Study will build on existing research and deepen understanding of the clean energy sector, the skills profile of existing workforces, levels of skills transferability across industries and role types and forecasts of future supply and demand for clean energy related roles.

Scope

The Clean Energy Workforce Capacity Study will identify and analyse occupations, supply and demand factors and geographical considerations to support Australia's transition from 'brown' to 'green' energy. It will:

1. Develop an appropriate definition of the Australian clean energy workforce
2. Establish an overview of the current state of the clean energy workforce – including its demographic and geographic composition, occupation, skill level, job mobility, numbers of employers, job vacancies, sector pay and working conditions,

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apprenticeship numbers, reliance on international specialists, and safety and licensing standards.

3. Analyse future demand (at the national, state and regional level) for clean energy roles over 10, 20 and 30 years based on different transition scenarios, alongside the impact on demand for employment in high-emitting sectors undergoing transition.
4. Analyse the potential supply (at the national, state and regional level) of clean energy workers over the next 10, 20 and 30 years by:
    a. identifying the skills required by job roles in the clean energy workforce.
    b. assessing the extent to which the required skills can be met by existing workers, particularly from transitioning sectors, and explore mobility and skills transferability between different roles and sectors.
    c. Examine the education, training and professional development pathways that will support workers entering the clean energy workforce, including new entrants, workers from transitioning industries and migrants, and assess the adequacy of their scope and scale.
    d. Consider international labour supply factors, such as the impact of international initiatives on the global skilled workforce, the recognition of foreign qualifications in the sector and the impact of targeted migration programs. Consider how regional labour mobility programs and Australian VET and higher education providers can build clean energy skills within our region (particularly the Pacific).
5. Identify the enablers and barriers faced by universities, TAFEs and other education and training providers to developing and delivering courses for the clean energy workforce and supporting research, including collaboration across education sectors and the capacity of the teaching and training workforce, and explore opportunities for innovation and reform to resolve any barriers.
6. Explore sector specific enablers and barriers faced by small, medium, and large employers in employing and retaining a skilled, diverse workforce in the clean energy sector.
7. Explore opportunities for, and barriers to, full participation in the clean energy sector for priority cohorts, including women, First Nations Australians, people with a disability and culturally and linguistically diverse Australians.
8. Explore through case studies of particular regions the critical place-based factors to supporting the transition to a clean energy workforce.
9. Consider the experiences of the transition to clean energy in other countries, especially those that have also traditionally relied on high-emissions forms of energy generation.

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Governance and Consultation

The Capacity Study will be underpinned by close consultation and collaboration with State and Territory governments and industry stakeholders, including peak bodies, employers, unions, Jobs and Skills Councils, universities, and TAFEs and training providers.

Jobs and Skills Australia will establish a Project Steering Group, with membership to include representatives from other key Australian Government agencies, state and territory governments, industry peak bodies and employers, unions, universities, and training providers. The draft terms of reference will be reviewed by the Steering Group.

Jobs and Skills Australia will also provide opportunities for stakeholders to contribute to the study through submissions and stakeholder forums.

Jobs and Skills Australia will regularly brief the Australian Minister for Skills and Training on the study's progress and interim findings, so that ministerial colleagues in the Australian Government and the Skills Ministers Meeting can be kept informed.

Process

Jobs and Skills Australia will deliver an interim report by May 2023 and a final report by July 2023.

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Attachment: Complementary policy settings

The Capacity Study will complement work being undertaken by other parts of the Commonwealth Government including the Australian Energy Employment Report (AEER), the National Battery Strategy and the National Energy Workforce Strategy.
In undertaking the Capacity Study, Jobs and Skills Australia should have regard to current and potential training packages, existing skills programs across the Commonwealth and States and Territories, and contemporary policy settings and labour market needs, noting:

A. The Australian Government and states and territories have agreed to accelerate the delivery of 465,000 additional fee-free TAFE places, with 180,000 to be delivered next year.
B. National Cabinet have endorsed the vision and principles for longer-term VET reform under a new 5-year National Skills Agreement.
C. The Australian Government and states and territories have committed to negotiating a National Skills Agreement which provides critical and emerging industries at a national, state and local level with the skilled workers they need and secures a domestic workforce to deliver on current and future priorities.
D. From January 2023, Industry Clusters will provide industry (employers and unions) with a stronger, more strategic voice and greater participation in the VET sector to address workforce challenges.
E. A VET workforce blueprint is being developed by the Australian Government and states and territories to develop a comprehensive blueprint to support and grow a quality VET workforce.
F. The introduction of 20,000 additional Commonwealth-supported university places for under-represented groups (including rural and regional Australians) in areas of skills shortages.
G. The establishment of the Australian University Accord to drive lasting reform at Australian universities that will drive accessibility, affordability, quality, certainty, sustainability and prosperity to the higher education sector and the country.
H. Post-study work rights – the Australian Government will allow two additional years of stay in Australia for recent international graduates with select degrees in areas of verified skills shortages.
I. National Reconstruction Fund will provide finance for projects that diversify and transform Australia's industry and economy.
J. The introduction of Workforce Australia in July 2022 which reformed Commonwealth employment services.

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Last Cleared By s. 22(1)(a)
Date Last Cleared 26 September 2023

SB23-000078
Data as at 26 September 2023

Jobs and Skills Councils

- A national network of **10 Jobs and Skills Councils (JSCs) have been established** as part of reforms to VET sector.
- JSCs are **empowered to develop skills and workforce solutions** for their industries**, bringing together employers and unions** to work in partnership with governments and training providers.
- Strong governance is a core design element of the program, **and an Integrity Framework has been implemented to set clear expectations and provide guidance on conduct for all levels of a JSC** (board, members, sub-committees).

How are JSCs different?

- **Broader remit than previous arrangements**, including workforce planning, industry stewardship and implementation, promotion and monitoring functions - **not just Training Product Development.**
- **Strong governance** requirements and an integrity framework to **address accountability issues, conflicts of interest and power imbalances** experienced under previous arrangements.
- Program designed to provide **industry** with a strategic voice **to drive collaboration, address workforce challenges and ensure VET qualifications** are **developed** and **updated faster** to meet the evolving needs of industry.
- By representing multiple industry sectors and operating as a national network, **JSCs will overcome the silos** experienced by the 67 Industry Reference Committees (IRCs) and 6 Skills Services Organisations (SSOs) and **improve cross-sector collaboration** to **achieve better outcomes** for employers, employees and learners.

Who are the 10 JSCs?

Agribusiness Skills Insight	**Arts, Personal Services, Retail, Tourism and Hospitality** SkillsIEQuipped	**Energy, Gas and Renewables** Powering Skills Organisation Ltd	**Finance, Technology and Business** FSO Future Skills Organisation	**Manufacturing** Manufacturing Industry Skills Alliance
Mining and Automotive Mining and Automotive Skills Alliance	**Transport and Logistics** Industry Skills Australia	**Public Safety and Government** Public Skills Australia	**Early Educators, Health and Human Services** HumanAbility	**Building Construction and Property** BUILDSKILLS AUSTRALIA

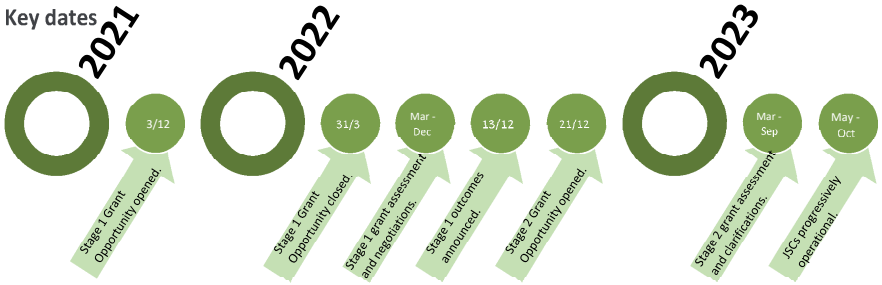
Jobs and Skills Councils Funding Summary

Total of $441.8m across 4 years Estimates (2023-24 - 2026-27)

Item	2022-23 ($m)	2023-24 ($m)	2024-25 $m	2025-26 $m	2026-27 $m
2022-23 October Budget Allocation	74.127	106.926	109.497	111.358	0
Savings adjustments	-	-6.500m	-5.500	-4.500	-3.500
2023-4 Budget Movement of Funds	-12.000m	3.500m	4.000	4.500	-
Indexation/ other revisions		0.683	2.203	2.906	4.690
2023-24 Budget	**62.127**	**104.609**	**110.200**	**114.264**	**112.767**

** Latest updates to the JSC Budget profile announced as part of the 2023-24 budget*

Key dates



Initial activities and deliverables

YEAR 1 – 2023
Stakeholder engagement, workforce and strategic planning

Initial Workforce Plan	Initial Strategic Plan	Annual Activity Schedule
Due Sep - Oct	Due Oct - Nov	Due Oct - Nov

YEAR 2 – 2024 and beyond
Transition to maturity and full operations

Workforce Plan	Strategic Plan	Annual Activity Schedule
Due March	Due March	Due March

JSC Governance

Tripartism

JSC governance is tripartite to facilitate strong industry representation and engagement. This is demonstrated by employer organisations and unions aligning on JSC governance (board composition, membership structures), and operational arrangements (strategic taskforces and technical sub-committees).

Participation by employer organisations and unions is intended to be fair and equitable at each level of JSC governance and operations.

Members	• Exercise ultimate control over the entity. • Representative of all industry sectors within JSC's remit.
Board	• Set the strategic direction, focus on financial and organisational performance, risk, assurance. • Skills-based, majority independent, gender balanced, drawn from industry.
Sub-Committees / Taskforces	• Lead/ inform work drawing on intelligence and advice on the strategic approach of the JSC and ensure delivery of critical functions. • Representative of industry sectors within JSC remit and draws on specific expertise as required.

Cross JSC forums

JSCs & Jobs and Skills Australia complement each other

JSCs are focused on sector-specific workforce planning and industry stewardship.	Jobs and Skills Australia (JSA) has a broader economy wide remit.
JSCs to provide JSA information on emerging skills needs and changes in occupations that are being observed in the labour market.	JSA can provide JSCs labour market information and analysis, including industry and occupation level projections to use as a starting point for their analysis.

JSCs & JSA are working together:

- JSCs have informed the development of JSA's Jobs and Skills Report.
- JSA providing advice on JSC initial workforce plans.

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Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000711	O'Sullivan, Matt	JSC – Boards – Names and Organisation Represented	Porvides details of JSC Board directors
SQ23-001178	O'Sullivan, Matt	Jobs and Skills Councils	Detail on Jobs and Skills Councils including company membership.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-000711

Senator Matt O'Sullivan on 31 May 2023, Proof Hansard page 91-92

JSC - Boards - Names and Organisation Represented

Question

Senator O'SULLIVAN: Let's look at this mess. Can I get a list of the names of the board members—there's only one that's established so far?
Ms Livingston: Yes, absolutely.
Senator O'SULLIVAN: Do you have that here?
Ms Livingston: Yes.
Senator O'SULLIVAN: You can just table it. That's fine. Have you got them for the other two that you've got a deed with that you're working through?
Ms Livingston: Yes, we will do. The only thing I would say is that with respect to at least one of the other two, they have got a fully functional board but I think there are one or two positions that they're still to fill. We can certainly give you the details as they stand.
Senator O'SULLIVAN: Thanks. With the tripartite aspect of it, how many members are there on each board or is it different for each board?
Ms Livingston: It can be different for each board. Under our program guidelines we have set a preferred maximum of a nine member board including the chair. In some instances councils are opting for slightly bigger boards, though, but it is a matter for the company members to decide.
Senator O'SULLIVAN: Is there a minimum size?
Ms Livingston: I would have to double check that but I think we've recommended nine.
Senator O'SULLIVAN: How many are union officials or employee representatives?
Ms Livingston: With respect to the three grant applicants that have already gotten through or just generally?
Senator O'SULLIVAN: Is there a minimum requirement?
Ms Livingston: No, we don't have any requirements for minimum number of either employee or employer seats on the board. That is a matter for the members of the company to determine in line with their constitution. I think, as the secretary said, there is certainly a requirement for tripartism as part of the process. That means unions and employer groups coming together to agree the governance arrangements at both the board and any sub-board levels as well as the operational arrangements. It will look different on each council.
Senator O'SULLIVAN: You've taken the question on names on notice. Can I also get the organisation they represent?
Ms Livingston: Yes, absolutely. Some of them will be representatives and others will be independent. That is a very clear requirement in the program, majority—
Senator O'SULLIVAN: Can I also receive, and I'm happy for you to provide it on notice, the amount of money that the first one's been provided with so far and then the other two if that's able to be released prior to them signing a deed, otherwise I'll get it at the next estimates.

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Answer

Board size

As Jobs and Skills Councils are being established as not-for-profit companies limited by guarantee, a type of public company, they are required to have a minimum of three (3) board directors under the *Corporations Act 2001*. As detailed in the program Grant Opportunity Guidelines, Jobs and Skills Councils should be established with a majority of independent directors and no more than eight board director members, or nine including the Chair. The department has clarified a JSC board can comprise more than nine directors, provided:

a) a majority of directors are independent;
b) a reasonable justification can be made for the increased number of directors i.e. that a larger board would allow access to a broader range of skills/experience or more board members are necessary to allow for greater board diversity and knowledge of different industry sectors; and
c) the board would still be effective and functional.

Jobs and Skills Council board directors and funding (as at 2/8/2023)

Note: Not all JSC board arrangements have been finalised.

Agribusiness JSC	
JSC Name:	Skills Insight
Board:	The most up-to-date list of board members can be found here - https://skillsinsight.com.au/about/governance/#board-of-directors
Total Funding paid to date:	$6.600 million (GST inclusive) Includes funding provided since November 2022 for establishment activities, initial operations and training product development projects.

Transport and Logistics JSC	
JSC Name:	Industry Skills Australia
Board:	The most up-to-date list of board members can be found here - https://www.industryskillsaustralia.org.au/who-we-are/our-board
Total Funding paid to date:	$5.641 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Manufacturing JSC	
JSC Name:	Manufacturing Industry Skills Alliance
Board:	The most up-to-date list of board members can be found here - https://manufacturingalliance.org.au/our-team/
Total Funding paid to date:	$7.050 million (GST inclusive) Includes funding provided since November 2022 for establishment activities, initial operations and training product development projects.

Mining and Automotive JSC	
JSC Name:	Mining and Automotive Skills Alliance
Board:	The most up-to-date list of board members can be found here – http:///ausmasa.org.au/who-we-are

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Total Funding paid to date:	$6.193 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Finance, Technology and Business JSC	
JSC Name:	Future Skills Organisation
Board:	The most up-to-date list of board members can be found here – www.futureskillsorganisation.com.au/about
Total Funding paid to date:	$6.847 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Public Safety and Government JSC	
JSC Name:	Public Skills Australia
Board:	Public Skills Australia board directors are not published on its website at present. Board directors: • Stuart Ellis • Michael Burgess • Shay Deguara • Graeme Murphy • Robert Rodgers • Kevin Scott • Scott Weber • Nicole Jess • Diana Taylor
Total Funding paid to date:	$5.732 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Early Educators, Health and Human Services JSC	
JSC Name:	HumanAbility
Board:	The most up-to-date list of board members can be found here – www.humanability.com.au/our-people.aspx
Total Funding paid to date:	$7.150 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Energy, Gas and Renewables JSC	
JSC Name:	Powering Skills Organisation
Board:	The most up-to-date list of board members can be found here - https://poweringskills.com.au/who-we-are
Total Funding paid to date:	$6.058 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Arts, Personal Services, Retail, Tourism and Hospitality JSC	
JSC Name:	SkillsEQuipped
Board:	SkillsEQuipped board directors are not published on its website at present.

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	Board directors: • Gary Mortimer • Paula Bauchinger • Gerard Dwyer • Margy Osmond • Stacey Schinnerl • Robert Tonkli
Total Funding paid to date:	$7.361 million (GST inclusive) Includes funding provided since November 2022 for establishment activities and initial operations.

Building, Construction and Property JSC	
JSC Name:	BuildSkills Australia
Note: The Building Construction and Property JSC has been established and is currently progressing through the program establishment phase.	

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Skills and Training

Department of Employment and Workplace Relations Question No. SQ23-001178

Senator Matt O'Sullivan provided in writing.

Jobs and Skills Councils

Question

1. Provide a list of all jobs and skills councils.
2. Provide a list of all jobs and skills councils which have been stood up.
   a. Provide a list of all members of jobs and skills councils which have been stood up.
3. What resources including funding and ASL from the Department have been provided to assist the standing up of the jobs and skills councils.
4. What work have the stood-up jobs and skills councils completed?
5. Have any jobs and skills councils had any meetings with the Skills Minister? If so when and on how many occasions?
6. Have any of the stood-up jobs and skills councils provided any briefings to the Minister or his Office on policy or legislation? Is so, when and on how many occasions?

Answer

1. A list of the Jobs and Skills Councils (JSCs) is available on the department's website at www.dewr.gov.au/skills-reform/industry-engagement-reforms.

2. As of 12 July 2023, the following JSCs have been stood up:
   - **Agribusiness** – a new entity, Skills Insight, is now operational
   - **Arts, Personal Services, Retail, Tourism and Hospitality** – a new entity, SkillsEQuipped, is now operational
   - **Energy, Gas and Renewables** – a new entity, Powering Skills Organisation, is now operational
   - **Finance, Technology and Business** – a new entity, Future Skills Organisation, is now operational
   - **Manufacturing** – a new entity, Manufacturing Industry Skills Alliance, is now operational.
   - **Mining and Automotive** – a new entity, Mining and Automotive Skills Alliance, is now operational
   - **Transport and Logistics** – a new entity, Industry Skills Australia, is now operational.
   - **Public Safety and Government** – a new entity, Public Skills Australia, is now operational
   - **Early Educators, Health and Human Services** – a new entity, HumanAbility, is now operational.

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As at 12 July 2023, the confirmed members of operational JSCs are as follows:

JSC	Members
Agribusiness	• Animal Emergency Incident Management Network ANZ (AEIMN) • Animal Management in Rural and Remote Indigenous Communities (AMRRIC) • Animal Therapies Ltd • Arbre Forest Industries Training and Careers Hub • Assistance Dogs Australia • Assistance Paws Australia • Australasian Meat Industry Employees Union (AMIEU) • Australian Eggs • Australian Forest Contractors Association • Australian Forest Products Association • Australian Honey Bee Industry Council • Australian Institute of Animal Management (AIAM) • Australian Jockeys Association • Australian Pork Limited • Australian Southern Bluefin Tuna Industry Association (ASBTIA) • Australian Sports Turf Managers Association • Australian Trainers Association • Australian Veterinary Association (AVA) • Australian Wool Exchange Limited • Australian Workers Union — National • Australian Workers Union (AWU) • Both Ends of the Leash • Canegrowers • CFMEU Manufacturing Division • Claremont Therapeutic Riding Centre • Combined Farriery Supplies • Divine Creatures • Empower Dogs • Engineered Wood Products Association of Australasia Ltd • ENSPEC • Envu • Equestricare • Erica Honey Consulting • Farmsafe Australia • ForestWorks Ltd • Frame and Truss Manufacturers Association (FTMA) • Getting to Zero (G2Z) • Good 2 Go Equine Dentistry • Grain Producers Australia • GrainGrowers • Horse Safety Australia • Horses with us • HQPlantations • Hunter Pet Motel • HVP Plantations • Hydroponic Farmers Federation • Just Dogs Grooming • Landscape Queensland • Manly Road Veterinary Hospital

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	• Mars Wrigley • Matrix Enterprises WA Pty Ltd • Melons Australia • MGA TMA • Murray Region Forestry Hub • National Farmers Federation • National Meat Industry Training Council (MINTRAC) • Norske Skog • Northern Illawarra Veterinary Hospital • Northern Territory Cattlemen's Association • Northern Territory Farmers Association (NT Farmers) • NSW Farmers • NSW State Emergency Service — Hawkesbury Unit • Nursery & Garden Industry Victoria NGIV • OneFortyOne Plantations • Opal paper & recycling • PADS-Personal Assistance Dog Solutions • Partners in Ag • Pet Professional Accreditation Board • Peter MacCallum Cancer Centre • Protected Cropping Australia • Queensland Farmers' Federation • Racing SA • Ricegrowers' Association of Australia • Ringers From The Top End • RMCG • Ron Fleming Self Employed • RSPCA Australia Inc • Seafood Industry Australia • South Australian Forest Products Association • Story Dogs • Tasmania Forest Products Association • Tasmanian Farmers & Graziers Association • Tassal • Thoroughbred Racing NT • Timber Queensland • Timberlands Pacific • Tractor and Machinery Association of Australia • Veterinary Advisory Services • Veterinary Behaviour Matters • Veterinary Nurses Council of Australia (VNCA) • Victorian Farmers Federation • Victorian Forest Products Association • Visy • WA Farriers Association • WA Standardbred Breeders Association (WASBA) • Western Australian Farmers
Arts, Personal Services, Retail, Tourism and Hospitality	• Australasian Performing Right Association Limited (APRA) and Australasian Mechanical Copyright Owners Society (AMCOS) • Australian Culinary Federation • Australian Hotels Association • Australian Retailers Association • Coles Group Limited • Craveable Brands

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	• Endota Spa • Hair & Beauty Australia • Kmart Australia • Officeworks • The Iconic • The Shop, Distributive and Allied Employees' Association Australia • Tourism and Transport Forum
Energy, Gas and Renewables	• Communication, Electrical, Electrical, Energy Information, Postal, Plumbing & Allied Services Union of Australia (Union) • Master Electricians Association, Queensland Industrial Organisation of Employers (Industry Association) • National Electrical and Communication Association (Industry Association)
Finance, Technology and Business	• Alex Reynolds – Australian HR Institute • Alex White – Australian Council of Trade Unions • Allan Jones – FAPSTC • Amanda Linton – Institution of Certified Bookkeepers • Anatoli Kovalev – Modis Australia • Andrea Martens – Associations for data-driven marketing & advertising • Angela Budai – Finance Sector Union • Anthony Bohm – Academy Xi • Ashok Mysore – Infosys • Cameron Menzies – Business Events Councils of Australia • Christine Robertson – Canberra Institute of Technology • Craig Evans – Business Council of Australia • Dan Fish – Go1 • David Gandolfo – Commercial & Asset Finance Brokers Association of Australia • David Pollock – NBN • David Spriggs – Infoxchange • Dominic Schipano – Council of Small Business Organisations Australia • Don Perlgut – Community Council for Australia • Emmanuel Goutallier – Holberton School • Gitesh Agarwal – HCLTech • Ishtar Vij – Australian Dental Industry Association • James Perkins – Communication Workers Union • Jennifer Low – Australian Chamber of Commerce and Industry • Jenny Dodd – TAFE Directors Australia • Jill McCabe – Professionals Australia • Jo Cantle – Australian Public Service Commission • Jodi Phillips – Amazon Web Services • Kathleen Moorby – AustCyber • Lisa Thomas – Chartered Accountants Australia and New Zealand • Liv Monaghan – MYOB • Malcolm Kinns – Generation Aus • Matt Tindale – LinkedIn • Michael Gammon – MEGT (Australia) Ltd • Phillip Tarrant – Momentum Media • Robert Potter – Australian Services Union • Rupert Grayston – Australian Computer Society

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	• Sarah Pilcher – Ai Group • Serryn O'Regan – Equinim College • Shaun Ridley – Australian Institute of Management WA • Simon Bush – Australian Information Industry Association • Sumith Abkari – Institute of Applied Technology – Digital / TAFE NSW • Tom McMahon – Tech Council of Australia • Vanessa Beggs – Australian Banking Association • William Stubley – Year 13
Manufacturing	• Australian Chamber of Commerce and Industry (ACCI) • Australian Council of Trade Unions (ACTU) • Australian Industry Group (Ai Group) • Australian Manufacturers Workers Union (AMWU) • Print & Visual Communication Association
Mining and Automotive	• Federal Chamber of Automotive Industries (FCAI) • Mining and Energy Union (MEU) • Motor Trade Association of WA (MTWA) • Motor Trades Association of Australia Limited (MTA) • Queensland Resources Council (QRC) • Resources and Engineering Skills Alliance (RESA) • South Australian Chamber of Mines and Energy (SACOME) • Victorian Automotive Chamber of Commerce (VACC) • Year 13
Transport and Logistics	• Linfox Australia Pty Ltd • Maritime Union of Australia • Rail, Tram and Bus Union • Sydney Trains • The Thought Group Pty Ltd • Toll Holdings Limited • Tony Wilks and Associates Pty Ltd • Transport Workers' Union of Australia
Public Safety and Government	• Australasian Fire and Emergency Service Authorities Council Limited • Australia New Zealand Council of the Police Profession through the Australia New Zealand Policing Advisory Agency • Community and Public Sector Union State Public Sector Federation Group • Defence Force Welfare Association • Department of Defence • Police Federation of Australia • United Firefighters Union of Australia
Early Educators, Health and Human Services	• ACT Council of Social Services • Aged & Community Care Providers Association • Association of Children's Welfare Agencies (ACWA) • AusActive • Australian Community Children's Services • Australian Community Workers Association • Australian Healthcare & Hospitals Association • Australian Nursing & Midwifery Federation • Australian Services Union • Australian Workers Union

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	• Bluefit • Communities at Work • Community Childcare Association • Council of Ambulance Authorities • Council on the Ageing (COTA National) • Crèche and Kindergarten Association ltd • Department of Defence • Early Childhood Australia • Eldercare • Flourish Australia • GoodStart Early Learning • Health Services Union • Hessel Group Pty Ltd • Hessels Group Training Organisation • Lifeguarding Services Australia (LSA) Group • Meals on Wheels (Qld) • Minda Group • National Association of Aboriginal and Torres Strait Islander Health Workers and Practitioners (NAATSIHWP) • National Disability Services • National Outside School Hours Services Alliance (NOSHA) • Outdoors NSW and ACT • Police Citizen Youth Clubs • Remention • Royal College of Pathologists of Voting Australia • Royal Life Saving Australia • Scouts Australia • South Australian Network of Drug and Alcohol Services (SANDAS) • The Australian Camps Association • United Workers Union

3. The department administers the JSC Program, which includes the grant opportunity process to establish JSCs. No departmental resourcing has been provided to JSCs to enable their establishment. Resourcing for the JSCs Program falls under Outcome 2 in the Department of Employment and Workplace Relations Portfolio Budget Statement (www.dewr.gov.au/about-department/resources/employment-and-workplace-relations-2023-24-portfolio-budget-statements).

4. JSCs are established through a two-stage grant process. Stage One provided initial funding for the establishment of the entities. Stage Two provided operational and activity funding to enable the JSCs to deliver the JSC functions. Between May and June 2023, nine JSCs entered into Stage Two grant agreements with the department. Key deliverables and expectations are set out in the Program Guidelines available at www.dewr.gov.au/skills-reform/resources/jobs-and-skills-councils-program-guidelines (refer page 8).

5. The Hon Brendan O'Connor MP, Minister for Skills and Training, had the opportunity to meet with JSC representatives and deliver a keynote address as part of a JSC Onboarding Forum on 28 February 2023.

6. No JSCs have provided the Minister or his office briefings on policy or legislation.

VET Students affected by delayed student loans IT issue

Data as at 10 October 2023. Historical loans are actively being analysed, resolved, remitted and transferred to student's ATO accounts at present.

Key points

	Affected students	Loan value (inc. Loan Fee)	Loan amount (inc. Loan Fee)	Study years
Loans remediated and transferred to students' Australian Taxation Office (ATO) accounts to date	16,833 students	$60.2 million	Average: $3,577 Min: $0.60 Max: $118,102	2017-22
Loans still held pending in department's IT system	911 students	est. $2.5 million	Average (est.): $2,780 Min: $0.1 Max: $39,251	2009-22
Total students affected by VET delayed student loans IT issue	**17,682* unique students**	**est. $62.7 million**	**NA**	**2009-22**

**Only the 'total number of students' is a unique student count. Some students are affected in both the 'transferred' and 'remaining' cohorts.*

- At May 2023 Budget Estimates, we reported **19,990** unique students affected by the delayed transfer of loans. This has been revised down to **17,682** unique students as at 10 October 2023. This is because of a transitional issue between the old HEIMS system and the new TCSI system in 2020-21 where a number of the records initially identified as stuck in the department's IT system, were determined to be already correctly reported on students' ATO accounts. There is no impact on these students as their loans had already been transferred correctly to the ATO. The department's IT system has been updated to reflect the correct loan status.

Key timeline of activities

Date	Activity
2 and 3 August 2022	• Historical VET Student Loans (VSL) and VET FEE-HELP (VFH) records for **10,252 students** were transferred to the ATO, valued at **$24.2 million**.
9 August 2022	• The department first became aware of the transfer of historical loans.
August and September 2022	• Departmental investigations identified a further **9,275** students' historical VFH and VSL records were 'stuck' and still pending in our IT systems. *(ATO has applied indexation waivers for majority of the applicable students).*
6 April 2023	• Department received PwC's Independent Review report (report published on department's website on 15 May 2023) (Phase 2 of the Review not published).
5 June 2023	• Historical VSL and VFH records for **6,506** of the **9,275** students were transferred from the department to students' ATO accounts following analysis and in-system remediation. These loans were valued at **$35.5 million**. *(ATO has applied indexation waivers for majority of the applicable students).*
August to September 2023	• Analysis of the remaining loans identified that some loans were not 'stuck' (they had already been transferred to the ATO, but the department's IT system incorrectly reported they were stuck).

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9 October 2023	• Historical VFH records for **137** students were transferred from the department to students' ATO accounts following analysis and in-system remediation. These loans were valued at **$0.6 million**.
November 2023	• The department is finalising the analysis and remediation of the remaining **911** students: ○ 286 students' VSL loans will be transferred to their ATO accounts ○ 625 students' VFH loans will be waived in their entirety as they are from pre-2017

Mitigations

The Government has announced the following support measures to assist affected VET students:

Measure	Detail
Extend VFH Student Redress Measures	• Extend Redress by 12 months to 31 December 2023 to assist students who may have been impacted by inappropriate conduct by their provider.
Waive indexation	• Indexation is being waived for affected VET loans for the period the loan was not appearing on students' ATO accounts (**10,066*** affected students subject to historical indexation)**Not a unique count. Some students affected across multiple indexation waiver cohorts.* ○ For **3,945** VFH students whose loans transferred to the ATO in August 2022 and were subject to historical indexation, **$1.1 million** of historical indexation has been waived, and indexation was applied to these loans on 1 June 2023. (The remaining 6,320 VSL students whose loans transferred in August 2022 had no historical indexation applied to their loans and as such did not require waivers.) ○ For all **5,709** students whose loans transferred to the ATO in June 2023, historical indexation of **$3.1 million** has been waived, and indexation will be applied to these loans on 1 June 2024. ○ Indexation for the remaining **423** students is being waived for study from 2017 onwards in October and November 2023. • Current authority allows for waiver of historical indexation up to 1 June 2023 for loans remaining in the system. All currently identified historical loans will be remediated and transferred to students' ATO accounts and historical indexation waived before the next applicable indexation on 1 June 2024. • If further historical loans are identified after this date, further authority would need to be sought.
Waive debts	• For **625** VFH students, the full debt value of affected VFH records is being waived for study prior to 2017. • This recognises the age and extended delay in identifying these records in the department's IT system, and potential difficulty for these students to meet evidentiary requirements to access assistance.

- Government agreed to the indexation and debt waivers (announced under Budget 2022-23 and 2023-24). Waivers given effect using the Finance Minister's powers under the PGPA Act. Approved by Department of Finance (delegated powers), then waiver is applied by ATO into the student's ATO account.

Communication with students & providers

- The department has led a successful communications approach by contacting and keeping affected students informed of the progress of loan remediation.
- The department has contacted **16,833** unique students as their loans were transferred to their ATO accounts:
  - the department contacted **10,252** students whose loans transferred to the ATO in August 2022, in September 2022 and again in November 2022 (letter, email and SMS).
  - the department also contacted **6,506** affected students whose loans transferred to the ATO in June 2023.

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    - as part of these communications, the department also attempted to call all students who had a high value loan (more than $20,000) transferred to their ATO account.
    - the department also contacted **137** affected students (email, SMS, phone, letter) whose loans transferred to the ATO on 9 October 2023.
- The department's website has been routinely updated with advice for students, and all providers have been provided with advice and student details to provide holistic, wrap-around supports. Between 4 November 2022 and 30 September 2023, there have been 3,935 clicks on the departmental historical loan webpage.
- Around 70% of students have engaged with the department's correspondence. This is based on the number of emails opened by students.
- Students have been advised of the mitigation measures and steps they could take if they have concerns. These include checking loan amounts, applying to the ATO for a deferral of repayments and contacting the VSL Ombudsman if they believe the debt is not legitimate.
- The department will continue contact students directly (letter, email and SMS) whose loans remain pending in the department's IT system when the loans are transferred to their ATO accounts.

Impact on students' cost of living

- A person's assessment for compulsory repayments of their VSL or VFH loan is based on their taxable income for the relevant financial year and the debt reported on their ATO loan account at the time of lodging their tax return.
- Repayments are only made when a person earns above the compulsory repayment threshold. These compulsory repayments are calculated, and paid, as a percentage of repayment taxable income. For example, where a person earns more than $48,361 for the 2022–23 financial year, repayments commence at 1% of their income.
- Historical indexation of $4.2 million has been waived for affected students for the period their loan was not appearing on their ATO account.
- This means when a student completes their income tax return, if they have a taxable income of $45,000 in 2022-23, no loan repayment will be required. However, if a student has a 2022-23 taxable income of $100,000, they will be required to repay any outstanding loan amount up to 7% of this repayment taxable income.
- If a student's taxable income has reached the compulsory repayment threshold and they believe that making compulsory repayments would cause them serious hardship in the financial year or subsequent financial years, or there are other special reasons that make it fair and reasonable to defer making their repayment, they can apply to the ATO to defer or amend their compulsory repayments. Where they are unable to obtain a deferral, they may be able to enter into a payment plan for their income tax debt (which includes any compulsory VSL repayment). Information about repayment deferral arrangements is available on both the ATO and department's websites.
- Indexation application and loan repayment are the responsibility of the ATO Commissioner. Detailed questions, including responses to scenarios should be directed to the ATO for response per provisions in the *Higher Education Support Act 2003* and the *VET Student Loans Act 2016.*

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Enquiries & complaints (relating to historical loans only)

Type	Number received	Nature of enquiry/complaint
Student Enquiries	**800** All enquiries have been responded to within 7 business-days.	• Seeking further advice about loan debt • Seeking further advice about additional support measures such as accessing repayment deferrals with the ATO, how to apply for Redress re-credits and how indexation waivers would operate.
Student Complaints	**4** This includes 1 complaint where the student was directed by the Ombudsman to lodge a complaint with the department. All complaints have been investigated and responded to within 30 calendar days in line with the DEWR Complaints Handling Policy.	• Delayed nature of loan transfer • Students who had repaid the balance of their previously reported debt and were not satisfied that they now had further debt reported that they would have to repay.

- The department is aware that 140 students lodged complaints with the Ombudsman since August 2022. Only 1 student has raised a complaint with the department following engagement with the Ombudsman.

Further action

- The department has taken immediate steps to implement a **manual reconciliation process** between the IT systems to ensure records pending in the systems are identified immediately.
- The department engaged PwC, at a cost of **$438,477** (GST incl.) to undertake an **independent review** of how this situation has arisen, and why certain historical loan records have been marked as 'pending' and not transferred in the usual way. PwC was procured through the Research and Evaluation Services (RES) Panel, in line with the department's procurement policy. No Indigenous organisation was identified to undertake the project.
    - The department received the Review report on 6 April 2023, and it was published on the department's website on 15 May 2023.
    - The Review found the VSL IT solution is not fit for purpose in meeting all stakeholder needs and makes a series of recommendations in relation to the department's IT systems, business processes and governance arrangements. The department agrees with the recommendations and is working to implement them.
    - The circumstances of the historical student loans issue required the procurement and completion of the review in a short period of time. PwC had undertaken a previous, comparable exercise for the department (Australian Apprenticeship Management System Review) and was identified as an organisation of sufficient size and capacity to quickly bring in staff with relevant experience to meet the required deliverables.

System assurance & new VSL IT System

- The department is making every effort to mitigate similar issues from occurring by improving assurance with the current IT system. However, the system is complex and not fit-for-purpose, as identified in the Independent Review Report.
- While a full review of the VSL IT system has sought to identify any delayed loans currently held in the system, there is a risk that future delayed loans may be identified. In this instance, the department will seek to ensure loans are remediated and transferred to students' ATO accounts quickly, and that the appropriate mitigation (such as indexation and debt waivers) are applied where possible.
- The Government has invested **$42.2 million** over 4 years (2023-24 to 2026-27) to build the first phase of a **new VSL IT system** (under Budget 2023-24). In the meantime, the department is delivering system fixes to the current IT system to ensure loans are managed appropriately while the new system is being built. (refer "SB23-0000296 VSL Connect – IT Project" for further details regarding the new VSL IT System).

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Key Government statements

- Minister O'Connor published a media release advising of the historical VET loans issue, announcing the extension of VFH Student Redress, and that no historical indexation will be applied to affected loans.

Minister for Skills and Training	Media Release 'Putting students first – extension of redress and waiver of indexation' 9 November 2022 (Attachment A)

- Press coverage on the issue has been minimal.
    - Initial media (late 2022) was largely concerned with the timing of Minister O'Connor's communication of the issue.
    - Media in May 2023 was concerned with Budget announcements and the independent Review: Innovation Aust Article 'Student debts waived after govt IT bungle' 12 May 2023 (Attachment B).
    - Recent media (August 2023) focused on the higher education historical loans issue (Attachment C).

Stakeholders consulted

- In August 2022, the department established a Cross-Agency Taskforce to respond holistically across agencies to the VET historical loans issue. Membership comprises DEWR, Department of Education, the ATO and the Ombudsman.
- The department has worked with the Department of Finance and the ATO in developing and delivering the mitigation measures.
- Student communications materials are developed in conjunction with the ATO and Ombudsman to ensure consistency and appropriate messaging.
- The department works regularly with providers, TAFE Directors Australia (TDA) and the Independent Tertiary Education Council Australia (ITECA) to ensure wrap-around support for students and to deliver student-centric messaging.

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MINISTERS' MEDIA CENTRE
Ministers of the Employment and Workplace Relations Portfolio

Media Release

9 November 2022

Putting students first - extension of redress and waiver of indexation

The Hon Brendan O'Connor MP
Minister for Skills and Training

The Albanese Government will extend the VET FEE-HELP Student Redress scheme for 12 months, and intends to waive all indexation applied to historical vocational education student loans affected by the IT issue recently discovered by the Department of Employment and Workplace Relations.

We are determined to put the wellbeing of students first, which is why we have decided that all indexation related to these loans should be waived. The proposed waiver relates to approximately $1.6 million of indexation affecting approximately 6,400 students. Affected students will be contacted following the waiver of indexation.

The VET FEE-HELP Student Redress scheme was due to expire on 31 December 2022, and will now be extended for 12 months, so that students have a fair opportunity to access the scheme if required.

As the Department informed affected students in September 2022, a number of historical student loan amounts were discovered to have been unexpectedly applied to students' ATO accounts, after they were stuck in the department's IT system.

At my instruction, the department expeditiously conducted an initial investigation on this matter, and I am advised that every effort was made to individually notify and offer assistance to all students and providers affected by the transfer to the ATO.

I have also been advised that there are more historical student loan records to reconcile in the department's system, and that the Department is rigorously examining this matter and no indexation will be applied to these records.

I'm further advised that over 95 per cent of total affected debt relates to loans for study between 2017 and 2022.

My department will continue to engage directly with affected students and providers and inform them of relevant information.

An independent review into this issue is underway.

The Government's response to the full extent of this issue is still being determined.

The Albanese Government is cleaning up the Coalition’s mess, and we keep finding more of it.

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Student debts waived after govt IT bungle

By Joseph Brookes (https://www.innovationaus.com/authors/joseph-brookes/) Senior Reporter

12 May 2023

Share (https://www.innovationaus.com/student-debts-waived-after-govt-it-bungle%2F)

The federal government will waive $21 million in tertiary debt and overhaul IT systems after a tech bungle held nearly 20,000 students' loans up for years in internal systems.

Some students are yet to be notified of their debt, nearly a year after the issue was identified, while total affected students and debt has more than doubled.

Tuesday's Budget set aside $79 million to upgrade the ageing systems (https://www.innovationaus.com/budget-lays-out-2bn-for-government-tech-overhaul/), some of which are interim solutions running nearly half a decade longer than originally planned.

An outside review of the technology is understood to have found the IT system is complex, highly fragmented, reliant on disparate and duplicate databases and extensive manual intervention.

The total number of students impacted has doubled to 19,990 since the incident was reported last year, while the debts in question have risen to $66.6 million.

Some loans are being waived altogether, while millions in indexation will also be foregone.



Photo: juancsanchezherrera/Shutterstock

An update to an IT system in August last year unexpectedly transferred some historical VET loan records to students' Australian Tax Office accounts.

None of the debts had been raised incorrectly but the IT glitch meant the income contingent loans had not been transferred to students' profiles earlier when they should have been, in some cases many years prior.

Surprised students began raising concerns and the Department of Employment and Workplace Relations, which commissioned an independent review.

Consulting giant PwC was brought in in October to assist in the review of the IT system at a cost of more than $438,000.

The following month, the department found further affected student loan records that are still pending in its IT systems today.

These loan records have not yet been transferred to students' ATO accounts and are expected to start doing so next month, when students will be notified via email, letter and SMS.

In total, 19,990 students have been identified with delayed loans, with $66.6 million in total affected debt – almost all of it being incurred between 2017 and 2022.

"All indexation will be waived for affected students for the period in which their loan did not appear on their ATO account in order to ensure they are not unfairly financially disadvantaged," a the Department of Employment and Workplace Relations spokesperson told InnovationAus.com.

"For students whose loans are from earlier than 2017, the government has waived the entire loan."

Budget papers released this week show the expected cost of foregoing the indexation and some of the older loans entirely will be $ 20.9 million.

This includes the waiving debt from the VET FEE-HELP loans issued from 2009 to 2016, and indexation on loans from the Higher Education Loan Program, the VET Student Loans program, the Trade Support Loans and on the more recent VET FEE-HELP loans.

InnovationAus.com understands the IT system at the root of the problem was launched in 2017 and only intended to run as an interim solution for two years.

A report based on the independent review will be released shortly, but the department would not disclose exactly what the PwC consultants had provided or share their advice.

The funding in Tuesday's Budget addresses the recommendations of the independent review, all of which have been accepted.

Do you know more? Contact James Riley via Email (mailto:james@innovationaus.com).

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Work & Careers Education HECS

Records glitch will hit thousands with extra HECs debt



Lucy Dean *Wealth reporter*

Aug 14, 2023 – 4.04pm

Nearly 14,000 current and former students will be hit with extra student debts – of more than $5000 on average – after missing information meant loan records from 104 higher education institutions were not transferred to the Australian Tax Office between 2004 and 2022.

Students and graduates have received emails from the Education Department informing them of their incorrect loan records, with the updated loan amounts to be recorded in borrowers' MyGov accounts by late August.



Nearly 14,000 current and former students will have extra loans added to their student debt. **Louise Kennerley**

Department of Employment and Workplace Relations - Released under FOI 645 of 853

As of August 11, the department had identified combined affected loans of 13,748 individuals valued at $74 million, or an average $5382 per borrower. Most debts related to study during 2020 to 2022, a spokeswoman said.

There are currently 1.5 million students at Australian universities, and the total pool of student debt was worth $74 billion as of June 1, 2023.

Indexation will not be applied to the newly added loans in 2023, or for any prior years. However, indexation, which hit 7.1 per cent in 2023 [https://www.afr.com/politics/federal/government-under-pressure-to-fix-egregious-hecs-indexation-rule-20230530-p5dcjd], will be applied from June 1, 2024, according to a department fact sheet.
The spokeswoman said a departmental review in late 2022 identified the group of students and graduates whose loan records had not transferred to the ATO due to missing information.

“The errors... arose from a small range of error types, including missing student Tax File Numbers, problems with student identifiers, and provider errors linked to the application of the upfront loan discount,” the spokeswoman said.

The discount was a 10 per cent reduction that students would receive if they made up-front payments of $500 or more towards units of study, available to eligible students between January 1, 2021, and December 31, 2022.

“Higher education providers are required to submit complete and accurate student information to the government to support a range of programs, and in some instances this did not occur. Providers are reliant on student information in this regard,” she said.

The Department of Education began contacting students in May, and expects that resolved student loan records will be transferred to the ATO in late August.

“The department is actively engaging affected individuals to offer support and ensure concerns will be resolved before the transfer of delayed higher education loans to the Australian Taxation Office,” the spokesperson said.

“The department has been working with higher education providers since early 2023 to correct records for current and former higher education students whose loan records had not transferred to the ATO due to missing information.”

The delayed student debts were foreshadowed in the 2023 budget in May, with the government stating it would forgo $5.4 million in receipts in 2022 and 2023, and another $15.5 million in 2023-24, to "support students affected by a delay in the transfer of some historical tertiary education loan records to the ATO".

As part of the budget measure, historical education would be waived on the affected HELP, VET Student Loans, Trade Support Loans and on loans issued in 2017 and 2018 under the VET FEE-HELP program.

Budget documents also stated that outstanding debt on VET FEE-HELP loans issued from 2009 to 2016 would also be waived.

The way indexation is applied to student debts [https://www.afr.com/politics/federal/government-under-pressure-to-fix-egregious-hecs-indexation-rule-20230530-p5dcjd] is currently hotly debated. As it stands, the ATO applies indexation to loans on June 1, but does not process loan repayments until after borrowers' tax returns are processed, even if they are paying off their debts in real time.

So borrowers may have indexation applied to a higher sum than what they owed as at June 1. Graduates say their student debts affect their lives for years, with more than one in 10 even saying their loan affected their choice of romantic partner [https://www.afr.com/wealth/personal-finance/hecs-debt-shaping-graduates-love-lives-20230629-p5dkd9], while 32 per cent said their student debt affected where they chose to live.



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Lucy Dean writes about wealth management, personal finance, lifestyle and leisure, based in The Australian Financial Review's Sydney newsroom. *Connect with Lucy on Twitter. Email Lucy at l.dean@afr.com*

Department of Employment and Workplace Relations - Released under FOI

Defence Skills and Training Taskforce (Program 2.3 Nuclear Powered Submarine Program)

Purpose of the program

- In the 2023-24 Budget, the Australian Government is providing $3.9 million over 2 years to establish a Taskforce within the Department of Employment and Workplace Relations (the department) to provide advice on utilising Australia's skills and training system to support the workforce requirements of the nuclear submarine program.

Budget ($m) Program 2.3 PBS pg 16, 47

Item	2021–22 Actual	2022–23 Budget	2023–24 Estimate	2024–25 Estimate	2025–26 Estimate
Total	0.0	0.0	1.9	2.0	0.0
DEWR - administered	0.0	0.0	0.0	0.0	0.0
DEWR- departmental	0.0	0.0	1.9	2.0	0.0

What has the Government said about the program?

- The new vocational education and training (VET) defence skills taskforce within the department will help develop the workforce required to shape a sovereign industrial base and the delivery of Australia's nuclear submarine program.
- Around 20,000 direct jobs are estimated to be created over the next 30 years, requiring a highly skilled civilian workforce for planning, construction, logistics, procurement, quality control, testing and maintenance - from highly skilled tradespeople to degree-qualified professionals.
- Australia's VET sector already contributes significantly to our naval shipbuilding and sustainment sector, providing diverse skills requirements ranging from complex engineering and design roles, project management and logistics roles, through to highly advanced technician and trade roles.

Placeholder – Minister O'Connor Press Club address	*3 October TBA*
The Hon Richard Marles MP, Minister for Defence, The Hon Jason Clare MP, Minister for Education, The Hon Brendan O'Connor MP, Minister for Skills and Training, The Hon Pat Conroy MP, Minister for Defence Industry Joint Media Release *New investment in skills paves the way for AUKUS workforce*	16 May 2023 - Attachment A
The Hon Brendan O'Connor MP Minister for Skills and Training Media Release *Skilling and training Australians for a stronger economy and a better future*	9 May 2023 – Attachment B
The Hon Brendan O'Connor MP Minister for Skills and Training Media Release *Power to Propel Workforce*	22 March 2023 – Attachment C
Prime Minister, Deputy Prime Minister, Minister for Defence, Minister for Defence Industry, Minister for International Development and the Pacific Media Release *AUKUS Submarine Workforce and Industry Strategy*	14 March 2023 - Attachment D

Recent media

- 10 April 2023, Building nuclear subs workforce a huge challenge for government, *Government News* (Attachment E).

  This article quotes Dr Edward Obbard, head of nuclear engineering at UNSW, as stating *"there are insufficient numbers of trained experts to support a sovereign nuclear propulsion program" but also that "the easiest group to produce will be the …. tradespeople and skilled professionals, such as fitters, machinists, and welders".*

Taskforce –key details

Key roles and responsibilities

- The Taskforce has been established. It is currently comprised of an SES Band 1 officer and three APS staff.
  - Taskforce staff will acquire appropriate security clearance and operate in a secure IT environment when needed.
- The taskforce within the department will support the Department of Defence by advising how the VET sector can support the supply of domestic skilled workers and the training pathways required to deliver the skills supply over the coming decades.
- The early focus of the Taskforce is on supporting the South Australian Defence Industry Workforce and Skills Taskforce through the Department of Defence, the Department of Prime Minister and Cabinet and the South Australian Government. The DEWR Taskforce is collaborating to identify a range of policy and program supports focused on workforce needs in the South Australian context. Government is to give further consideration to decisions arising from this project.
- In undertaking its work, the taskforce will work in partnership with the Departments of Defence and Department of Education, industry, Jobs and Skills Councils and state and territory governments.
- The taskforce will also support the Department of Defence in establishing a dedicated Commonwealth-led Skills and Training Academy in South Australia.
  - The Department of Defence is the portfolio lead on establishing the Academy and questions about status and funding should be taken by the Department of Defence.
  - Broadly described, the Academy is being designed to deliver tailored education, training and skilling for Australia's submarine and naval shipbuilding workforce, including:
    - career training programs to bring new people into the workforce, such as apprentices, undergraduates and graduate apprentices
    - lifting the skills of the existing naval ship building workforce
    - transition programs to bring in people from adjacent industries in the defence, manufacturing and technology sectors.

Duration

- The Taskforce is currently funded for 2 years. Further funding may be sought in 2024-25 to support the ongoing needs of advice to support the submarine program if needed.
- The initial work of the Taskforce will be to work with partner agencies to identify skills and training requirements needed to fulfill Australia's defence capability goals. This will further inform policy and program responses.

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Background

- On 14 March, the Government announced a phased approach to deliver the nuclear submarine program, comprising the acquisition of US Virginia class nuclear submarines from as early as the 2030s, with the first SSN-AUKUS submarine built in Australia to be delivered in the early 2040s.
- The Department of Defence is responsible for the submarine program and is developing a comprehensive national workforce strategy (the *AUKUS Submarine Workforce and Industry Strategy*) which will identify the job roles and the size of a civilian workforce required to build and maintain shipyards, to maintain submarines delivered by AUKUS partners and for the building and maintenance of Australian made submarines.
    - Questions on the broader workforce strategy and forecasting of workforce volumes should be taken by the Department of Defence.
    - Information on the *AUKUS Submarine Workforce and Industry Strategy* is at Attachment A.

Department of Employment and Workplace Relations - Released under FOI

Attachment A

MEDIA RELEASE

16 May 2023

NEW INVESTMENT IN SKILLS PAVES WAY FOR AUKUS WORKFORCE

Deputy Prime Minister, Minister for Defence
Minister for Education, Minister for Skills and Training, Minister for Defence Industry, Minister for International Development and the Pacific

The Albanese Government's Budget invests nearly $150 million to start delivering the skills and workforce we need to deliver Australia's nuclear-powered submarine program through AUKUS.

The AUKUS plan for Australia to acquire and manufacture nuclear-powered submarines will create around 20,000 direct jobs over the next 30 years across industry, the Australian Defence Force and the Australian Public Service.

The biggest challenge Australia's nuclear-powered submarine program faces right now is to develop the skills and workforce needed to build this sovereign capability here in Australia.

The Government is committed to providing the skills and training for a home-grown workforce to build and maintain Australian nuclear-powered submarines. The 2023-24 Budget delivers on this promise.

Starting this year, the Government's package for AUKUS skills and training will see:

- **$128.5 million over four years to fund an additional 4,000 university places** and for the Department of Education
    - These places will be targeted at STEM disciplines, including physics, chemistry, mathematics, materials science, naval architecture, computer science, as well as mechanical, electrical, chemical and nuclear engineering.
    - This includes the 800 places at South Australian universities announced
      in the Cooperation Agreement between the Commonwealth and

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Attachment A

South
Australia.
    - It will also enable the Department of Education to support the nuclear-powered submarine program through international engagement advice and research.
- **$3.9 million over two years to establish the skills taskforce** within the Department of Employment and Workplace Relations
    - Working with industry, tertiary education sector leaders, unions, State and Territory Governments and across the Commonwealth to plan and build the skilled workforce needed for Australia's future.
- **$11.4 million over three years to extend the Defence Industry Pathways Program** within the Western Australian shipbuilding sector
    - The extension of this program will continue the pipeline of skills and talent into the Defence shipbuilding industry, providing a key pathway to gain essential skills that will be required by Australia's defence industry into the future.

We will also develop the **AUKUS Submarine Workforce and Industry Strategy**. Working hand-in-glove with the South Australian Government, together we will co-design a Skills and Training Academy to deliver tailored education, training and skilling for the submarine and naval shipbuilding workforce in South Australia.

To match the investment in Australian industry, we must also invest in the workforce and skills which will deliver this ambitious program.

Australia's nuclear-powered submarine program will be the most transformative industrial endeavour in our history – exceeding in scale, complexity, and economic significance the creation of an Australian automotive manufacturing sector and the construction of the Snowy Hydro Scheme.

Developing a pipeline of highly skilled STEM graduates and a talented skilled workforce will build Australia's sovereign industry capabilities, playing a crucial role in delivering on our AUKUS commitments and strengthening national security.

Quotes attributable to the Deputy Prime Minister, Richard Marles:

"The Albanese Government understands that front and centre of the success of Australia's nuclear-powered submarines will be the many thousands of Australians who help build them.

Department of Employment and Workplace Relations - Released under FOI

Attachment A

"We need to start investing in those skills now – this is a project which starts this year and will span decades with enormous opportunities."

Quotes attributable to the Minister for Education, Jason Clare:

"These extra 4,000 places are in addition to the existing 20,000 more Commonwealth Supported Places already funded by the Australian Government to address skills shortages in areas of national priority.

"This funding commitment will ensure more Australians have the opportunity to go to uni and develop the advance technical skills needed to work on these nation-changing projects."

Quotes attributable to the Minister for Skills and Training, Brendan O'Connor:

"This taskforce will play a vital role in advising how the vocational skills and training sector can be geared up to support this new workforce.

"It's important we work in lock-step with industry, tertiary education sector leaders, unions, State and Territory Governments to plan and build the skilled workforce needed for Australia's future."

Quotes attributable to the Minister for Defence Industry, Pat Conroy:

"The AUKUS submarine program will be the most transformative industrial endeavour in Australian history.

"Young Australians starting training now have a bright future ahead of them with secure high skilled, well-paid jobs that will make an important contribution to Australia's defence industry and our national security."

Media Release

Date: 9 May 2023

Skilling and training Australians for a stronger economy and a better future

Ministers:
The Hon Brendan O'Connor MP

Minister for Skills and Training

The Albanese Government's 2023-24 Budget will help to rebuild and modernise our skills sector to ensure a stronger and more resilient economy and give more Australians the opportunity to access well paid and secure jobs, now and in the future.

After a decade of failure to deliver skills reform under the LNP - which has led to shortages and workforce gaps – the Albanese Government has already made strides to skill and train our nation's workforce.

We are already delivering 180,000 Fee Free TAFE and Vocational Education and Training (VET) places in 2023, along with investing in financial support for apprentices, particularly those choosing to take on a New Energy Apprenticeship.

Our 2023-24 Budget is critical to addressing the nation's skills challenges. And our new skills investments build on over $400 million provided in our October 2022 Budget for a further 300,000 Fee Free TAFE and VET places in high-skill needs areas from 2024 to 2026 – subject to agreement with states and territories.

We're working to remove the barriers Australians face in accessing life-changing education and training and ensuring that Australians from all backgrounds and cultures are supported to achieve their full potential.

Our Budget will deliver:

- An additional $3.7 billion upon striking a five-year **National Skills Agreement** with states and territories to ensure more access to vocational education and training, with TAFE at the centre. National Cabinet has agreed that gender equality and women's participation in labour markets will be a focus of the NSA and jurisdictions will work collaboratively on national skills priorities, including transformation to a net zero economy.
- $436 million over four years to fundamentally reform the way the Commonwealth delivers **Foundation Skills** programs, so more Australians over the age of 15 who need training to improve their literacy, numeracy and digital skills have access.
- An additional $54.3 million in critical Australian Apprenticeship supports to improve completion rates. Improving the quality of services and better targeted support will be particularly crucial to supporting women, First Nations people, CALD apprentices, and people with disability to complete their apprenticeship.
- $8.6 million to deliver the **Australian Skills Guarantee** and introduce national targets for apprentices, trainees and paid cadets working on Australian Government funded

major infrastructure and ICT projects. This includes responsible sub targets to boost women's participation in apprenticeships.
- $3.9 million in additional funding over two years to establish a defence vocational skills taskforce. This will help develop the workforce required to shape our sovereign industrial base and support the delivery of Australia's nuclear submarine program.
- $42.2 million to develop a modern fit-for-purpose IT system for the VET Student Loan program – a long overdue upgrade.

The Albanese Government has inherited the most significant national skills shortage in decades and is taking action by providing greater opportunities for Australians to acquire the skills they need to secure rewarding and sustainable employment, in priority workforce areas.

Whether it's in clean energy, the care sector, agriculture, hospitality and tourism, construction, technology, or the need for sovereign capability in manufacturing, we must deliver these skills at a time of acute skills shortages.

It's vital the Commonwealth, State and Territory governments work together to create a higher quality, more dynamic and more resilient VET sector.

After a decade of wasted opportunities on skills and training, the Albanese Labor Government is focused on:

National Skills Agreement

Delivering a future workforce by providing hundreds of thousands of Australians access to high-quality training. The Government is prepared to invest an additional $3.7 billion in the new National Skills Agreement with states and territories that will put TAFE at the centre of a high quality, responsive skills system.

Funding will be available to deliver on the vision agreed by National Cabinet at the Jobs and Skills Summit – including supporting access to foundation skills, Closing the Gap for First Nations students and apprentices, supporting women's participation, and improving completion rates for students and apprentices.

Subject to successful negotiation of the NSA with states and territories, this will take total Commonwealth investment in their training systems to $12.8 billion over five years.

Foundation Skills

Fixing and reforming the delivery of foundation skills, given one in five Australian adults lack core literacy, numeracy and digital literacy skills, which limits their ability to participate fully in training and secure work.

Removing barriers to accessing these programs, including the requirement to be a registered job seeker. This means better access to foundation skills training for Australians aged over 15, supporting them to successfully participate in training and achieve their full potential at work.

National targets for women in apprenticeships, through the Australian Skills Guarantee

We are establishing new targets to double the proportion of women in apprenticeships and traineeships on Commonwealth funded major construction projects over $10 million, by

Department of Employment and Workplace Relations - Released under FOI

2030. This will help us deliver on our aim to triple participation of women in trade apprenticeships by the end of the decade.

Adjusting the Skills Assessment Pilots

We are adjusting two of the three *Skills Assessment Pilots*, which are delivering free and fast-tracked skills assessments and employability assessments to improve employment outcomes for onshore migrants – including humanitarian visa holders and partners of skilled migrants - in priority occupations.

Two of the Pilots will extend by 8 months, add new eligible occupations to reflect the 2022 Skills Priority List and expand the eligibility criteria to increase access to migrant women.

This Budget is about creating more opportunities and a more secure economy. Achieving that means tackling one of our greatest economic challenges in decades, the lack of skilled workers.

The Albanese Government will set the skills and training sector back on the right path, enabling a better, more secure future for all Australians

Department of Employment and Workplace Relations - Released under FOI

Op-Ed

Date:22 March 2023

Power to Propel Workforce

Ministers:
The Hon Brendan O'Connor MP

Minister for Skills and Training

Like a submarine propelling itself through deep water, the historic AUKUS submarine program will drive Australia's workforce, skill development, industrial capacity, economic and defence power forward on a scale not seen before in Australia's history.

The impact will reverberate and create benefits across Australian industry, with a unique opportunity for Australian companies to contribute to the construction and sustainment of Australia's new fleet, along with contributing to the supply chains of partner nations.

Critically, the program will create around 20,000 direct jobs over the next 30 years across industry, the Australian Defence Force and the Australian Public Service including trades workers, operators, technicians, engineers, scientists, submariners and project managers.

At its peak, building and sustaining nuclear powered submarines in Australia will create up to 8,500 direct jobs in the industrial workforce.

The opportunity is expansive. A highly skilled and productive workforce is critical to the successful delivery and sustainment of new nuclear submarine capabilities.

Australia's vocational education and training sector already contributes significantly to our naval shipbuilding and sustainment sector, providing diverse skills requirements ranging from complex engineering and design roles, project management and logistics roles, through to highly advanced technician and trade roles.

However, in the midst of a skills crisis, we are aware of the obstacles in our path. Industry must have the people capability and capacity to build, maintain and sustain the new submarines, which is why we have commenced developing the Submarine Workforce and Industry Strategy to ensure we have the people with the skills we need to deliver and operate our Defence assets.

The keystone of this strategy is a dedicated Skills and Training Academy, which will be a dedicated hub to attract, grow, develop, qualify and retain the shipbuilding workforce to meet current and future demand and provide opportunities for continuous development of the existing workforce.

Working in lockstep with state and territory governments, industry, unions, universities, education and training providers and the scientific and technical sectors, this academy will be vital to attracting, and maintaining the workforce to support and build the capabilities of Australia's world-leading defence industry.

This work has already begun with the landmark National Skills Agreement endorsed last year, and discussions on the five year Agreement are well underway.

Planning and forecasting workforce demand and supply, identifying priority skills areas, education and training requirements and finalising a workforce strategy, will help develop opportunities to equip Australians with the skills needed for these long term secure and well paid jobs.

We want to see career training programs bring new people into the workforce, such as apprentices. We want to lift the skills of the existing naval shipbuilding workforce. We want to see transition programs to bring in people from adjacent industries in the defence, manufacturing and technology sectors.

The Academy will support the entire shipbuilding workforce, providing hands-on trades training and classroom based professional development, backed by cutting edge technology and modern facilities.

While the sleeping quarters of submarines are notoriously confined, the expansive impact of this announcement cannot be understated as we strategically invest in an industrial scale skills uplift of national significance rarely if ever seen before.

This opinion piece was first published in The Daily Telegraph on Wednesday, 22 March 2023.

Department of Employment and Workplace Relations - Released under FOI

MEDIA RELEASE

14 Mar 2023

Prime Minister, Deputy Prime Minister, Minister for Defence, Minister for Defence Industry, Minister for International Development and the Pacific

The Albanese Government is developing a comprehensive AUKUS Submarine Workforce and Industry Strategy to support delivery of advanced conventionally-armed nuclear-powered submarines to the Australian Defence Force.

The AUKUS submarine program will be the most transformative industrial endeavour in Australian history – exceeding in scale, complexity and economic significance the creation of an Australian automotive manufacturing sector and the construction of the Snowy Scheme in the post-war decades.

Australia's industrial base will be just the second in history to be granted access to highly sensitive US nuclear propulsion capability and afforded the ability to access, handle, build and sustain this sensitive technology.

The program will create around 20,000 direct jobs over the next 30 years across industry, the Australian Defence Force and the Australian Public Service including trades workers, operators, technicians, engineers, scientists, submariners and project managers.

At its peak, building and sustaining nuclear-powered submarines in Australia will create up to 8,500 direct jobs in the industrial workforce

With hundreds of thousands of components, nuclear-powered submarines will present a unique opportunity for Australian companies to contribute not only to the construction and sustainment of Australia's new fleet but to the supply chains of partner nations.

Australia's scientific, education and training institutions will also play a central role.

Australians have already commenced training and working on UK and US nuclear-powered submarines and in UK and US facilities.

Between 2027 to 2032, an additional 500 direct jobs are expected to be created to sustain the Submarine Rotational Force-West US and UK presence in Western Australia.

This will mean Australia has a trained and experienced sovereign workforce for the arrival of Australia's Virginia class submarines from as soon as the early 2030s.

At its peak, up to an estimated 4,000 Australian workers will be employed to design and build the infrastructure for the new submarine construction yard in South Australia.

A further 4,000 to 5,500 direct jobs will be created to build the nuclear-powered submarines in South Australia when the program reaches its peak in 20 to 30 years,

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almost double the workforce the former Government forecast for the Attack class program.

To support delivery of the submarine program, the Government has commenced developing the AUKUS Submarine Workforce and Industry Strategy to:

- Attract, recruit, develop, qualify and retain a highly-skilled trades, technical, scientific and engineering workforce.
- Invest in new infrastructure for sustaining and building nuclear-powered submarines in Australia.
- Support and build the capabilities of Australia's world-leading defence industry.

This will involve working closely with state and territory governments, industry, unions, education and training institutions and the scientific and technical sectors.

We understand this is a whole of nation effort – as such, the Prime Minister will be putting this on the agenda for the next National Cabinet to ensure all jurisdictions can access the workforce and industry opportunities.

Key elements of the Strategy the Government is planning include:

Infrastructure

- **New sustainment infrastructure in Western Australia** at HMAS *Stirling* including wharf upgrades, warehousing and sustainment facilities.
- **New submarine construction infrastructure in South Australia** at the Osborne shipbuilding precinct, including site identification and design, land transfer discussions, civil works and prototype facilities.
- **National engineering and technology facilities.**

Workforce

- **Australian submarine industrial workforce planning** including forecasting workforce demand and supply, identifying priority skills areas, identifying education and training requirements and finalising a workforce strategy.
- Working with the South Australian Government on a **dedicated Skills and Training Academy** to deliver tailored education, training and skilling for Australia's submarine and naval shipbuilding workforce including:
    - Career training programs to bring new people into the workforce, such as apprentices, undergraduates and graduate apprentices.
    - Lifting the skills of the existing naval shipbuilding workforce.
    - Transition programs to bring in people from adjacent industries in the defence, manufacturing and technology sectors.
- Working with the **Western Australian** Government to develop a **skills and training program,** leveraging existing relationships with WA vocational and tertiary institutions.
- Early **opportunities to embed** industrial**,** Australian Defence Force and Australian Public Service **personnel in UK and US** facilities and shipyards.
- **New education and training courses** including:

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- Expanding the **Sovereign Shipbuilding Talent Pool (SSTP),** commencing with an initial cohort of 74 apprentices, undergraduates and graduates in coming months.
- Developing nation-wide **education and skilling plans** with the university and vocational education sectors.
- Supporting an existing cohort of over 50 Australians to commence **new specialised courses** in the UK and US and new tertiary courses for nuclear engineering at the University of New South Wales and nuclear science at the Australian National University.

Industry

- Developing opportunities for **Australian industry to carry out maintenance for US Virginia class and UK Astute class submarines** during their rotational presence in Western Australia.
- **Opportunities to embed Australian industry** in the UK and US nuclear-powered submarine construction and sustainment programs and supply chains with our partners, including Australian industry **supplying Australian-manufactured materials and components** to the UK and US submarine programs.
- Establishing **mechanisms for Australian industry to register interest** in participating in the Australian, UK and US nuclear-powered submarine programs.

The AUKUS Submarine Workforce and Industry Strategy will be finalised and implemented in consultation with our trilateral partners and state and territory governments, industry and unions.

It will complement the Albanese Government's wider agenda to revitalise Australian manufacturing, ensuring we are a country that makes things – including identifying defence capability as a priority funding area for the $15 billion National Reconstruction Fund.

Australia's defence industry and workforce will be vital partners in the AUKUS submarine program over the next four decades and beyond – delivering a critical defence capability and supporting an industrial and skills expansion of national economic significance.

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ASSETS & FLEET  Judy Skatssoon

Building nuclear subs workforce a huge challenge for government

10 April, 2023



The nuclear submarine program will need about 200 top level experts with about 20 years experience on real nuclear systems, a senior academic says.

The government faces an uphill battle to establish the workforce it will need for its nuclear powered submarines program, a senior academic says.

Dr Edward Obbard heads nuclear engineering at UNSW, one of the Australian research institutions earmarked by the federal government to turn out the top level experts and nuclear-capable engineers required to support a sovereign program.



Dr Edward Obbard

He says the government will face major challenges to meet the schedules announced last month.

"It's only four years until 2027 and that is when the first nuclear-powered submarines will be coming to Australia, and we will have to have people trained up to work on them and help maintain them, while also getting experience of the nuclear systems involved," Dr Obbard says.

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"It does not sound very far away to me and right now there are insufficient numbers of trained experts to support a sovereign nuclear propulsion program."

Nuclear fleet

The government has unveiled plans to build a fleet of SSN-AUKUS nuclear powered submarines over the next 30 years, with US and UK nuclear powered submarines to be stationed in WA while the new vessels are being built.

The government has acknowledged the program will need a large workforce. It says it is developing a workforce and industry strategy to create around 20,000 jobs over the next 30 years across industry, the ADF and the APS, including trades workers, operators, technicians, engineers, scientists, submariners and project managers.

It estimates that at its peak, building and sustaining nuclear-powered submarines in Australia will require 8,500 direct industrial jobs.

That includes an estimated 4,000 workers to design and build the infrastructure for the new submarine construction yard in South Australia, and a further 4,000 to 5,500 to build the submarines within the next 20 to 30 years – almost double the workforce forecast for the dumped Attack class program.

Three-tier workforce

Dr Obbard's modelling suggests it will take three tiers of workers and a workforce of at least 8,000 to build and maintain the submarines, and around 1,500 more to operate them.

The top tier alone will need about 200 highly trained and experienced experts responsible for top-level decisions. This cohort will require high levels of education and about 20 years experience working on real nuclear systems, he says.

"To produce this community of top tier subject matter experts I think that you'd have to produce about 100 PhDs a year in some kind of nuclear relevant discipline," he told *Government News*.

> To produce this community of top tier subject matter experts I think that you'd have to produce about 100 PhDs a year in some kind of nuclear relevant discipline. At the moment we're turning out single digits.
> *Dr Ed Obbard*

"At the moment we're turning out single digits."

The second level will be scientists, electrical and mechanical engineers, technical managers, reactor operators and even health physicists, with seven to ten year experience, also in working nuclear scenarios.

"With 13 possible boats, around 4300 people with the necessary skills and training will be required at this level to support the AUKUS program," he says.

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"I think Australia will need to send a significant amount of those middle tier experts overseas because we have so few nuclear facilities here for them to get the training they need on the relevant systems."

The easiest group to produce will be the 4000 to 5000 workers with nuclear awareness level training, mainly tradespeople and skilled professionals, such as fitters, machinists, and welders.

"The bulk of the workforce in a shipyard would likely be at this 'nuclear-aware' level, and the training might only take a couple of months," Dr Obbard says.

Dealing with the waste

Those figures don't take into account the workers who'll be needed to build, operate and manage the nuclear waste dump, which the government revealed last month will be located in Australia.

"Meeting all of those principles requires a significant workforce, Dr Obbard says.

"It's not just about engineers and mechanics, there is also a vast amount of regulatory and government systems required."

> It's not just about engineers and mechanics, there is also a vast amount of regulatory and government systems required.
> *Dr Ed Obbard*

He says Finland's experience in building the world's first deep geologic repository for spent nuclear fuel gives an indication of the task ahead.

Finnish waste management company Posivo has started building the facility near the Olkiluoto Nuclear Power Plant on the west coast of Finland.

The cost is estimated at 3.5 billion euros, or $AU5.7 billion, with Posivo's application for the operating licence taking more than 40 years of research.

Sovereignty at stake

Dr Obbard says whether or not Australia can produce the workforce required has important implications for the program's sovereignty.

The government says Australians have already started training and working on nuclear-powered submarines and in UK and US facilities.

But Dr Obbard says unless Australia can produce the top experts, critical decisions will potentially end up being made by its AUKUS partners.

"Sovereignty relies on us having the workforce and skills to make these key decisions, such as when it's safe to extend the life of a nuclear reactor," he says.

"Probably Australian engineers and scientists should be making that decision. It would be good if we could make that decision without having to rely on someone else to tell us that's safe."

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WORKFORCE & SKILLS

South Australia is spearheading the largest, most complex naval shipbuilding and Defence projects in our nation's history.

A skilled workforce will be crucial to continuing our state's leading role in Defence project delivery. To achieve this, work has begun to ensure South Australian workers and industry are in the best possible position to capitalise on the opportunities ahead.

Building the workforce of the future

More than 14,000 workers are employed in South Australia's defence sector, and it is anticipated more than 10,000 jobs will be added to the defence industry pipeline plus thousands more in adjacent industries over the next two decades.

South Australia will be the home of Australia's nuclear-powered submarine construction, helping to deliver the single greatest upgrade for our Defence capability starting in 2023 as part of the security partnership between Australia, the United Kingdom and the United States (AUKUS). At its peak, up to 4,000 workers will be employed to design and build the infrastructure for the Submarine Construction Yard in Osborne, South Australia. A further 4,000 to 5,500 direct shipyard jobs are expected to be created to build nuclear-powered submarines in South Australia when the program reaches its peak.

While the Nuclear-Powered Submarine program will require thousands of jobs for engineers, scientists, operators, technicians, submariners, project managers, administrators and tradespeople, there are also a wealth of opportunities across other sectors including naval shipbuilding, aerospace, information warfare, cyber and systems.

AUKUS will enhance Australia's defence capabilities, creating exciting job opportunities both in the short- and long-term for people looking to commence, move or continue their career journey in Australia's 'Defence State'.

Work has begun for the South Australian Government to ensure the state is in the best possible position to capitalise on the opportunities ahead.

Initiatives include:

- Defence Industry Workforce and Skills Taskforce
- establishing five new technical colleges
- establishing a Skills and Training Academy at Osborne
- targeted defence industry career campaigns and website.

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Defence Industry Workforce and Skills Taskforce

The South Australian Government in partnership with the Australian Government is aligning state and commonwealth strategies to build a highly skilled Defence industry workforce of the future.

The Defence Industry Workforce and Skills Taskforce will develop a skills and workforce plan to identify measures to support the delivery of current and future defence industry projects and coordinate investment in education and training to meet the growing demand in skills and experience.

Taskforce stakeholders will come together to coordinate efforts to:

- grow the pipeline of STEM qualified graduates
- ensure the investment in education and training for the defence industry is targeted to address priority needs, including new models of training
- transition skilled workers from other sectors into the Defence industry
- increase the participation of women and Indigenous Australians in STEM careers and the defence industry
- ensure school leavers are aware of defence industry job opportunities and get the skills they need.

New technical colleges

To help address the skills shortage, the South Australian Government is building five new technical colleges across South Australia.

The technical colleges will provide a bridge for students between education and the workforce, supporting students in years 10 to 12 to complete their SACE while undertaking vocational education and training (VET) in state-of-the-art specialist facilities.

BAE Systems Australia has signed on as a key employment partner at the state's first college, Findon Technical College. The college will ensure a pipeline of skilled workers for the defence and naval shipbuilding industries providing pathways to welders, fabricators, computer assisted designers, programmers, robotic technicians and more.

Learn more about the technical colleges.

Skills and Training Academy

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The next-generation nuclear-powered submarine program will see South Australia at the forefront of one of Australia's greatest industrial undertakings.

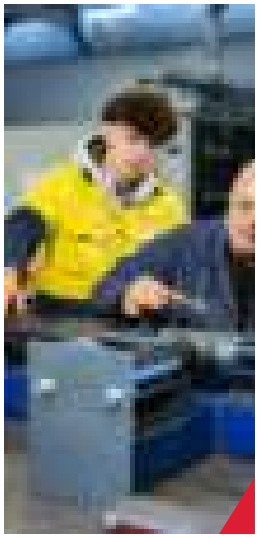
To address workforce requirements for the program, the South Australian and Commonwealth governments have signed a Cooperation Agreement outlining a commitment to construct, establish and operate a Skills and Training Academy at Osborne.

The Academy will build training and career pathways for the submarine and naval shipbuilding workforce as the state prepares for the construction of the SSN-AUKUS nuclear-powered submarines.

Delivering tailored education, training and skilling, the Academy will:

- Provide career training programs to bring new people into the workforce, such as apprentices, undergraduates and graduate apprentices.
- Lifting the skills of the existing naval shipbuilding workforce.
- Provide transition programs to bring in people from adjacent industries in the defence, manufacturing and technology sectors.

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We pay our respects to the people, the cultures and the elders past, present and emerging.

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International Students and Skills

Government Position

- The Minister for Skills and Training has **limited but specific portfolio responsibilities** in relation to international VET students, which include:
    - skills assessments for migration, including the Government's response to the **Review of the Migration System** related to skills assessments
    - VET sector policy, including the Government's response to the **Nixon Review** related to the regulation of international VET (SB23-000096 refers)
    - Jobs and Skills Australia's (JSA) role in providing independent advice to Government on labour market and skills needs, including as it relates to international students.

Review of the Migration System – Skills and Training Portfolio

- The **Review of the Migration System** published in March 2023 outlined 38 possible reform directions for Government consideration to support a more targeted, simpler migration system that serves Australia's national interest and helps migrants thrive.
- The only recommendation within the purview of the Skills and Training portfolio is set out in the table below. The Government announced actions to address this recommendation on 12 September 2023.
- Other measures to address the recommendations of the Review are not yet announced, and will be published with the Government's **forthcoming Migration Strategy** (release date TBC).

Table A – Skills and Training Group Response to Migration Review

Recommendation	Response (announced on 12 September 2023)	Timeline for delivery
Rec 35, Chapter 16: Improving and streamlining skills recognition, to help more migrants, including secondary applicants, enter the labour market at a level commensurate with their qualifications.	The Government's migration skills assessment oversight function, **Assessing Authority Policy and Assurance** (AAPA) is reviewing the skills assessment process and will develop new standards for skilled migration assessing authorities to raise the integrity, quality and timeliness of migration skills assessments. A public discussion paper Draft Best Practice Principles and Standards for Skilled Migration Assessing Authorities was released on 12 September 2023 on standards for skilled migration assessing authorities to underpin the new assurance model. AAPA is engaging with relevant stakeholders including assessing authorities, state/territory government, education and training providers, business and industry, unions, multicultural community organisations.	Public submissions for the discussion paper closed on 23 October 2023. Agreement on the new standards will be sought from the Minister for Skills and Training by the end of 2023, with the new assurance framework to be implemented by mid-2024.

Government Response to the Nixon Review – Skills and Training Portfolio

- **The Nixon Review** made 34 recommendations around seven key findings designed to strengthen the visa system to prevent, deter and sanction those who seek to abuse or exploit vulnerable migrants, in particular international students.
- Most of these recommendations are within the portfolio responsibility of the Department of Education and the Department of Home Affairs.
- The only recommendations within the purview of the Skills and Training portfolio are as follows.

Table B - Skills and Training Group Response to Nixon Review

Recommendations: Skills and Training	**Response (announced on 2 October 2023)**	**Timeline for delivery**
Rec 14: The Review recommends a targeted compliance operation, focussed on assessing high risk private VET providers be conducted. AGREED	The Government is implementing reforms to further build the capability and capacity of ASQA to identify and address threats to the integrity of VET and improve student protections including a $37.8m investment to establish a new Integrity Unit and to support an uplift in digital and data systems.	Integrity Unit and supporting digital and data uplift announced on 3 October 2023. Confidential tip-off line operating from 4 October 2023. Questions regarding implementation of Integrity Unit and digital/data uplift should be referred to ASQA.
Rec 15: The Review recommends a targeted data matching activity to compare information holdings across Commonwealth agencies for private VET providers be conducted. AGREED IN-PRINCIPLE	The Government is investing in reforms to support ASQA's digital and data capability, improving data capture and analysis and supporting data sharing activities between agencies. This will also support the implementation of recommendations 16 & 17.	
Recommendations: Education	**Response**	**Timeline for delivery**
Rec 16: The Review recommends education regulators to develop a broader set of systemic risk indicators for CRICOS-registered education providers. AGREED	The Department of Education will work across government agencies and relevant regulators to develop risk indicators as a whole-of-system approach to identifying risk and improving compliance.	Refer to Department of Education
The Review recommends education providers' compliance with reporting non-attendance by international students through PRISMS be closely monitored. AGREED	The Department of Education will work across government agencies and relevant regulators to consider how to enhance compliance with reporting and monitoring non-attendance.	

Sensitivity – rapid increase in temporary migration, including international students

- As a further outcome of the Migration Review and the Nixon Review, the Government has committed to supporting international student transitions and international education integrity, noting the international student sector represents the largest component of Australia's temporary migration program and the biggest feeder into the permanent migration program.
    - Australia has experienced strong growth in Net Overseas Migration (NOM), driven in part but not exclusively by a significant increase in student visa-holders since borders were reopened to students in December 2021.
    - The current spike in student and graduate numbers is in part due to returning students who departed Australia during the pandemic, and students who deferred their study plans.
    - Viewed over a longer timeframe current VET enrolments are broadly in line with the historical growth trajectory.
- The vocational education and training (VET) sector is the second largest international education sector for Australian onshore enrolments, with 273,838 in 2022 (36.7% of all enrolments). In 2022, the top represented nationalities were India (26%), Nepal (13%) and the Philippines (5.8%).
    - **Economic considerations**: In 2022, international VET enrolments generated $6.6 billion for the Australian economy, equating to 24.7% of total international education exports. Approximately 70% is estimated to be attributed to the goods and services paid by students such as rent, travel and compulsory private health insurance, with the remainder tuition fees.
    - **Workforce considerations**: Student and temporary graduate visa holders make a significant contribution to our labour market, particularly in essential casual and part time employment. This was particularly evident during the pandemic which highlighted how important such roles are to our supply chains and economy. The Migration Review recommended investigating opportunities to reduce the misuse of the student visa by those using it primarily to seek work in Australia instead of studying.
    - **Quality education**: The learning experience and people-to-people links facilitated by VET, and international education more broadly, provide influence and enduring international relationships. International students who have studied with Australian VET providers and lived in our communities become 'brand ambassadors' maintaining strong life-long connections with Australia.
    - **Diplomatic considerations**: A 2022 analysis from the Lowy Institute noted that increasing VET enrolments presented new opportunities for Australia's relationships with South-east Asia as part of the transition to the next phase in the digitisation of the manufacturing sector (i.e., fourth industrial revolution). This is supported by the findings and recommendations of the Southeast Asia Economic Strategy to 2040 (the Moore Report), which highlights the potential for returned International VET students to support existing trade relationships and investment by Australian companies in the region.

Overview of Skills Portfolio Responsibilities – International Students

Skills assessments for migration

- The department supports the Minister for Skills and Training's responsibilities for the approval and ongoing assurance of entities which undertake skills assessments for migrants.

Australian Skills Quality Authority (ASQA)

- The Australian Skills Quality Authority (ASQA) is the national regulatory agency for Australia's VET sector. The *National Vocational Education and Training Regulator Act 2011* (NVETR Act) establishes ASQA and the legislative framework for the regulation of VET nationally.
- Australia has a comprehensive international education and training quality framework, set out in the *Education Services for Overseas Students Act 2000* (ESOS Act), to safeguard overseas students studying in Australia on a student visa. Policy responsibility for the ESOS Act sits within the Department of Education.
- Regulation of the ESOS Act is shared between three ESOS bodies:
    1. Australian Skills Quality Authority (ASQA) - VET
    2. Tertiary Education Quality and Standards Agency (TEQSA) – higher education
    3. Department of Education – schools education.
- Providers must meet all eligibility requirements under domestic frameworks before being considered for registration under the ESOS framework. Using a risk-based approach, ASQA and TEQSA have a variety of regulatory tools, such as compliance audits, monitoring visits and data analysis to determine education providers' compliance with the relevant standards. (Refer to EC23-004294).

Jobs and Skills Australia

- The Skills and Training portfolio includes policy responsibility for Jobs and Skills Australia (JSA), which provides independent advice to Government on labour market and skills needs.
- JSA will undertake a point in time analysis of migration pathways and employment outcomes for international students and graduates to support outcomes from the Review of the Migration System, including identifying barriers faced by international students, post-study, in fields linked to skills in demand in the Australian labour market.

Key Touchpoints with Other Portfolios – International Students

- The Skills and Training, Education and Home Affairs portfolios have overlapping interests in the regulation and design of the international education sector, including for international VET. Areas of interest include:
    - stronger regulation of providers and agents
    - promotion of providers of choice, such as TAFE
    - stronger entry and language proficiency requirements
    - improved student experience
    - changes to student working hours to ensure they are able to focus on obtaining a quality Australian education and qualification, and
    - clearer and more effective graduate pathways for migration and employment.
- Ongoing collaboration between all 3 portfolios and Jobs and Skills Australia is essential to delivering stronger social and labour market outcomes for students and migrants, and improving the contribution of Australia's migration program to meet the skills needs of the economy.

Department of Home Affairs

- Home Affairs is responsible for student and graduate visa processing, and the design of Australia's migration system.

Department of Education

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- Australia has a comprehensive international education and training quality framework, set out in the *Education Services for Overseas Students (ESOS) Act*, to safeguard overseas students studying in Australia on a student visa.
- Policy responsibility for the *ESOS Act*, under which ASQA operates in addition to the *National Vocational Education and Training Regulator (NVETR) Act*, sits with Education.

Department of the Treasury

- The department has been actively engaged with the Department of Treasury to provide input for the Employment White Paper where intersections between the skills and training, employment and migration systems have been identified.

Recent media on this policy

- 3 October 2023 - the Ministers for Home Affairs, Immigration, Citizenship and Multicultural Affairs, Education, and Skills and Training issued a joint media release announcing $37.8 million for measures to improve integrity in the VET system and protections for students.
- 12 September 2023 – the Hon Brendan O'Connor MP, the Hon Clare O'Neil MP and the Hon Andrew Giles MP media release on the publication of the *Best Practice Principles and Standards for Skilled Migration Assessing Authorities* discussion paper – Skills assessment reform for migrants and local businesses.
- 12-15 September 2023 – media reporting on the Ministers' announcement on the release of the discussion paper on new best-practice standards for skilled migration assessing authorities:
    - CCN – *Skilled migration review* (**Attachment A**)
    - Mirage News – *Migrant Skills Assessment Reform Benefits Local Businesses* (**Attachment B**)
    - AuManufacturing – *Discussion underway on reforming skilled migrant assessments-* (**Attachment C**).

Key data

Attachment D – Infographic on Australia's skilled migration system.

Background

Migration Strategy

- The Minister for Home Affairs released for discussion A Migration System for a More Prosperous and Secure Australia - Outline of the Government's Migration Strategy (Migration Strategy). The Outline is informed by the Review of the Migration System, on which the department was actively engaged as part of broader consultations.
- Key actions in the Migration Strategy to strengthen the monitoring and regulation of education providers and agents to improve the quality of international education, and improving skills recognition and assessments to better unlock the potential of migrants, are being led by the Education and Skills and Training portfolios.

Skills assessments for migration

- The Minister for Skills and Training is empowered under the Migration Regulations 1994 to approve assessing authorities to undertake skills assessments for occupations on the Skilled Migration Occupations Lists.
- Over 100,000 skills assessments, of which more than half are for international graduates, are delivered annually by 39 skilled migration assessing authorities.
- Prospective skilled migrants collectively pay approximately $100 million in skills assessment fees annually.
- International students provide a pipeline of skilled labour, particularly for VET occupations. Between 1 January 2023 and 31 August 2023:

- 56% of applicants who got a VET skills assessment were graduates who studied in Australia (approximately 20,000 applicants). 44% of applicants who got a VET skills assessment studied and gained experience offshore.
- 75% of VET skills assessments were for occupations in shortage (and 95% of trades occupations).

- Under the Migration Regulations 1994, assessing authorities are responsible for setting and maintaining the skills assessment standards for the occupations they assess.

Trades Recognition Australia

- Trades Recognition Australia (TRA) is the assessing authority for 131 technical and trade occupations under the Migration Regulations 1994.
- Funding for TRA is structured as fully cost recovered through the collection of fees from applicants, in accordance with the Australian Government Charging Framework.
- Trades Recognition Australia is comprised of 6 programs:
  - The **Provisional Skills Assessment** (PSA) is for international student graduates holding a VET qualification from a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered RTO based on studies in Australia. The outcome is a pre-requisite for the Job Ready Program and may be used for applications for a Temporary Graduate sub class 485 visa.
  - The **Job Ready Program** (JRP) is a 12-month employment-based skills monitoring and assessment program for international student graduates with a qualification issued by a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered training organisation based on studies in Australia.
  - The **Offshore Skills Assessment program** (OSAP) and Temporary Skills Shortage (TSS) Skills Assessment program provide skills assessments for applicants on or offshore needing a technical/practical assessment of their skills and experience.
  - The **Migration Skills Assessment** (MSA) program is an evidence-based desktop assessment to determine if an applicant has the skills and experience comparable to Australian industry standards for their nominated occupation for the purpose of a permanent skilled migration visa.
  - The **Migration Points Advice** (MPA) program is a comparability assessment for applicants with a successful TRA skills assessment outcome who are applying to the Department of Home Affairs (Home Affairs) for a points tested, independent skilled migration visa.

Skills Assessment Pilots

- The Skills Assessment Pilots are made up of 3 pilots to support economic growth by removing barriers to skills assessments and ensuring skilled migrants have the core skills required to thrive in Australian workplaces.

Pilot	Description
Pilot One – *Faster Migrant Skills Assessments* Contract Start: 28 February 2022 Contract End: 17 June 2022	• Contracted assessing authorities were funded to expedite relevant skills assessment applications they had on-hand at the time of the Pilot's commencement. • This was to reduce assessing authority backlogs and speed up migrants' progression towards a skilled visa application.
Pilot Two – *Skills Assessment Opportunities for Migrants* Contract Start: 28 February 2022 Contract End: 29 February 2024	• Contracted assessing authorities are being funded to provide free, fast-tracked skills assessments to migrants on family, partner, humanitarian, and refugee visas, and secondary entrants of skilled visa holders.

	• This is to support the employment prospects of migrants who have not formerly undergone a skills assessment but may have skills relevant to priority occupations.
Pilot Three – *Employability Assessments* Contract Start: 26 September 2022 Contract End: 29 February 2024	• Free employability assessments and subsidised training for underemployed, onshore, skilled migrants with a suitable skills assessment outcome. • Contracted assessing authorities are being funded to identify applicants who have previously received a suitable skills assessment outcome in a priority occupation and refer them to the Employability Assessment Provider (EAP). • The contracted EAP is being funded to deliver employability assessments to help underemployed migrants identify and address any employability skills gaps. • The employability assessments will focus on the 10 core competencies developed by Jobs and Skills Australia (e.g., teamwork and oral communication) and identify any employability skills gaps. • These migrants will also have access to subsidised training to strengthen their employment opportunities in the Australian job market.

- Minor adjustments in the 2023-24 Budget delivered savings of $3.86 million whilst ensuring the Pilots still serve enough participants to provide a sufficient evaluation sample and robust data to inform future policy design.
- Adjustments to Pilots 2 and 3 include: 8-month extensions, new eligible occupations to reflect the 2022 Skills Priority List and expanding eligibility criteria to make the Pilots more accessible to migrant women. Changes aim to maximise uptake and ensure participants are successful in gaining work.
- The department renewed promotion efforts for Pilots 2 and 3 in August through October 2023 to increase program uptake, including translation of promotional materials into 20 languages, program webpage updates, promotional videos, renewed social media campaign, integration into the MyAus app, and continuous stakeholder engagement with Home Affairs, Workforce Australia, Services Australia and other migration and refugee organisations.
- The department is exploring ways to improve and streamline skills recognition processes and support migrants to participate in the labour market at a level commensurate with their skills and qualifications. The Pilots are gathering valuable information about assessing authority processes, applicant demographics and employment outcomes for skilled migrants following their skills assessment.
- Substantive findings are scheduled for June 2024, with formative reports to provide any initial findings and inform ongoing Pilot delivery.
- To date, the Pilots have supported over 4,000 onshore migrants with skills relevant to priority occupations.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	18 October 2023



Skilled migration review

By Sandra Rossi | 15 September 2023

(https://www.addtoany.com/share)

The Federal Government has released a discussion paper seeking feedback from stakeholders on the new standards for skilled migration assessing authorities.

The paper sets out draft principles and standards, outlines current skills assessment practices and proposed improvements to the way that skills assessments are conducted.

The current skills assessment process is complex, costly and lengthy, with the completed Migration Review calling for actions to improve and streamline the recognition of overseas skills to help migrants enter the labour market at a level commensurate with their qualifications.

Raising standards will have significant benefits for migrants, employers and industry and ensure skills assessments are being delivered optimally in terms of standards, timeframes, industry requirements and costs.

Skills assessments are required for certain visa subclasses to ensure prospective migrants have the skills, qualifications and experience to meet Australian occupational standards.

Minister for Skills and Training, Brendan O'Connor, a diverse workforce, which draws skilled workers from within Australia and overseas, will help build a solid foundation for continued economic growth.

"There is an international marketplace for skilled workers and we must ensure that we attract and retain the best and the brightest from around the world," he said.



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Migrant Skills Assessment Reform Benefits Local Businesses

Department of Home Affairs

Joint media release with the Hon Andrew Giles MP and the Hon Brendan O'Connor MP

The Albanese Government has released a discussion paper seeking feedback from stakeholders on the new standards for skilled migration assessing authorities.

The paper sets out draft principles and standards, outlines current skills assessment practices and proposed improvements to the way that skills assessments are conducted.

The current skills assessment process is complex, costly and lengthy, with the completed Migration Review calling for actions to improve and streamline the recognition of overseas skills to help migrants enter the labour market at a level commensurate with their qualifications.

Raising standards will have significant benefits for migrants, employers and industry and ensure skills assessments are being delivered optimally in terms of standards, timeframes, industry requirements and costs.

Skills assessments are required for certain visa subclasses to ensure prospective migrants have the skills, qualifications and experience to meet Australian occupational standards.

The paper is available at Best Practice Principles and Standards for Skilled Migration Assessing Authorities.

Submissions close on Monday 23 October.

Quotes attributable to Minister O'Connor:

"Improving opportunities for Australians to acquire the skills that are in demand, but also working to ensure we have a targeted skilled migration system is an ongoing focus.

"A diverse workforce, which draws skilled workers from within Australia and overseas, will help build a solid foundation for continued economic growth.

"There is an international marketplace for skilled workers and we must ensure that we attract and retain the best and the brightest from around the world."

Quotes attributable to Minister O'Neil:

"Improving skills assessments is a significant part of the work the government is doing as it develops the Migration Strategy, which will build a better targeted skilled migration system which delivers real benefits for migrants, Australian businesses and the entire Australian economy.

"This is another step in rebuilding a migration system which was left broken and dysfunctional by the previous government."

Quotes attributable to Minister Giles:

Department of Employment and Workplace Relations - Released under FOI 681 of 853

"When the Albanese Government came into office, it was clear that the migration system was broken after a decade of mismanagement from the Liberals.

"We understand that there isn't a binary choice between skilling up Australians and using our migration system to address skills shortages across the country.

"We're committed to making sure our migration system works for all Australians, and improved skills assessment is a significant step towards achieving this goal."

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HealthcareLink and SSI Speed Up Aged Care Talent Onboarding
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IMF Staff Ends Burundi Visit
05 OCT 2023 3:30 PM AEDT

UPDATE: Serious crash, Temuka
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05 OCT 2023 3:24 PM AEDT

Supers in Singapore
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12 September 2023 14:14

By **Staff Reporter**

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Boeing Defence sees biggest trades intake

Boeing Defence Australia (BDA) has welcomed eight apprentices in single intake to the company's trades workforce. The apprentices, graduated from Aviation Australia's (AA) 80-day Certificate II in Aircraft Line Maintenance, will join BDA's F/A-18F Super Hornet and EA-18G Growler maintenance program at RAAF Base Amberley. They take apprentice numbers across all of Boeing Australia to 44. "As the sustainment provider for the most Australian Defence Force (ADF) platforms, we're building a stronger sovereign trades workforce to support fleet upgrades, increased fleet sizes, and the introduction of the Apache," said Mike Prior, BDA's director of Product Support, Training & Maintenance, on Tuesday. Graduate Daniel Gaskin spent 12 years in automotive mechanics before being accepted into the apprentice program. "This opportunity has allowed me to meld my mechanical background with a genuine interest in aircraft mechanics and engineering," Gaskin said.

Medical devices vigilance program pilot



The Therapeutic Goods Administration (TGA) is commencing a new Medical Devices Vigilance Program (MDVP), which begins as a 12-month pilot.

According to the TGA, the pilot is designed to support medical dev sponsors in complying with regulation and give the public confider sponsors are meeting their responsibilities. Sponsors who have m devices included in the Australian Register of Therapeutic Goods (A able to volunteer. Sponsors need to have systems in place to moni performance of the devices they supply, receive, update and maint information about their devices and report details of adverse event performance issues to us. The MDVP pilot aims to identify areas th require improvement, to ensure there is appropriate monitoring and communications to support the ongoing safety of medical devices the Australian public. Those interested in volunteering can see mor information at this link.

Discussion underway on reforming skilled migrant assessments

The federal government released a discussion paper on Monday s feedback from stakeholders on the new standards for skilled migra assessment authorities. The paper sets out draft principles and sta outlines current skills assessment practices and proposed improve the way that skills assessments are conducted. The current skills a process was described as complex, costly and lengthy in a statem completed Migration Review has called for actions to improve and recognition of overseas skills to help migrants enter the labour ma level commensurate with their qualifications. The discussion pape accessed here, and submissions close on October 23.**TCF industry to mark Ethical Clothing Australia Week**



Accreditation body Ethical Clothing Australia is preparing to mark E Clothing Australia Week 2023, which it describes as a celebration o manufacturing in the textile, clothing and footwear (TCF) industry. runs from October 19 – 15 and is "an opportunity for the public to Australian businesses who have gone beyond just stating their ope ethical and have taken action to certify they are ethical by" by achie certification, the organisation said in a statement on Tuesday. It ad above all, ECA Week is an "opportunity to celebrate, recognise and acknowledge the 489,000 skilled workers in Australia," more than 7 of which are female. The event will be a hybrid program with both digital and in-person events. There would be an "opportunity to go behind the scenes with local manufacturers and brands Denimsmith, Vince Clothing, Melco Fabrics, Next State Printers, Remuse and Knovus Knitwear" it added.

Imugene awarded Japanese patent for anti-cancer vaccine

ASX-listed clinical-stage immuno-oncology company Imugene has announced the granting of a new patent for its clinical drug candidate by the Japanese Patent Office. The company says the new patent concerns its immunotherapeutic PD1-Vaxx, a first-in-class programmed death-1 (PD1) vaccine, and which currently in clinical development for non-small cell lung cancer (NSCLC). The patent will expire in March 2038 and protects the composition of matter and method of treatment in cancer for PD1-Vaxx for the generation of a therapeutic antibody response against the PD1 checkpoint target. Managing Director and CEO Leslie Chong said, "Attaining the key Japanese patent, on top of gaining protection in the USA this year, is a very important milestone. Recruitment in the Phase 1 PD1-Vaxx trial, as monotherapy or in combination with atezolizumab in adults with NonSmall

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Cell Lung Cancer, has increased markedly recently with strong inte
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Picture: credit Boeing Defence Australia

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Attachment A

Australia's skilled migration system

Assessing authorities

The **Minister for Skills and Training** appoints assessing authorities under the *Migration Regulations 1994* to undertake skills assessments for occupations on the SMOLs.

Skilled Migration Occupation Lists

The **Minister for Immigration, Citizenship and Multicultural Affairs** approves the composition of the SMOLs and oversees migration legislation.

Skills assessments

Assessing authorities undertake assessments of people's qualifications, skills and experience.

Labour market needs

Jobs and Skills Australia analyses labour market data to inform the development of the Skilled Migration Occupation Lists (SMOLs).

Objective:

A migration system that facilitates high rates of **workforce participation**, **boosting the economy** and **filling skills shortages** in priority occupations.

Skilled visas

Migrants use their skills assessment to support their visa application to the **Department of Home Affairs** and obtain meaningful employment.

Department of Employment and Workplace Relations - Released under FOI 253

Budget 'saves' / Audit of wasteful spending

- In June 2022, it was agreed the Australian Government would undertake an Audit of Wasteful Spending to identify opportunities to repair the Budget and improve the quality of Commonwealth spending.
- The Hon Brendan O'Connor MP, Minister for Skills and Training agreed with the department's recommendation to reduce spending on the Women's Mid-Career Transition into the Tech Workforce program and the Industry Training Hubs program.
- The Minister also agreed to realign the under-performing Mid-Career Checkpoint program to more effectively deliver on the commitment to improve women's workforce participation.

Measures reversed as part of the Government's Review of March 2022 Budget measures

Responsible Investment to Grow Our Regions - $121.5 million saving for apprenticeships incentives

- In the 2022-23 March Budget, the previous Government provided **$2.0 billion** over 5 years from 2022-23 to establish the Regional Accelerator Program in the then Infrastructure, Transport, Regional Development and Communications Portfolio.

Questions on the broader measure should be directed to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

- The program included **$144.1 million** for Australian Apprenticeships Initiatives to support regional apprenticeships as follows:
    - **$22.6 million** over 4 years for **29,000** additional In-Training Support places for Australian Apprentices in regional and remote areas
    - **$117.6 million** over 4 years for an additional **5%** wage subsidy for first year apprentices in priority occupations in regional Australia. A further **$3.8 million** was provisioned to account for the flow-on impact of this subsidy, in terms of additional training support costs
    - funding was retained in the October 2022-23 Budget for the **$22.6 million** additional In-Training Support Places component
    - **$9.3 million** of this retained funding has been redirected to expand mentoring and in training supports under new contract arrangements due to come into effect from **1 July 2024.**
- There is clear evidence that in-training support assists apprentices to remain in training for longer, helping to boost completions. Departmental analysis shows that apprentices who receive in-training support are **8.7%** more likely to complete their apprenticeship.
- Funding was not retained in the October budget for the additional **5%** wage subsidy. The Government made the decision to partially reverse the measure as part of its Review of March 2022 Budget Measures, including not proceeding with the increase in priority wage subsidy (announced in the **2023 March** Budget costing **$121.5 million**).
- The first phase of the Australian Apprenticeship Incentive System commenced on 1 July 2022, with a second phase budgeted to commence on 1 July 2024.

- Recent updates to the Australian Apprenticeships Incentive System better align the program of incentives to skills in demand. The Government may decide to conduct a review to consider the appropriateness of incentives and the impact to date of the first phase. Consideration of whether an additional subsidy is appropriate for regional employers would be considered in that context.

Supporting Women's Mid-Career Transition into the Tech Workforce - $3.9 million saving

- As part of the Digital Economy Strategy, **$3.9 million** had been allocated to establish a program to support women to develop and utilise their digital skills and pursue a mid-career transition into the tech workforce.
- The measure included a Discovery Phase for an Online Platform **($0.747 million**), a Coaching and Mentoring initiative **($0.402 million**) and an additional one-year of funding for the existing Skill Finder Platform (**$2.766 million**).
- The Government decided to reverse the measure as part of its review of March 2022 Budget Measures. This decision related to the specific measure only rather than the broader Digital Economy Strategy.
- The Government remains committed to deliver on its goal of **1.2 million** tech-related jobs by **2030** and will continue to work with industry, unions and others to meet Australia's tech skills challenge.
- A key component of the March 2022 Budget measure was the extension of a $2.5 million grant previously awarded through the former Department of Industry, Science and Resources (DISER) for the Skill Finder platform, which supported access to unaccredited rather than accredited training.
    - The Skill Finder Platform was initially funded by a **$2.5 million** one off ad-hoc grant for 12 months under the Digital Skills Platform Program, managed by the former DISER.
    - Under the terms of DISER's agreement with Balance Internet (the provider of the SkillFinder platform) and consistent with the Grant Opportunity Guidelines, Balance Internet had until **30 June 2022** to identify a sustainable, on-going funding model for the Platform.
    - DISER confirmed to the then Department of Education, Skills and Employment that the original intention was to transition to a self-sustaining industry funded model at the end of the grant agreement.
- At the time of the announcement, the department expected significant concerns about not proceeding with the measure would be raised. No concerns were raised by Balance Internet nor the ICT organisations that used the SkillFinder Platform as their referral tool.

Industry Training Hubs - $9 million saving

- The Industry Training Hubs (ITH) is a pilot program designed to improve employment opportunities for Year 11 and Year 12 students in 10 regional locations across Australia experiencing skills shortages and with high youth unemployment.
- The administered program budget for ITH for the 2022-23 financial year was reduced from **$16.735 million to $8.985 million** in the October 2022-23 Budget. This change comprised:
    - a **$9 million** saving from the Spending Audit, and
    - a movement of funds from 2021-22 to 2022-23 of **$1.250 million**.
- The budget of **$8.985 million** for 2022-23 compares to **$0.823 million** expended in 2020-21 and **$3.167 million** expended in 2021-22. The change to budget reflects experience of the program to date, with fewer projects proposed and delivered at a lower average cost than initially anticipated.

- The reduced funding will still enable the program to continue delivery to its end date of **30 June 2023,** and for it to be evaluated to inform future policy and program design, with an evaluation currently being conducted by EY Sweeney.
- A total of 170 projects, at a combined value of $5,042,411.77 were completed during the program period. Refer to Attachment A of EC23-004652 for a breakdown of projects by Region, Industry and Stakeholder Group.
- Learnings from the Industry Training Hubs will inform future policy development and program design in the areas of school to work transition, building partnerships between schools, communities, and industry, and addressing skills need and employment opportunities for youth in areas of high unemployment.

Redirecting funds from the Mid-Career Checkpoint Pilot to a new suite of programs targeting women - $56.2 million

- The Mid-Career Checkpoint Program was intended to assist people who had taken time out from their career to care for their family to re-enter the paid workforce or advance their career.
- The program, which targeted women aged 30 – 45, had been consistently under-utilised since it commenced on **1 July 2020**.
- **$75 million** was allocated to the program to support up to **40,000 places** over 5 years from **2019-20 to 2023-24**.
- Due to the consistent under-utilisation of the program, the program ceased at the end of the pilot on **31 December 2022**.
- At the completion of the program on **31 December 2022**, **3,726 participants** had completed the program.
- Funding will be re-directed to the development of a suite of initiatives to support women to achieve higher paying careers through a VET pathway.
    - Initial research on women's participation in VET and the workforce has been performed . It underscores the gendered nature of women's participation in VET, how this leads to industry gender segregation, and the barriers an incentives to women's workforce participation.
    - Preliminary stages of consultation planning have commenced, including the development of a discussion paper to guide consultation, identification of stakeholders for engagement and preparation for bilateral meetings and roundtable discussions.
    - The department is working with an academic expert in women's economic equality to provide expertise, rigour and confidence in consultation activities and identification of opportunities for VET to enhance women's economic equality.
    - Refer to **SB23-000108** for more information .
- Consultation on these initiatives will be undertaken as part of consultations on the Australian Skills Guarantee.

Extending Career Advice Access for Digital Job Seekers – $1.5 million saving

- An extension of the 6-month trial was announced in 2021–22 MYEFO, offering an additional 6 months of the National Careers Institute's qualified career practitioner sessions to eligible digital job seekers.
- An additional **1,820** career guidance sessions were to be offered between **1 July 2022 to 31 December 2022** helping to ensure eligible job seekers have access to up-to-date, accurate advice about career options, including emerging workforce opportunities.

- For the extension of the trial from **1 July 2022**, career guidance sessions would be counted as an activity towards job seekers' mutual obligations requirements.
- Due to the budget processes following the 2022 election, the initial trial ceased on **30 June 2022**. It was then no longer feasible nor beneficial for the trial to re-commence, and as such it was identified as a savings opportunity as part of the Government's Review of March 2022 Budget Measures.
- All bookings for services made up to the **30 June 2022** were honoured by the department.
- Information was provided through frequently asked questions on the website to inform jobseekers that the trial would conclude on **30 June 2022**.
- The department has no record of any concerns raised by jobseekers that the trial was concluding on **30 June 2022**.
- An evaluation of the initial trial will inform future policy formulation.

Background

- Portfolio Ministers were asked to provide developed proposals for saving or reprioritisation of existing spending for inclusion in the Audit.
- The department assessed relevant Skills and Training portfolio programs and sub-programs in line with the request and the Government's economic and fiscal priorities and provided key advice and information to the Minister, including relevant data.
- The Audit was an opportunity to provide input on Government spending where expenditure could be retired, reduced or retained, including 2022-23 March Budget measures, administered payment programs, grant programs and investment funds.
- The scope of the Audit included opportunities to repair the Budget and improve the quality of Commonwealth expenditure and identify spending that is:
  - inconsistent with public expectations on how public resources should be spent
  - could be delivered in an alternative and more cost effective way
  - is not well targeted or delivering the intended outcomes
  - duplicates or overlaps with other spending, and
  - will not support the Government's priorities.

Related questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000176	*O'Sullivan, Matt*	*Saving by External Labour Hire*	*Saving by External Labour Hire*
PQ23-000279	*Paterson, James*	*Technology manufactured or sold by DJI*	*DEWR does not use technology manufactured or sold by DJI*

Last Cleared By	s. 22(1)(a)
Date Last Cleared	11 October 2023

Australian Government
Department of Employment and Workplace Relations

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Industry Training Hubs (ITH) Key Facts (Pilot Program End 30 June 2023)

Grant Projects Delivered	Participants in Funded Activities
170	9,505

Administered Budget and Actuals

Financial Year	Budget (GST Excl) $'000s	Actuals (GST Excl) $'000s
2022-23	7.735[1]	7.311[3]
2021-22	11.722[2]	3.167[4]
2020-21	15.469	.823[5]
2019-20	1.282	.313[6]
TOTAL	36.208	11.614
Total Underspend (= Budget – Actual):		24.594

[1]2022-23 Admin budget reduced from $16.735 to $7.735, providing $9m in savings, following approval of Waste Audit.
[2] In 2021-22 the program received $14.722 million in Administered funding however $3 million was used to offset VCA.
[3]2022-23 Actual includes final payments accrued in June 2023 and payments processed in July – September 2023.
[4]2021-22 Actual confirmed by FBP as per Annual Report Table A.4: Expenses for Outcome 3, 2021-22, Sub-Program 3.1.3: Support for the National Training System.
[5]2020-21 Actual confirmed by FBP as per Annual Report Table A.4: Expenses for Outcomes 3, 2020-21, Sub-Program 3.1.3: Support for the National Training System.
[6]2019-20 Actual $313,000 includes Initial Program costs for travel, IT and contractor fees of $249,000 (Departmental costs to cost centre E2098) and Career Facilitator costs of $64,000. Funding for Career Facilitators to the value $51,000 was initially approved as departmental funding (cost centre E2208) but converted to administered from 2020–21. $13,000 administered costs to cost centre A6162)

Actuals	
ITH Project Expenditure	*$5,042,411.77*
ITH Career Facilitator Payments	*$5,804,990.06*
ITH Evaluation (GST excl)	*$349,710.00*

Industry Training Hubs Project Expenditure

Region	Total Projects	Total Grant Expenditure
Alice Springs (Northern Territory)	5	57,965.26
Armadale (Western Australia)	8	395,616.19
Burnie (Tasmania)	28	1,043,797.04
Gosford (New South Wales)	3	125,803.00
Grafton (New South Wales)	11	295,768.88
Maryborough (Queensland)	33	795,603.87
Port Pirie (South Australia)	18	526,752.93
Shepparton (Victoria)	48	1,209,158.51
Townsville (Queensland)	7	152,431.30
Wanneroo (Western Australia	9	439,514.79
Total	170	5,042,411.77

Participants by Cohort

Participant Group	Percentage	Number*
Students	78.78%	7,488
Teachers	13.65%	1,297
Industry Practitioner	4.31%	410
Parents	3.26%	310
Total	100.00%	9,505

*Based on Grant Agreement funded participants (reflected on GrantConnect).

ITH Projects – Industry Coverage

*Australian and New Zealand Standard Industrial Classification (ANZSIC)

- Education and Training (29%)
- Construction (24%)
- Accommodation and Food Services (15%)
- Agriculture, Forestry and Fishing (13%)
- Health Care and Social Assistance (6%)
- Manufacturing (6%)
- Mining (2%)
- Public Administration and Safety (2%)
- Transport, Postal and Warehousing (1%)
- Electricity, Gas, Water and Waste Services (1%)
- Information, Media and Telecommunications (1%)

Industry Training Hubs Career Facilitator Payments

Location	Commencement*	Launch Date**	Career Facilitator	Organisation	Contract Expenditure (GST Excl)
Burnie (Tas)	7/02/2020	16/03/2020	s. 22(1)	Peirce Consulting Pty Ltd	$883,183.97
Townsville (QLD)	1/09/2020	2/09/2020	s. 22(1)	MEGT (Australia) Ltd	$655,814.10
Maryborough (QLD)	16/02/2021	9/03/2021	s. 22(1)(a)	The BUSY Group Limited	$481,600.00
Port Pirie (SA)	1/03/2021	17/03/2021	s. 22(1)	Career Employment Group Incorporated	$513,190.00
Shepparton (VIC)	23/02/2021	18/03/2021	s. 22(1)	MEGT (Australia) Ltd	$527,982.80
Armadale (WA)	6/04/2021	25/05/2021	s. 22(1)	Chamber of Commerce & Industry of WA	$693,780.00
Gosford (NSW)	1/07/2021	1/07/2021	s. 22(1)	Business NSW	$526,740.00
Grafton (NSW)	1/07/2021	29/09/2021	s. 22(1)	Business NSW	$526,740.00
Wanneroo (WA)	16/08/2021	18/08/2021	s. 22(1)(a)(ii)	Chamber of Commerce & Industry of WA	$555,675.00
Alice Springs (NT)	1/10/2021	26/10/2021	s. 22(1)	Top End Group Training Pty Ltd	$440,284.19

*The date of commencement of the contract with the organisation delivering the Training Hub. **Date of public announcement.

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Notes:

ITH Project Expenditure reflects all payments made against the 170 executed projects.

ITH Career Facilitator Payments (GST Excl) are a combination of service and operating fees including car, leasing office, IT, marketing. Financial data has been provided by Finance Business Partners on 28 August 2023.

Contract Expenditure (GST Excl) reflects the total amount of fees paid to each hub over the course of the Industry Training Hubs program.

Funded Participant numbers are as identified in the Executed Grant Agreement and reflected on Grant Connect. All participant data is recorded on the ITH Finance Spread Sheet. Funded participants reflect the number of participants the Grant proposes to support. Not all projects are funded on the condition of numbers. Training projects are more likely to have been funded according to participant numbers, whereas events and showcases propose a targeted audience number. This information is sourced from the vendors proposal/quote and career facilitators application.

Commenced Participant numbers are identified in the reports provided by the vendor.

Completed Participant numbers are identified in the final reports provided by the vendor.

Total Grant Value is the value of the Grant Agreement and as reflected on Grant Connect. Value of grant is subject to change as per Grant Variation approval. At the conclusion of all projects the actual value of the project is updated on Grant Connect.

Budget and Actual figures are sourced through monthly 2023 SAP Reporting - Administered Programs reports provided by Finance Business Partners.

Data clarification of the 170 projects delivered, participant numbers include five (5) projects where two or more cohort groups and/or industries were catered to. Identified projects are as follows:

- ITH012 Burnie - was delivered across two industries.
- ITH118 Shepparton - was delivered across two industries and to two participant groups.
- ITH026 Townsville, ITH032 Shepparton and ITH083 Maryborough - was delivered to two participant groups.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000176

Senator Matt O'Sullivan on 15 February 2023, Proof Hansard page 5

Saving by External Labour Hire

Question
Senator O'SULLIVAN: So, the department has identified the savings that you'll make across those areas, broken down by external labour hire, consultancy, advertising campaigns, travel and legal expenses?
Ms Jordanoski: As you're aware, that process was undertaken by the Department of Finance. Those numbers were given to us in aggregate as part of the October budget. In terms of how that's applied internally, that's part of how our executive and management are applying our internal budget process. I can't give you the breakdown of where those components are, because we got an aggregate figure from the department.
Senator O'SULLIVAN: Have you identified yet where you're going to make those savings?
Ms James: We've worked that through as a department as part of our internal budget process, and those savings have been applied across the department.
Senator O'SULLIVAN: Are you able to tell us what they are?
Ms Jordanoski: I can't give you that breakdown today, but we can take that on notice.
Senator O'SULLIVAN: Can the department provide a breakdown of the funding reductions that you've made in totality already in each of the above areas?
Ms Jordanoski: In relation to that savings measure?
Senator O'SULLIVAN: Yes.
Ms Jordanoski: As I said, I'm not able to give you that breakdown, but that saving has been applied across the department in terms of our total budget. They've already been taken out. As part of that measure at the budget, the Department of Finance took the funding away from departments. That funding is no longer available into our department and so in effect it is a saving. How we apply that internally, though, is a matter for our internal budget.

Answer

At the October 2022 Budget a savings measure was applied to the department for Savings from External Labour and Savings from Advertising, Travel and Legal Expenses of $11.742 million as published in the department's 2022-23 Portfolio Budget Statement, page 25. This savings measure has been applied proportionately to the department's internal budget, resulting in a reduction of funding to the department's business areas.

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MINISTER REPRESENTING THE MINISTER FOR SKILLS AND TRAINING

Senate

Parliamentary Question

Question Number: **1760**
Question Date: **30 March 2023**
Table Office Due Date: **28 April 2023**

Senator James Paterson asked the Minister representing the Minister for Skills and Training in writing, on 30 March 2023:

1. Does your department, or any agency within your portfolio use any technology manufactured or sold by DJI, including but not limited to drones, gimbals, cameras or accessories.

2. If DJI technology is in use, which technology is used, which department or agency uses them, and how many units do they use.

Minister representing the Minister for Skills and Training has provided the following answer to the Senator's question:

1. The Department of Employment and Workplace Relations and Portfolio Agencies do not use any technology manufactured or sold by DJI.

2. Not applicable

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Australian Government
Department of Employment and Workplace Relations

CORPORATE AND ENABLING SERVICES		
1.	SB23-000227	DEWR at a Glance
2.	SB23-000228	Overtime entitlements review
3.	SB23-000267	Travel
4.	SB23-000234	National Office Accommodation Project
5.	SB23-000236	Enterprise bargaining
6.	SB23-000237	Fee free TAFE campaign
7.	SB23-000301	Voice referendum
8.	SB23-000229	Contracts and Consultancies
9.	SB23-000230	PwC
10.	SB23-000232	Conversion of External Labour Hire to Australian Public Service (APS) Positions
11.	SB23-000233	Cyber Security
12.	SB23-000314	Non-Ongoing workforce

Last Cleared By s. 22(1)(a)(ii)
Date Last Cleared 20 October 2023

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SB23-000227
Data for: as at 31 August 2023

DEWR at a Glance

Minister for Employment and Workplace Relations, the Hon Tony Burke MP (Cabinet Minister) – 1 June 2022

Minister for Skills and Training, the Hon Brendan O'Connor MP (Cabinet Minister) – 1 June 2022

Assistant Minister for Employment, the Hon Dr Andrew Leigh MP – 31 May 2023

PURPOSE

The Department of Employment and Workplace Relations supports people to have safe, secure and well-paid work with the skills for a sustainable future. (**Page 13, PBS**)

Outcome 1: Foster a productive and competitive labour market through policies and programs that assist job seekers into work, including secure work, and meet employer and industry needs.

Outcome 2: Promote growth in economic productivity and social wellbeing through access to quality skills and training.

Outcome 3: Facilitate jobs growth, including secure work, through policies and programs that promote fair, productive and safe workplaces.

ASL

- **ASL Estimate: 2023-24 – 3,557 (p23 PBS)**
  - 2022-23 (Oct PBS): **2,915**
  - 2022-23 (May PBS): **3,016**
- ASL Movements: Budget included approx. 642 new ASL from 2022-23 (at Oct) to 2023-24 (at May)

PEOPLE PROFILE

Source: SAP for APS, SES data locally maintained spreadsheet - SES unit

Headcount (APS employees only)
- 3,600 people
- 3,402 ongoing / 198 non-ongoing
- 3,067 full-time / 533 part-time

Senior Executive Service (SES)
Includes positions active in the agency structure, whether filled by a substantive or acting employee, ongoing or non-ongoing.
- 117 (positions) against 106.79 (approved 23/24 SES Cohort)
  - Band 1: 88 (positions)
  - Band 2: 25 (positions)
  - Band 3: 4 (positions)

Full-time Equivalent (FTE less LWOP>90 days)
- 3,403.0 FTE
- 3,224.1 ongoing / 179.0 non-ongoing (5.3%)
- 3,019.0 full-time / 384.0 part-time (11.3%)
- Executive Group – 23.4 (0.7%)
- Employment and Workforce – 1,163.7 (34.2%)
- Skills and Training (incl. USI) – 723.9 (21.3%)
- Jobs and Skills Australia – 172.9 (5.1%)
- Workplace Relations – 343.1 (10.1%)
- Corporate and Enabling Services – 976.1 (28.7%)
  - Corporate Services – 316.9 (9.3%)
  - Corporate IT – 659.2 (TSD and DSD) (19.4%)

FINANCES

Department finances 2023-24 (as at 2023-24 PBS)
- **$662.3 million (2022-23), $679.0 million (2023-24) in departmental appropriations** (to run the department and to manage programs, p56 PBS)
- **$106.8 million (2022-23), $75.5 million (2023-24) in departmental revenue*** (rental income, resources received free of charge, rendering of services, p56 PBS)
  *INCLUDES revenue related to machinery of government changes
- **$866.7 million (2022-23), $838.1 million (2023-24) in departmental expenses** (p56 PBS)

CASUALS/CONTRACTORS

Source: SAP for APS, SAP via Non-ICT Contractor team for contractor data

Casual workforce by Group (Total of 5)
Casual staff engaged for irregular or intermittent duties
- **Employment and Workforce,** 3 (Behavioural Economics Practitioner, Communication Officer, Strategic Policy and Development Officer)
- **Jobs and Skills Australia,** 1 (Admin Support)
- **Workplace Relations,** 1 (Program Manager)

Contractors
- **860 contractors (116 decrease from March 2023)**
  - 506 ICT
  - 354 Non-ICT (256 in Employment and Workforce)

PEOPLE MOVEMENTS 1 July 22–30 June 23

Source: SAP. VRs - HR Policy team. eRecruit

- Commencements: **1,052** (237 Jul-Aug 23)
- Separations: **589** (117 Jul-Aug 23)
- Staff Separation Rate: **17.8%** (17.4% Jul-Aug 23)
- Voluntary Redundancies: **1** (Incentive to retire) (0 Jul-Aug 23)
- Advertised Employment opportunities: **730**
  (259 internal **471** external**)**
  (79: 21 internal 58 external - Jul-Aug 23)

WELLBEING 1 July 22–30 June 23

Source: Case management system – DAVIS, COVID Register locally maintained.

COVID-19 cases - **649** confirmed (**476** APS and **173** Contractors)
Plus 7 APS confirmed during Jul-Aug 23

Harassment complaints – **17** (**7** investigations, **10** informal)
Plus 4 (2 investigations, 2 informal) during Jul-Aug 23

Sexual harassment **2** (**1** substantiated; **1** ongoing)
Plus 1 ongoing during Jul-Aug 23

INVOICING

DEWR Departmental supplier payments
- Policy is to pay on time or pay interest
- 88.9% paid on time 2023-24 Financial YTD
- 97.3% paid on time 2022-23 Financial year
- 100% of e-invoices have been paid on time
- E-invoicing delivered by SDO in Dec 2020

REMOTE WORK

Source: FormsCentral – Remote working form – DEWR; remote working overseas is maintained by HR Policy team

- 1,656 APS staff (46%) as at 31 August have an approved regular working remotely arrangement. An average of **1.9 days** per week. This does not include 4 APS employees with an international remote work arrangement.

PEOPLE BY LOCATION

Source: Corporate directory, Remote working overseas is maintained by HR Policy team

Domestic locations (headcount)
- Adelaide (282)
- Bendigo (31)
- Brisbane (254)
- Canberra (2,538)
- Cairns (1)
- Darwin (14)
- Hobart (48)
- Melbourne (164)
- Newcastle (30)
- Orange (3)
- Perth (59)
- Rockhampton (4)
- Sydney, CBD (93)
- Sydney, Ryde (60)
- Townsville (13)

International locations (headcount)
- Paris (1)
- Geneva (1)

Domestic offices by State
- ACT (2,538)
- NSW (186)
- NT (14)
- QLD (272)
- SA (282)
- TAS (48)
- VIC (195)
- WA (59)

International remote work locations:
- India, s 22(, CES Group
- Japan, s 22(, WR Group
- Solomon Islands, s 22(, EW Group
- Washington DC,USA s 22(, WR Group

PROGRAMS

Program expenditure 2023-24 - $4.7 billion (as at 2023 24 PBS)
- $1.9 billion for employment (p33 PBS)
- $2.2 billion for skills and training (p40 PBS)*
- $0.6 billion for workplace relations (p50 PBS)

**EXCLUDES payments through Treasury to National Partnership*

EFFICIENCY

Efficiency Dividend (as at October Budget)
- 2020-21 – 2% (pre DEWR)
- 2021-22 – 1.5% (pre DEWR)
- 2022-23 – 1%
- 2023-24 – 1%

DIVERSITY

Source: SAP

Diversity Profile
- First Nations – 2.1% (75 incl. 2 SES)
- People with disability – 4.9% (176 incl. 2 SES)
- Employees born overseas – 20.6% (743 incl. 13 SES)
- Born overseas, first language not English (NESB1) – 8.0% (289 incl. 2 SES)
- Mature age (>55) – 14.9% (535 incl. 25 SES)
- Female – 59.9% (2,155 incl. 77 SES)
- Male – 39.9% (1438 incl. 46 SES)
- Indeterminate – 0.2% (7)
- Gender pay gap 0.0%

Employee Networks
- Dis/Ability and Carers Network
- Aboriginal and Torres Strait Islander Network
- Culturally and Linguistically Diverse (CALD) Network
- Pride Network
- Gender Equity Network

ENTRY LEVEL PROGRAMS

Source: ELP locally maintained spreadsheet, Stepping Into – manual timesheet processing

- 50 graduates including 6 ICT graduates
- 7 apprentices/trainees incl s 22Indigenous apprentices
- s digital cadets
- s 2intern - Australian Network on Disability Stepping Into program (2023)

Department of Employment and Workplace Relations - Released under FOI

Reporting Date
31 August 2023

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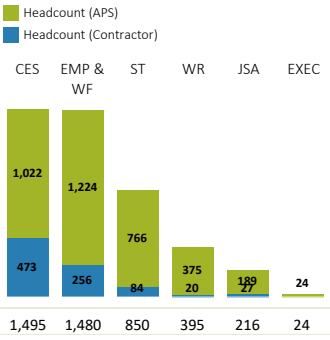
DEWR Workforce Metrics
31 August 2023

4,460
Total headcount*
(APS and Contractor)

Headcount (APS)	Headcount (Contractor)
s 22(1) (81%)	s 22(1) (19%)

Ongoing	Non ongoing	ICT	Non ICT
s 22(1) (95%)	s 22(1) (6%)	s 22(1) (59%)	s 22(1) (41%)

Total headcount by Group*



Total headcount by location****

	Headcount (APS) No.	%	Headcount (Contractor) No.	%	Grand Total No.	%
ACT	2,541	71%	512	60%	**3,053**	**68%**
NSW	187	5%	63	7%	**250**	**6%**
NT	14	0%			**14**	**0%**
QLD	272	8%	117	14%	**389**	**9%**
SA	282	8%	135	16%	**417**	**9%**
TAS	48	1%	s 22	0%	**50**	**1%**
VIC	195	5%	30	3%	**225**	**5%**
WA	59	2%	s 22	0%	**60**	**1%**
OS	s 22	0%			s 22	**0%**
Total	s 22(1)	**100%**	s 22(1	**100%**	s 22(1)	**100%**

APS headcount at a glance*

42.5 Average age of DEWR employees

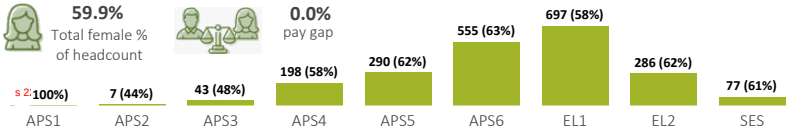
14.9% Mature Age 55+ DEWR employees

	DEWR* % of headcount	Whole of APS** % of headcount	
First Nations	2.1% (75 employees)	3.5%	Whole of APS Target 5% by 2030
Disability	4.9% (176 employees)	5.1%	Whole of APS Target 7% by 2025

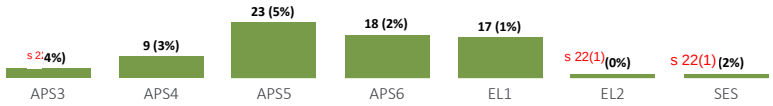
APS Female headcount (and % of classification) by classification* (total 2,155)

59.9% Total female % of headcount

0.0% pay gap



APS First Nations headcount (and % of classification) by classification* (total 75)



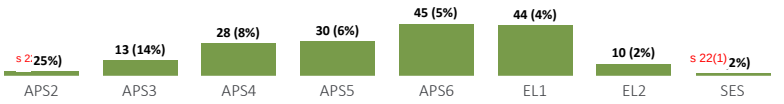
Workplace flexibility

14.8%* 533 employees part-time

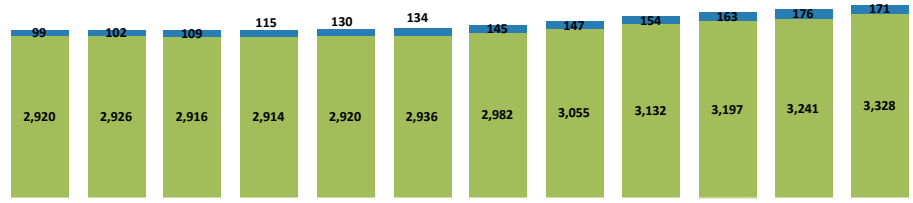
48%* 1,740 employees have remote working arrangement. Does not include APS employees international remote working

s 22(1)

APS Disability headcount (and % of classification) by classification* (total 176)



APS headcount by month* Non Ongoing Ongoing



July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023
3,019	3,028	3,025	3,029	3,050	3,070	3,127	3,202	3,286	3,360	3,417	3,499

Commencements by type*
FY22-23

	Non SES	SES	Total
Engagement - Ongoing	416		s 22(1)
Transfer	294	6	300
Engagement - Non-Ongoing	231		s 22(1)
Promotion	70		s 22(1)
Temp transfer	28		s 22(1)
Transfer - Reduction in Level			s 22(1)
Total Commencements	s 22(1)	11	s 22(1)

APS Separations by month*

	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023	Total
DEWR Corporate and Enabling Services	14	20	15	19	19	10	14	23	15	12	13	13	187
Employment and Workforce Group	19	13	13	20	7	13	13	22	13	7	16	13	169
Executive Group DEWR								s 22					s 22
Jobs and Skills Australia	s 22	s 22	s 22	s 22	s 22		s 22	s 22	s 22		s 22	s 22	27
Skills and Training Group	16	17	13	9	7	12	11	8	11	14	7	8	133
Workplace Relations Group		9	6	12	13	s 22	7	6	s 22	5	s 22	s 22	71
Total	s 22	s 22	s 22	s 22(1	s 22(1	s 22	s 22	63	45	38	42	39	s 22(1)

Separations by type *
FY22-23

	Non SES	SES	Total
Transfer	264	12	276
Resignation	172	s 22	s 22(1)
Retirement	54	s 22	s 22
Promotion	53	s 22	s 22
End NOG/temp transfer	23		23
Invalidity	s 22		s 22
Termination	s 22		s 22
Total Separations	s 22(1	s 22	s 22(1

** Source: SAP for APS, SAP via NonICT Contractor team for contractor data. Data Excludes Secretary, inactive staff, casuals, public office holders, committee and board members and locally engaged staff.*
***Source: APS Employment data Release Tables (APSC) 30 June 2023*
****Source: FormsCentral - Remote Working Form - DEWR; remote working overseas is maintained by HR policy team*
*****Source: Corporate Directory*

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Overtime entitlements review

Preliminary data analysis as at 23 October 2023

- Estimated 99 employees at the APS3-6 classifications:
  - 93 current employees
  - 6 former employees
- Average duration: 35 minutes
- Current payments range from $8.89 to $4,051.07
- Estimated net cost: **$60,099.92**
- Estimated indexed cost: **$62,926.52**
- 8.1% simple indexation (**$2,826.61**) applied to underpaid overtime amounts.
- Average indexed payment: $635.25

Source: *Master Data spreadsheet (7 July 2022 to 11 August 2023)* (as at 19 October 2023); payroll reconciliation reports at 23 October 2023.

The issue

- Some APS employees directed to work their ordinary hours between 7-8am or 6-7pm, Monday to Friday, were not paid overtime in accordance with the arrangements put in place under a determination made under s24(1) of the *Public Service Act 1999* (PS Act) on 7 July 2022.
- Since 7 July 2022, employees directed to work 7-8am or 6-7pm have received their ordinary hourly rate and oncosts for time worked.
- Analysis of attendance records and roster information is being undertaken to calculate the remediation payments of overtime owed, including indexation.
- The department is exploring mechanisms to restore previously bargained terms and conditions.
- The department self-reported to the Fair Work Ombudsman on 9 August 2023.

How did this happen?

- An Administrative Arrangements Order was made on 1 June 2022 – DEWR to commence on 1 July 2022.
- The APSC instructed DESE to use a s24(1) determination to set the terms and conditions of employment for non-SES DEWR employees, consistent with Machinery of Government changes guidance.
- The timeframe to draft and implement the determination, following APSC's written advice on 20 June 2022, was brief, with Ashurst engaged the same day and providing their final draft 10 days later (30 June 2022).
- The determination was drafted with the aim to, as far as possible, maintain the terms and conditions of employment from the *Department of Education and Training Enterprise Agreement 2016-19*.
- The effect of the requirements of s24(1) of the PS Act is that some arrangements previously applying under that enterprise agreement had to be adjusted, taking into account the APS Award.
- The urgency of the timeframe, coupled with the advice provided at the time, likely inhibited Ashurst and DESE's capacity to review and consider the risks associated with the drafting of the determination.
- Those risks result from the complexity of operationalising a Machinery of Government change and the interactions with the PS Act, not the Award system.
- This interaction is complex; advice we have received this year is different to that which we received when drafting the determination. We continue to seek advice on the best path forward.
- Operational practices in the department were consistent with overtime provisions that applied to employees prior to joining the department, but were found to not align to the amended bandwidth clause in the determination.

Critical date	Event or action
1 June 2022	Administrative arrangement orders announced.
9 June 2022	APSC advises DESE in writing to progress with a s24(1) determination.
15 June 2022	DESE is advised orally, by the APSC the industrial instrument would need to be a s24(1) determination.
20 June 2022	APSC provided written advice that maintaining current working hours is achievable through a s24(1) determination and provided the National Resilience and Recovery Agency determination is a good model to follow.
20 June 2022	Ashurst engaged to draft the s24(1) determination.
30 June 2022	Ashurst provided the final draft of the determination.
7 July 2022	DEWR Determination 2022/1 made under s24(1) signed by s. 22(1)(a)(ii) .
17 August 2022	DEWR Determination 2022/2 made under s24(1) signed by s. 22(1)(a)(ii) made in substantially the same terms to correct a clause numbering error.
5 June 2023	Query made by a manager to People Branch inbox prompted identification of the issue.
15 June 2023	s. 22(1)(a)(ii) **briefed on the matter**. Advice requested from Ashurst to clarify drafting of the determination (provided 21 June 2023).
22 June 2023	Further advice requested from Ashurst on shift penalties (provided 4 July 2023).
6 July 2023	Executive discussion to agree interpretation of Ashurst advice.
18 July 2023	Cobalt Consulting engaged to conduct data analysis.
25 July 2023	s. 22(1)(a)(ii) informs **Minister Burke** of the matter during an in-person meeting.
26 July 2023	Executive agreed to project principles to remediate the issue.
27 July 2023	s. 22(1)(a)(ii) informs **Minister O'Connor's Chief of Staff** and the **APS Commissioner**.
28 July 2023	s. 22(1)(a)(ii) informs s. 22(1)(a)(ii)
2 August 2023	Kingston Reid engaged to provide independent advice and conduct root cause analysis.
3 August 2023	Executive Board approve the remediation project documentation.
9 August 2023	Self-reported to Fair Work Ombudsman. s 22(1) phone call to **a/g FWO** s 22(1) followed by email report.
10 August 2023	Written brief sent to **Ministers Burke and O'Connor**.
11 August 2023	**CPSU** briefed in virtual meeting.
11 August 2023	All staff email communication from s 22(1) (Attachment A). Intranet page published.
17 August 2023	Draft advice provided by Kingston Reid.
18 August 2023	Sought advice from the APSC on the application of s24(1A).
29 August 2023	APSC and DEWR request joint advice from AGS on the application of s24(1A).
7 September 2023	Agency level enterprise bargaining commenced.
25 September 2023	Draft advice on the operation of s24(1A) received from AGS. Draft advice on the root cause analysis received from Kingston Reid.
6 October 2023	Calculations provided to employees for review ahead of remediation payment (Attachment B).
10 October 2023	Executive Board discussed the AGS advice and implications for the current instrument.
18 October 2023	Finalised advice received from AGS.
20 October 2023	Finalised root cause analysis advice received from Kingston Reid. Update provided to **FWO** on payments to employees.
26 October 2023	Initial remediation payments scheduled to be paid.

Department of Employment and Workplace Relations - Released under FOI

Costs as at 16 October 2023

Item	Description	Cost (inc GST)
Remediation payments	Net overtime payments made to employees#	$60,099.92
	Indexed overtime payments made to employees#	**$62,926.52**
Data analysis	Cobalt Consulting data analysis and calculation of underpayment (as at 15 October 2023)^	**$75,866.34**
Legal advice	Ashurst legal advice*	$35,935.17
	Kingston Reid legal advice	$77,190.30
	AGS legal advice^	$6,500
	Total legal advice	**$119,625.47**
Communication	Elm Communications*	**$15,378.00**
Dedicated resourcing	Project resources (offline salary costs as at 9 October 2023)*	**$26,161.30**
TOTAL COSTS		**$299,957.63**

Note: #Payments processed in pay run 23 October 2023, for payment 26 October 2023.
Source: #Master Data spreadsheet (7 July 2022 to 11 August 2023) (as at 13 October 2023), **SAP Financial records for actual costs, ^quotes and invoices for accrued payments.*

Investigation and remediation

- The department engaged law firm, Kingston Reid to provide independent advice, conduct a root cause analysis and undertake a line-by-line analysis of the determination for further areas of risk.
- Advice will be used to inform further data analysis and inform internal audits of our systems, practices and tools.
- The department has provided information to managers and employees about what we're doing and how our determination operates.
- We are exploring opportunities to restore the previously bargained 7am to 7pm bandwidth and working with the APSC on the best way forward.
- The department commenced agency level enterprise bargaining on 7 September 2023.

Principles

1. We are committed to ensuring all employees receive their correct entitlements (Outcome).
2. We will work to resolve the issue as quickly as possible, while ensuring accuracy and completeness (Planning/complexity/risk).
3. We will act with integrity and be honest, accountable and transparent about what has happened and how we're going to fix it (People and behaviour).
4. We will engage with people openly to understand their views and obtain information not stored in our systems (Communicate by telling it like it is).
5. We will use resources with the skills and capacity required to ensure a full resolution of the project (Manage scope/resourcing/independence).
6. We will learn and apply lessons from our experience (Learning).

These principles aim to reflect our APS Values, to hold ourselves to a high standard as a model employer, maintain the trust and good will of our employees, and ameliorate risk.

Interaction with Workplace Relations policy

Closing Loopholes Bill and criminalising wage theft

- On 4 September 2023, the Government introduced the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 into the House of Representatives. If passed, the Bill would introduce a federal criminal offence for intentional wage theft into the Fair Work Act.
- While the new wage theft offence would apply to the Commonwealth through its responsible agencies, it would only apply to underpayments that are intentional and which occur after the offence takes effect in legislation.

Interaction with the Award system

- This matter arises from the drafting of the determination as a result of Machinery of Government change and the requirements of s24(1A) of the PS Act, not the Award system.

Media coverage

Date	Outlet	Coverage/enquiry
12 August 2023	The Canberra Times	Article, page 12, *DEWR underpaid 'small cohort' of its public servants.*
14 August 2023	Myriam Robin, Australian Financial Review	Enquiry.
14 August 2023	Stephen Cenatiempo Breakfast Show, Radio 2CC Canberra	Mention of DEWR during discussion of employer underpayment alongside ABC, Wesfarmers.
18 August 2023	Myriam Robin, Australian Financial Review	Article, *Employment department underpaid staff.*
22 August 2023	Radio National	Mention of DEWR during discussion of employer underpayments alongside RBA, ABC.
31 August 2023	The Daily Telegraph	Mention in article *More complexity will only hinder payment of wages.*
1 September 2023	NT News Cairns Post Gold Coast Bulletin	Republished versions of 31 August Daily Telegraph article.

Related Questions received on notice

PDR Link	Submitted By	Subject
SQ23-001131	Cash, Michaelia	Underpayments of Worker Entitlements

Attachments

Attachment A - All staff email communication from COO
Attachment B – Explanatory notes provided to impacted employees on calculation.

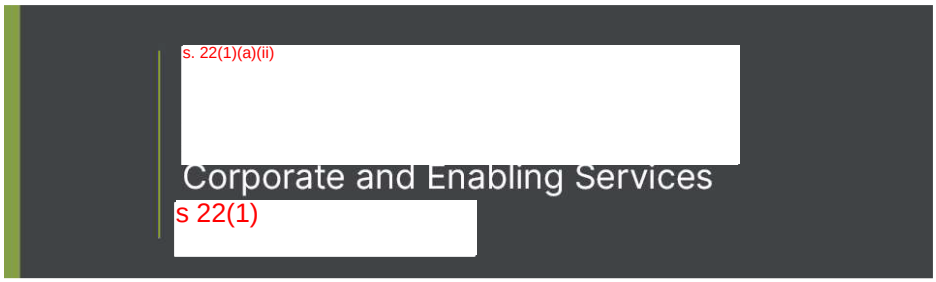
Department of Employment and Workplace Relations - Released under FOI

DEWR NEWS

Overtime entitlements for Non-SES Employees

Published 11/08/2023

s. 22(1)(a)(ii)



Good morning

We have recently identified that in certain circumstances some of our employees may not have been paid their overtime entitlement under the DEWR Determination 2022/2 (Non-SES employees) (the Determination).

We are taking this very seriously and, while aspects of the matter are complex, we are working quickly to resolve it and pay our employees all their entitlements as soon as possible.

When the department was established in July 2022 the Determination was created to provide terms and conditions for non-SES employees, aiming to preserve the conditions that were bargained for under the agreements that operated prior to the Machinery of Government change, including a bandwidth of 7am-7pm (for most employees transferring to the department).

The Determination contains a bandwidth of hours from 8am to 6pm in alignment with the Australian Public Service Enterprise Award 2015 (the Award), while still enabling employees to choose flexible work hours between 7am and 7pm.

These were always intended to be interim measures until we could negotiate an enterprise agreement for the department – a process we have commenced through Part A APS-wide bargaining.

I want to reassure everyone that employees have been paid consistently with how they would have been paid under their previously applying enterprise agreements. The changes made in the Determination mean that APS employees who have been directed to work their ordinary hours between 7-8am or 6-7pm from 7 July 2022 are entitled to an additional payment.

What we know

The Determination was drafted to preserve contemporary, flexible ways of working – employees could continue to choose to work their hours flexibly between 7am to 7pm since 7 July 2022 as they had done previously.

The situation is different under the Determination for APS employees who are **directed** to work their hours between 7-8am or 6-7pm. In this situation, overtime applies for those hours outside the 8am to 6pm bandwidth.

Who does this impact?

At this stage, we believe that this impacts a small cohort of employees who are directed to work between 7-8 am or 6-7pm (weekdays). We know this includes some of our contact centres and service desk employees who are rostered to work those hours and who were not paid overtime.

So far, we have identified 68 employees entitled to overtime based on an analysis of flex sheet and roster data between 7 July 2022 and 21 June 2023.

For everyone else, if you have worked overtime on a weekday in the last year, please be assured we will also be checking to see if you have been paid correctly.

If we identify that you are impacted, we will be contacting you directly within the coming week.

As the review progresses, if you haven't heard from us and think you are affected, have questions, or have information you want to tell us, please email us at s. 47E(d)

Steps we have taken

When the issue was identified in June, we immediately took steps to better understand the nature and scope of the issue. These steps include:

- Seeking legal advice to ensure we understood the situation.
- Gathering roster and overtime pay data.
- Engaging an external advisor to conduct analysis and calculate entitlements owing to employees.
- Commencing an independent legal review of our determination to ensure there are no other areas of concern.
- Self-reported the matter to the Fair Work Ombudsman.

These steps are enabling us to identify employees who may not have received the correct overtime entitlements.

What we don't know yet

We don't have all the answers yet, including exactly how many people are affected and the amount of money they will be back paid.

We are committed to ensuring that all employees receive the pay and conditions they are entitled to and are working through this as quickly as possible, while making sure we get it right.

Bandwidth

An option that may be open to the department is to restore a broader, more contemporary 7am to 7pm bandwidth, consistent with what was bargained for under previous enterprise agreements that applied to DEWR employees before the Machinery of Government change.

We are continuing to explore this option and it is of utmost importance to us that we do this right. We will be talking to the Australian Public Service Commission, the Community and Public Sector Union, and seeking further legal advice before we do it to ensure there is no reduction in benefits for employees. If we confirm this is an option, we will also consult with you and the union before any change is made.

Next steps

We are committed to open and transparent communication throughout the process and will provide updates as new information becomes available.

We will be connecting with rostered employees to clarify your situation and directly impacted employees will be invited to information sessions for more information.

A broader review of overtime practices in the department and targeted audits informed by our legal advice will also occur to ensure we are getting it right.

We are prioritising this work in terms of resources, external and independent advice and senior engagement from the Secretary and Executive Board. This will continue to be a standing item on the Executive Board agenda until resolved.

The Executive Board approved principles for how we manage this. You can find these principles and more detailed information about this matter on the intranet at Overtime Review.

We will be providing progress updates as we work through this and communicate openly with you. If you have questions or concerns about this matter, I encourage you to have a discussion with your manager or reach out to us directly by email to s. 47E(d)

Kind regards

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s 22(1)

Corporate and Enabling Services

Australian Government Department of Employment and Workplace Relations

Group mailbox s. 47E(d)

dewr.gov.au

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DEWR news

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Overtime entitlements for Non-SES Employees

We have recently identified that in certain circumstances some of our employees may not have been paid their overtime entitlement under t...

56 minutes ago
31 views



Take a look at our new privacy resources!

Managing personal information is an important part of the work we do at DEWR. The Information Law Team has a range of resources,...

about an hour ago
25 views



Get ready for GovHack 2023!

DEWR will be sponsoring GovHack this year, learn how to get involved in the largest open data hackathon in the southern hemisphere!

4 hours ago
74 views

Department of Employment and Workplace Relations - Released under FOI

Australian Government
Department of Employment and Workplace Relations

Overtime Review

Explanatory Notes for Employee Notification

Field	Explanation
Header	
Personnel No.	Your Australian Government Service (AGS) personnel number used in the payroll system.
Full Name	Your full name.
No. of instances where you worked outside of bandwidth	The number of instances where you worked outside of the department's bandwidth hours (that is, 8:00 am – 6:00 pm) during the period 7 July 2022 to 11 August 2023.
Total $ value of overtime underpayments	The aggregate dollar value of overtime underpayments. This is the sum of all values in the 'Total underpayment amount' column below. *Note: this value does not include indexation.*
Total $ value of overtime underpayments (with indexation)	The aggregate indexed dollar value of overtime underpayments. This is the sum of all values in the 'Total underpayment amount (including indexation)' column below. *Note: refer below for further details regarding how the indexed amount was calculated.*
Detailed Instances	
Personnel No.	Your AGS number used to identify you in the payroll system.
Date	The date when you were directed to and worked outside of bandwidth hours.
Start time 1	The start time of the first period of work. *Note: this data was extracted from your flex sheet.*
Finish time 1	The finish time of the first period of work. *Note: this data was extracted from your flex sheet.*
Start time 2	The start time of the second period of work (if applicable). *Note: this data was extracted from your flex sheet.*
Finish time 2	The finish time of the second period of work (if applicable). *Note: this data was extracted from your flex sheet.*

OFFICIAL

Department of Employment and Workplace Relations - Released under FOI 708 of 853

Field	Explanation
Start time 3	The start time of the third period of work (if applicable). *Note: this data was extracted from your flex sheet.*
Finish time 3	The finish time of the third period of work (if applicable). *Note: this data was extracted from your flex sheet.*
Start time 4	The start time of the fourth period of work (if applicable). *Note: this data was extracted from your flex sheet.*
Finish time 4	The finish time of the fourth period of work (if applicable). *Note: this data was extracted from your flex sheet.*
Time worked outside of bandwidth (in minutes)	The number of minutes where you were directed to and worked outside of bandwidth hours and where you were not working outside of your ordinary hours (refer below). For example, if you worked from 7:30am to 6:30pm with no breaks (that is, 11 hours), and your standard work schedule is a 7.5 hour day, then this equals 30 minutes (that is, the time worked between 7:30am and 8:00am). The time worked after 6:00pm does not count towards this figure as a higher overtime penalty rate is applied to this time.
Time worked in excess of ordinary hours (in minutes)	The number of minutes that you were directed to and worked in excess of your ordinary hours. For example, if your standard work schedule is a 7.5 hour day and you worked an 8 hour day, then this equals 30 minutes.
APS classification	Your APS classification on that day.
Pay scale	Your pay scale on that day.
Hourly rate	Your hourly rate on that day. *Note: the hourly rate for all employees changed on 9 April 2023 under Determination 2023/1.*
Bandwidth underpayment amount (OT50)	The bandwidth underpayment amount. This was calculated using the following formula: *Hourly rate * 0.5 * Time worked outside of bandwidth (in hours)* You have already been paid your ordinary rate for this time, so the formula applies 50% to ensure you receive the full 150% overtime rate. *Note: in instances where you worked outside the bandwidth and in excess of your ordinary hours (see below), the higher rate of 150% is applied.*
Overtime underpayment amount (OT150)	The overtime underpayment amount for time worked in excess of your ordinary hours. This was calculated using the following formula: *Hourly rate * 1.5 * Time worked in excess of ordinary hours (in hours)* *Note 1: you are entitled to a 150% overtime payment for the first 180 minutes of time worked in excess of your ordinary hours and a 200% overtime payment for all hours worked thereafter.* *Note 2: in instances where you worked outside the bandwidth and in excess of your ordinary hours, the higher rate of 150% is applied.*
Total underpayment amount	The overtime underpayment amount. This is the sum of the bandwidth underpayment amount and the overtime underpayment amount.

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Department of Employment and Workplace Relations - Released under FOI 709 of 853

Field	Explanation
Indexation amount (8.10% p.a. simple interest)	The indexation applied to the total underpayment amount. This calculation uses a repayment date of 26 October 2023 and a simple interest rate of 8.1% and was calculated using the following formula: *Total underpayment amount * 0.081 * [(Day of repayment – Day of underpayment)/365]*
Total underpayment amount (including indexation)	The indexed total underpayment amount. This was calculated using the following formula: *Total underpayment amount + indexation amount*

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Department of Employment and Workplace Relations - Released under FOI 11 710 of 853

Employment department underpaid staff

Myriam Robin

Aug 17, 2023 – 5.58pm

The finer detail of enterprise bargaining agreements is often tricky to implement. And don't take it from us, but from the Department of Employment and Workplace Relations, which last week emailed staff a three-page missive admitting to underpaying some of them.

So, the department charged with making sure employers don't short-change their employees has discovered it's been doing the very same from July last year. That's all under the watch of Workplace Relations Minister **Tony Burke**, whose displeasure at this we can only imagine.

As staff were told, the issue affects 68 employees who worked after July last year and were directed to work unusual hours, which should have entitled them to overtime.

The Department had at the same time introduced a flexible work policy allowing employees to choose to start early or late, but had in the process assumed everyone was doing this, even though the service workers manning the phones and assistance desks had no choice.

uckily for Bourke and his government's rabble-rousing "wage theft" agenda, this particular industrial dispute seems unlikely to metastasise.
The Commonwealth Public Sector Union for one is happy, deputy secretary **Beth Vincent-Pietsch** saying management had communicated "openly" about the error, which she expects to be swiftly rectified.

From the employment department, that's the least we'd expect.

DEWR underpaid 'small cohort' of its public...

By Miriam Webber

The Canberra Times
Saturday 12th August 2023
403 words
Page 12 | Section: NEWS
234cm on the page



DEWR underpaid 'small cohort' of its public servants

Miriam Webber

THE Department of Employment and Workplace Relations will back pay 68 public servants, after realising some employees had not been paid their overtime entitlement.

Chief operating officer Deborah Jenkins wrote to staff at the department this week to inform them of the error.

"We are taking this very seriously and, while aspects of the matter are complex, we are working quickly to resolve it and pay our employees all their entitlements as soon as possible," Ms Jenkins wrote in an email.

The issue affects "a small cohort of employees" who are directed to work between 7-8am and 6-7pm, such as staff working at contact centres and service desk employees.

The department realised it had underpaid staff in June, and Ms Jenkins outlined a number of steps it had taken since to investigate further.

This included seeking legal advice, gathering roster and overtime pay data, engaging an external adviser to calculate entitlements owed, commencing an independent legal review of the determination and reporting the matter to the Fair Work Ombudsman.

The total number of staff affected and how much money is owed is not yet clear.

"We are committed to ensuring that all employees receive the pay and conditions they are entitled to and are working through this as quickly as possible, while making sure we get it right," Ms Jenkins wrote.

Community and Public Sector Union deputy secretary Beth Vincent-Pietsch said the union understood 68 staff had been underpaid.

"The CPSU is aware of an underpayment issue that has impacted 68 employees in the Department of Employment and Workplace Relations," Ms Pietsch said.

"Since this error was identified by management, they have communicated openly and we do not foresee any issues in the rectifying the matter."

While staff at the department can choose their work hours between 7am and 7pm, those who are directed to work early or late are eligible for overtime.

In that case, overtime applies outside of the hours of 8am and 6pm. The department is now considering revising that to 7am to 7pm.

"We are continuing to explore this option and it is of utmost importance to us that we do this right," Ms Jenkins wrote.

The department will consult with the Public Service Commission and the CPSU before making any changes.

We are working quickly to resolve it and pay our employees all their entitlements.

Deborah Jenkins

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Streem

More complexity will only hinder payment of wages

By David Alexander

The Daily Telegraph
Thursday 31st August 2023
591 words
Page 13 | Section: OPINION
286cm on the page



More complexity will only hinder payment of wages

David Alexander

You may have noticed a number of high-profile employers admitting they have underpaid their employees.

The Reserve Bank, the ABC, various large corporates, law firm Maurice Blackburn and, last week, the Department of Employment and Workplace Relations confessed to staff underpayments. We need to ask the question: what is going on here?

There has been no great outbreak of criminal ideation among this generation of employers. The fact is that none of these employers would consider for a moment deliberately underpaying their staff.

What is actually going on is an entirely separate phenomenon of increasing complexity leading to execution breakdown.

The Reserve Bank deputy governor Michele Bullock hit the nail on the head when she said the RBA underpayments were the "result of the complicated nature of our industrial arrangements and their interpretation".

The fact is that our industrial relations laws have become hideously complex to the point where even highly skilled experts struggle to manage their systems.

If the Reserve Bank has difficulty complying with the system, you can only imagine how stressful the task is for small and medium-sized businesses. The Australian workplace relations system is recognised as one of the most complex in the world. The Fair Work Act 2009 contains over 1200 pages of legislation.

It should be no surprise that a majority of businesses have described Australia's workplace relations regulations as either "very complex" or "extremely complex," according to surveys conducted by the Australian Chamber of Commerce and Industry.

Last year the government introduced another layer of complexity to the system through 288 pages of new legislation introducing multi-employer bargaining and other workplace law changes.

The government's cost estimates for this extra compliance burden on Australian business were revealed at the time — small businesses $14,638; medium businesses $75,148; and large businesses $94,311.

For the businesses with more than 20 employees ultimately impacted, the costs in finance, time and stress are significant.

The obvious answer to this problem is to address the root cause by reducing the complexity.

Unfortunately the government is doing the opposite – it is soon to introduce yet another major round of complex legislation involving labour hire, casual workers and contractors.

Here is what we can predict with ease: the government turning up the dial again on complexity will result in yet more wage underpayments across Australia.

This government action is obviously not a deliberate form of taking money from workers but it could constitute a form of reckless indifference to that outcome.

The irony is that while the problem of complexity-induced underpayments is one that results from ministerial decisions, the focus of the government right now is on introducing new criminal penalties on employers for underpayment.

This is a classic example of focusing on the symptoms rather than the cause. The Australian Chamber of Commerce and Industry's position on this matter is clear: the first priority must be for policymakers to recognise their own role in causing underpayment issues through adding complexity.

Fix that problem and much of the air goes out of the underpayment balloon.

Making wage theft, like any robbery, a criminal offence is perfectly reasonable but inadvertent underpayments should not be treated as deliberate behaviour.

As legislators consider the next raft of IR changes, they need to consider that adding complexity to the system is contributing to workers being underpaid.

Admitting the problem is half-way to solving it.



David Alexander is chief of policy and advocacy at the Australian Chamber of Commerce and Industry

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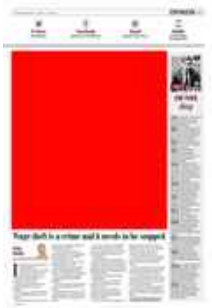
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Streem

More complexity will only hinder payment of wages

By David Alexander

The NT News
Friday 1st September 2023
580 words
Page 41 | Section: OPINION
483cm on the page



More complexity will only hinder payment of wages

David Alexander





Reserve Bank deputy governor Michele Bullock said RBA underpayments were due to the "complicated nature of our industrial arrangements and their interpretation". Picture: NCA NewsWire / Martin Ollman

You may have noticed a number of high-profile employers admitting they have underpaid their employees.

The Reserve Bank, the ABC, various large corporates, law firm Maurice Blackburn and, last week, the Department of Employment and Workplace Relations confessed to staff underpayments. We need to ask the question: what is going on here?

There has been no great outbreak of criminal ideation among this generation of employers. The fact is that none of these employers would consider for a moment deliberately underpaying their staff.

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For the businesses with more than 20 employees ultimately impacted, the costs in finance, time and stress are significant.

The obvious answer to this problem is to address the root cause by reducing the complexity.

Unfortunately the government is doing the opposite – it is soon to introduce yet another major round of complex legislation involving labour hire, casual workers and contractors.

Here is what we can predict with ease: the government turning up the dial again on complexity will result in yet more wage underpayments across Australia.

This government action is obviously not a deliberate form of taking money from workers but it could constitute a form of reckless indifference to that outcome.

The irony is that while the problem of complexity-induced underpayments is one that results from ministerial decisions, the focus of the government right now is on introducing new criminal penalties on employers for underpayment.

This is a classic example of focusing on the symptoms rather than the cause. The Australian Chamber of Commerce and Industry's position on this matter is clear: the first priority must be for policymakers to recognise their own role in causing underpayment issues through adding complexity.

As legislators consider the next raft of IR changes, they need to consider that adding complexity to the system is contributing to workers being underpaid. Admitting the problem is half-way to solving it.

David Alexander is chief of policy and advocacy at the Australian Chamber of Commerce and Industry

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001131

Senator Michaelia Cash provided in writing.

Underpayments of Worker Entitlements

Question

1. Are you aware of any underpayments of worker entitlements since 2021-22 Financial year?
   a. If yes, please provide how many instances it has occurred, what was the quantum of underpayment, and how many workers were impacted?
      i. Did you report it to the Fair Work Ombudsman as a self-report?

Answer

In June 2023 the department identified that some APS employees directed to work their ordinary hours between 7–8am or 6–7pm, Monday to Friday, were not paid overtime in accordance with the arrangements put in place under a determination made under s.24(1) of the *Public Service Act 1999* (PS Act). The determination was made as a result of the Machinery of Government change that created the department from 1 July 2022. The effect of the requirements of s.24(1) of the PS Act is that some arrangements previously applying under enterprise agreements had to be adjusted, taking into account the Australian Public Service Award 2015 (APS Award). At 11 August 2023, the department identified 68 employees are potentially entitled to overtime based on an analysis of timesheet and roster data from 7 July 2022 to 21 June 2023. The quantum of any potential underpayment has not yet been confirmed. The department self-reported the issue to the Fair Work Ombudsman on 9 August 2023.

Australian Government
Department of Employment and Workplace Relations

SB23-000267
Data for: 2022-23 Financial Year and 2023-24 as at 31 Aug

Travel

Official travel

- DEWR staff travel across Australia to meet operational requirements including between the 14 cities with DEWR offices and to engage with key stakeholders.
- DEWR staff travel internationally to attend 2 international office locations and to represent Australia and meet international obligations such as OECD events.
- The Department has comprehensive travel policies and procedures in place and all official travel is undertaken in accordance with Accountable Authority Instruction (AAI) 2.18.

Lowest Practical Fare

- Domestic air travel must be at the Lowest Practical Fare (LPF), which is the lowest fare available at the time the travel is booked.
- Where the lowest actual fare does not meet the business needs of the traveller, a reason must be provided.

International Best Fare

- International air travel will be at business class or lower and at the International Best Fare (IBF), that suits the practical business needs of the traveller and maximises overall value for money for the total cost of the trip.
- Upgrades to first class are not to be accepted under any circumstances.

LPF and IBF YTD

- The Department uses CTM as our travel service provider under a whole of Government Contract. The Department of Finance managers the CTM contract.
- For the YTD to 31 August 2023, our CTM reporting tool has recorded 1,286 trips.
- The CTM system is configured to inform staff if best fare of the day has not been selected. A drop-down box requires the reason that best fare has not been selected:
- The primary reasons for not selecting the best fare of the day are the need for flexibility (40%), unsuitable timing (12%) and traveller permitted to travel in higher fare class (6%). In 39% of cases the best fare of the day was selected.

Secretary Travel

- All official travel undertaken by the Secretary is in accordance with the applicable Remuneration Tribunal Official Travel Determination.

Gifted airline lounge memberships and upgrades

- All gifts/benefits received by departmental officials should only be accepted in accordance with the **department's Gifts and Benefits Policy**, this includes gifted airline memberships.
- **Complementary airline lounge memberships or flight upgrades may be accepted by departmental officials** if they will be utilised in the conduct of official duties (para 4.2 (c) DEWR Gifts and Benefits Policy).
- **Upgrades** may be accepted or refused, and ideally should be added to the gift register. There have been no upgrades added to the DEWR gift register to date. Frequent travellers were recently reminded on the need to proactively disclose such upgrades.
- '**Invitation-only' lounge memberships** (Qantas Chairman's Lounge and Virgin Australia's Beyond lounge) are to be registered on the departments 'Gifts and Benefits register' when initially received and on an annual basis thereafter.
    - Based on current policy these memberships are declared with a zero-dollar value as there is no fee equivalent available. As the value declared is below $100 (GST Exclusive) these are not published on the Gifts and Benefits Register available on the DEWR's website.

Gifted Airline Memberships declared by DEWR officials

Name	Airline Membership
s. 22(1)(a)(ii)	Qantas Chairman's Lounge
s. 22(1)(a)(ii)	Virgin Australia Beyond Lounge
s. 22(1)(a)(ii)	Qantas Chairman's Lounge
s. 22(1)(a)(ii)	Virgin Australia Beyond Lounge
s. 22(1)(a)(ii)	Qantas Chairman's Lounge
s. 22(1)(a)(ii)	Qantas Chairman's Lounge
Executive support officer	Virgin Australia Lounge

- Travellers with membership to standard frequent flyer programs may be offered complimentary lounge membership if they earn a sufficient number of 'status credits' (from business or private travel). This may be accepted or refused, and ideally should be added to the gift register – noting the complexity that arises as entitlement may arise in a personal capacity. There have been no such lounge memberships added to the DEWR gift register to 31 August 2023.

Australian Government
Department of Employment and Workplace Relations

SB23-000267
Data for: 2022-23 Financial Year and 2023-24 as at 31 Aug

Departmental travel expenditure

Description	2022-23	1 Jul to 31 Aug 2023
Total expenditure on domestic travel (incl. flights, accommodation, meals, incidentals, taxis, and other ground transport)	$5,229,584	$1,797,635
Total expenditure on international travel (incl. flights, accommodation, meals, incidentals, taxis, and other ground transport)	$558,053	$85,354
Total travel expenditure	**$5,787,637**	**$1,882,989**

Data source: SAP, figures are GST exclusive.

Percentage of international tickets by airline

Airline	2022-23	1 Jul to 31 Aug 2023
Qantas + Qantas airways	47%	53%
Emirates Airlines	16%	-
Singapore Airline	12%	45%
Air India	12%	Less than 1%
British Airways	3%	
KOREAN AIR	3%	
FIJI Airways	2%	
CHINA AIRLINES	2%	
AIR FRANCE	1%	
Air New Zealand	-	1%
Virgin Australia	1%	
DELTA AIRLINES	Less than 1%	
Swiss International Air Lines	Less than 1%	

Data source: CTM travel bookings data provides details on 'supplier name'. The percentage of airfare tickets by airline is in accordance with that report and may include code share arrangements.

Percentage of international airfare travel class

Airfare type	2022-23	1 Jul to 31 Aug 2023
Business class	61%	61%
Economy class	39%	39%

Data source: CTM travel bookings data provides details on **'Cabin Class'**. The percentage of airfare type is in accordance with that report.

Booking business class airfares for international travel is acceptable in accordance with *Resource Management Guide No. 405: Official International Travel - Use of the best fare of the day.*

Percentage of domestic tickets by airline

Airline	2022-23	1 Jul to 31 Aug 2023
Qantas	61%	75%
Virgin Australia	33%	22%
Regional Express	3%	1%
Jetstar Airways Ltd	1%	Less than 1%
Fly Pelican	less than 1%	Less than 1%
Fly corporate	less than 1%	1%
Link Airways	less than 1%	-
Air north regional	less than 1%	Less than 1%
ExpressJet airline	less than 1%	Less than 1%
Fiji airways	less than 1%	-

Data source: CTM travel bookings data provides details on 'supplier name'. The percentage of airfare tickets by airline is in accordance with that report.

Corporate Travel Management (CTM) flight bookings summary

Domestic flights	2022-23	1 Jul to 31 Aug 2023
Air spend	$2,325,787	$585,332
Number of tickets	5,301	1,286
Average ticket price	$439	$455
International flights		
Air spend	$281,538	$69,790
Number of tickets	60	18
Average ticket price	$4,692	$3,877

Data source: The CTM Reporting team, figures are GST inclusive.

Airline Lounge Memberships as at 31 Aug 2023

The below table represents memberships gifted to departmental officials. 'Invitation only' complementary memberships are declared with no value attached.

	Qantas Chairmans Lounge		Virgin Beyond Lounge		Virgin Lounge	
	Number	Estimated Value	Number	Estimated Value	Number	Estimated Value ($359/yr)
SES	4	$0	2	$0	0	$0
Non-SES	0	$0	0	$0	1	$359

Airline lounge memberships included in an SES Officers' remuneration package are not declared in the above as they are not gifted but are paid for by the department, along with those purchased by the department for staff undertaking 8 or more trips within a 12-month period. Both of these memberships are included below.

Department of Employment and Workplace Relations - Released under FOI

Airline lounge memberships expenditure

Type	2022-23	1 Jul to 31 Aug 2023
Qantas	$12,627	$9,405
Virgin	$1,169	$2,475
Total	**$13,797**	**$11,879**

Data source: SAP, figures are GST exclusive.

- The department purchases 2 types of airline lounge memberships:
  - Qantas Club
  - Virgin Australia 'The Club Lounge'.
- Qantas Club.
  - There are 117 memberships under the DEWR Qantas corporate scheme program.
  - Qantas cannot provide a breakdown of corporately and individually funded memberships, they are combination of both.
- Virgin Australian "The Club Lounge'. There are 11 corporately funded memberships.

Executive Travel to 30 June 2023

Domestic Travel

Group	Total number of trips**	Accommodation***	Flights	Total
Secretary*	25*	$2,700	$31,266	$33,966

Group	Total number of trips	Accommodation	Flights	Total
Deputy Secretary – Corporate and Enabling Services	18	$5,499	$8,699	$14,198
Deputy Secretary – Employment and Workforce	14	$3,042	$19,990	$23,032
Deputy Secretary – Skills and Training	29	$3,879	$25,650	$29,529
Deputy Secretary – Workplace Relations	20	$2,740	$11,555	$14,295
Total	**81**	**$15,161**	**$65,894**	**$81,055**

Data source: CTM and AOT

* Includes flights for one official one way relocation trip.

** A single trip may include multiple legs.

*** Accommodation costs are actual hotel costs charged to a departmental credit card. In some instances, personal accommodation may be used that is not charged to the Commonwealth.

International travel:

Group	Accommodation	Flights	Total
Deputy Secretary – Employment and Workforce	$475(1 Night)	$5,473	$5,948

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	10 October 2023

Department of Employment and Workplace Relations - Released under FOI

Recent Questions on Notice

<table>
<tr><th>PDR Link</th><th>Submitted By</th><th>Subject</th><th>Answer Summary</th></tr>
<tr><td>SQ23-000771</td><td>Senator Jane Hume</td><td>Please provide an itemised list of the Secretary's travel for financial year 2022/23 to 30 June 2023, including costs of flights and accommodation</td><td>Secretary's domestic flights and accommodation as at 30 June 2023. All figures are GST exclusive. The Secretary did not have any international travel in this period.
<table>
<tr><th rowspan="2">Secretary</th><th>Total number of trips**</th><th>Accommodation***</th><th>Flights</th><th>Total</th></tr>
<tr><td>15*</td><td>$1,767</td><td>$23,791</td><td>$25,558</td></tr>
</table>
* Includes flights for one official one way relocation trip.
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<tr><td>SQ23-000772</td><td>Senator Jane Hume</td><td>Please provide an itemised list of each Deputy Secretary's/agency head's travel for financial year 2022/23 to 30 June 2023, including costs of flights and accommodation.</td><td>Actual costs incurred for flights and accommodation related to official business travel as at 30 June 2023, all figures are GST exclusive.
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<table>
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<table>
<tr><th>Group</th><th>Total number of trips</th><th>Accommodation</th><th>Flights</th><th>Total</th></tr>
<tr><td>Deputy Secretary – Corporate and Enabling Services</td><td>19</td><td>$3,856</td><td>$10,766</td><td>$14,622</td></tr>
<tr><td>Deputy Secretary – Employment and Workforce</td><td>13</td><td>$2,923</td><td>$13,722</td><td>$16,645</td></tr>
<tr><td>Deputy Secretary – Skills and Training</td><td>15</td><td>$895</td><td>$14,736</td><td>$15,631</td></tr>
<tr><td>Deputy Secretary – Workplace Relations</td><td>11</td><td>$2,550</td><td>$8,102</td><td>$10,651</td></tr>
<tr><td>Total</td><td>39</td><td>$10,224</td><td>$47,325</td><td>$57,549</td></tr>
</table>
* Includes flights for one official one way relocation trip.
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(one night)</td><td>$5,473</td><td>$5,948</td></tr>
</table></td></tr>
<tr><td>SQ23-000774</td><td>Senator Jane Hume</td><td>What was the total cost of staff travel for departmental/agency employees in financial year 2022/23 to 30 June 2023?</td><td>Total cost of travel for the department in financial year 2022-23 as at 30 June 2023 was $5,787,637 (GST exclusive).</td></tr>
</table>

Recent media on this policy

- 14 September 2023, The Guardian (online), "Bosses of key Qantas regulators revealed as members of airline's Chairman's Lounge."
    - Known as the most exclusive club in Australia, lounge access is being heavily scrutinised amid a broader question over whether Qantas enjoys outsized influence over decision-makers in Australia – an allegation the airline and Albanese government deny.

- 13 September 2023, ABC News, "Senior public servants responsible for regulating Qantas accepted Chairman's Lounge invitations."
    - Senior public servants from the watchdogs regulating Qantas' consumer relations and aviation safety have accepted complimentary membership to the airline's exclusive Chairman's Lounge, despite their role in regulating the national carrier.

- 6 September 2023, 9News, "Inside the Qantas Chairmans Lounge."
    - Inside many of Australia's major airports is an elusive, and very exclusive, private club. Nevermind getting through packed security lines in a crowded domestic airport, the bar for entry to the Qantas Chairman's Lounge is much, much higher. But what exactly is this VIP lounge, and who is allowed within its hallowed halls?

- 1 September 2023, News.com.au, "Alan Joyce reviews exclusive Qantas Chairman's Lounge membership list."
    - Qantas CEO Alan Joyce is said to have reviewed the criteria for membership of the airline's invite-only Chairman's Lounge. The exclusive lounge was brought back into the spotlight this week when Mr Joyce was grilled by senators at a hearing on Monday for an inquiry into the cost of living, which Mr Joyce was issued a summons to appear at. It also comes after it emerged that Prime Minister Anthony Albanese's son had been granted access.

- 23 August 2023, Australian Financial Review (online), "What exactly is the Qantas Chairman's Lounge, and how do you join?"
    - The Australian Financial Review's Rear Window column revealed the prime minister's son had been given a membership to the Qantas Chairman's Lounge. It left many asking: Why is there so much hype about getting an entry pass to an airport waiting room?

Department of Employment and Workplace Relations - Released under FOI

National Office Accommodation Project

Key Points

- The Department of Employment and Workplace Relations had planned to move into new accommodation with the Department of Education and the Australian Electoral Commission to accommodate all Canberra-based staff **from 2026.**
- On **24 August 2023,** the developer of the new building terminated its agreement with the Commonwealth as it was not able to meet its milestones.
- The department is now assessing its current needs before going back to the market with the AEC for office accommodation in Canberra. COVID and a Machinery of Government change have influenced what accommodation the department now requires.
- Pending the new approach to market, the department has worked with its Canberra-based staff to ensure that it has sufficient accommodation leases in place to enable continuity of its operations.
- The department **will approach the market with a detailed understanding of its requirements** following significant engagement with staff during the design process of the previous project.
- The new approach to market will enable the department to source an appropriate and efficient property solution to meet its needs, including reducing its office accommodation footprint in Canberra, and ensuring that value for money is achieved. Any future potential savings will be calculated following the tender process.

Background

- Several departmental building leases in Canberra expire in 2025 and 2026, providing the opportunity for the department to modernise its office accommodation.
- In 2020, the Department of Finance's Commonwealth Leasing Strategy identified the (then) Department of Education, Skills and Employment (DESE) and the Australian Electoral Commission should undertake a joint approach to market to meet future Canberra office accommodation requirements.
- In November 2020, the then DESE and the AEC commenced a two-stage procurement process to source suitable office accommodation. An initial Expression of Interest was undertaken between November 2020 and March 2021, with shortlisted respondents invited to submit a Request for Proposal between November 2021 and February 2022.
- A proposed new development by Walker Corporation was selected as the preferred solution. Further background information on the project (until 24 August 2023) is provided at Attachment A.
- Under the agreement with the Commonwealth, it was the developer's responsibility to obtain all relevant development and construction approvals.

- When Walker Corporation advised the Commonwealth, it had missed the Development Approval Milestone Date, they indicated that they could not meet the agreed Practical Completion date for the London Quarter precinct (or offer an alternative Practical Completion date).
- Failure to meet the Development Approval milestone date triggered termination rights for both the developer and the Commonwealth.
- The Commonwealth has engaged regularly with the Department of Finance and the Commonwealth's Strategic Property Advisor during this process.

Recent media

- On 25 and 26 August 2023, the decision of the preferred tenderer to terminate the project was reported in five media outlets – Canberra Times, the RiotACT, Property Daily, GroundNews and INKL.com. The Canberra Times article is provided at Attachment B.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	10 October 2023

NATIONAL OFFICE ACCOMMODATION PROJECT (NOAP) – PRE TERMINATION

Key Points

4,660 DEWR and DE staff in national offices (Dec 22)

Currently occupying **9** aging buildings across Canberra

Expecting to reduce footprint by **26,000** square metres

Building design allows for flexibility in case of future MoGs and subletting

21 discovery workshops and **33** leader interviews with staff generating over **3,000** ideas

Reduce leasing costs by **$9 million** per annum

COVID safe touch free environment wherever possible

Existing carparks will be replaced with underground public parking and secure departmental parking

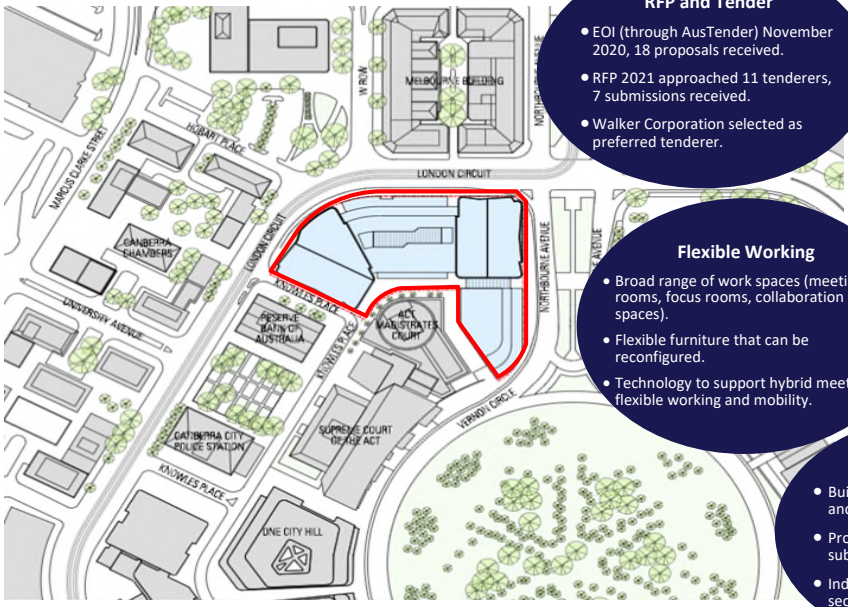
Overview

- In 2020 the Department of Finance Commonwealth Leasing Strategy identified then Department of Education, Skills and Employment (DESE) and the Australian Electoral Committee (AEC) should undertake a joint approach to market to meet future office accommodation requirements.
- In 2021 a two-stage procurement process was undertaken to source suitable office accommodation. Walker Corporation was selected as the preferred developer.
- Several current building leases expire in 2024/2025 providing opportunity for the department to modernise office accommodation.
- Current office space accommodates 4800 people across 9 buildings in the Canberra.
- Proposed office space accommodation will bring Canberra based staff together in one location.
- Located on the corner of London Cct and Northbourne Ave.
- Proposed building design enhances connection and collaboration, better supports diversity and inclusion and improves the flexibility.

Risks

Title	Risk description	Mitigation	Risk rating
Lease Extension	Non-acceptance of landlords to extend leases to cover period between lease expiry and Practical Completion date of new building	Ongoing negotiations with landlords for best and final offers. Cost modelling for best value for money for the Commonwealth.	High
Building Delivery	Delays to the construction of the new building	Governance, contract and project management	Medium

Canberra CBD



RFP and Tender

- EOI (through AusTender) November 2020, 18 proposals received.
- RFP 2021 approached 11 tenderers, 7 submissions received.
- Walker Corporation selected as preferred tenderer.

Environmental

- Proposed solution designed to meet 5.5-star NABERS energy rating (potential to achieve 6 stars).
- The building will also achieve a minimum 4-star NABERS whole building water rating (aspirations of reaching 5-star).

Flexible Working

- Broad range of work spaces (meeting rooms, focus rooms, collaboration spaces).
- Flexible furniture that can be reconfigured.
- Technology to support hybrid meetings, flexible working and mobility.

COVID Safe

- Touch free surfaces wherever possible.
- Easily accessible hygiene stations.
- 2.5m meters back to back work points.

Future Proofing

- Building design will provide a secure and flexible environment.
- Proposed solution allows for subletting and MoGs.
- Individual tenant segregation and security controls.

Key Milestones

Event	Commencement Date	Description
Expression of interest	01 Nov 2020	Department approached the market for an office accomodation solution
Request for proposal	01 Nov 2021	A comprehensive tender evaluation was undertaken that resulted in a single preferred tenderer
Agreement for Lease signed	29 Sep 2022	Conditional Agreement for Lease signed with Walker Corporation
Public Works Committee Hearing	02 Feb 2023	Development and preperation of submissions for PWC hearing
Delivery of fitout works design and budget	17 Apr 2023	Commonwealth to deliver to Walker Corporation fitout works design brief and budget and novate interior designers over to Walker Corporation
Development approval	01 Jun 2023	Developer must obtain approval for the project
Fitout works design brief and fitout works budget	31 Jul 2023	Commonwealth endorsement of 30% fitout and cost estimate
Building construction	24 Aug 2023	Construction commences subject to development approval
Fitout works (tender)	15 Mar 2024	Landlord releases fitout tender for pricing
Fitout works (construction)	02 Sep 2024	Fitout works commence
Date for practical completion	31 Mar 2026	Building complete

Department of Employment and Workplace Relations - Released under FOI

City precinct scrapped

By Brittney Levinson

The Canberra Times
Saturday 26th August 2023
114 words
Page 1 | Section: General
100cm on the page



City precinct scrapped

Brittney Levinson

THE LONDON Quarter project, set to house three Commonwealth tenants from 2026, has been scrapped after the the National Capital Authority told the developer to change its proposal.

An industry source believes the decision could wipe $2 billion from the ACT economy. *The Canberra Times* last year revealed the Department of Employment and Workplace Relations alongside the Department of Education and the Australian Electoral Commission planned to move to the 11-storey building on the corner of London Circuit and Northbourne Avenue in mid-2026.

But developer Walker Corporation advised the government agencies on Thursday evening the project at block 40, section 100 City would not go ahead.

Report: Page 10

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London Quarter project falls through after NCA...

By Brittney Levinson, Miriam Webber

The Canberra Times
Saturday 26th August 2023
579 words
Page 10 | Section: NEWS
442cm on the page



London Quarter project falls through after NCA roadblock

APS Three agencies left without new office

Miriam Webber
Brittney Levinson,

THE London Quarter project, set to house three Commonwealth tenants from 2026, has been scrapped after the National Capital Authority told the developer to change its proposal.

An industry source believes the decision could wipe $2 billion from the ACT economy.

The Canberra Times last year revealed the Department of Employment and Workplace Relations alongside the Department of Education and the Australian Electoral Commission planned to move to the 11-storey building on the corner of London Circuit and Northbourne Avenue in mid-2026.

But developer Walker Corporation advised the government agencies on Thursday evening the project at block 40, section 100 City would not go ahead.

The agencies had signed 15-year agreements for lease at the 70,000-square-metre site from the middle of 2026. The AEC's agreement with the Trustee for Walker Northbourne Property Unit Trust was worth $261 million, while the other agencies had not yet posted agreements.

A spokesperson for workplace relations said the department is "working closely with involved agencies and the developer to finalise arrangements We will then work to determine next steps, including longer-term accommodation options."

A parliamentary committee in March approved the move, and it was expected to consolidate the departments' 11 leases, saving approximately $9 million a year.

The fit-out for the new building would have cost the government $149.26 million.

Existing leases are due to expire between October 2023 and May 2025, and the agencies had planned short-term extensions to facilitate the London Quarter move.

A spokesperson for the NCA on Wednesday advised that after accepting a works approval application for the site in April, the authority had asked Walker to make significant adjustments.

"After an initial review and extensive discussions with the design team, the proponents have agreed to amend their application in relation to height, size, and scale of the building," they said.

"The adjustments to the design were informed by the National Capital Plan and the National Capital Design Review Panel."

On Friday, a Walker spokesperson said the developer had worked "very hard with the National Capital Authority to obtain works approval to deliver this significant project, for our long-term and valued clients DEWR and AEC".

"Despite the best efforts from all of the project team, the ongoing delays with obtaining that approval are such that the ability to meet our client's delivery timeframe is no longer possible," the spokesperson said.

"For that reason, the project will not be proceeding as planned."

An industry source told *The Canberra Times* on Thursday the NCA had been the "only roadblock" standing in the way of the development moving ahead.

They said despite the developer and the three Commonwealth tenants being "in alignment", the deal fell over as a result of the development process.

The ACT government's City Renewal Authority first advertised block 40, section 100 City, for sale in February 2021.

The future of the block is uncertain as the sales transaction with Walker Corporation was contingent on development approval. It is understood the sale figure was in the vicinity of $60 million.

A City Renewal Authority spokesperson

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confirmed that the agreement had not yet settled.

"In 2022 the territory issued several conditional land sale contracts to prospective developers for the Commonwealth's office requirements, therefore we are awaiting the Commonwealth's decision on how they will progress," the spokesperson said.



An artist's impression of London Quarter to be built in Civic. Picture supplied

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National Office (Canberra) Accommodation Project

Overview

- Several current Canberra building leases expire in 2025/2026, providing the opportunity for the department to modernise office accommodation.
- In 2020, the Department of Finance's Commonwealth Leasing Strategy identified the (then) Department of Education, Skills and Employment and the Australian Electoral Commission should undertake a joint approach to market to meet future Canberra office accommodation requirements.
- In 2021, a two-stage procurement process was undertaken to source suitable office accommodation.
- A proposed new development by Walker Corporation was selected as the preferred solution.
- In August 2023, the developer terminated its agreement with the Commonwealth.
- A new approach to market for office accommodation is required and will be undertaken shortly.

Project Termination

- In August 2023, the developer terminated its agreement with the Commonwealth.
- When it advised the Commonwealth, it had missed the Development Approval Milestone Date, Walker Corporation indicated it could not meet the current Practical Completion date for the London Quarter precinct under the current terms of the AFL and chose to terminate the agreement.

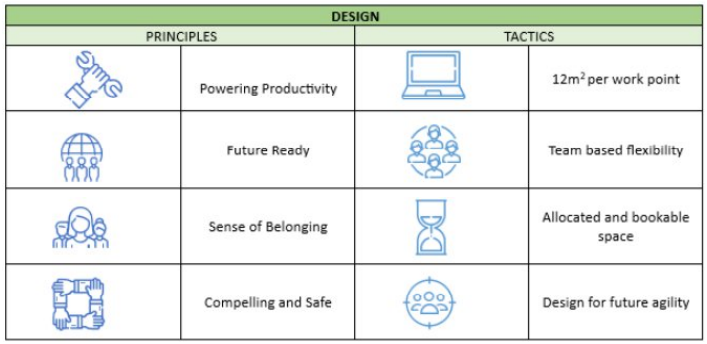
Next Steps

- A new approach to market for office accommodation in Canberra is required and will be undertaken shortly.
- The department will approach the market with a detailed understanding of the spaces its staff need following significant engagement during the design process of the previous project.
- The department will continue to look for opportunities to ensure property efficiency, including reducing its office accommodation footprint in Canberra.
- A new space will offer a broad range of workspaces supported by technology and well-designed furniture.

Timeline

Q4 2023	Review requirements Approach market
Q1 2024	Tender assessment Evaluation approval Commence lease negotiations
Q2 2024	Continue lease negotiations Cost Benefit Analysis Lease Endorsement

Future Design



Enterprise bargaining

Key points

- APS enterprise bargaining is being conducted in two parts, APS-wide (Part A) and agency-level (Part B). This arrangement, as well as other workplace relations matters, are outlined in the Government's *Public Sector Workplace Relations Policy 2023* (the Policy).

APS-wide bargaining

- APS-wide bargaining, underway since 30 March 2023, is centrally managed by the Australian Public Service Commission (APSC).
- The Secretary appointed Peter Riordan, APS Chief Negotiator, to act as an employer bargaining representative for DEWR in negotiations over an enterprise agreement to cover non-SES employees employed by the department. Damien Booth, A/g Assistant Secretary, Workplace Relations Taskforce, was also appointed in the event that Peter Riordan is unavailable.
- Most matters for bargaining will be settled in APS-wide bargaining, with agency specific matters, or terms specifically reserved for agencies to negotiate, considered in agency-level negotiations.
- APS-wide bargaining is expected to conclude in October 2023. Following this, the APSC is expected to publish a Statement of Common Terms and Conditions. The Statement will include entitlements and clauses that must be included in enterprise agreements bargained in APS agencies.
- Questions about APS-wide bargaining should be directed to the APSC.

Agency level bargaining

- The department held its first agency-level bargaining meeting on 7 September 2023.
  Through bargaining, the department is seeking to:
  - Adopt the outcomes of the service-wide negotiations to further commonality and reduce fragmentation.
  - Address the unintended impacts of the current interim employment arrangements established through a determination under section 24(1) of the *Public Service Act 1999*.
  - Adopt terms and conditions that are affordable and suitable for the department.
  - Make minor changes to increase clarity and reduce confusion over provisions.
- The department's proposed enterprise agreement will be a combination of the outcomes from both APS-wide and agency-level bargaining.
- The department is bargaining in good faith with all bargaining representatives, including the Community and Public Sector Union (CPSU).
- The department continues agency-level bargaining and will adopt the outcomes from APS-wide bargaining.

- A draft enterprise agreement must be approved by the APS Commissioner before it may be tabled in bargaining as a final draft.
- Enterprise bargaining concludes once the department's eligible APS employees vote in favour of making a new enterprise agreement in a ballot and this agreement is approved by the Fair Work Commission. The proposed pay offer and other conditions do not apply until a new enterprise agreement is made.

Protected action

- The CPSU has stated that it will seek to escalate industrial action in APS agencies.
- On 5 October 2023, an application for a protected action ballot order was lodged with the Fair Work Commission by the CPSU.
- A successful protected action ballot is a necessary pre-condition for the CPSU's members to engage in protected industrial action under the *Fair Work Act 2009*.
- The CPSU has advised it will seek authorisation to take two forms of industrial action (concurrently and/or consecutively) in the ballot:
    - an unlimited number of stoppages of work for periods of up to and including one hour
    - an unlimited number of stoppages of work for periods of more than one hour and up to and including 24 hours.
- For protected industrial action to occur at the department, at least 50% of employees represented by the CPSU must vote and the majority of valid votes must approve the proposed action.
- On 6 October 2023, the Fair Work Commission issued protected action ballot orders for the CPSU to hold a protected action ballot of its members. The ballot opened on 11 October and closed on 26 October 2023.
- The Fair Work Commission also scheduled mandatory conciliation conferences with the CPSU and the department (19 October). A separate conference was scheduled with the CPSU and the APSC (13 October).
- Industrial action, if authorised, is expected to occur in November.
- The department respects the legitimate right of its employees to take protected industrial action.
- We are not pre-empting the outcome of the Protected Action Ballot; however, we are taking proactive steps to ensure we are well-placed to respond to work stoppages, should they occur.
- We have an industrial action response plan that identifies key risks and management actions to be undertaken should industrial action arise. This includes a range of procedural requirements for monitoring and reporting to ensure compliance with the Fair Work Act 2009.
- We have developed factsheets for managers and employees to make clear their industrial rights and responsibilities. This includes reminders on general protections in the Fair Work Act 2009, and the legal requirement that employees cannot receive payment for the duration of any stop work action they take.

- We have engaged with our payroll provider to provide them with notice that payroll adjustments may be required.
- We will continue to communicate with our senior executives about their business continuity strategies in preparation for any industrial action.

Background

- In establishing employment conditions, the department is required to align with the requirements of the Policy, which was released on 31 March 2023.
- CPSU members have supported the pay and conditions package negotiated through Part A bargaining (51.9% support) in a poll. However, the CPSU has rejected the package, noting broad support for the improved conditions, but not for the service-wide pay increase of 11.2% over three years.
- Under the Government's pay offer tabled on 29 August 2023, if a new enterprise agreement is voted up before March 2024, the first salary increase will apply from the first full pay period after 1 March 2024.
- If a new agreement is not voted up by this time, the earliest a pay increase could apply is from the agreement's date of commencement.

Recent media on this policy

- On 29 September 2023, *The Canberra Times* published 'Gallagher's public service headache as CPSU finds voice' (at Attachment A). This article reports on the knocking back of the second pay offer.
- On 20 March 2023, *The Mandarin* published 'Gallagher rejects CPSU 20% pay increase bid, wants better APS mobility' (at Attachment B). This article reports on Minister Gallagher rejecting the 20% pay increase.
- On 18 September 2023, *The Canberra Times* published 'Tax office union fires up over bargaining' (at Attachment C). The article reports on bargaining disputation at the Australian Taxation Office.
- On 14 September 2023, *The Mandarin* published 'Bargaining talks on APS conditions falter as further strikes loom' (at Attachment D). The article reports on concerns raised by union in APS-wide bargaining.
- On 29 September 2023, *The Canberra Times* published 'Services Australia will strike over pay' (at Attachment E). The article reports on statements by the CPSU claiming it would escalate industrial action in APS agencies. This starts with a 24-hour work stoppage at Services Australian on 9 October 2023. The CPSU also stated it would hold protected action ballots in other APS agencies.
- On 29 September 2023, *The Australian* published 'Public servants threaten to strike over pay offer' (at Attachment F). The article reports on statements by the CPSU that it had strong support amongst members for the conditions package negotiated with government, but "lukewarm support" for the pay offer, which it regards as insufficient.

- On 6 October 2023, *The Australian* published 'Public service union targets Burke's backyard (at Attachment G). The article reports that the CPSU made an application with the Fair Work Commission to hold a protected action ballot of its members at the department. Protected action ballot orders were also made at the Fair Work Ombudsman.
- On 6 October 2023, *The Canberra Times* published 'DEWR to consider strike over APS pay' (at Attachment H). The article reports on protected action ballot orders being sought by the CPSU at the department. The article notes the CPSU's concerns relate to the Commonwealth pay offer made in APS-wide bargaining.

Related Questions received on notice

- Nil.

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	23 Oct 2023

Gallagher's public service headache as CPSU finds...

By Miriam Webber

The Canberra Times
Friday 29th September 2023
543 words
Page 9 | Section: NEWS
442cm on the page



Gallagher's public service headache as CPSU finds voice

Miriam Webber

ANALYSIS

AS THE Albanese government's plans to wrap APS-wide bargaining talks by the end of August disappear in the rearview mirror, a headache is forming for Katy Gallagher.

The main public sector union has knocked back a second pay offer for federal public servants, declaring "lukewarm support" from members insufficient to accept the 11.2 per cent increase over three years.

The pay deal is the cornerstone of a suite of reforms introduced by the Public Service Minister upon coming to government last year, aimed at restoring a dilapidated public service.

But, while the government has put forward proposals that will improve conditions and pay fragmentation between APS agencies, Senator Gallagher can't claim victory until that pay deal is printed in enterprise agreements.

She pointedly welcomed majority support from union members for the pay deal in her statement, in a veiled sign of frustration with her former employer.

"I welcome the outcome of the CPSU ballot which shows a majority decision to support the government's fair pay offer that was increased following negotiations," Senator Gallagher said.

"We have bargained in good faith and worked hard to improve wages and conditions for public servants after a decade of neglect under the former government."

The Community and Public Sector Union has raised some eyebrows with its decision not to embrace the government's second proposal, after a poll of members showed 51.9 per cent in support, 48.1 per cent opposed.

After a firebrand start to talks, calling for a 20 per cent pay rise, the union's confidence seems to have wavered. It stopped mentioning the claim (dismissed as "impossible" by Senator Gallagher) and instead said it would remain neutral on pay offers, letting members call the shots in votes.

Compare Ms Donnelly's opinion piece in *The Canberra Times* in March outlining the 20 per cent pay claim, and the statement she issued this week and her language appears watered down, procedural.

At the outset of bargaining, she issued a warning to the Albanese government that "you either choose to become a model employer, or you don't", detailing decisions that stood between them and a much-trumpeted goal of attracting and retaining the best and brightest.

Now, her message reads as a gentle reminder to the government, that "the test" before them "isn't just being better than the Coalition government, it is to be a model employer - a goal they set for themselves." But this reminder is one accompanied by applications to the Fair Work Commission for protected industrial action ballots, as the union decides 11.2 per cent won't cut it.

The move could be traced to pressure from within over what some members have perceived as lacklustre leadership through talks. But it is also a relatively low-risk move, for the moment.

With pay rises not due to come into effect until March 2024, the CPSU has some time before it risks delaying money to staff struggling under rising cost of living.

It now faces its own test: How much disruption is it prepared to wreak to force the government's hand?



Public Service Minister Katy Gallagher can't celebrate an APS pay rise just yet, as the main public sector union delays a deal. Picture by Karleen Minney

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Streem

Gallagher rejects CPSU 20% pay increase bid, wants better APS mobility

By Julian Bajkowski, Monday March 20, 2023

Finance and public service minister Katy Gallagher has cordially rejected the Community and Public Sector Union's (CPSU) audacious opening bid for a 20% pay rise across the Australian Public Service, as the Expenditure Review Committee hunts for cuts to pay for the looming bump.

Speaking at a doorstop on Friday, Senator Gallagher has labelled the 20% claim — which is comprised of rises of 9%, 6% and 5% over three successive years — as a non-starter because of Budget constraints.

"We go in, both, with eyes open. It would be impossible to deliver that in terms of the Budget we are facing – but we do want reasonable, affordable pay rises," Gallagher said, before reaffirming confidence in the negotiating process.

"They [the CPSU] are doing what they need to do on behalf of their members, I understand that. We've got a job to do too, which is to make sure the Budget is sustainable.

"We are coming from different standpoints, hopefully, we can meet in the middle."

If taken literally, the middle of 20% is 10%, setting the stage for an arm-wrestle over conditions and productivity that dragged the previous bargaining round into the mud.

The sticking point there was former APS commissioner John Lloyd's insistence that a straight increase of minutes in a work day in the commonwealth's favour was a productivity gain when it was in fact a simple labour cost reduction, which the Productivity Commission stayed well clear of for obvious reasons.

While there will be inevitable biffo over the pay, Gallagher wants the bargaining round to also embrace reform and a level-up to increase APS efficiency, namely mobility that most parties agree is stuck. The reason mobility matters is that it could potentially save the government billions in redundancies by keeping people in the APS if it needs to adjust the machinery of government down the track.

"It doesn't help mobility across the APS with the diversity and disparity in conditions and pay, frankly," Gallagher said. "We want to be a model employer, we have made that clear. We are hopeful that this is the first genuine bargaining we will have seen across the APS for decades really.

"We want to bring pay rates together, there are a lot of discrepancies. There are a lot of issues, pay is one of them." However, the finance minister conceded there will ultimately be a showdown over the money.

"We don't want a protracted bargaining, we know people want good pay, we know they want their conditions signed off," Gallagher said.

"We'd like to get through it without too much conflict, but like all bargaining, I expect there will be some."

Department of Employment and Workplace Relations - Released under FOI

Tax office union fires up over bargaining

By Miriam Webber

The Canberra Times
Monday 18th September 2023
582 words
Page 2 | Section: NEWS
468cm on the page



Tax office union fires up over bargaining

Miriam Webber

A UNION for Australian Taxation Office staff will escalate a claim the agency has acted in bad faith in enterprise negotiations to the Fair Work Commission on Monday, with leadership infuriated by the ATO's response that it is all a misunderstanding.

The Australian Services Union, which represents 1100 tax office staff, issued a notice of concern to the agency last Tuesday, after a bargaining meeting in which it claimed the ATO sought to cut conditions from the enterprise agreement.

The dispute centres on a clause relating to performance management of staff. The union says a document presented in the meeting showed the tax office was trying to remove part of a two-step review process for employees judged to be underperforming.

Removing part of this process would mean employees progressed more rapidly to a formal assessment which could be used to terminate their employment, reduce their salary or transfer their duties.

The union claims the agency told them that an existing clause in the agreement (90.5), was the same as the first step in the clause currently under contention (91).

The tax office says it was not seeking to remove any clauses in the agreement, simply to clarify them.

"During the bargaining meeting on 12 September 2023, and in response to bargaining representative claims, the ATO presented a working draft for discussion of potential changes to clauses 90-92 of its current enterprise agreement," a spokesperson said.

"These clauses refer to the ATO's performance framework and are designed to assist employees achieve performance outcomes through collaboration.

"The presented clauses were a working draft only and by no means represented the ATO's final position or even a firm proposal in relation to these clauses.

"The ATO's intention was simply to clarify the existing processes, not to remove them."

Acting deputy commissioner Alison Stott communicated this in a letter to tax branch secretary Jeff Lapidos on Friday, responding to the notice of concerns.

But the response stoked fury within the union, with Mr Lapidos accusing the agency of lying about its intentions.

"We believe they were lying to us on the day," Mr Lapidos said.

"And they have been deceitful in terms of trying to cut conditions, despite their promises to the staff and the unions they wouldn't and they are pretending in their response that it has been the ASU that's misunderstood them.

"There is no misunderstanding, they were trying it on and it is not acceptable."

But the tax office spokesperson said it has "been consistently bargaining in good faith in line with its obligations under the Fair Work Act 2009 and will continue to do so".

"The ATO has received in excess of 400 claims from unions and bargaining representatives and is progressing negotiations in response to all of these claims," they said.

"Once negotiations have concluded the ATO will provide detailed information on the proposed changes to the enterprise agreement, and this will then be put to eligible ATO staff to vote on."

The ASU will apply for a bargaining order from the Fair Work Commission on Monday.

If issued, it could set certain conditions on ATO bargaining representatives designed to maintain or promote good faith bargaining.

An enterprise agreement can't be voted in until a service-wide agreement on common pay and conditions is reached. Negotiations are still under way.

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Australian Services Union tax branch secretary Jeff Lapidos has accused the ATO of 'lying' in a bargaining meeting. Picture by Elesa Kurtz

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Streem

Bargaining talks on APS conditions falter as further strikes loom

By Julian Bajkowski, Thursday, September 20, 2023

A last-minute bid to lock in a raft of new common conditions across federal government agencies has become the latest industrial flashpoint in public sector pay negotiations.

The Australian Public Service Commission has demanded that unions provide feedback by this Friday on more than 500 workplace condition claims still not agreed on or settled.

As the clock ticks down to the September 28 deadline the APSC has set for unions to accept or reject its offer of a pay rise of 11.2% over three years, anger is rising over the last-minute rush to ram through key documents to stick to timeframes many believe were simply unrealistic given the size of centralising reforms the Albanese government is attempting.

A bargaining update issued Tuesday by the APSC reveals that of 1,678 claims bowled up, just 569 have been agreed as "common conditions" that apply right across the APS with 346 still classed as "open". These are claims the APSC defines as "yet to be finalised".

The definition of a common condition used by the APSC is one that "the chief negotiator observed broad support from employee representatives on claims".

The extent of work still to be done is rather daunting. A document sent to stakeholders late last Friday and described as "an early version of the Statement of Common Conditions" contains rafts of conditions with simply no text and marker for where the text needs to be inserted.

Marked "For action by COB Friday 15 September 2023", the correspondence sent with the document states that while "approximately 93 matters were raised in APS-wide bargaining" there is still an extensive list of items outstanding before listing the unlucky 13 sticking points.

"We note this early version of the statement does not include the following matters, which are yet to be finalised in bargaining (either out of session or at the table). We are working to address these matters and to circulate proposed clauses to bargaining parties for consideration as soon as possible where relevant:

- Annual leave – excess leave
- Compassionate and bereavement leave
- Classifications & Work Level Standards
- Professional qualifications
- Pay increase
- Duration of agreements
- Parental leave
- Miscellaneous leave
- Pay fragmentation mechanism
- Working hours – span of hours
- Superannuation
- Delegates' rights
- Definitions"

Department of Employment and Workplace Relations - Released under FOI

The sheer volume of work in that list suggests the APSC will almost certainly be forced to shift its feedback deadline at the very least, if not extend the bargaining period.

It is understood participating unions do not view the deadline this Friday for feedback as realistic.

However, the APSC now has an optics issue. While it has been pushing hard for a decisive resolution leading to the Thursday, September 28, bargaining session, its own sell-in of its offer will not run online question and answer sessions until the week of September 28. One is even slotted in for 11am on Wednesday, September 27.

Unions are not wasting time. Member polling on the offer has already commenced at the Community and Public Sector Union which still has options up its sleeve to escalate protected industrial action.

The APSC's chief negotiator, Peter Riordan, has said failure to achieve an outcome on the current offer would be problematic, but there is little sign of consensus so far.

Professionals Australia is also sticking to its guns over the APSC rejecting efforts and attempts to build an internal APS tech and science stream.

"While the consultation period for the 'Statement of Common Conditions' was considered short, the primary concern Professionals Australia has raised through the bargaining process was the shortage of STEM capabilities within the APS," Professionals Australia chief executive Jill McCabe told The Mandarin.

"Disappointingly, the APSC has made it clear it will not seek to address this issue through the creation of a specific STEM career and pay structure nor has it put forth any workable alternative solution to date.

"Professionals Australia has also made a claim regarding professional accreditation allowances, which has been pushed to Part B of the negotiations."

It is anticipated Professionals Australia members will move to take industrial action over their concerns in the near future.

Department of Employment and Workplace Relations - Released under FOI

Union members to strike

By Justine Landis-Hanley

The Canberra Times
Friday 29th September 2023
641 words
Page 1,9 | Section: NEWS
416cm on the page



Union members to strike

PUBLIC SERVICE Union ramps up pressure on government for better pay deal

Justine Landis-Hanley

UNION members in Services Australia will strike for 24 hours next month after the Community and Public Sector Union rejected the government's service-wide pay deal of 11.2 per cent over three years.

Members in the department are scheduled to stop work on Monday, October 9, with CPSU national secretary Melissa Donnelly vowing that "our members are ready to increase pressure as needed to secure a better outcome on pay".

The CPSU decided to pursue further action after members showed only "lukewarm support" for the government's offer.

In a poll of more than 15,000 union members, 48.1 per cent rejected the deal while 51.9 per cent voted in support.

Ms Donnelly said the CPSU rejected the deal, despite the slim majority of members voting in favour, "because we know that we can and we should be aiming higher than 50 per cent, plus one".

"We have a unique opportunity with service-wide bargaining to negotiate a package that brings together 160,000 employees across 103 different agencies after what has been an incredibly challenging decade for public sector workers. But an offer with 51 per cent support doesn't do that," she said.

Continued Page 9

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Streem



Services Australia will strike over pay

From Page 1

Ms Donnelly said that while members showed broad support for the conditions package, there wasn't clear support for the government's pay offer.

"There is strong support for the conditions package that has been negotiated, including the industry-leading working from home rights, increases to paid parental leave, the reintroduction of job security provisions and increased casual loading rates," she said.

"But in an environment where every APS worker is feeling extreme cost of living pressures, the current pay offer doesn't cut it."

Bargaining talks to establish a common pay rise and set of conditions for the Australian Public Service have been underway since March, in a bid to address fractured workplace conditions.

It is the first round of service-wide bargaining in more than a decade.

This is the second time that the union has rejected the government's pay deal, after pushing back an offer of 10.5 per cent over three years from the Australian Public Service Commission in May.

The APSC's revised offer would have meant a pay lift of 4 per cent in March 2024, 3.8 per cent in March 2025, and 3.4 per cent in March 2026.

The commission also tabled adjustments to a pay equity model, setting minimum salaries across all APS agencies to reduce pay fragmentation from 26 per cent to 18 per cent.

The revision, if accepted, would have lifted the minimum salary for those at APS1 classifications.

The minimum salary would have increased from $49,590 to $52,000, in a move the government expected would double the number of beneficiaries from 1213 to 2216.

The union has been calling for a 20 per cent pay increase, including a 9 per cent hike in the first year of the new enterprise agreement.

Senator Gallagher has previously labelled these demands as "impossible" given budget pressures.

The CPSU has already run a Protection Action Ballot and taken industrial action in Services Australia.

In August, staff in Services Australia implemented a two-week ban on entering auxiliary codes, which are used by management to track the tasks that individual employees are performing.

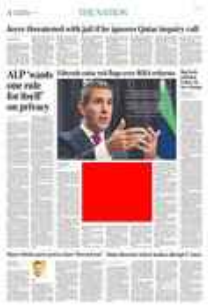
The union is currently consulting with members and delegates to decide what action to take in other agencies, and will lodge further applications for Protected Action Ballots soon.

A spokesperson for the APSC said on Wednesday that it was "disappointing" to see reports that the CPSU may escalate industrial action.

"We note, this is in the context that a majority of CPSU members have voted in favour of the full package of pay and conditions on offer," the spokesperson said.

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Public servants threaten to strike over pay offer

By EWIN HANNAN

The Australian
Friday 29th September 2023
396 words
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143cm on the page

Public servants threaten to strike over pay offer

Federal public sector employees at Services Australia are threatening to strike for 24 hours on October 9 as the Community and Public Sector Union seeks to pressure the Albanese government to increase its pay offer.

The government last month marginally increased its wage offer to 160,000 federal public servants to 11.2 per cent over three years, a rise of 0.7 per cent and well below the union claim of 20 per cent.

It said the fair and affordable offer, if accepted, would be the largest pay increase that federal public sector employees have received in more than 10 years.

The proposed annual wage increases are 4 per cent from March next year, 3.8 per cent 12 months later and 3.4 per cent from March 2026.

A union poll of 15,000 members found 51.9 per cent support for the offer and 48.1 per cent rejecting it, with the CPSU saying the slim majority reflected "lukewarm support" and the government needed to increase the level of proposed wage rises.

CPSU national secretary Mellissa Donnelly confirmed the intention to strike at Services Australia on Monday week, saying further applications for protected action ballots would be shortly lodged in other federal public sector workplaces.

Ms Donnelly said: "In an environment where every APS worker is feeling extreme cost of living pressures, the current pay offer doesn't cut it."

"Our members are ready to increase pressure as needed to secure a better outcome on pay," she said.

Ms Donnelly said the government made a commitment to the public service prior to the last federal election that it would become a model employer and rebuild the public sector after a "decade of damage and destruction".

The union said there was strong support among members for the conditions package negotiated with the government, including the industry-leading working-from-home rights, increases to paid parental leave, the reintroduction of job security provisions and increased casual loading rates.

The Commonwealth says it considered a range of factors when determining the pay offer, including advice from the Treasury on recent wage rises across Australia, economic indicators, the current labour market and budgetary considerations.

The government says the pay offer exceeds the Wage Price Index for the June quarter of 2023.

The federal offer is also in line with recent state and territory public sector wage offers.

EWIN HANNAN

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Public service union targets Burke's backyard

By EWIN HANNAN

The Australian
Friday 6th October 2023
418 words
Page 2 | Section: THE NATION
2145cm on the page



Public service union targets Burke's backyard

EWIN HANNAN

Employees in the Department of Employment and Workplace Relations will vote on taking strike action ranging from one-hour stoppages to 24-hour strikes as the Community and Public Sector Union seeks to pressure the government to lift its public sector pay offer.

The targeting of the department that provides advice to the Minister for Employment and Workplace Relations, Tony Burke, follows the approval of a protected action ballot of workers at the Fair Work Ombudsman and industrial action at Services Australia.

The ballot of workers at DEWR, whose role includes providing advice on enterprise bargaining and wages policy to the government, follows the CPSU rejecting the government's 11.2 per cent pay offer and sticking with its wage claim of 20 per cent over three years.

DEWR union members will be voting to participate in two separate actions: an unlimited number of stoppages of work up to and including one hour; and an unlimited number of stoppages for periods of more than one hour and up to and including 24 hours.

Union members in parts of the Department of Agriculture, Fisheries and Forestry also intend to vote on taking industrial action.

The government last month marginally increased its wage offer to 160,000 federal public servants to 11.2 per cent over three years, a rise of 0.7 per cent, and well below the union claim of 20 per cent.

The proposed annual wage increases are 4 per cent from March next year, 3.8 per cent 12 months later and 3.4 per cent from March 2026.

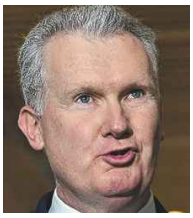
A CPSU poll of 15,000 members found 51.9 per cent support for the offer and 48.1 per cent rejecting it, with the union saying the slim majority reflected "lukewarm support" and the government needed to increase the level of proposed wage rises.

CPSU national secretary Melissa Donnelly said service-wide bargaining was a unique opportunity for the government to negotiate a pay and conditions package that brought together a fragmented and disparate APS.

"The CPSU wants to see a package on the table that APS employees can proudly get behind, and we believe the government wants that too," she said.

"There is a clear and simple fix here. The conditions package that has been negotiated contains industry-leading working from home rights, an increase to casual loading, significant improvements to paid parental leave and enhanced job security provisions.

"But APS employees have been clear in communicating that they want to see the government improve the pay offer."



Burke

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Streem

DEWR to consider strike over APS pay

By Miriam Webber

The Canberra Times
Friday 6th October 2023
565 words
Page 10 | Section: NEWS
312cm on the page



DEWR to consider strike over APS pay

PUBLIC SERVICE Fourth federal government agency to consider industrial action, as CPSU turns up pressure

Miriam Webber

THE federal government is staring down the threat of strikes in four agencies over APS pay, with the main public sector union on Thursday announcing workplace relations staff would vote on industrial action.

The Community and Public Sector Union last week knocked back a second pay offer of 11.2 per cent over three years, and scrambled to organise protected action ballots in several APS agencies.

Members in Services Australia, which had already approved action in July, will strike on Monday, while those in the Fair Work Ombudsman, the Department of Agriculture, Fisheries and Forestry and DEWR will vote on whether to take similar action. Ballots lodged with the Fair Work Commission have outlined options for stoppages up to one hour, and up to 24 hours.

The Australian Services Union, which represents staff in the tax office, has also rejected the offer, an increase of 0.7 percentage points on a proposal made in May.

The offer is the outcome of the first round of service-wide bargaining since 1995, and would affect salaries across 102 government agencies.

But the Public Service Minister and the government's chief negotiator showed no signs of budging on Thursday. Senator Gallagher said the government was "looking to resolve APS bargaining as soon as possible, so public servants can receive their pay rise and access improved conditions".

"We have responded to union concerns by revising the pay offer to an 11.2 per cent pay rise over three years as well as a significant improvement to conditions including enhancements to parental leave, and a boost to flexible working arrangements," she said.

"Decisions about protected action are a matter for the union but the government has bargained in good faith and increased our original wages offer."

The first scheduled pay rise for public servants was not due until March under the offer, which detailed a 4 per cent increase in 2024, followed by 3.8 per cent in 2025 and 3.4 per cent in 2026. The government has also tabled a pay equity model, which would lift the salaries of the lowest paid public servants across 83 agencies, and reached broad support on 52 common conditions, such as increased paid parental leave, and flexible work.

A spokesperson for the Australian Public Service Commission, which has facilitated the pay talks, said "the Commonwealth remains disappointed with the CPSU's decision" but respected employees' right to take protected industrial action.

"The chief negotiator remains available for negotiations with unions and employee bargaining representatives if they wish to reconsider the offer."

The CPSU rejected the pay offer despite narrow support for it in a poll of about 15,000 members.

The results of the poll, in which 51.9 per cent supported the offer and 48.1 per cent opposed it, did not show "clear support" the CPSU's national secretary Melissa Donnelly has said.

"The conditions package that has been negotiated contains industry-leading working from home rights, an increase to casual loading, significant improvements to paid parental leave and enhanced job security provisions," she said on Thursday.

"But APS employees have been clear in communicating that they want to see the government improve the pay offer."

The national secretary earlier in the week warned that agencies participating in industrial action would be "a list that will grow as needed".

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*Fee-Free TAFE campaign

Fee-Free TAFE Campaign			
Dates in Market	**Aim**	**Audience**	**Channels**
8 October 2023 – 23 March 2024	• Inform target audiences of the availability of Fee-Free TAFE training places available and drive them to the YourCareer website to find out more about courses, eligibility and where to enrol.	• Australians aged 25-54 who are looking to gain new skills or change careers their career path including: ○ Women ○ First Nations Australians ○ People out of work or receiving income support ○ People with disability • Young people aged 17-24 who are eligible for a Fee-Free TAFE course.	• Advertising will appear on **television** for five weeks from 8 October. • **Digital video, digital search and digital social** will be 'always on' throughout the duration of the campaign.

Funding summary

- Funding of $7.01 million was received in the October 2022 Budget for the Fee-Free TAFE campaign, including $5.89 million in 2022–23 and $1.12 million in 2023–24.
- A Movement of Funds request to move $5.573 million in unspent funding from 2022–23 to the 2023–24 financial year was approved by the Department of Finance. This brings the total budget for 2023-34 to $6.693 million, as reflected below.

Impact on underlying cash ($ millions)			
	2022-2023	**2023-2024**	**Total**
Total	-0.317	-6.693	-7.01

Expenditure/Budget ($ millions)

*Source: Budget tracker maintained by campaign team.

Item	2022–23 Budget	2023–24 Budget
Media	-	4.801
Advertising	0.137	1.092
Research	0.18	0.11
Public relations	-	0.25
Multicultural community	-	0.22
First Nations	-	0.22
Total	**0.317**	**6.693**

- As at 30 September 2023, $7.01 million has been committed and $1.273 million has been expended.

Timeline

Critical date	Event or action
8 December 2022	Minister for Finance and Chair of the Government Communications Subcommittee (GCS) approved the Fee-Free TAFE campaign proposal.
24 July 2023	GCS Stage 1 considered the campaign and approved the campaign to proceed to development.
14 August 2023	Independent Communication Committee (ICC) considered the Fee-Free TAFE campaign and found it capable of complying with Principles 1 to 5 of the Guidelines.
18 September 2023	GCS Stage 2 approval of the final advertisements for placement in the media.
8 October 2023	Campaign launch
TBC	The Fee-Free TAFE campaign will be evaluated by the GCS (Q3, 2024)

Related factsheet

PDR Link	Title
SB23-000100	*Fee-Free TAFE - Tranche 2 (Skills and Training Group)

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000399	*Hume, Jane*	*Total expenditure on advertising and information campaigns*	*The Departments total expenditure from 1 July 2022 to 28 February 2023 is $171,362 (ex GST) for the Fee-Free TAFE campaign.*
SQ23-000776	*Hume, Jane*	*Total expenditure on advertising and information campaigns*	*The Departments total expenditure in 2022/23 to 21 June is $229,884 (ex GST) for the Fee-Free TAFE campaign. (Refer to SQ22-001047)*
SQ23-001103	*Cash, Michaelia*	*External advice on the production of advertising material*	*The Government Communications Campaign Panel (GCCP) is the mandatory whole of government panel. DEWR is required to use this panel for campaigns above the value of $500,000. Clemenger BBDO tendered for creative services on the advice from the DoF which managed the GCCP.*

DRAFT

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000399

Senator Jane Hume provided in writing.

Total expenditure on advertising and information campaigns

Question

What was the Department s/agency's total expenditure on advertising and information campaigns in financial year 2022/23 to date? Please provide an itemised list of the campaigns with costs.

Answer

Expenditure on information and advertising campaigns from 1 July 2022 to 28 February 2023 is as follows.

Campaign	Expenditure to 28 February 2023 (ex GST)
Fee-Free TAFE	$171,362

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000776

Senator Jane Hume provided in writing.

Total expenditure on advertising and information campaigns

Question

What was the Department's total expenditure on advertising and information campaigns in financial year 2022/23 to date?
Please provide an itemised list of the campaigns, their purpose, and their expected costs.

Answer

The Department’s total expenditure on advertising and information campaigns in financial year 2022/23 to 21 June is $229,844 (GST exclusive) for the Fee-Free TAFE campaign.

Refer to SQ22-001047 for further details.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001103

Senator Michaelia Cash provided in writing.

External advice on the production of advertising material

Question

Please provide a list of tenders that were tendered to external organisations to provide external advice on the production of advertising material.
- Please provide the basis by which tenders were undertaken.
- Please provide the number of suppliers that were approached as part of the tender process.
- Please provide quotes provided by other suppliers in the tender process.
- Please provide the reason this particular supplier identified by the Department of Employment and Workplace Relations for this contract.
- Please provide (in monetary terms) the amount incurred by the Department of Employment and Workplace Relations under this contract since it was tendered.

Answer

The Government Communications Campaign Panel (GCCP) is a mandatory whole-of-government panel of communications suppliers who work on Australian Government advertising and information campaigns. Non-corporate Commonwealth entities subject to the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) must use the GCCP where they have a need for external communication expertise, and the campaign is expected to be above the value of $500,000.

Clemenger BBDO tendered for creative services on advice from the Department of Finance, which manages the GCCP.

As at 23 August 2023, $691,001 (excl. GST) has been expended on the contract.

Voice referendum

Key Points

- The department has provided information, guidance and supported the wellbeing of its people in the lead up to and following the Voice Referendum, including targeted support for First Nations employees.
- The department has **2.1%** (75, including 2 SES) First Nations employees as at 31 August 2023 (sourced from SAP).
- **No investigations or complaints** relating to racism, discrimination, or inappropriate conduct resulting from the Referendum have been received as at 30 September 2023 (sourced from Wellbeing and Performance, People Branch).
- **Communications** incorporating APSC and NIAA guidance covered key topics including:
    - engagement with the referendum in a personal and an official capacity
    - reminders to act with respect and courtesy
    - guidance relating to expenditure
    - services and advice to support wellbeing
    - information on reporting discrimination, racism, harassment and bullying
    - links to internal and external resources including the Voice website.
- Targeted communication was sent to leaders (EL2-SES) and our First Nations employees from our First Nations Champion, on the above topics, tailored to their circumstances.

Support for DEWR staff

- Acknowledging the potential impact of the Referendum on staff, access to **various support options** was provided both pre and post referendum, including:
    - yarning sessions facilitated by a First Nations clinician engaged through the department's EAP provider, and by Crisis Counsellor engaged through external provider Burbirra, available to First Nations employees online (both services shared with the Department of Education)
    - designated drop-in spaces and morning tea for First Nations employees, including access to the department's Yarning Room in Canberra
    - access to painting materials, meditative materials, and weaving materials in support of healing and wellbeing
    - access to Employee Support Officers
    - support from the department's Indigenous Liaison Officer
    - access to the Employee Assistance Program, including a dedicated Aboriginal and Torres Strait Islander Support line
    - access to physical materials on support available provided to state offices across the country, including EAP, Lifeline and 13 Yarn
    - support from the Performance and Wellbeing team.

Timeline of communication and activities

Date	Activity
30 May 2023	**National Reconciliation Week Opening All staff Event** Keynote address from the NIAA Referendum Taskforce on the Aboriginal and Torres Strait Islander Voice to Parliament and Referendum
30 May 2023	**Australian Government pamphlet** Recognising Aboriginal and Torres Strait Islander peoples though a Voice – provided at National Reconciliation Week event
1 June 2023	**Intranet Article** promoting the Voice intranet page
1 June 2023	**Voice intranet page** published to provide all staff information
21 June 2023	**First Nations EL employee Forum with the Secretary** agenda included a verbal update from Corporate, which included an update on the Voice Referendum and where to find resources
13 July 2023	**Email Message to all SES from General Counsel** on Commonwealth expenditure restrictions
27 July 2023	**Intranet Article** update on Referendum resources for all staff
4 September 2023	**Intranet Article** update on Referendum, including announcement of Referendum date and a reminder on expenditure restrictions
7 September 2023	**RAP Working Group Meeting** agenda included a verbal update on Voice Referendum and information provided to all staff
6 October 2023	**Intranet Article** update on Referendum resources for all staff
6 October 2023	**Email Message to EL2-SES from First Nations Champion** on how to support First Nations employees in the lead up to the referendum
6 October 2023	**Email Message to First Nations employees from First Nations Champion** on wellbeing support in the lead up to the referendum
6 October 2023	**Digital screen** reminder that referendum is taking place on 14 October 2023
9 -20 October 2023	**In person and online support** available to all staff, with targeted supports for First Nations staff.
11 October 2023	**Message to State Managers from First Nations Champion** advising of delivery of physical materials
15 October 2023	**Email from Secretary to all staff** on the Voice Referendum outcome
16 October 2023	**APS All-staff email from** s 22(1) **, APS** s 22(1) s 22(1) **and NIAA** on Voice Referendum outcome
16 October 2023	**Video Message from Secretary** on Voice Referendum outcome
16 October 2023	**Email Message from First Nations Champion to First Nations employees** supporting their wellbeing post referendum

Expenditure

- The department has not expended any funding to present arguments for or against the proposed Bill to amend the Constitution.*
- The department has incurred indirect costs to support our business as usual operations in the context of the referendum including for legal advice and to support the wellbeing of our staff:

Expenditure	Cost inclusive of GST
Legal advice from external provider	$5,552.00
13 Yarn wallet cards and Brochures	$172.00
Lifeline wallet cards	$57.94
Postage of physical materials to State Offices	$108.43
Culture on the Move weaving materials and facilitation	$4,345.00
First Nations clinician (EAP)	$3,960.00
EAP wallet cards	Nil
Crisis counsellor through Birburra***	Nil
Morning tea on two days, available in drop-in space***	Nil
Healing materials and painting materials	Nil
Total	**$14,195.37**

**Validation via SAP – FMIS using key words Voice, Referendum, Campaign, Bill and Constitution for the period 1 July 2023 to 10 October 2023.*

****Funded by the Department of Education.*

Consultation

- Legal and Assurance Division
- Finance and Budget Division – Finance Business Partners.

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ23-000748	*McGrath, James*	*Voice Campaign Material*	*Voice Referendum materials provided to DEWR employees.*

Attachment:

Voice Referendum communications to staff – dated 30 May-16 October 2023.

National Reconciliation Week 2023



2023 National Reconciliation Week Theme

National Reconciliation Week 2023 – it's a wrap!

TeamDEWR will you be a voice for generations?

This year's National Reconciliation Week (NRW) theme **'Be A Voice For Generations'** urged all Australians to use their power, their words and their actions to create a better, more just Australia for all of us.

NRW 2023 is a chance to get involved in Team DEWR's reconciliation journey and to use your voice to make tangible change in our everyday lives.
Reconciliation Australia NRW 2023

Events at DEWR for 2023

TeamDEWR commemorated NRW 2023 through planned events across the country.

State/Territory	Post Event Update
Canberra	**The First Nations Co-Champions** were joined by s. 22(1)(a)(ii) from the NIAA Referendum Taskforce who delivered a presentation on the Aboriginal and Torres Strait Islander Voice to Parliament and Referendum. The film, **Occupation: Native** reflected on the important contributions of Aboriginal and Torres Strait Islander peoples in the development of our country. **Maruku Arts** provided an online dot painting experience taught by an Anangu artist inspiring participants to create their own art work. **On Mabo Day -** s. 22(1)(a)(ii) gave a key note address sharing his story and the succession plan for his s. 22(1)(a)(ii) This even was then followed by a Native Meat BBQ where employees tried a varitey of native foods, such as kangaroo, crocodile, and emu sausages.
Queensland	**Brisbane** staff sourced Bush Tucker ingredients from Dreamtime Kullilla-Art and cooked up morning tea to enjoy together in the park and share stories.

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	Townsville staff gathered together at a morning tea at a site reflecting on connection to the land. **Rockhampton** staff visited the Rockhampton Art Gallery to view First Nations artworks, followed by a morning tea.
Western Australia	**The WA office** engaged Djinda Boodja Arts Hub to deliver Collaborative Art Workshop.
New South Wales	**DEWR's Newcastle office** hosted a joint event focusing on Truth Telling which was jointly facilitated with NIAA and joined by co-located Education and Infrastructure staff, as well as First Nations representatives from Newcastle City Council and NSW Government.
Victoria	**Melbourne** – DEWR Victorian Executives and local First Nations employees delivered a presentation on National Reconciliation Week, reflecting on DEWR's Launch event and key messages. First Nations catering was provided for afternoon tea for all staff. **Bendigo** – Hosted a First Nations morning tea where the Regional Manager addressed all staff and spoke about the importance of National Reconciliation Week. Victorian staff also brought in morning tea to the watch DEWR NRW launch event as a group.
South Australia	The South Australian State Office, Indigenous Liaison Officer s. 22(1)(a)(ii) and the Indigenous Business is Everyone's Business committee hosted a First Nations Networking Event on Wednesday 31 May 2023 at the Living Kaurna Cultural Centre. Attendees were from employment service providers, First Nations specialists and mentors along with our Employment Facilitators from the Adelaide North and Adelaide South employment regions. Guest speakers from South Australian Health and Medical Research Institute (SAHMRI) shared their research on Aboriginal and Torres Strait Islander workforce, social and emotional wellbeing, health services and systems. Kornar Winmil Yunti (KWY) also provided an overview of the broad range of services they offer in the community and how they are expanding their footprint and workforce in South Australia. The SA office also launched an Indigenous employment consultant and mentor network where we will meet quarterly to gather to capture intel and any issues people are facing in the community to feed to our policy areas. Afterwards guests were able to network whilst being treated to afternoon tea with a selection of First Nations food. Overall, it was a great opportunity to hear what providers are doing in the regions.
Northern Territory	Participated in the online Dot art painting class delivered remotely from the township of Yulara, Uluru. The participants were taught by a local Anangu artist Joanne traditional art, symbols, tools, and Pitjantjatjara language.
Tasmania	Participated in the online Dot art painting class delivered remotely from the township of Yulara, Uluru. The participants were taught by a local Anangu artist

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	Joanne traditional art, symbols, tools, and Pitjantjatjara language.

The department is committed to reconciliation, cultural safety and respect at work in alignment with the National Agreement on Closing the Gap. The department reminds staff of the APSC guidance on engaging with the Aboriginal and Torres Strait Islander Voice to Parliament and Referendum.

Resource Links

The 1967 Referendum - AIATSIS
The Mabo Case - The Mabo Case | AIATSIS
National Sorry Day 2023 - National Sorry Day - Reconciliation Australia
The Stolen Generations - The Healing Foundation | Supporting the healing of Stolen Generations survivors, families and communities

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DEWR NEWS

The Voice to Parliament and Referendum – staff guidance and support



As part of DEWR's National Reconciliation Week (NRW) activities, the National Indigenous Australians Agency (NIAA), gave a special presentation on the upcoming referendum and the Aboriginal and Torres Strait Islander Voice to Parliament (The Voice).

As you will be aware, later this year, Australians will have their say in a referendum to decide whether to 'alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice'.

At TeamDEWR, we all have a responsibility to ensure we uphold our obligations as APS employees and educate ourselves on The Voice. We also have an obligation to support each other throughout the referendum process.

Supporting materials for both employees and managers are now available on the intranet. These materials provide information and guidance on engaging in the referendum in an official and unofficial capacity, as well as maintaining employee wellbeing. We encourage you to familiarise yourself with this material.

More information

For more information, visit The Voice intranet page, contact FirstNationsHR@dewr.gov.au, or the diversity and inclusion team.

Secretary's space | DEWR news

The Voice

Guidance and advice for staff on the Aboriginal and Torres Strait Islander Voice to Parliament and Referendum

The Government will hold a referendum between October and December this year to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice (**The Voice**). The National Indigenous Australians Agency (**NIAA**) is leading preparation for the referendum through First Nations engagement, coordination across the Australian Public Service (**APS**), and supporting government processes.

Commentary and public debate in the lead up to the referendum may be distressing for staff. The heightened risk of exposure to racism and discrimination directed towards Aboriginal and Torres Strait Islander peoples will put particular strain on the strength and resilience of First Nations employees, their families and communities.

Being impartial is an important APS Values, as outlined in the Public Service Act. This requires APS employees to be apolitical and ensure their actions don't provide grounds for a reasonable person to conclude they cannot serve the Government of the day impartially.

We all have a responsibility to ensure our workplaces are psychologically and culturally safe. We acknowledge that we all come to work with different perspectives and experiences. Therefore we must be mindful of our personal views, and the experiences of our colleagues.

Guidance and support

DEWR has developed supporting materials for employees and managers to help guide staff as they engage with the referendum.

Information for Employees

This information provides guidance to DEWR employees on:

- Engaging with the referendum in an official capacity
- Engaging with the referendum in a personal capacity
- Reporting discrimination, racism, harassment and bullying
- Supporting your colleagues
- Supporting your wellbeing

To read more about the Employee Support Guide click here .

Information for Managers

This information provides guidance to DEWR managers on:

- Supporting your employees
- Expectations of managers
- Hosting Discussions
- Supporting your wellbeing

To read more about the Manager Support Guide click here.

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Employees support services:

- EAP (1300 360 364) – for crisis supports, critical incidents and free confidential counselling support.
- Benistar's dedicated Aboriginal and Torres Strait Islander Support line (1800 816 152).
- Employee Support Officers
- 13YARN (13 92 76) (First Nations employees)
- Lifeline (13 11 14)

For more information:

- The Voice website has up to date public information about the Voice. You can subscribe to get the monthly newsletters.
- Australian Electoral Commission website: aec.gov.au/Elections/referendums
- Parliamentary Education Office website: peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution

Resources

- NIAA Voice and Referendum - Resources
- Voice and Referendum - Official Standard Words - 18 July
- FAQ - Restrictions on Commonwealth Expenditure

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[redacted]

The Voice - Employee Support

Information for Employees

Engaging with the referendum in an official capacity

The role of the Australian Public Service in the Referendum

The Government is committed to implementing the Uluru Statement from the Heart in full. This includes holding a referendum in 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution, through an Aboriginal and Torres Strait Islander Voice to Parliament.

The role of the public service in the referendum is the same as in other Government policy – to serve the Government of the day to deliver on its commitments. The Australian Public Service is apolitical and the public must have confidence in the capacity of the public service to remain impartial.

To support the Government's policy agenda, the role of the public service in the referendum involves:

- Preparing for and delivering the referendum.
- Providing a trusted source of factual information to the Australian public.
- Supporting government processes (such as legislation and budget processes) and members of Government (for instance through briefing and supporting meetings).

At all times we must:

- Understand that our role is not to influence the outcome of the referendum by presenting 'yes' or 'no' arguments, but to support to the Government to implement the referendum.
- Understand the importance of remaining impartial, recognising that the decision to change the Australian Constitution lies with the Australian people.
- Take care when discussing the referendum to explain the policy in neutral, fact-based language, rather than advocate for or against a particular position.

The Voice and the referendum internet page

DEWR's role in preparing for and contributing to the referendum

DEWR's role in preparing for and contributing to the referendum

The referendum is a unique period in Australian history, presenting some complexities for public servants to navigate in their day-to-day work.

DEWR employees will support government processes and members of government by:

- Contributing to APS-wide discussions and Interdepartmental committees.
- Preparing senior leadership for APS-wide meetings, drafting briefs, speeches and responding to correspondence from the public.
- Recognising and supporting First Nations people who might experience compounding strain as they move towards the referendum, whilst also seeking to find employment, prepare for work, or obtain extra skills and experience.

^ Speaking about the referendum in an official capacity

Speaking about the referendum in an official capacity

Employees should explain the Government's policy on the referendum using factual and balanced language, rather than advocating for a certain position. Below are some key points you can use when discussing the referendum with stakeholders or members of the public.

If asked about the Government's policy position:

- The Australian Government is committed to implementing the Uluru Statement from the Heart in full.
- The Government will hold a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution, through an Aboriginal and Torres Strait Islander Voice, in 2023.
- Visit the Voice website for information.

If asked about the 'Yes' and 'No' campaigns:

- The Government will not fund a 'Yes' or 'No' campaign, but will develop a neutral, facts based civics education program.
- Visit the Voice website for information.

If asked about voter enrolment:

- It is compulsory by law for all eligible Australian citizens aged 18 and older to enrol and vote in referendums; this will work in the same way as a federal election.
- If you are already enrolled you do not need to enrol again to vote in the referendum.
- For more information or to check your enrolment status, visit the Australian Electoral Commission website.

If asked about your personal views for or against the Voice:

- Avoid presenting arguments for/against the Voice.
- Avoid persuading stakeholders to vote 'Yes' or 'No' in the referendum.
- Avoid sharing your personal opinions on the referendum when acting in an official capacity. If you do not know how to respond or would prefer not to respond to a question, please encourage the stakeholder to email referendum@niaa.gov.au.

If asked about the referendum outside of work:

- DEWR acknowledges that it may be difficult to determine whether your interactions with community members are official or unofficial activities – especially when you are well known by your community as a DEWR employee even after you have logged off. This is particularly true for First Nations employees and employees working in regional offices.

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- When outside of the workplace, make it clear to community members whether you are expressing the views of DEWR or your personal views. If you think you are being asked because of your role as a DEWR employee, it's best to treat this as 'official' activity, and keep your comments factual, respectful, and balanced.

If asked a question you are not comfortable answering:

- Thank the person for asking your opinion, however state that you'd prefer not to discuss this. Recommend they check the following resources available in the landing page.
- State that this is not something you feel comfortable discussing and thank for understanding.
- State that you are still forming your own opinion and educating yourself.
- Recommend the person check out the Voice and referendum intranet page for the latest information and resources.

Engaging with the referendum in an unofficial capacity

Can DEWR staff engage with the referendum?

Yes – provided that you do so in a way that is consistent with your obligation to maintain public confidence in the integrity and impartiality of the APS.

There are no hard and fast rules when it comes to your engagement with the referendum - ultimately, your personal involvement is your decision, having regard to your APS obligations.

How can I engage as a private citizen?

APS employees may generally make public comment in an unofficial capacity (i.e. as a private citizen), as long as the comment is lawful, does not conflict with their role, and it is clear they are expressing their own views. Employees may also participate in political activities as part of normal community affairs, as long as they avoid any real or apparent conflict of interest.

What are my obligations as an APS employee?

The APS Code of Conduct, provided in section 13 of the Public Service Act 1999, requires an APS employee to, at all times, behave in a way that upholds:

- The APS Values and APS Employment Principles.
- The integrity and good reputation of the employee's Agency and the APS.

Being impartial is an important APS Value outlined in the Public Service Act. This Value requires APS employees to be apolitical and ensure their actions don't provide grounds for a reasonable person to conclude they cannot serve the Government of the day impartially.

While we are required to uphold this value at all times, it does not mean we cannot have or express political views in our private lives. However, we need to ensure that our behaviour could not be reasonably viewed or questioned as failing to uphold the integrity and impartiality of the APS.

Avoiding a conflict of interest

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The Code of Conduct also requires APS employees to take reasonable steps to avoid any conflict of interest in connection with their APS employment. A conflict of interest could be real or apparent. A real conflict of interest occurs where there is a conflict between the public duty and personal interests of an employee that could improperly influence the employee in the performance of their duties. An apparent conflict of interest occurs where it appears that an employee's personal interests could improperly influence the performance of their duties, whether or not this is the case.

DEWR can decide if your actions constitute a breach of the Code of Conduct. A suspected breach of the Code of Conduct may lead to an investigation and appropriate disciplinary action, at the discretion of the department. This information is not intended to discourage staff from engaging with the referendum, but rather to provide adequate information about the potential risks involved. DEWR does not generally monitor the behaviour of individual staff members outside of work, and will take a fair and common sense approach to assessing any potential Code of Conduct breaches arising in the context of the referendum.

The Australian Public Service Commission (APSC) has further guidance on APS employee responsibilities while acting as citizens and members of the community, including:

- APSC Values and Code of Conduct in Practice-Section 6 - Employees as Citizens
- Social media: Guidance for Australian Public Service Employees and Agencies
- APSC Ethics Advisory Service to help talk you through difficult decisions and dilemmas.

The Voice website has the most up to date public information and resources.

Risk factor	Questions to Consider	Steps you can take to rec
Seniority / visibility The more well known you are as a government employee, the harder it is to separate your public and private personas	• Are you a senior staff member or well known as a DEWR employee in your community or online? • Could people reasonably assume that your comments are made on behalf of DEWR or the Government? • Are people likely to lend extra weight to your comments because of your seniority or position, or assume your comments are based on specialised knowledge?	• Check with your man publicly with the refe • Make it clear when er that you are acting in views, if it is otherwis • If you are not able to spokesperson for the the guidance on enga capacity.
Proximity The closer your work is to the referendum, the higher the risk of engaging publicly	• Could people reasonably assume your views are based on official knowledge? • Could people reasonably assume you are commenting or acting in an official capacity? • Would your actions raise the perception of a conflict of interest or otherwise call into question whether you can undertake your role impartially and professionally?	• Keep your profession leave to attend event and only on personal • Avoid expressing per platform where you a Be mindful of the per social media platform • Make it clear when er that you are acting in views, if it is otherwis • Don't wear DEWR-bra
How you engage The wider the reach of your actions or comments, the higher the risk	• Is it possible your comments or actions will get media attention or go viral? • Could your comments or actions be taken out of context?	• Consider taking conv them on social media • Check with your man or attending events. • Make it clear when er that you are acting in views, if it is otherwis
Type of information Sharing factual information about the referendum is lower risk	• Could sharing your strong opinions on this issue be reasonably perceived to undermine your ability to act as an impartial public servant?	• If possible, pause. Giv want to say before yc • Avoid engaging with inflammatory, offensi

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Risk factor	Questions to Consider	Steps you can take to rec
than sharing strong opinions		• Revisit the APS Code Employment Principl referendum are respe the APS Values and E good reputation of y • Make it clear when e that you are acting in views, if it is otherwis

Reporting discrimination, racism, harassment and bullying

Supporting your colleagues

It's important to remember that we all have different reactions and experiences about the issues being raised, and that we need to be considerate of our colleagues. Before engaging with colleagues about the Voice and referendum, remember:

- Make sure you take active steps to educate yourself. Go to voice.gov.au for the most up to date public information and resources.
- When talking about the Voice or referendum, practice judgement. Be mindful of who may hear your conversation and the impact the conversation may have.
- Respect others' right not to engage in conversation about the Voice and referendum.

Supporting your wellbeing

As public commentary about the Voice and referendum intensifies you may come across views or opinions that differ from your own.
Should you experience distress in the lead up to the referendum, speak with your manager or a member of the Performance and Wellbeing team in the first instance. If you do not want to disclose your concerns to your manager, you can contact the Performance and Wellbeing Team to seek confidential support. Email:
s. 47E(d)

Employees can also access a range of support services:

- **EAP (1300 360 364) –** for crisis supports, critical incidents and free confidential counselling support.
- **Benistar's dedicated Aboriginal and Torres Strait Islander Support line (1800 816 152)**
- **Employee Support Officers**
- **13YARN (13 92 76) (First Nations employees)**
- **Lifeline (13 11 14)**

Questions

The Voice website has the most up to date public information and resources.

Department of Employment and Workplace Relations - Released under FOI



The Voice – Manager Support

Information for Managers

Supporting your employees

Conversations about the Voice and referendum will happen in the workplace. As a manager it's important you're aware of how these conversations may impact your team members, and be prepared to support employees should they need it.

It is also important to be mindful of your own discussions and comments about the Voice and referendum and how these will be perceived. It is vital that you work towards fostering a culturally safe environments for staff.

If someone raises concerns with you regarding conversations about the Voice and referendum, listen to their concerns and work with them to create a safe work environment. Be guided by what they need, making sure you're working within the bounds of the DEWR's policies and procedures. If you need help with this, speak with your line manager or contact the Performance and Wellbeing team.

You may also become aware of conversations raised in other areas of the workplace. Should you have concerns about these conversations, consider raising this with the Manager of the team in question.

^ Expectations of Managers

Familiarise yourself with the Information for Employees and ensure your staff have access to the information and support they require before, during, and after the referendum.

All mangers have access to DEWR delivered training Courses:

- Cultural Training – online and face to face
- Health Safety and Wellbeing
- Beyond Blue Managing Mental Health Risks at Work

Regularly check in with your team, particularly with First Nations employees and those who work remotely, and ask them if they're ok:

- Beyond Blue - Managing Mental Health Risks at Work eLearning course, may assist you to have these conversations.
- R U OK? has developed four conversation steps to give you the skills and confidence to navigate a conversation with someone you're worried about.
  - Ask, Listen, Encourage Action, Check in.
- Head to Health is a Department of Health resource that helps you find digital mental health services from trusted mental health organisations.

- DEWR's Aboriginal and Torres Strait Islander Employee Network [J3] fosters opportunities for First Nations employees to support one another.

Understand that frequent or unsolicited questions may result in an increased cultural load for First Nations employees. You can help ease this burden:

- Talk to your First Nations staff about their needs during this time about how you can best support them. If necessary, discourage team members from asking unsolicited questions from First Nations employees about the Voice and referendum.
- Inform yourself about the Voice.
- Encourage team members to visit the Voice website which has up to date information and resources about the Voice.
- The Voice and referendum intranet page [A4] also has information and resources for staff.

Further public information can be found at:

- Australian Electoral Commission website: aec.gov.au/Elections/referendums
- Parliamentary Education Office website: https://peo.gov.au/understand-our-parliament/how-parliament-works/the-australian-constitution

Encourage your team to be mindful of where and when they're having conversations about the Voice and referendum.

- When having any conversations about the Voice or referendum, practise judgement. Be mindful of who may hear your conversation and the impact the conversation may have.
- Ensure people have a genuine choice to participate or not take part and respect this choice.

Be led by your team and remember support needs will be different for everyone. Make informed decisions, not assumptions:

Let your team know you that,

- You understand they may be exposed to uncomfortable or difficult conversations about the referendum, both in the workplace and in their personal lives.
- You are conscious that public commentary may impact their wellbeing during this time.
- You are there to support them and to ensure they feel safe and respected within the workplace.

Make it clear that DEWR has a zero-tolerance stance against all forms of discrimination or racism

- As a manager, it is your responsibility to address any form of discriminatory behaviour within your team.
- Should you need support in addressing such behaviour, please speak the Performance and Wellbeing team.
- The following resources are available to you:
  - Workplace Discrimination and Harassment intranet page.
  - Managing Workplace Discrimination and Harassment Policy.
  - APS Values and the Code of Conduct intranet page.
  - If you have concerns about the health or wellbeing of an employee, contact the Performance and Wellbeing team.

Hosting discussions

If hosting a discussion that will include reference to the Voice and related topics, consider adding the following statement before starting the conversation.

"Opinions and perspectives on the Voice and the referendum will vary and we ask that discussion remains respectful and safe at all times. It is our collective responsibility to actively build and maintain culturally safe workplaces and communities, and this extends to how we discuss the Voice and referendum at work and in our personal lives.

We're all responsible for helping to keep each other safe and to feel supported at work.

^ Supporting your wellbeing

Supporting the wellbeing of your team can also have compounding impacts on your own wellbeing. Taking care of yourself is vital. It also models the importance of self care for your employees.

Should you experience distress or difficulty working in your role in the lead up to the referendum, speak with your manager or the Performance and Wellbeing team in the first instance.

The Performance and Wellbeing team can provide additional confidential support to anyone who does not want to disclose concerns to their managers, or who may require support to be put in place such as reasonable adjustments.

You can email the team at s. 47E(d)

Employees can also access a range of support services:

- **EAP (1300 360 364) –** for crisis supports, critical incidents and free confidential counselling support.
- **Benistar's dedicated Aboriginal and Torres Strait Islander Support line (1800 816 152)**
- Employee Support Officers
- **13YARN (13 92 76) (First Nations employees)**
- **Lifeline (13 11 14)**

The Voice website has the most up to date public information and resources.

Questions

The Voice website has the most up to date public information and resources.

From:
Sent:
To:

Cc:
Subject: Commonwealth expenditure restrictions – Referendum on an Aboriginal and Torres Strait Islander Voice [SEC=OFFICIAL]

Colleagues

Commonwealth expenditure restrictions – Referendum on an Aboriginal and Torres Strait Islander Voice

Later this year, Australians will have their say in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice (the Voice). The proposed alteration to the Constitution is set out in the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill, which passed both houses of Parliament on 19 June 2023.

Since the passage of this Bill, restrictions have come into force on the way the Commonwealth can spend money. The restrictions provide that **Commonwealth departments must not spend money on the presentation of arguments in favour or against the proposed Bill to amend the Constitution**. This includes indirect expenditure, for example, through grants to organisations that make public statements for or against the Voice. Further details are contained in section 11 of the *Referendum (Machinery Provisions) Act 1984*.

There are limited exceptions to the expenditure restrictions, including expenditure in relation to:

1. The funding of neutral public civics education and awareness activities which do not address the arguments for or against the proposed Bill.

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2. Salaries of persons who are appointed or engaged under the *Public Service Act 1999*. NB: Only salaries are excepted, not supplier costs including travel, stationery, etc.

What does this mean for you?

All staff undertaking activities that involve the expenditure of Commonwealth funds, such as procurement and grants activities and the use of a departmental credit card, must consider whether the expenditure could be prohibited by these restrictions prior to spending the money.

If you are unsure about whether the proposed expenditure might be prohibited, you must seek legal advice from the Legal and Assurance Division by sending an email to s. 47E(d)

Regards

s. 22(1)(a)(ii)

Legal and Assurance Division
Australian Government Department of Employment and Workplace Relations
s. 22(1)(a)(ii)

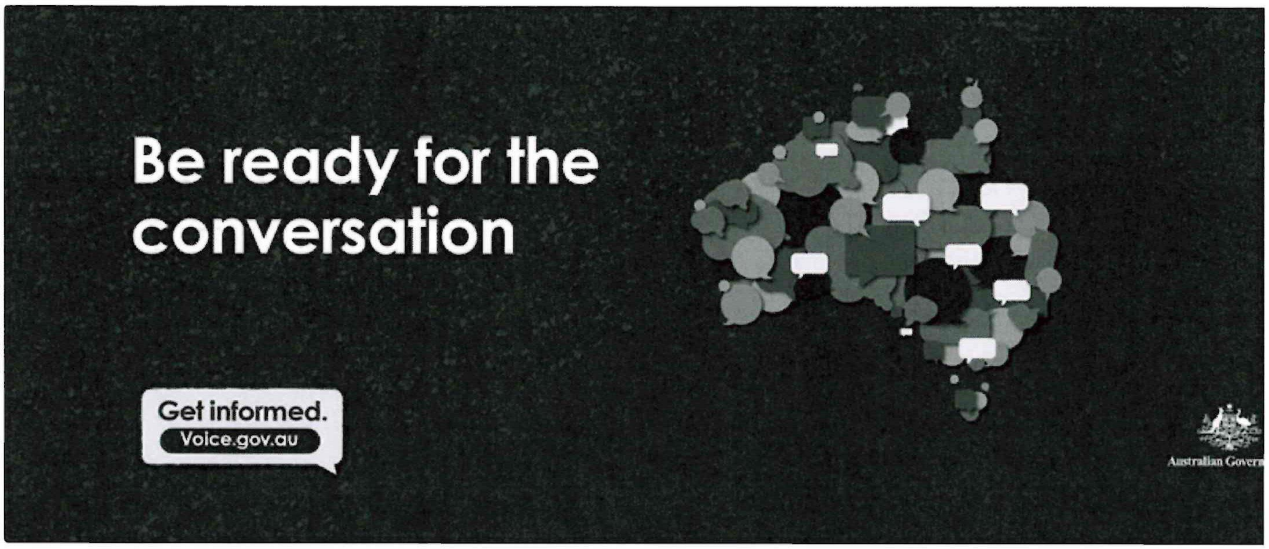
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DEWR NEWS

Aboriginal and Torres Strait Islander Voice to Parliament Referendum

Published 27/07/2023



Be ready for the conversation - Get Informed at Voice.gov.au

Are you up-to-date on the Aboriginal and Torres Strait Islander Voice to Parliament information?

The Government will hold a referendum between October and December 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament.

With the referendum fast approaching, it is important to remember that all APS employees have a responsibility to ensure that we are up to date on information and guidance relating to the Referendum.

The DEWR Voice intranet page provides information and supporting materials for both employees and their managers to help guide all staff in their engagement with the referendum, obligations as APS employees and managers, and the support avenues that are provided by DEWR.

Being impartial is an important APS Values, as outlined in the Public Service Act. This requires APS employees to be apolitical and ensure their actions don't provide grounds for a reasonable person to conclude they cannot serve the Government of the day impartially.

We also have a responsibility to ensure that our workplaces are psychologically and culturally safe. We acknowledge that we all come with different perspectives and experiences, and we must therefore be mindful of our personal views, and the experiences of our colleagues.

Supporting your colleagues

It's important to remember that we all have different reactions and experiences about the issues being raised, and that we need to be considerate of our colleagues. Before engaging with colleagues about the Voice and referendum, remember:

- Make sure you take active steps to educate yourself. Go to voice.gov.au for the most up to date public information and resources.
- When talking about the Voice or referendum, practice judgement. Be mindful of who may hear your conversation and the impact the conversation may have.
- Respect others' right not to engage in conversation about the Voice and referendum.

For more information on the Aboriginal and Torres Strait Islander Voice to Parliament and DEWR support materials head to the Voice intranet page.

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DEWR NEWS

Aboriginal and Torres Strait Islander Voice to Parliament Referendum

Published 04/09/2023

The date for the Voice Referendum has been announced, what do you need to know?

The Government has announced that the Referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament will be held on Saturday 14 October 2023.

It is important to remember that all APS employees have a responsibility to ensure that we are up to date on information and guidance relating to the Referendum.

What are our responsibilities?

The department's Voice intranet page provides information and supporting materials for both employees and their managers to help guide all staff in their engagement with the Referendum, obligations as APS employees and managers, and the support avenues that are provided by DEWR.

Being impartial is an important APS Values, as outlined in the *Public Service Act 1999*. This requires APS employees to be apolitical and ensure their actions don't provide grounds for a reasonable person to conclude they cannot serve the Government of the day impartially.

What about procurement?

The proposed alteration to the Constitution is set out in the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill, which passed both houses of Parliament on 19 June 2023.

Since the passage of this Bill, restrictions have come into force on the way the Commonwealth can spend money. The restrictions provide that **Commonwealth**

departments must not spend money on the presentation of arguments in favour or against the proposed Bill to amend the Constitution. This includes indirect expenditure, for example, through grants to organisations that make public statements for or against the Voice. Further details are contained in section 11 of the *Referendum (Machinery Provisions) Act 1984*.

There are limited exceptions to the expenditure restrictions, including expenditure in relation to:

1. The funding of neutral public civics education and awareness activities which do not address the arguments for or against the proposed Bill.
2. Salaries of persons who are appointed or engaged under the *Public Service Act 1999*. NB: Only salaries are excepted, not supplier costs including travel, stationery, etc.

What does this mean for you?

All staff undertaking activities that involve the expenditure of Commonwealth funds, such as procurement and grants activities and the use of a departmental credit card, must consider whether the expenditure could be prohibited by these restrictions prior to spending the money.

More information is available on the Procurement intranet page and if you are unsure about whether the proposed expenditure might be prohibited, you must seek legal advice from the Legal and Assurance Division by sending an email to s. 47E(d)

Supporting your colleagues

We also have a responsibility to ensure that our workplaces are psychologically and culturally safe. We acknowledge that we all come with different perspectives, and we must therefore be mindful of our personal views, and the experiences of our colleagues.

It's important to remember that we all have different reactions and experiences and that we need to be considerate of our colleagues. Before engaging with colleagues about the Voice and Referendum, remember:

- Make sure you take active steps to educate yourself. Go to voice.gov.au for the most up to date public information and resources.
- When talking about the Voice or Referendum, practice judgement. Be mindful of who may hear your conversation and the impact the conversation may have.

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- Respect others' right not to engage in conversation about the Voice and Referendum.

For more information on the Aboriginal and Torres Strait Islander Voice to Parliament and DEWR support materials head to the Voice intranet page.

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OFFICIAL

Australian Government
Department of Employment and Workplace Relations

RECONCILIATION ACTION PLAN WORKING GROUP

7 SEPTEMBER 2023 | 11.00AM – 1.00PM

MINUTES

AGENDA ITEM 1: Welcome, Acknowledgement of Country, Apologies

- The Chair welcomed members to the first meeting of the Reconciliation Action Plan Working Group (the Working Group) meeting and performed an Acknowledgement of Country.

  Outcome: The Chair welcomed members and noted apologies.

AGENDA ITEM 2: Introductions by Chair, SES and RAP Project Team

- The Chair introduced himself. The Chair invited SES members to introduce themselves: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
- The Chair also invited the RAP Project Team to introduce themselves, includin s. 22(1)(a)(ii) s. 22(1)(a)(ii) s. 22(1)(a)(ii) This team will support the Working Group.
- The Chair noted the importance of getting to know each other and requested the Project Working Group develop a document with names, profiles and pictures of all members.

  Outcome: The Chair, SES and Project Working Group members introduced themselves.

  Action 1/23: The RAP Project Team to develop list with names, profiles and pictures of RAPWG members.

AGENDA ITEM 3: Terms of Reference

- The Chair provided members with the RAPWG Terms of Reference (ToRs), as approved by the People Culture and Engagement Committee on 15 June 23.
- Members queried engagement of First Nations community members as part of the membership. They discussed the benefits of engaging externals to advise and test future actions. The Chair requested that the Project Working Group develop a proposal for consideration.
- Members discussed membership including tenure, roles, replacement of individuals following departure, and arrangements for non-attendance at Working Group activities. Members noted that they are currently engaged for the development of the incoming RAP, which may last between 8-12 months pending endorsement of the RAP by Reconciliation Australia (RA). Members agreed to individuals being replaced to ensure equal representation across Groups and were advised that this would be drawn from a membership waiting list in the first instance. Members were asked to inform the Project Working Group of their intent to depart the Working Group. They also agreed that proxy arrangements would occur by exception and that individuals should commit wherever possible to Working Group activities.
- Members also discussed the reference to cultural learning activities. Members were advised that they will be provided opportunities to uplift their own cultural capability and awareness. This

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will include a dedicated Cultural Awareness Session in mid October. Members were asked to provide feedback to the Project Working Team on any cultural learning activities of interest.

Outcome: The Working Group noted its ToRs. The Working Group discussed membership requirements, noting a course of action for member replacements and proxy arrangements.

Action 2/23: The RAP Project Team to develop a proposal on engaging with First Nations community members.

Action 3/23: The RAP Project Team to update the Terms of Reference to reflect agreement to replacement of members following departure, and the intent to limit proxy arrangements.

AGENDA ITEM 4: Update on Governance Arrangements

- The RAP Project Team provided an update on governance arrangements, including requirements to report to the People Culture and Engagement Committee and the establishment of the Diversity and Inclusion Advisory Committee.
- In discussion, members acknowledged that many RAP actions and requirements require activity across departments with very few belonging to HR.
- The RAP Project Team noted the proposal to establish a RAP Working Group Steering Committee and three RAP Working Group Sub-Groups. Members noted that the Steering Committee would advise the Chair on matters relating to the Working Group and would be attended by all members of the SES, and a small group of ELs. Members discussed the establishment of Sub-Groups and were generally supportive of the proposal noting the benefits to workload management. Members also discussed the need to clearly articulate the role of each Sub-Group to avoid duplication, and the benefit of Sub-Group leads working together to ensure alignment. Members requested that these changes be reflected in the ToRs.

  Outcomes: The Committee:

  - noted the reporting arrangements to the People Culture and Engagement Committee and the establishment of the Diversity and Inclusion Advisory Committee.
  - agreed to establish a RAP Working Group Steering Committee and three Sub- Groups.

  Action 4/23: The RAP Project Team to update the Terms of Reference to reflect the establishment of a RAPWG Steering Committee, and RAPWG Sub-Groups.

AGENDA ITEM 5: Reconciliation – Setting the Scene

- The Working Group was updated on matters influencing Reconciliation and the Working Group.
- The Rap Project Team noted the role of Reconciliation Australia in the development of DEWR's RAP. Members noted the need to work in close partnership with Reconciliation Australia, meeting their requirements including the establishment a Working Group and choice of a RAP type. Members noted the timeframe for developing a RAP.
- Members were also advised that whilst DEWR takes advice from Reconciliation Australia on reconciliation, we must be cognisant that an independent non-government entity, they have taken a particular stance on the Voice Referendum. APS staff were reminded of their responsibility to practice impartiality in an official capacity when engaging on the Referendum.
- s. 22(1)(a)(ii) provided an update on Closing the Gap. Members were advised of the history of the Closing the Gap Agreement over recent decades. Members were advised of the intent to address entrenched disadvantage for First Nations peoples, and that historically a number of indicators have not been met. The new Closing the Gap Agreement includes four priority reforms to shift

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the way in which governments close the gap including the priority to Transform Government Organisations. It is the Secretary's priority that DEWR do all it can to close the gap.

- The RAP Project Team were also advised on the Voice Referendum. Members were reminded that First Nations employees should be supported throughout the Referendum period. Members were also made aware that pending the outcome, DEWR will need to consider the impacts of the Referendum for our incoming RAP.

  Outcomes: The Committee:

  - Noted the role of Reconciliation Australia in the development of DEWR's RAP.
  - Noted the alignment with the National Agreement on Closing the Gap.
  - Noted the impact of the Voice Referendum in the workplace and in developing the RAP.

AGENDA ITEM 6: RAP Framework Discussion

- The Chair led a discussion on the most appropriate RAP type for the new DEWR RAP, reflecting DEWR's level of cultural integrity and aligning with the Framework model determined by Reconciliation Australia. Members were asked to discuss two RAP Types: Innovate or Stretch.
- Members discussed the Stretch RAP, reflecting on the desire to take an ambitious approach towards reconciliation. This includes thinking beyond ourselves and considering DEWR's sphere of influence. Members noted pre-existing achievements in progressing reconciliation, however also recognised that these achievements are not consistent across the department. Members also reflected on the desire to be innovative where possible.
- Members also discussed the benefits of an Innovate RAP, reflecting that this would allow DEWR to build firm foundations in reconciliation, whilst honestly reflecting our current state of maturity. Members suggested that that an Innovate RAP would allow DEWR to get the basics right, allowing us to examine current systems and structures before stretching into more innovative actions. It would potentially better enable the Working Group to manage expectations as to what is achievable, and therefore better enable staff to consider reconciliation as part of their core business. Members agreed to the benefits of taking incremental steps to set the department up for future success.
- Members acknowledged that if a number of programs on a RAP exceed expectations, DEWR have the option to provide a business case to Reconciliation Australia to close the current RAP early and engage in higher-level RAP.
- The Chair surmised that the majority of members sought to undertake an Innovate RAP, whilst exploring options for adding stretch actions. The Project Working Group will liaise with Reconciliation Australia to discuss. The final decision on the RAP type to be set by the Chair.

  Outcome: The Working Group discussed a the most appropriate RAP type for DEWR, agreeing to an Innovate RAP with some stretch actions were possible.

  Action 5/23: The RAP Project Team to liaise with Reconciliation Australia to discuss the approach to adding some stretch actions to an Innovate RAP.

AGENDA ITEM 7: RAP Sub Groups

- RAP Sub-Group discussions did not go ahead.
- RAP Sub-Groups are to commence and report on establishment out of session.

AGENDA ITEM 8: Other Business

- Members noted that they had received queries about the Voice Referendum and requested further support and information. Information to be provided by the Project Working Group.

  Action 6/23: The RAP Project Team to provide links to information and supports on the Voice Referendum.

AGENDA ITEM 9: Meeting Close

Chair	s 22(1) , Pacific Labour Operations Group
Members	• s. 22(1)(a)(ii) • s 22(1) s 22(1) s 22(1) • s 22(1) Employment Adelaide • s 22(1) Officer, VIC Melbourne • s 22(1) Officer, Digital Services • s 22(1) Officer, Workers Compensation Policy • s 22(1) Officer, Business Content and Digital Support • s 22(1) Implementation and Education • s 22(1) Procurement Policy and Advisory Services • s 22(1) Women and Parents Employment Policy • s 22(1) Mining, Automotive, Construction and Property • s 22(1) First Nations Partnerships • s 22(1) VIC Corporate, Employment Melbourne • s 22(1) Time to Work • s 22(1) , Digital Employment Fund • s 22(1) , Domestic Skills System • s 22(1) Workforce Planning • s 22(1) Officer, Employment West and North Coast QLD • s 22(1) , Claim Assessment Team 2 • s 22(1) Employability Skills and Programs • s 22(1) • s 22(1) Officer, FEG Program Management Office • s 22(1) Officer, Corporate Services, Communications & Stakeholder Relations • s 22(1) Officer, Employment Adelaide • s 22(1) , Procurement Policy Advisory Services • s 22(1) Assessing Authority Policy and Assurance • s 22(1) Performance and Wellbeing • s 22(1) Officer/Data Analysis, Specialist Program Evaluation
Apologies	• s 22(1) Officer, Western Sydney Southern and Central NSW

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RAP Project Team (Secretariat)	• s 22(1) Diversity and Inclusion • s. 22(1)(a)(ii) Diversity and Inclusion • s. 22(1)(a)(ii) Diversity and Inclusion

ACTIONS ARISING as of 7 September 2023

MEETING: 7 SEPTEMBER 2023

ITEM	ACTION	RESPONSIBILITY
1/23	The Rap Project Team to develop membership list with names, profiles and pictures of RAPWG members.	RAP Project Team
2/23	The RAP Project Team to develop a proposal on engaging with First Nations community members.	RAP Project Team
3/23	The RAP Project Team to update the Terms of Reference to reflect agreement to replacement of members following departure, and the intent to limit proxy arrangements.	RAP Project Team
4/23	The RAP Project Team to update the Terms of Reference to reflect the establishment of a RAPWG Steering Committee, and RAPWG Sub-Groups.	RAP Project Team
5/23	The RAP Project Team to liaise with Reconciliation Australia to discuss the approach to adding some stretch actions to an Innovate RAP.	RAP Project Team
6/23	The RAP Project Team to provide links to information and supports on the Voice Referendum.	RAP Project Team

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DEWR NEWS

The Voice Referendum — 14 October 2023: Information for staff

Published 06/10/2023



The Government will hold a referendum on 14 October 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament. The referendum will ask voters about whether to change the Constitution to recognise the First Peoples of Australia through an Aboriginal and Torres Strait Islander Voice.

Keeping our workplace safe, respectful and impartial

The department's Voice intranet page provides information and supporting materials for both employees and their managers to help guide all staff in their engagement with the Referendum, obligations as APS employees and managers, and the support avenues that are provided by DEWR.

Being impartial is an important APS Values, as outlined in the Public Service Act 1999. This requires APS employees to be apolitical and ensure their actions don't provide grounds for a reasonable person to conclude they cannot serve the government of the day impartially.

When discussing the referendum or the Voice with colleagues, please be conscious as APS employees we have a right to personal and political expression. However, this must be balanced with our obligations as impartial public servants. The expectation is that conversations at work will be respectful, culturally safe and be compassionate and respectful of the wishes of those who do not want to engage in discussion.

Dedicated support for First Nations employees

Further supports will also be made available for First Nations employees before and after the referendum. Please note that all information will be shared with members of the First Nations Network. Should you not be a member, and would like to receive information, please reach out to diversity@dewr.gov.au.

	Monday 9 October	**Tuesday 10 October**	**Wednesday 11 October**	**Thursday 12 October**	**Friday 13 October**
DEWR and Department of Education	**Yarning Circle** with First Nations Clinician – s. 22(1)(a)(ii) (EAP) **Time:** 2:00-3:00pm (AEDT)		**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30am-2.30pm	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30am-2.30pm	**Yarning Circle** with First Nations Clinician – s. 22(1)(a)(ii) EAP) **Time:** 3:00-4:00pm (AEDT)

	Location: MsTeams (virtual)		**Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea provided	**Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra In person Morning Tea provided	**Location:** MsTeams (virtual)
	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra

	Monday 16 October	**Tuesday 17 October**	**Wednesday 18 October**	**Thursday 19 October**	**Friday 20 October**
DEWR and Department of Education	**Yarning Circle** with First Nations Clinician s. 22(1)(a) (EAP) **Time:** 1:00-2:00pm (AEDT) **Location:** MsTeams (virtual)	**First Nations Healing Space** with weaving materials **Time:** 9.30-1.30 **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30-2.30 **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30-2.30 In person **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea	DEWR First Nations Network meeting **Time:** 2.30-3.30pm (AEST) **Location:** MsTeams
	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra

Expenditure restrictions

The proposed alteration to the Constitution is set out in the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill, which passed both houses of Parliament on 19 June 2023.

Since the passage of this Bill, restrictions have come into force on the way the Commonwealth can spend money. The restrictions provide that **Commonwealth departments must not spend money on the presentation of arguments in favour or against the proposed Bill to amend the Constitution**. This includes indirect expenditure, for example, through grants to organisations that make public statements for or against the Voice. Further details are contained in section 11 of the Referendum (Machinery Provisions) Act 1984.

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What does this mean for you?

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More information is available on the Procurement intranet page and if you are unsure about whether the proposed expenditure might be prohibited, you must seek legal advice from the Legal and Assurance Division by sending an email to
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2 hours ago
148 views



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From: s. 22(1)(a)(ii)
Sent: Friday, 6 October 2023 9:05 AM
To: DEWR - EL2; DEWR - SESB1; DEWR - SESB2; DEWR - SESB3; s. 22(1)(a)(ii)
Subject: The Voice Referendum — 14 October 2023: Information for SES and Managers [SEC=OFFICIAL]

s. 22(1)(a)(ii)

Yuma

The government will hold a referendum on 14 October 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament. The referendum will ask voters about whether to change the Constitution to recognise the First Peoples of Australia through an Aboriginal and Torres Strait Islander Voice.

In the coming weeks, commentary, public debate and the outcome of the referendum may be difficult to experience for many of our employees, their families and their communities. As First Nations Champion, I ask you to take an active role in supporting wellbeing, psychological and cultural safety for yourself and our people during this time.

As managers, we have a responsibility to ensure that our workplaces are impartial, respectful, and psychologically and culturally safe. We can create safe spaces by recognising we all come to work with different perspectives and experiences, role modelling and promoting the APS Values, and being mindful that support needs will be different for everyone during this time.

Information for managers and employees

Our Voice intranet page provides information to guide you in your role as managers and provides guidance to employees on their engagement with the referendum. Please familiarise yourself with this guidance and the steps you can take in your work areas.

When discussing the referendum or the Voice with colleagues, please be conscious as APS employees we have a right to personal and political expression. However, this must be balanced with our obligations as impartial public servants. The expectation is that conversations at work will be respectful, culturally safe and be compassionate and respectful of the wishes of those who do not want to engage in discussion.

Support for First Nations employees

Please encourage our First Nations employees to access support in a way that feels right for them in the coming weeks. Some employees may want to consider taking leave and others may feel comfortable making use of support in the workplace. We have put the following additional supports in place for our First Nations employees in the coming weeks to assist with making the workplace feel safe and support wellbeing.

- Yarning sessions facilitated by a First Nations councillor, available only to First Nations employees online both pre and post referendum. Sessions are available virtually and in person. Sessions will be facilitated by Indigenous councillors. Yarning sessions will be jointly hosted by DEWR and Department of Education.

- Healing space with weaving materials provided by Culture on the Move with s. 22(1)(a)(ii), available to Canberra Staff.
- Drop-in spaces for First Nations employees, in Canberra and online across the country. Employees can visit if they are feeling in need of a break to connect with each other or need a quiet space. In person spaces will include mindfulness and weaving activities.
- Printed materials on support available in our offices across the country.

I will share details on these initiatives with the First Nations Network shortly and additional services including our Employee Assistance Program and dedicated Aboriginal and Torres Strait Islander Support Line are listed on the intranet.

If at any time you need specific advice for related matters in the coming weeks, please contact the Performance and Wellbeing Team at s. 47E(d)

Thank you for your support and allyship in the coming weeks.

s. 22(1)(a)(ii)

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From: s. 22(1)(a)(ii)
Sent: Friday, 6 October 2023 9:29 AM
Subject: Information for the First Nations Network - The Voice Referendum [SEC=OFFICIAL]

s. 22(1)(a)(ii)

Yuma

As you know, the government will hold a referendum on 14 October 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament. The referendum will ask voters about whether to change the Constitution to recognise the First Peoples of Australia through an Aboriginal and Torres Strait Islander Voice.

I know that over the last few weeks, and in the coming weeks, commentary, public debate and the outcome of the referendum may be difficult to experience for many of you, your families and your communities. As First Nations Champion, I want to make sure that you have the supports available to you during this time, and I'm very pleased that the Diversity and Inclusion Section have put together a range of supports for the Network during this time.

Support for First Nations employees

A short time ago I wrote to all EL2s and SES in the department letting them know about the referendum, its impact, and the supports being provided to First Nations staff. So you should feel confident that all managers are aware of the issues and supports available.

I encourage you to access support in a way that feels right for you in the coming weeks. I understand that some may want to consider taking leave and others may feel comfortable making use of support in the workplace. If you feel there are barriers in place to being able to take the time and get the support you need I'd encourage you to speak with your manager in the first instance, but if you don't feel comfortable doing that I would speak to the Diversity and Inclusion Section, or please email or call me directly s. 22(1)(a)(ii) . I will do whatever I can to assist.

We have put the following additional supports in place for you, our First Nations employees, in the coming weeks to assist with supporting your wellbeing:

- Yarning sessions facilitated by a First Nations councillor, available only to First Nations employees online both pre and post referendum. Sessions are available virtually and in person. Sessions will be facilitated by Indigenous councillors from our Employee Assistance Program and Burbirra Group. Yarning sessions will be jointly hosted by DEWR and Department of Education.
- Healing space with Weaving materials provided by Culture on the Move with s. 22(1)(a)(ii) , available to Canberra Staff.
- Drop-in spaces for First Nations employees, in Canberra and online across the country. Employees can visit if they are feeling in need of a break to connect with each other or need a quiet space. In person spaces will include mindfulness and weaving activities.
- Printed materials on support available in our offices across the country.

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Please find below a schedule of events with further information on dates and times.

	Monday 9 October	Tuesday 10 October	Wednesday 11 October	Thursday 12 October	Friday 13 October
DEWR and Department of Education	**Yarning Circle** with First Nations Clinician – s. 22(1)(a)(ii) s. 22(1)(a)(ii) (EAP) **Time:** 2:00-3:00pm (AEDT) **Location:** MsTeams (virtual) Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30am-2.30pm **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea provided Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30am-2.30pm **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra In person Morning Tea provided Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra	**Yarning Circle** with First Nations Clinician – s. 22(1)(a)(ii) s. 22(1) (EAP) **Time:** 3:00-4:00pm (AEDT) **Location:** MsTeams (virtual) Drop in space (all day) East wing near kitchen, Level 3 Marcus Clarke st, Canberra

	Monday 16 October	Tuesday 17 October	Wednesday 18 October	Thursday 19 October	Friday 20 October
DEWR and Department of Education	**Yarning Circle** with First Nations Clinician s. 22(1)(a)(ii) s. 22(1)(a)(ii) (EAP) **Time:** 1:00-2:00pm (AEDT) **Location:** MsTeams (virtual)	**First Nations Healing Space** with weaving materials **Time:** 9.30-1.30 **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30-2.30 **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea	**Yarning Circle** with Crisis Councillor s. 22(1)(a)(ii) s. 22(1)(a)(ii) (Burbirra) **Time:** 9.30-2.30 In person **Location:** East wing near kitchen, Level 3 Marcus Clarke st, Canberra Morning Tea	DEWR First Nations Network meeting **Time:** 2.30-3.30pm (AEST) **Location:** MsTeams
	Drop in space (all day) East wing near kitchen, Level 3	Drop in space (all day) East wing near kitchen, Level 3	Drop in space (all day) East wing near kitchen, Level 3	Drop in space (all day) East wing near kitchen, Level 3	Drop in space (all day) East wing near kitchen, Level 3

Department of Employment and Workplace Relations - Released under FOI

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	Marcus Clarke st, Canberra	Marcus Clarke st, Canberra	Marcus Clarke st, Canberra	Marcus Clarke st, Canberra	Marcus Clarke st, Canberra

Please note additional services including our Employee Assistance Program and dedicated Aboriginal and Torres Strait Islander Support Line are listed on the intranet.

If at any time you need specific advice for related matters in the coming weeks, please contact the Performance and Wellbeing Team at s. 47E(d) As always, please also feel free to each out to me directly about anything that you might want to discuss or raise, by email or my mobile s. 22(1)(a)(ii)

Wishing you every support over the coming weeks,

s. 22(1)(a)(ii)

Department of Employment and Workplace Relations - Released under FOI 782 of 853

Australian Government
Department of Employment and Workplace Relations

Good morning,

As you will be aware, the government will hold a referendum on 14 October 2023 to recognise Aboriginal and Torres Strait Islander peoples in the Constitution through an Aboriginal and Torres Strait Islander Voice to Parliament. The referendum will ask voters about whether to change the Constitution to recognise the First Peoples of Australia through an Aboriginal and Torres Strait Islander Voice.

As managers, we have a responsibility to ensure that our workplaces are impartial, respectful, and psychologically and culturally safe. You will note from my previous emails to SES and EL2's that DEWR has developed a range of supports for staff, with a particular focus on First Nations staff. As part of that message, I noted that printed materials on supports would be available in offices across the country.

I wanted to let you know that the Diversity and Inclusion team (HR) will this morning express-post hard-copy materials in the forms of posters, brochures and wallet cards to all State Offices. Materials will provide support for staff to access 13 Yarn, Lifeline and EAP. Materials will be sent to GPO Boxes.

Can I please ask that **your teams make these resources available** to staff by displaying in an appropriate, accessible location. These materials can also be used and displayed at any time and are not specific to the Referendum – I'd encourage you to continue to make them available to staff at all times.

Should you have any concerns of queries, please feel free to contact the Diversity and Inclusion Team at diversity@dewr.gov.au.

Many thanks,

s. 22(1)(a)(ii)

GPO Box 9828, Canberra ACT 2601 | Phone 1300 488 064 | dewr.gov.au | ABN 96 584 957 427

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From: DEWR - TeamDEWR-Notices
Sent: Sunday, 15 October 2023 7:02 PM
To: DEWR - TeamDEWR-Notices
Subject: All Staff Message | The Voice Referendum 2023

s. 22(1)(a)(ii)

Hi everyone

I wanted to come out to you all as soon as possible about the weekend's referendum.

The outcome, that Australians have not agreed to the proposition to establish an Aboriginal and Torres Strait Islander Voice to Parliament, will bring up a lot of emotions for some of our people.

First and foremost, please everyone, have wellbeing at the forefront of your minds this week, with respect to both our people and those with whom we work. It's been a tough few weeks for some, and paramount in my mind is ensuring all our people are supported and feel safe. I ask that we be gentle with one another and understand that some might be struggling.

We have support available for all staff, as well as targeted support for First Nations staff. I encourage you to access the help or support that feels right for you.

Our employee assistance program (1300 360 364), dedicated Aboriginal and Torres Strait Islander Support Line (1800 816 152) and 13 YARN (13 92 76) all offer confidential support and we have spaces dedicated to providing an opportunity for our First Nations staff to connect with each other this week.

Leave and flexible work arrangements are available, and I encourage managers and staff to put our people's welfare at the centre of your discussions and decisions. For example, cultural or miscellaneous leave are available, as well as personal leave, as set out in our PDF leave policy.

Our First Nations Network and Reconciliation champions are here to listen and provide support – please let us know what you need and how we can help.

We must all be especially conscious right now that our department needs to be a culturally safe space for everyone – racism is not tolerated. I expect everyone to continue to demonstrate behaviour that is in line with the expectations set out in the APS Values. I thank you all for continuing to honour these values and for upholding public confidence in the integrity of the APS.

I would like to emphasise the priority we continue to place on pursuing actions in our work to close the gap with our First Nations people.

We are committed to maturing our approach to engaging with First Nations people and communities and I ask that you tread mindfully over the coming weeks and months in your work with Indigenous communities, recognising the heightened distress they may have experienced, and may continue to experience.

We must renew our commitment to shifting the dial and driving systemic change to close the gap and deliver on the priorities in the National Partnership. This includes through sharing decision-making with First Nations bodies and working to build the Aboriginal and Torres Strait Islander Community Controlled Sector.

Thank you for your ongoing commitment to designing solutions with First Nations people that recognise and leverage their capability and knowledge to create more opportunities and achieve better outcomes.

Regards

s. 22(1)(a)(ii)

Department of Employment and Workplace Relations - Released under FOI 785 of 853

From: NIAA CEO, PM&C Secretary and APS Commissioner <apscommissioner@apsc.gov.au>
Sent: Monday, 16 October 2023 8:44 AM
To: s. 22(1)(a)(ii)
Subject: A message to all APS staff on the referendum

You don't often get email from apscommissioner@apsc.gov.au. Learn why this is important

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Colleagues,

On Saturday 14 October, Australians were asked to vote in a referendum on whether the constitution should be changed to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

The referendum was a significant event, and the vote will be a cause for reflection for many. In this context we would like to talk with you about three matters.

First, we acknowledge the emotional costs of a long and sometimes acrimonious public debate, regardless of any citizen's personal view on the proposition before the Australian people. You and your colleagues may be experiencing many different emotions. At times the referendum debate has been confronting, and for some distressing. There will be colleagues in the APS, their families or communities, who experienced racism, discrimination and harassment. The impact will be felt far beyond the vote.

We ask that we treat each other with empathy, kindness and respect. Please don't assume your colleagues want to talk about the referendum but, if they do, please listen with an open heart. If you are struggling or need support please ask for help. Various wellbeing services are available through your Employee Assistance Program. Leave provisions including personal, miscellaneous or cultural leave may also be available. Please contact your people team for information or visit www.apsc.gov.au.

Second, we are keen to acknowledge, and express our thanks for, the manner in which every part of the public service conducted itself during the referendum. Some of you worked directly on the referendum, assisting the essential work of a fair and open national vote. Throughout the process the public service retained its impartiality and that deserves respect. Thank you. Through the referendum campaign the APS has lived and honoured all

the APS Values. Such actions create public confidence in the integrity of the APS, by treating the community and each other with appropriate professional standards. We commit to continue upholding these values of impartial advice, service for the Australian people, and an accountable Service which is respectful and ethical.

Finally, the referendum was about changing the constitution. The outcome of the vote does not affect work already underway across the APS to create better outcomes for Aboriginal and Torres Strait Islander communities, including the National Agreement on Closing the Gap and other reforms. These and other initiatives are a priority and must endure. Our work together will continue to highlight the significant contribution of First Nations Peoples to Australian society and values, our economy and environment.

We are committed to an APS in which Aboriginal and Torres Strait Islander employees thrive in fulfilling careers and culturally safe workplaces. This will be amplified through new initiatives such as the SES100 Indigenous leadership initiative, increasing the number of First Nations employees in the APS to five per cent, and strengthening cultural capability through the Cultural Capability Hub.

Thank you for your ongoing work and support.

s 22(1)
s 22(1)
National Indigenous Australians Agency

s 22(1)
s 22(1)
Department of the Prime Minister and Cabinet

s 22(1)
Australian Public Service
s 22(1)

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This email was sent by Australian Public Service Commission, B Block, Treasury Building, Parkes Place West, PARKES ACT 2600, GPO Box 3176 CANBERRA ACT 2601 to katherine.jeffries@education.gov.au

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SECRETARY'S VIDEO

Secretary's Message - 16 October

s. 22(1)(a)(ii)

Published 16/10/2023



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now

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 16 October 2023 6:21 PM
Cc: s. 22(1)(a)(ii)
Subject: Leave etc. post referendum [SEC=OFFICIAL]

Dear Network
I hope everyone is feeling ok, I appreciate there will be mixed emotions amongst the Network.
Nat is very genuine in relation to her concern for your welfare during this time, and is quite genuine around taking leave if you feel you need it.
I know even with the Secretary's email not everyone will have the relationship with their supervisor where they feel comfortable asking for leave. If you do feel you need any assistance around asking for leave in anyway please reach out to s. 22(1)(a)(ii) or I, we'd be more than happy to assist.
I'm up in Broome this week so will be a bit patchy on the emails (and I'm always bad on Teams), so your best bet to reach me is to text or call my mobile, s. 22(1)(a)(ii)
Take care and chat soon.
s. 22(1)(a)(ii)

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000748

Senator James McGrath provided in writing.

Voice Campaign Material

Question

1. As of 16 June 2023, how many employees have a reference to the Voice to Parliament Referendum campaign in their email signature? How many of these implied a position in favour of the proposed referendum question? How many of these implied a position against the proposed referendum question? Please table all employee email signatures as of 16 June 2023 that had a reference to the Voice to Parliament Referendum.
2. As of 16 June 2023, how many pieces of material with a reference to the Voice to Parliament Referendum campaign were displayed in any workspace? How many of these implied a position in favour of the proposed referendum question? How many of these implied a position against the proposed referendum question? Please table all pieces of material that had a reference to the Voice to Parliament Referendum

Answer

The Department of Employment and Workplace Relations (DEWR) has provided guidance to employees on ensuring that they engage with the Voice to Parliament Referendum in a manner that is apolitical and impartial, including that they must avoid presenting arguments for or against it.

Guidance material developed by the National Indigenous Australians Agency on engagement with the Referendum in both a personal and professional capacity has been made available to the department's employees. This material reinforces the importance of remaining impartial and not presenting arguments for or against the Voice.

This guidance applies to conduct and communications in the workplace, including the content of staff signature blocks. Signature blocks are set by individual staff members and stored locally on their computer. If the content of a signature block was inappropriate that would be dealt with in the same way as any other inappropriate communication.

Contracts and Consultancies

- All contracts with a dollar value **greater than $10,000 must be reported on AusTender**. Reported AusTender contract values represent the maximum that may be spent under the contract (the actual money spent under the contract may be lower).
- **General confidentiality clauses**, in the form set out in the Commonwealth Contracting Suite, are included in **all** contracts as DEWR uses the standard confidentiality terms when entering contracts.
- The **Strategic Commissioning Framework** led by the Finance Minister is part of the Government's commitment to reduce inappropriate outsourcing, prioritise direct employment and strengthen APS capability. It requires that **core work be done by APS employees,** with outsourcing allowed in limited circumstances. "Core" means work essential to delivering the enduring functions of an agency, required on a regular and ongoing basis.
- Under the framework, procuring consultants is only appropriate if:
    - There is a **need for independent advice** (for example, due to requirements in legislation or an assurance need) and it cannot be sourced from within the APS. This should be used on a one-off or limited basis.
    - There is a **temporary need for unique specialist, innovative, technical and in-demand skills**, at a level that would be inefficient to retain internally. That is, there is not an enduring demand for the skill.
    - There is a genuinely **urgent and/or unforeseen need for a skill or capability** in an area that is an enduring function, and extra support is needed while capability building or recruitment processes are underway.
- The Department is committed to **reduce the reliance and expenditure on consulting and contracting** where it makes sense, and build its APS capability. That said, there will be an ongoing need to **utilise consultants and contracts for service** to support the delivery of our outcomes**.**

Consultancies

- Between 1 July 2022 and 31 August 2023, DEWR had **74 active Consultancy** contracts with a total committed value of **$23,227,215.45**.
- As at 1 September 2023, DEWR has **17 active consultancy** contracts valued at **$5,398,033**.
- DEWR adheres to the Commonwealth Procurement Rules (CPRs) and associated procurement policies and ensures its compliance via the Accountable Authority Instructions (AAIs) and Financial Delegations, as issued by the Secretary, and which apply to all DEWR officials.
- All consultancy arrangements regardless of value must have a procurement plan **approved by a SES Band 3 before approaching the market** and committing to an arrangement.
- Procurements **over $80,000 require either an open/limited tender approach to market or use of an existing approved panel arrangement**. Consulting services acquired by DEWR through Department of Finance's Mandatory Management Advisory Services Panel and require a declaration of any Conflicts of Interest (CoI) by the consultant prior to commencement and during the provision of services.

Contracted amounts

- Between 1 July 2022 and 31 August 2023, DEWR had **3,803 active contracts** (including consultancy contracts) with a total value of **$9,898,876,553.51**:
    - **468 contracts relating to Employment Services** (services that help job seekers overcome barriers and develop the skills they need to gain employment which are delivered through a network of not-for-profit and for-profit employment services providers) with a total value **$6,260,144,292.46**. That is **12.3% by number of contracts or 63.2% by value.**
    - **336 contracts related to Education and Training** Services (this covers the Skills for Education and Employment program, the Job Ready Program and Foundation Skills for your Future Development Project). **That is 8.8% by number of contracts or 17.4% by contract value.**
- As at 1 September 2023, DEWR had **1,609 active contracts** with a total value of **$8,886,110,529.77**.
- Top 10 Categories by number of contracts

Category	No. of Contracts	% of Total
Computer services	988	26.0%
Employment services	468	12.3%
Education and Training Services	336	8.8%
Personnel recruitment	276	7.3%
Computer Equipment and Accessories	261	6.9%
Management advisory services	202	5.3%
Components for information technology or broadcasting or telecommunications	181	4.8%
Temporary personnel services	120	3.2%
Public administration and finance services	111	2.9%
Other	1,091	22.5%
Total	3,803	100%

- Top 10 Categories by contract value

Category	Total Contract Value	% of Total
Employment services	$6,260,144,292.46	63.2%
Education and Training Services	$1,722,470,572.52	17.4%
Computer services	$751,161,885.36	7.6%
Lease and rental of property or building	$244,909,098.34	2.5%
Components for information technology or broadcasting or telecommunications	$135,259,645.22	1.4%
Public administration and finance services	$131,268,922.50	1.3%
Computer Equipment and Accessories	$123,508,860.22	1.2%
Temporary personnel services	$113,333,711.55	1.1%
Personnel recruitment	$72,575,964.36	0.7%
Other	$530,153,276.89	3.6%
Total	$9,898,876,553.51	100%

- Less than **2% of total contracts since 1 July 2022 relate to the Big** 7 (Accenture, BCG, Deloitte, EY, KPMG, PWC, McKinsey) - 52 contracts, 19 consultancy arrangements and 33 non-consultancy arrangements with a total value of **$40,180,004.15**.
    - total value of active Big 7 consultancy contracts since 1 July 2022 is $11,701,046.77
    - total value of active Big 7 non-consultancy contracts since 1 July 2022 is $28,478,957.38.
- As at 1 September 2023, DEWR has **18 active contracts with the Big 7** valued at **$24,043,359.71.**

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Questions

What is the total value of current contract with the Big 4 firms?

As at 31 August 2023, DEWR has 17 current contracts to the value of $23.6 million.

Attachments

Attachment A – Top 10 Non-Consultancy
Attachment B – All Consultancy Contracts
Attachment C – Total Big 7 Consultancy and Non-Consultancy Contracts

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Top 10 non-consultancy contracts (by value) active between 1 July 2022 to 31 August 2023

Attachment A

Note: the below table captures the estimated values of the individual contracts listed and does not capture the value of all contracts an organisation may have with the department

Rank	Supplier Name	Expected Contract Value**	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	Austender CN ID
1	Serendipity (WA) Pty Ltd	$334,943,377.74	Employment services	Workforce Australia Licence(s) to deliver Generalist, CALD and Indigenous services	23 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 17 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894125
2	Workskil Australia Ltd.	$266,436,620.49	Employment services	Workforce Australia Licence(s) to deliver Generalist and Ex-Offender services	10 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 8 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894145
3	AtWork Australia Pty Ltd	$226,643,226.19	Employment services	Workforce Australia Licence(s) to deliver Generalist services	9 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 9 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3893999
4	The Trustee for the Salvation Army (Victoria) Property Trust	$190,767,813.69	Employment services	Workforce Australia Licence(s) to deliver Generalist services	7 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 7 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894201
5	MAX Solutions Pty Ltd	$147,705,593.71	Employment services	Workforce Australia Licence(s) to deliver Generalist and Ex-Offender services	8 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 8 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894113
6	Chambers Apprenticeship Support Australia Pty Ltd	$142,633,730.65	Education and Training Services	AASN Contract 2020-2022 - NSW - CHAMBERS	The provision of services as an Australian Apprenticeship Support Network (AASN) provider.	Skills and Training	1-Feb-20	30-Jun-24	Administered	CN3660953
7	Enterprise & Training Company Limited	$128,377,277.97	Employment services	Workforce Australia Licence(s) to deliver Generalist services	4 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 4 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894020
8	OCTEC Limited	$128,207,625.00	Employment services	Transition to Work Deed 2022-2027	1 contract for the delivery of Workforce Australia - Transition to Work, the Government program which helps young people into work or education across 5 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-27	Administered	CN3857162
9	PALLADIUM INTERNATIONAL PTY LTD	$127,501,134.00	Public administration and finance services	Pacific Labour Facility Implementing Managing Contractor (Pacific)	Pacific Labour Facility Implementing Managing Contractor (Pacific)	Employment & Workforce	2-Oct-18	31-Dec-23	Administered	CN3562532
10	Karingal St Laurence Limited (Matchworks)	$127,450,412.59	Employment services	Workforce Australia Licence(s) to deliver Generalist services	5 Licences issued for the delivery of Workforce Australia Services, the Government's mainstream employment services across 5 Employment Regions.	Employment & Workforce	1-Jul-22	30-Jun-25	Administered	CN3894485
	Total	**$1,820,666,812.03**								

*: Category is an Austender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

** These are demand driven programs and contract values published on AusTender are based on Workforce Australia program estimates as at the 2022-23 Budget (i.e. the organisations listed above may not receive these amounts in reality over the life of the respective Licence/Deed).

Notes for Clearing Officer

Contract details are derived from AusTender Contracts data published as at 31 August 2023, extracted on 19 September 2023 by s 22(1) , reviewed by s 22(1) and approved by s 22(1) on 28 September 2023.

Other than contract number 9, Services provided and Group were provided by the area responsible for the contract during the preparation of the May 2023 Senate Estimates brief. Information relating to Palladium contract number 9 is sourced directly for AusTender.

We are awaiting a response from the business area on a detailed description of services provided.

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All consultancy contracts between 1 July 2022 to 31 August 2023

Attachment B

Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
60	LEADING INSIGHT GROUP PTY LTD	Yes	$44,880.00	Management advisory services	Support for Implementation of Organisational Design Improvements for Communication Function.	Consultant was brought in to support implementation of a branch review to improve the effectiveness of the Media and Communicative branch following the machinery of government and to meet evolving needs of the department.	Corporate and Enabling Services	17-Jul-23	17-Nov-23	Departmental	CN3998913	4400068725
40	CAMPBELL EMPLOYEE RELATIONS PTY LTD	Yes	$180,000.00	Strategic planning consultation services	Procurement of consultancy services for DEWR 2023 enterprise bargaining process	This procurement was for the specialised consultancy services of a niche industrial relations practitioner to facilitate the Department's internal workplace relations processes to bargain for a new enterprise agreement in 2023. A review of the management advisory services panel was undertaken and no suitable providers were found. Approval was sought and received from the Deputy Secretary for Corporate and Enabling Services, to undertake a limited tender as an alternative. The identified provider with suitable service delivery offerings to the statement of requirements was Campbell Employee Relations Pty Ltd. The consultancy was advised of their status as the preferred tenderer on 4 July 2023 and a contract signed on 12 July 2023.	Corporate and Enabling Services	7-Jul-23	7-Jan-24	Departmental	CN3988826	4400068487
63	PROFESSIONAL FINANCIAL SOLUTIONS	No	$26,950.00	Management advisory services	Provision of Actuarial Advice Legacy Liability to the Coal Long Service Leave Scheme	To enter into a contract with PFS Consulting, to provide actuarial advice related to the Coal Mining Industry Long Service Leave legacy liabilities.	Workplace Relations	29-Jun-23	7-Aug-23	Departmental	CN3995704	4400068906
52	FYUSION ASIA PACIFIC PTY LTD	No	$115,170.00	Management advisory services	Consultancy Services	Consultancy Services for the review of several functional groups within the CES group, to better understand the service offering, need and experiences of key stakeholders, opportunities for improvement and validate the proposed approach to changes to the functional groups within CES.	Corporate and Enabling Services	22-Jun-23	11-Aug-23	Departmental	CN3991536	4400068668
45	SYNERGY GROUP AUSTRALIA PTY LTD	No	$153,472.00	Management advisory services	Protective Security Policy Framework and Essential 8 Assessment 2023-25	1. In 2020, 2021 and 2022 the Department of Education, Skills and Employment (DESE) undertook an independent assessment of the department's PSPF maturity. 2. This gave the Secretary assurance when approving DESE's annual PSPF maturity self-assessment report that the data provided was robust and defendable. 3. Education and DEWR adopted DESE policies and artifacts to give immediate effect to the PSFP in the respective departments following the machinery of government changes that came into effect on 1 July 2022. New governance arrangements, such as the preparation of an agency security plan, are being progressed by the responsible department. 4. Consequently, as new agencies, it is appropriate to assess both agencies PSPF maturity to create a new benchmark to work from. 5. This consultancy will review the elements of Education's protective security framework not provided by DEWR, specifically the security governance and personnel security outcomes. DEWR provides cyber and physical security services to Education. 6. In addition, DEWR is seeking to reaffirm its cyber security position to ensure that the required mechanisms are in place to deliver on the Australian Cyber Security Centre's strategies to help mitigate cyber threat. The consultancy will also assess the department's position on the Essential Eight. 7. To ensure both departments are able to work towards achieving and maintaining an overall Maturity Level Three rating (as well as meeting the requirement of the Essential Eight) the consultant is being asked to propose an appropriate work program for each department to implement to achieve these outcomes. • Furthermore, to test the validity of departments progress at raising their PSPF maturity levels, the procurement activity is also seeking quotes for the 2024 and 2025 PSPF reporting years. • Any extension will be at the sole discretion of the departments.	Corporate and Enabling Services	13-Jun-23	31-Jul-23	Departmental	CN3995715	4400068667
30	DELOITTE	Yes	$300,000.00	Management advisory services	Funding Policy and Modelling Advisory Services	The National Skills Agreement Taskforce has engaged a consultant to support the development of Commonwealth funding policy for a new national skills agreement, including by modelling, analysing and providing advice on the impact of potential variations in the Commonwealth financial offer to states.	Skills and Training	30-May-23	31-Dec-23	Departmental	CN3974063	4400068052
6	DELOITTE	Yes	$799,810.00	Management advisory services	Modelling Services for Clean Energy Study	The Australian Government has commissioned Jobs and Skills Australia (JSA) to undertake a capacity study on the workforce needs for Australia's transition to a clean energy economy. JSA requires forecasts for the supply and demand of clean energy workers over the next 10, 20 and 30 years (and the impacts on the broader labour market) to support the final report within the time expected by government. The consulting firm will use a general equilibrium model to produce these forecasts.	Jobs and Skills Australia	24-May-23	27-Oct-23	Departmental	CN3984156	4400068194
55	CLEAR HORIZON CONSULTING PTY LTD	No	$79,403.05	Research programs	Evaluation and Review Services	Evaluation (Rapid Review) of the PALM Community Connections Contract	Employment and Workforce	22-May-23	14-Aug-23	Departmental	CN3976710	4400068113
37	DANDOLOPARTNERS PTY LTD	Yes	$196,888.61	Management advisory services	Strategic Plan Development	1. Engage with AG, state and territory representatives to analyse their current perspectives and future needs confirm of products and services requirements. 2. Analysis of current NCVER funding and financial viability. The financial viability assessment (FVA) will include undertaking analysis and modelling of the future cash flow needs of NCVER to maintain inappropriate level of liquidity and long-term viability. The FVA analysis considers the completeness of all revenue and costs, financing and investment requirement i.es leases, contracts and purchases of essential equipment to continue to operate over a five-year horizon, based on current funding arrangements. The FVA will also consider how costs are applied against projects. 3. Consideration of current governance arrangements and the extent which they are fit for purpose. 4. Initial consideration of relevant comparators e.g.ACER, Education Services Australia, ANROWS as potential models to draw governance and funding options for consideration by members.	Skills and Training	12-May-23	31-Dec-23	Departmental	CN3976532	4400068080
65	ELMATOM PTY LIMITED	No	$19,800.00	Research programs	Management Advisory Services	The department is seeking to engage a service provider with expertise in occupational disease and injury to provide two separate reports (each providing advice on one instrument). This will involve: i. advising on how to apply the latency periods specified in the SWA deemed diseases list to the Commonwealth deemed diseases instruments, which use minimum employment periods instead of latency ii. advising on whether it is still appropriate to list COVID-19 for frontline healthcare occupations with direct patient contact in the SRC Act deemed diseases instrument, or whether circumstances have changed since the list was finalised in 2021 to justify removing this from the list, and iii. advising on what, if any, maritime-specific diseases are applicable to the maritime industry and should be adopted in the Seacare Instrument.	Workplace Relations	11-May-23	14-Jun-23	Departmental	CN3995711	4400068929
57	Callida Consulting	No	$59,480.00	Management advisory services	Financial Support Services	To develop new cost recovery arrangements for the VET Student Loans (VSL) program. To support this work, it is necessary to update the 2021 VSL cost recovery model to ensure it accurately reflects the current efficient cost of the program.	Skills and Training	30-Apr-23	30-Jun-23	Departmental	CN3974018	4400057893

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
58	LEADING INSIGHT GROUP PTY LTD	No	$49,500.00	Management advisory services	Review of Communication Function	To engage a specialist to undertake a review of the Communication and Media Branch to realign the function post machinery of government. The specialist will provide recommendations on a service offering, service model and structure to ensure the branch can meet the needs of the department.	Corporate and Enabling Services	14-Mar-23	2-Jun-23	Departmental	CN3995718	4400068506
62	THE UNIVERSITY OF ADELAIDE	No	$30,800.00	Management advisory services	Skills Supply and Demand Model Review	External evaluation of the Skills Supply and Demand Model. A written report examining the methodology and concepts behind the First Phase of the SSDM project and a presentation of findings to the JSA executive and the SSDM section.	Skills and Training	6-Mar-23	6-Apr-23	Administered	CN3950410	4400067593
17	MATTHEWS PEGG CONSULTING PTY LTD	Yes	$380,000.00	Management advisory services	Consultancy Services	Consultancy for support to finalise and implement revisions to the Standards for Registered Training Organisations 2015 and to develop related measures to support high-quality training delivery.	Skills and Training	1-Mar-23	30-Jun-24	Departmental	CN3952653	4400067603
7	PWC	Yes	$770,000.00	Computer services	For Delivery of Independent Assurance: Onboarding of Complementary Programs onto Digital Platform	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	Employment and Workforce	21-Feb-23	20-Feb-24	Departmental	CN3959588	4400068036
56	TAYLOR FRY CONSULTING	No	$74,160.00	Management advisory services	Actuarial Services	• The Department sought actuarial advice from Taylor Fry to consider the impacts of the proposal to implement presumptive workers' compensation provisions under the Safety, Rehabilitation and Compensation Act 1988 for first responders with post-traumatic stress disorder. • Taylor Fry provided a final report on 6 March 2023.	Workplace Relations	8-Feb-23	24-Feb-23	Departmental	CN3957266	4400067668
64	RUNWAY CONSULTING	No	$20,000.00	Management advisory services	Consultant Facilitator for Leadership Retreat	Professional facilitation services for a 2-day strategic planning meeting	Jobs and Skills Australia	23-Jan-23	24-Jan-23	Departmental	CN3941754	4400060962
61	TAYLOR FRY CONSULTING	No	$33,782.55	Management advisory services	Consultancy Services	The department procured actuarial advice on the cost to the Commonwealth of an alternative insurance arrangement for the Seacare workers' compensation scheme.	Workplace Relations	12-Jan-23	20-Feb-23	Departmental	CN3944234	4400067531
54	EY	No	$84,700.00	Management advisory services	Management Advisory Services	Workshop facilitation with senior Commonwealth, State and Territory skills officials for the development of a national skills agreement and development of a reform opportunities	Skills and Training	10-Jan-23	27-Jan-23	Departmental	CN3940623	4400067505
8	KPMG	Yes	$545,927.36	Management advisory services	Apprenticeships Data Management System Project	Need for independent research or assessment - This consultancy is intended to obtain independent assurance services over a Tier 1 project, in line with the project management framework.	Skills and Training	22-Dec-22	30-Nov-23	Departmental	CN3941669	4400067509
10	GROSVENOR MANAGEMENT CONSULTING	No	$481,877.00	Management advisory services	Review Services for Pacific Labour Mobility Scheme Operations	To support a comprehensive and timely transition, the department needed to engage an independent organisational design and change management services. The department sought funding to source this service under contract from major consultancy / accountancy services in recognition of the current limited public service capacity and expertise in this area, the magnitude of the transition and the need to manage the changes and resourcing carefully considering multiple sensitive PALM stakeholders, including representatives from the participating countries. Work will involve project management of financial and information technology aspects of the insourcing exercise including infrastructure, system integration and data migration and continuing connection to a provider managed by DFAT for the delivery of offshore program elements as well and developing a change management plan for staff and external stakeholders and implementation review.	Employment and Workforce	14-Dec-22	30-Jun-23	Departmental	CN3938096	4400068035
38	KPMG	No	$190,383.00	Management advisory services	Consultancy Services	Consultant procured to provide advice on the structure of the Skills and Training Group. KPMG developed a report and supported the implementation of their findings from the report.	Skills and Training	21-Nov-22	14-Apr-23	Departmental	CN3933730	4400067456
15	EY	No	$384,681.00	Research programs	Evaluation Services	An evaluation of the Industry Training Hubs (ITH), Commonwealth Scholarships Program for South Australia (CSSA) and Commonwealth Scholarships Program for Young Australians (CSYA). The evaluation will be conducted in two parts: ITH The evaluation will review the design, implementation and outcomes of the ITH and will explore the efficiency, effectiveness and appropriateness of the services offered to inform a possible full national roll out of the program. The project will involve: • evaluation design, instrument development and survey tools (including all relevant documentation); • quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and • reports and presentations to the department outlining the key findings, analysis and insights generated from the research. CSSA and CSYA The evaluation will review the outcomes of the CSSA and CSYA and determine whether the programs had an impact on attraction and retention in training. The desktop review will involve: • quantitative research drawing on publicly available datasets, such as NCVER, and program data provided by the department, to analyse participation and outcomes including how they compare to other training outcomes for similar groups of students. • a report and meeting with the department outlining key findings, analysis and insights generated from the research.	Skills and Training	15-Nov-22	30-Jun-23	Administered	CN3930459	4400067405
2	EY	No	$1,759,050.00	Management advisory services	Consultancy Services	Component 1: a) Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders. Components 2 & 3: b) Skills Ministers have agreed, through the Jobs and Skills Summit, to simplify and modernise VET qualifications. c) As part of this work, Ministers have asked for specific advice on how a new qualification model would be implemented, including risks, impacts and transition options. d) This consultancy will consider the potential impacts of transition, including for Jobs and Skills Councils and RTOs, and provide advice on possible transition approaches. e) An optional component involves the provision of advice regarding changes that would need to be made to policies and procedures to facilitate the transition	Skills and Training	11-Nov-22	30-Jun-23	Administered	CN3933731	4400067457

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
13	PWC	No	$438,477.88	Research programs	Vocational Education and Training (VET) Student Loans and VET FEE-HELP IT Review	The consultancy is for a review of the release of historical student debt records held in the VET Student Loans (VSL) Payment System (VPAYS), a number of which were released to the Australian Taxation Office on 2 and 3 August 2022 (the issue). The review is divided into two phases. Phase 1 of this review is to: a) identify the key impact factors that contributed to the failure to process relevant VET FEE-HELP (VFH)/VSL debt data from VPAYS to the Higher Education Information Management System (HEIMS) and the Tertiary Collection of Student Information (TCSI) system relevant to the issue between the period 2017 to 2022. b) subject to the completion of objective A), commence the identification of impact factors that contributed to the failure to process the remaining VFH/VSL debt data (as identified by the department) from VPAYS to HEIMS and the TCSI system over the period 2009 to 2022. Phase 2 of the review will assess whether appropriate risk mitigation treatments have been designed and implemented to reduce the likelihood and impact of recurrence in the future. The key deliverables are a report and the presentation of findings to relevant governance forums (as agreed to by the department)	Skills and Training	20-Oct-22	17-May-23	Departmental	CN3928076	4400067392
48	PFM ADVISORY SERVICES PTY LTD	Yes	$123,333.00	Audit services	Audit and Assurance Committee Member and Financial Statements Sub Committee Chair	Subsections 17(1) and 17(2) of the Public Governance, Performance and Accountability Rule 2014 (the Rule) establish mandatory functions for Audit and Assurance Committee members. These functions include reviewing the appropriateness of the department's • financial reporting • performance reporting • system of risk oversight and management • system of internal control. The AAC will also review: • internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan • Australian National Audit Office (ANAO) audit reports, providing advice to the secretary about significant issues identified, and the implementation of agreed actions in accordance with the department's agreed approach. The AAC meets between 4-6 times a year.	Corporate and Enabling Services	18-Oct-22	31-Oct-25	Departmental	CN3995716	4400068637
32	ELIZABETH MARIA ILONA MONTANO	Yes	$292,783.33	Audit services	Engagement of Audit and Assurance Chair	Chair of the DEWR Audit and Assurance Committee (AAC). Role involves: - planning and managing committee meetings and maintaining an open and constructive relationship with the Secretary, department executive, AAC members, the Australian National Audit Office and Internal Audit. - review, monitor and recommend improvements to the department's financial and performance reporting, systems of risk oversight and management and systems of internal controls.	Corporate and Enabling Services	13-Oct-22	31-Oct-25	Departmental	CN3996403	4400068635
49	JEFF LAMOND AND ASSOCIATES JEFFREY GEORGE LAMOND	Yes	$123,333.00	Audit services	Engagement of Audit and Assurance Committee Member and FSSC Chair	Subsections 17(1) and 17(2) of the Public Governance, Performance and Accountability Rule 2014 (the Rule) establish mandatory functions for Audit and Assurance Committee members. These functions include reviewing the appropriateness of the department's • financial reporting • performance reporting • system of risk oversight and management • system of internal control. The AAC will also review: • internal audit resourcing and coverage in relation to the department's key risks, and recommend approval of the internal annual audit plan • Australian National Audit Office (ANAO) audit reports, providing advice to the secretary about significant issues identified, and the implementation of agreed actions in accordance with the department's agreed approach. The AAC meets between 4-6 times a year.	Corporate and Enabling Services	13-Oct-22	31-Oct-25	Departmental	CN3996401	4400068638
16	DANDOLOPARTNERS	Yes	$383,699.00	Research programs	Evaluation of the Digital Skills Cadetship Trial	The contractor is evaluating the Digital Skills Cadetship Trial. This is Trial testing short/sharp training approaches for digital skills which combine training with mentoring and work placement.	Skills and Training	10-Oct-22	30-Apr-24	Departmental	CN3917550	4400067230
44	GRIFFITH UNIVERSITY	No	$153,761.68	Research programs	Research Services	Research project identifying the characteristics of a high-performing multigenerational workplaces and the policies and practices employers implemented to create this environment, which could be promoted to other employers.	Employment and Workforce	6-Oct-22	30-Jun-23	Departmental	CN3887692	4400066892
50	SPARK INTEGRITY PTY LIMITED	Yes	$123,333.00	Audit services	Engagement of Audit and Assurance Committee Member	Contract to engage s. 22(1) (Spark Integrity Pty Limited) as a DEWR Audit and Assurance Committee member and Chair of the DEWR Risk, Security and Governance Committee	Corporate and Enabling Services	3-Oct-22	31-Oct-25	Departmental	CN3996402	4400068636
34	SMARTERKNOWLEDGE PTY LTD	No	$238,440.00	Management advisory services	Maturation of an Impact Framework and Indicators	Final deliverables included an Impact Framework matured against work already delivered by the NCI. This maturation reflects a closer focus on citizen segments, and allows the NCI to measure impact, not just outputs. Additionally received were maps detailing NCI activity measured against baseline indicators at an SA4 geographic level. These maps provide a possible indication of areas of need compared to services delivered.	Skills and Training	1-Aug-22	31-Oct-22	Departmental	CN3910331	4400067191
72	Aussafe Consulting Pty Ltd	No	$12,400.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	11-Jul-22	11-Oct-22	Departmental	CN3900747	4400067164
73	Aussafe Consulting Pty Ltd	No	$12,000.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	6-Jul-22	6-Oct-22	Departmental	CN3900746	4400067131
66	Aussafe Consulting Pty Ltd	No	$16,000.00	Audit services	Audit Services - WHS Accreditation	Audit undertaken to verify compliance with WHS Accreditation Scheme requirements. Audit completed and report submitted.	Workplace Relations	5-Jul-22	5-Oct-22	Departmental	CN3900745	4400067170
74	Aussafe Consulting Pty Ltd	No	$11,500.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	27-Jun-22	27-Sep-22	Departmental	CN3900744	4400067129

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
68	Aussafe Consulting Pty Ltd	No	$14,600.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	23-Jun-22	23-Sep-22	Departmental	CN3900743	4400067168
59	AUST GOVT ACTUARY	No	$45,000.00	Management advisory services	Consultancy Services	Modelling to estimate potential re-credits of VET FEE-HELP student debt in comparison to the previous calendar year to inform program management	Skills and Training	21-Jun-22	31-Oct-22	Departmental	CN3886475	4400066923
33	ANNEX DIGITAL PTY LTD	No	$281,528.50	Business intelligence consulting services	Unique Student Identifier Student Portal User Centered Redesign	The OSIR is seeking recommendations on best practice for a User Centred Design approach. In particular, any further recommendations to support:•Simplifying the structure of tasks to ensure actions required are as intuitive as possible • Improving the visibility of actions, results of actions and feedback (particularly for errors) •Embracing and exploiting the constraints of system. Key justifications for the commitment or expenditure of relevant money:•The USI creation process should be a quick and intuitive process to create a seamless and integrated user experience. •The user should be able to complete their task with a minimal number of clicks. •The user interface for the USI student portal should operate cleanly and intuitively on any device a student may wish to use .•Help is easily found when barriers are encountered. •The use of plain English is essential for our diverse customer cohort. The OSIR and colleagues within the Department of Education, Skills and Employment, have identified several opportunities for user experience enhancement.	Skills and Training	16-Jun-22	20-Oct-22	Departmental	CN3920648	4400060806
31	PWC	No	$295,000.00	Management advisory services	Data Quality Management and Assurance	Consultancy – a data quality assurance framework including publication checklist and other templates to be used for a number of National Skills Commission (now Jobs and Skills Australia) products	Jobs and Skills Australia	7-Jun-22	31-Aug-22	Administered	CN3885267	4400066914
67	Aussafe Consulting Pty Ltd	No	$15,700.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	7-Jun-22	7-Sep-22	Departmental	CN3896214	4400067169
51	MARKET ACCESS MARKET ACCESS CONSULTING AND RESEAR	No	$118,996.00	Research programs	Research Services	The purpose of this research project was to better understand the dynamics occurring in the lives of job seekers experiencing financial penalties, sometimes multiple penalties. The research explored elements of the employment services system as experienced by the research cohort, to better comprehend the system interplay that exists for potentially vulnerable job seekers. The research comprised in-depth interviews with 50 job seekers who had received a financial penalty. A further 10 interviews were conducted with service providers supporting populations facing disadvantage. This primary research was supplemented by secondary research from a range of sources. The research findings were presented in a report.	Employment and Workforce	20-May-22	19-Dec-22	Departmental	CN3876869	4400066837
11	DELOITTE	No	$439,587.50	Management advisory services	JobTrainer Interim Evaluation	Consultancy services procured to conduct an interim evaluation of the JobTrainer Fund, encompassing the following work: •Development of evaluation framework and project plan •Development, distribution, collation and analysis of student surveys and stakeholder interviews •Quantitative analysis of survey data, stakeholder interviews and state and territory monthly reports Final report accepted and final payment approved by the Department on 17/01/2023.	Skills and Training	18-May-22	31-Jan-23	Departmental	CN3875059	4400066821
29	DELOITTE	Yes	$300,346.20	Management advisory services	Migrant Skills Incentive Evaluation	The Services to be provided include scoping, designing and conducting an evaluation of the Skills Assessment Pilots, as well as delivering a final evaluation report. The services must include development of an Evaluation Strategy with timelines for conducting qualitative and quantitative analysis as well as collaborating with the department to develop and deliver survey instruments to pilot participants.	Skills and Training	16-May-22	30-Jun-24	Administered	CN3875448	4400066823
39	KPMG	No	$182,575.00	Research programs	Research Services	A consultancy undertook desktop research and fieldwork to assist with a project to identify whether there is room for improvement in how the department identifies and services job seekers with mental health conditions.	Employment and Workforce	13-May-22	31-Aug-22	Departmental	CN3872487	4400066793
25	DELOITTE	No	$341,900.63	Research programs	Review of Micro Credentials for Vocational Education and Training	Pricing VET micro-credentials - the project involved a research report defining micro-credentials and describing the micro-credentials markets in each of the Australian jurisdictions as well as a database of fees (prices) for common non-subsidised micro-credentials (as defined by 2019 enrolment numbers).	Skills and Training	12-May-22	31-Jul-22	Departmental	CN3880242	4400067844
70	Aussafe Consulting Pty Ltd	No	$12,900.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	11-May-22	11-Aug-22	Departmental	CN3884182	4400067133
69	Aussafe Consulting Pty Ltd	No	$14,400.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	10-May-22	10-Aug-22	Departmental	CN3884183	4400067167

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
36	Outpost Consulting	No	$197,780.00	Research programs	Consultancy for Research Services	The Supporting Small Business to Employ Mature Age Workers project is a consultancy contract running under this government – below is the information requested FYC: •Brief statement on purpose of contract; - To undertake a small qualitative research project on the interventions most likely to support small businesses to employ and retain mature age workers. •Value of contract and timeframe - $197,780 (incl GST), contract timeframe 5 May 2022 to 30 May 2023, with 6 month extension option. •What was process for selecting the consultancy (eg competitive tender, direct procurement etc) – Limited tender through an approach to market to Supply Nation consultants on the Research and Evaluation Panel. •If direct procurement – what was rationale for not undertaking a competitive process - In line with the Indigenous Procurement Policy and the Department's Indigenous Procurement Strategy, if an Indigenous Supplier is able to provide the services required on a value for money basis, the Department is expected to engage them. •How do we know we are getting value for money from the contract - The tender was assessed by a departmental Evaluation Committee following the Commonwealth Procurement Rules. The Committee considered that the provider would be able to meet the Statement of Requirements very well and that the proposed costs were within the expected range for a research project of this size and complexity. Referees validated the claims of the provider and did not identify any risks. The Response was therefore assessed as being value for money. •What controls in contract re confidentiality of information – The contract is a standard Commonwealth contract in which confidentiality of information is covered under section C.C.22 B and C. Note that this project did not involve any jobseekers' information.	Employment and Workforce	5-May-22	30-Apr-23	Departmental	CN3870878	4400060320
71	Aussafe Consulting Pty Ltd	No	$12,700.00	Audit services	Audit Services - WHS Accreditation	The consultant undertook a safety audit on behalf of the Office of the Federal Safety Commissioner (OFSC). The audits allow the OFSC to establish whether accredited companies are complying with the requirements that are established by the Federal Safety Commissioner. The consultant has specialised knowledge of Work, Health and Safety in the construction industry that enable them to assess a company's level of compliance.	Workplace Relations	3-May-22	11-Oct-22	Departmental	CN3881867	4400067165
28	UNIVERSITY OF MELBOURNE	No	$303,458.00	Research programs	Analysis of Vocational Education and Training Outcomes	Melbourne Institute was also engaged to undertake a review of the development of the VNDA, including the methodology and its application to both the course and provider-level analysis, and the development of the deep dive analysis (students who do not complete their course, students who complete micro-credentials, and students who complete a foundation skills (pathway) qualification). The contract period is from 08 April 2022 to 30 April 2023 with a total contract value of $303,458.00. Findings were well received by the VNDA project board.	Jobs and Skills Australia	26-Apr-22	30-Apr-23	Departmental	CN3869492	4400066760
42	EY	No	$178,540.00	Research programs	Research Services	Services -Procurement of research services through the Research and Evaluation Services (RES) panel to support a research project on 'Opportunities for linkages in employment services'. Deliverables -Report to the department that summarised findings from literature review, qualitative research with participants including job seekers, employers, providers and other community stakeholders, including an external Human Research Ethics Committee (HREC) review process.	Employment and Workforce	26-Apr-22	29-Jul-22	Departmental	CN3873158	4400066796
22	KPMG	No	$348,380.00	Management advisory services	Statutory review	The Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 (Cth) made amendments to casual employment arrangements. It included a requirement that a review of the operation of the legislative amendments must occur as soon as practicable 12 months after commencement, and that it be completed within 6 months. In line with these requirements, an independent review, undertaken by KPMG, commenced on 11 April 2022 and the report was provided to the Minister for Employment and Workplace Relations on 11 October 2022. The report on the review was tabled before the Australian Parliament on 1 December 2022. See Statutory Review of casual employment legislation - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)	Employment and Workforce	11-Apr-22	11-Oct-22	Departmental	CN3867079	4400067110
14	ACIL ALLEN CONSULTING PTY LTD	No	$437,373.75	Research programs	VET National Data Stakeholder Engagement	ACIL Allen was engaged to conduct stakeholder engagement to obtain broad VET sector input on the format and presentation of outputs from VNDA. The contract period was from 8 April 2022 to 16 December 2022, with a total contract value of $437,373.75 inc. GST. The communications and dissemination strategy is helping inform the release of VNDA outputs with trusted stakeholders.	Jobs and Skills Australia	8-Apr-22	14-Nov-22	Departmental	CN3872341	4400066786
47	OECD	No	$146,220.21	Research programs	Organisation for Economic Cooperation & Development (OECD) Report on Best Practices on Student Outcomes	The contract name is Research consultancies. It was used to deliver the OECD Education Policy Outlook in Australia report. This project was mapped over to the Department of Education in the MoG. Any questions should be directed to the Department of Education.	Employment and Workforce	8-Apr-22	31-Mar-23	Departmental	CN3870494	4400053454
23	EY	No	$345,985.20	Management advisory services	Vocational Education and Training and the Labour Market	Vocational Education and Training and the Labour Market Procurement of data and analytical services to conduct analysis on vocational education and training (VET) and the labour market, particularly the linkages between the VET system and the labour market. This involved quantitative and qualitative analysis on a range of data sources, including National Centre for Vocational Education Research's VET activity data and Australian Bureau of Statistics labour market statistics. Findings were presented in a descriptive report that provided key input into the Department's research and analysis of VET system performance.	Jobs and Skills Australia	4-Apr-22	4-Aug-22	Administered	CN3863758	4400066709
27	Finity Consulting Pty Ltd	No	$311,453.00	Management advisory services	Consultancy services - Independent review	The department procured the consultant services to review the Seacare scheme and consider options for the future of the scheme. The consultants developed a report of options identified in the review.	Workplace Relations	1-Apr-22	30-Sep-22	Departmental	CN3867074	4400067173
12	THE NOUS GROUP	No	$439,120.00	Management advisory services	Vocational Education and Training Markets Consulting Services	Vocational Education and Training Markets Consulting Services Procurement of data and analytical services to develop a classification of Registered Training Organisations (RTOs) operating in the vocational education and training (VET) market. This involved profiling and segmenting RTOs according to an agreed typology of key characteristics. The project required compilation of data sources, a literature review, targeted consultations and workshops. The classification was tested and analysed to ensure suitability. Outputs included a methodology paper outlining the proposed approach and a report and dashboard to summarise the findings. The project will assist the Department to undertake analysis of the VET market.	Jobs and Skills Australia	31-Mar-22	31-Oct-22	Administered	CN3863693	4400066708

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
43	OECD	No	$177,252.58	Research programs	Organisation for Economic Cooperation & Development (OECD) Report on Best Practices on Youth Pathways	The Organisation for Economic Co-operation and Development (OECD) produced the Adolescent Education and Pre-Employment Interventions in Australia: Keeping Young People in Education, Employment and Training report (130 pages) on international best practices in education and pre-employment or employment preparation interventions targeting the grade 7-10 cohort (12-16 years) that could be applied in the Australian context to further reduce the risk of young people becoming NEET after leaving school and improve their longer-term outcomes. This report was published by the OECD on 28 April 2023.	Employment and Workforce	31-Mar-22	24-Apr-23	Departmental	CN3870495	4400053456
3	PRAGMA PARTNERS PTY LTD	No	$1,270,632.00	Computer services	NSC Data Consultancy and Implementation Services	• The Consultants were engaged to deliver this fixed-timeframe project work as the specialist capability and expertise required was not available within the National Skills Commission (NSC). They provided strategic and technical advice on the data strategy, technology plan, and delivery of technology products, and development of products in the data lake. • They delivered details on the current state architecture and network configurations for the data analytics platform, including potential improvement options. They also advised on the NSC's approach to data governance, data ingestion and data holdings.	Jobs and Skills Australia	29-Mar-22	23-Dec-22	Departmental	CN3868708	4400053636, 4400055855
1	PWC	No	$2,885,802.00	Research programs	Expert Advice on Qualification Reform	• PwC are engaged to support qualifications reform work, as requested by Skills Ministers in February 2022 and reconfirmed at the September 2022 Jobs and Skills Summit. • In particular, PwC are engaged to: o Support commonwealth and state officials to develop a proposed modernised training system architecture, including developing new qualifications and skill sets across a range of industries to support national consultations; o Support the department in consultations, including 25 meetings with industry and training peaks, 26 jurisdictional workshops hosted by states and territories and 22 technical workshops with training providers, licensing bodies and State Training Organisations. • The department required PwC to have strict probity arrangements in place, including information and personnel barriers, as well as conflict of interest and confidentiality forms and probity training that were developed specifically for the project.	Skills and Training	25-Mar-22	30-Jun-23	Departmental	CN3860606	4400053006, 4400057124
26	Dandolo Partners	No	$318,821.22	Research programs	Enhance the Mental Health Capability of Registered Training Organisations	Enhance the Mental Health Capability of Registered Training Organisations The project included research and development of resources to build the capability of registered training organisations (RTOs) to provide prevention support for vocational education and training students with mental ill-health and suicidal ideation, and advice and resources to improve the promotion of mental health in the vocational education and training sector. Dandolo partnered with a youth mental health organisation, Orygen, to support the development of the resources, in consultation with people with lived experience. Resources are currently being finalised for release later this year.	Skills and Training	25-Mar-22	4-Oct-22	Departmental	CN3860300	4400066684
4	EY	No	$1,109,901.00	Management advisory services	Skills Demand and Supply Model	Detailed economic models constructed in the JSA data environment (datalake) to be transferred to JSA at completion of project (final handover in progress). These assets include: • Demand-side model of the Australian labour market integrating employment and vacancy data. • Microsimulation model of the Australian labour supply (all persons 15+) across a 10-year time horizon. • Related modelling infrastructure to allow detailed examination of model results via extraction from the datalake to PowerBI and other software. • Methodology and technical papers and model user guide.	Skills and Training	11-Mar-22	24-Feb-23	Administered	CN3873694	4400066802
20	TAYLOR FRY CONSULTING	Yes	$359,700.00	Research programs	Advisory Services - Analytical Activities	Taylor Fry have been contracted to provide independent actuarial advice on the validity of methodology applied to select records for review under the Rolling Random Sample (RRS), Continuous Assessment of Payment Integrity (CAPI), and Job Search Quality (JSQ) assurance activities. The value of this contract allows for multiple requests for advice.	Employment and Workforce	13-Jan-22	30-Jun-24	Departmental	CN3842832	4400066065
41	NEWGATE RESEARCH	No	$179,100.00	Information services	Stakeholder Engagement Research	For the National Skills Commission: • Consultation with internal and external stakeholders on current engagement activities and their preferences for engagement with the NSC • Development of a best practice research report • Development of an engagement strategy aligns to the strategic objectives of the National Skills Commission.	Jobs and Skills Australia	14-Dec-21	1-Nov-22	Administered	CN3836769	4400066010
21	GCG Health Safety & Hygiene	No	$354,973.00	Management advisory services	Work for the Dole Work Health and Safety Audit	The supplier of audit services, engaged by this Official Order, will examine whether jobactive Providers delivering Work for the Dole activities have adequate work health and safety management systems in place and applied, are compliant with their documented processes, how these systems are evaluated and updated and make recommendations for improvement. The Contractor shall undertake the work in the following phases: a. Phase 1: Refinement of Comprehensive Audit Tool, Project Establishment and Prioritisation; b. Phase 2: Satisfactory completion of half (50%) of the required audits and individual provider reports. (anticipated 11 audits); c. Phase 3: Satisfactory completion of remaining half (100%) of the required audits and individual provider reports. (anticipated additional 11 audits); d. Phase 4: Satisfactory completion of the final aggregate c. Develop a WHS Safety Training Package for Providers	Employment and Workforce	15-Nov-21	26-Aug-22	Departmental	CN3834039	4400065981
5	PRAGMA PARTNERS PTY LTD	No	$992,816.00	Graphic design	AgATTRACT Career Mapping Project	• As part of the suite of Ag2030 measures announced in the 2020-21 Budget, the National Careers Institute (NCI) was allocated $2.7 million to design and implement a career map of modern agriculture occupations accessible through an interactive, user driven experience on the Your Career website. • Pragma Partners were commissioned by the NCI to undertake the research phase of the project in FY 2021-22. Significant deliverables included the delivery of illustrative career pathways, a comprehensive database of agriculture occupations, a series of 'real-life' case studies, a matrix demonstrating user decision-making factors, a report summarising outcomes from surveys and in-depth interviews with industry stakeholders, as well as usability findings and content guidelines. • Findings from Pragma's research have been used to inform the build and design phase of the project in FY 22-23, which involves updating and enriching agriculture careers content across NCI digital platforms. The project is scheduled to be fully implemented by 30 June 2023.	Skills and Training	10-Nov-21	31-Aug-22	Administered	CN3831040	4400065955
9	MATTHEWS PEGG CONSULTING PTY LTD	No	$544,748.20	Research programs	Support to Revise the Standards for Registered Training Organisations	The department engaged mpconsulting to provide regulatory expertise to revise the Standards for Registered Training Organisations (RTOs) 2015 and to support the testing of the draft revised Standards with key stakeholders.	Skills and Training	13-Sep-21	7-Dec-22	Departmental	CN3817486	4400065828

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Rank	Supplier Name	Contract active as at 31 August	Contract Value	Category*	Austender Description	Services Purchased	Group	Start Date	End Date	Funding Source	CN ID	Contract ID
18	MCGRATHNICOL CORPORATE ADVISORY	Yes	$375,000.00	Management advisory services	Financial Assessment for Vocational Education and Training Student Loan Providers	•Contract for financial performance assessments on the requirements of VET Students Loans (VSL) approved course providers for the VET Student Loans Program, and of applicants seeking to become VSL approved course providers.	Skills and Training	12-Aug-21	30-Jun-24	Departmental	CN3807367	4400065747
46	SYNERGY GROUP AUSTRALIA PTY LTD	No	$150,000.00	Computer services	ICT System Security Assessment	ICT System Security Assessment of the Extended Proof of Concept (ePoC) Solution for the VET Data Streamlining program - June-August 2021. The report was delivered in August 2021 and accepted by the department. $55,440 incl GST paid	Corporate and Enabling Services	29-Jun-21	22-Jun-23	Departmental	CN3788602	4400065554
53	Oggi Consulting Pty Ltd	Yes	$99,000.00	Education and Training Services	Quality Assurance and Assessment Services	Consultancy procurement for the Foundation Skills for Your Future [FSFYF] Program Conduct an assessment of projects and undertake quality assurance services associated with the design and delivery of Accredited and/or Non-Accredited training Provide advice to the department on the LLND merit of project proposals submitted by contracted service providers to ensure: it clearly articulates training objectives and leads to positive outcomes is relevant to the needs of the participant and is supported through quality teaching and assessment processes is fit-for-purpose and leads to positive Participant outcomes. Perform quality assurance services to ensure resources being developed and training being delivered is of a high quality and provide advice on: The appropriateness of training and assessment resources Validity of assessment decisions Quality of appropriateness of the non-accredited training components Contracts cease on 30 June 2024	Skills and Training	7-Jun-21	30-Jun-24	Departmental	CN3794432	4400061873
24	SYNERGY GROUP AUSTRALIA PTY LTD	No	$342,650.00	Computer services	Extended Proof of Context Readiness Review	The ePoC project is building a cloud-based system that enables near-real-time event based system-to-system data exchange to validate and collect VET data to be used for multiple purposes. Outcome of the readiness review will inform the national roll-out of the VDS. Commonwealth has committed to getting the VDS ready for early adopters from mid 2022.	Skills and Training	19-May-21	18-May-23	Departmental	CN3773289	4400065363
19	DANDOLOPARTNERS	No	$363,500.00	Research programs	Evaluation of Remote Community Pilots for Language, Literacy and Digital Training Program	•Evaluation of the Australian Government's Foundation Skills for Your Future Remote Community Pilots (the Pilots) to determine whether proof of concept has been established and inform future delivery of language, literacy, numeracy and digital (LLND) skills training in remote communities and elsewhere. •The evaluation will provide information and advice to governments, Pilot Providers and participating Remote Community stakeholders on the effectiveness of the different approaches undertaken by each Pilot from their implementation in 2020 until June 2023. •Will include analysis of: oSuccess or otherwise of community engagement in co-design; oRecruitment and engagement of training participants; oLLND skills improvement for individuals and the community as a whole; oStrategies that worked, and those that did not, in the provision of wrap around support or support for non-training issues; oWhether the training outcomes aligned to training participant and community expectations. •30 June 2023 – Final deliverable due, which includes the final report.	Skills and Training	10-Dec-20	30-Jun-23	Departmental	CN3742226	4400064843
35	Monash University	No	$210,000.00	Research programs	Implementing Work-related Mental Health Guidelines	IMPRovE: Implementing Work-related Mental Health Guidelines in General Practice The services to be provided to DEWR include delivery of a final report which assesses optimal ways to implement the work-related mental health guidelines which have been developed by Monash University. The material contained in the report is based on Monash providing the following research services: •Setting up randomised control trial, including dissemination of the guidelines to participating general practitioners in target areas •Setting up and managing control groups for the trial, and •Undertaking research on the use of the guidelines including progress in diagnosing and treating injured workers. Deliverables also include periodic updates on progress to DEWR through twice yearly steering committee meetings on which DEWR participates as a member.	Workplace Relations	24-Jun-19	30-Jun-23	Departmental	CN3612270	4400060588
	Total		**$23,227,215.45**									

*: Category is an Austender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

Notes for Clearing Officer

Contract details are derived from AusTender Contracts data published as at 31 August 2023, extracted on 19 September 2023 by s 22(1) , reviewed by s 22(1) and approved by s 22(1) on 28 September 2023.

Grey shaded first column - Services provided descriptions were provided by the area responsible for the contract during the preparation of the May 2023 Senate Estimates brief.

Orange shaded first column - Services provided were sourced from HUB contract shopping cart data 'Background for Senate Estimates' tab.

This attachment will be sent to business areas for their visibility.

Department of Employment and Workplace Relations - Released under FOI

Total Big 7 contracts (by value) active between 1 July 2022 to 31 August 2023

Attachment C

Supplier Name	Contract Value	Contract Active as at 31 August	Category	Description	Services Purchased	Group	Start Date	End Date	CN ID	Contract ID
ACCENTURE	$489,451.00	Yes	Research programs	Temporary Personnel Services	TRA Skills Assessment and Systems Support - IT System Enhancements - Engagement of experienced Business Analysts in the Migrant Skills Assessment Branch to assist in developing Agile SaFE feature documentation, in consultation with program teams, for planned enhancements to the TradesII IT system, and Producing documentation in accordance with requirements for a first pass business case under the ICT Investment Approval Process.	Skills and Training	22-May-23	22-Sep-23	CN3967773	4400067754
Total ACCENTURE	**$489,451.00**									
DELOITTE	$11,485,588.86	Yes	Computer services	Solutions Management for Modern Apprenticeships IT System Project	Solution management for the Apprenticeship Data Management system (ADMS). Providing design and requirements gathering for the ADMS project.	Corporate and Enabling	08-Dec-20	30-Jun-24	CN3737267	4400064708
DELOITTE	$1,988,987.00	No	Computer services	IT Project Management Office as a Service DAT ID 14074	The contract had 2 separate streams, detailed below: • The first stream was the delivery of a IT PMO maturity assessment. The maturity assessment included an environment scan and pain point analysis and a PMO modernisation roadmap. • The second stream was seeking capability supplementation to bolster the existing team's existing capability and to support the delivery the PMO modernisation roadmap.	Corporate and Enabling	27-Aug-21	26-Feb-23	CN3809344	4400065764
DELOITTE	$799,810.00	Yes	Management advisory services	Modelling Services for Clean Energy Study	The Australian Government has commissioned Jobs and Skills Australia (JSA) to undertake a capacity study on the workforce needs for Australia's transition to a clean energy economy. JSA requires forecasts for the supply and demand of clean energy workers over the next 10, 20 and 30 years (and the impacts on the broader labour market) to support the final report within the time expected by government. The consulting firm will use a general equilibrium model to produce these forecasts.	Jobs and Skills Australia	24-May-23	27-Oct-23	CN3984156	4400068194
DELOITTE	$609,728.35	Yes	Computer services	Identity and Access Management Services	This is an ICT Services contract to supply cyber security and identity and access management specialist resources to fill short term project requirements. The resources are embedded and work with Technology and Services Division teams. The contract was initiated following a competitive RFQ process to multiple potential vendors via the Digital Market Place.	Corporate and Enabling	01-Jul-22	30-Jun-24	CN3895659	4400066990
DELOITTE	$439,587.50	No	Management advisory services	JobTrainer Interim Evaluation	Consultancy services procured to conduct an interim evaluation of the JobTrainer Fund, encompassing the following work: •Development of evaluation framework and project plan •Development, distribution, collation and analysis of student surveys and stakeholder interviews •Quantitative analysis of survey data, stakeholder interviews and state and territory monthly reports Final report accepted and final payment approved by the Department on 17/01/2023.	Skills and Training	18-May-22	31-Jan-23	CN3875059	4400066821
DELOITTE	$341,900.63	No	Research programs	Review of Micro Credentials for Vocational Education and Training	Pricing VET micro-credentials - the project involved a research report defining micro-credentials and describing the micro-credentials markets in each of the Australian jurisdictions as well as a database of fees (prices) for common non-subsidised micro-credentials (as defined by 2019 enrolment numbers).	Skills and Training	12-May-22	31-Jul-22	CN3880242	4400067844
DELOITTE	$300,346.20	Yes	Management advisory services	Migrant Skills Incentive Evaluation	The Services to be provided include scoping, designing and conducting an evaluation of the Skills Assessment Pilots, as well as delivering a final evaluation report.	Skills and Training	16-May-22	30-Jun-24	CN3875448	4400066823
DELOITTE	$300,000.00	Yes	Management advisory services	Funding Policy and Modelling Advisory Services	The National Skills Agreement Taskforce has engaged a consultant to support the development of Commonwealth funding policy for a new national skills agreement, including by modelling, analysing and providing advice on the impact of potential variations in the Commonwealth financial offer to states.	Skills and Training	30-May-23	31-Dec-23	CN3974063	4400068052
DELOITTE	$250,000.00	No	Research programs	Evaluation Services for Supporting Apprentices and Trainees and the Australian Apprenticeship Wage Subsidy	The department requires evaluation and research services to evaluate the delivery of the SAT measure and the AAWS trial against their objectives, impact and stakeholder perspectives. Deliverables include fortnightly meetings and status reports, and a final report for both SAT and AAWS on the impact of the wage subsidies on apprentices and employers and an analysis of the objectives of the measures, which will be due in May 2022.	Skills and Training	28-Mar-22	31-Jul-22	CN3860894	4400066672
DELOITTE	$170,390.00	No	Management advisory services	Management Advisory Services	As a newly established Department, DEWR engaged Deloitte to assist in conducting a strategic review of the new Department's baseline funding to identify key funding challenges and gaps, focussing on sustainability of funding to support and maintain workforce capability and capacity. The review consolidated current and historical financial data with stakeholder interviews with group senior executives and other functions to understand the funding gaps and pressures facing the new Department.	Corporate and Enabling	03-Nov-22	28-Feb-23	CN3931923	4400067956
DELOITTE	$133,936.00	No	Research programs	Research, Evaluation and Data Analysis Services	Delivery of a benchmarking evidence base to inform future policy approaches as part of the Regulatory Technology roadmap for modern awards, including engaging Dynata to find and establish focus groups with small business.	Workplace Relations	03-May-22	31-Aug-22	CN3870603	4400067149
DELOITTE	$72,952.00	No	Computer services	ICTSR 17551 Data Portal Solution DMS148	Engagement of an external provider to leverage work undertaken in 2020 to scope out options to automate annual 'Transparency in higher education expenditure' (Transparency) data collection process and re-assess the Department's preferred solution. This has arisen due to the shift from a solution owned by the Department towards a managed services model, a solution owned, managed and maintained by the external supplier. Creation of a fully functioning data entry portal is a planned future project that will automate parts of the process in future years. This automated data collection platform is expected to be able to identify invalid data entries and results outside accepted data ranges. The Transparency project collects data from a number of universities regarding teaching and learning costs, which informs contribution amounts for different funding clusters. We require the following to be completed in order to provide the Department with the information to create a managed services model: i. re-determining the functional and technical service requirements in the context of design and project principles ii. identification of potential IT solutions iii. recommendations on preferred models and an implementation plan	Corporate and Enabling	27-Jun-22	09-Jul-22	CN3891017	4400066960
DELOITTE	$45,012.00	Yes	Public administration and finance services	Insolvency Services	Insolvency Services - For any contracts (approved quotes) for verification services on FEG cases that are over $10,000 in value for the 2023-24 FY. The appointed liquidators will verify the outstanding employee entitlements for FEG and there is no other option for the procurement with fees charged in line with DEWR's IP fee model.	Workplace Relations	19-Jun-23	30-Jun-24	CN3986572	4400068307
DELOITTE	$30,000.00	Yes	Education and Training Services	Insolvency Services	Insolvency Services - For any contracts (approved quotes) for verification services on FEG cases that are over $10,000 in value for the 2023-24 FY. The appointed liquidators will verify the outstanding employee entitlements for FEG and there is no other option for the procurement with fees charged in line with DEWR's IP fee model.	Workplace Relations	17-May-23	30-Jun-24	CN3967758	4400061205
DELOITTE	$25,063.50	No	Public administration and finance services	Insolvency Services	A contract to procure Fair Entitlement Guarantee (FEG) Verification Services. This involves the identification and verification of employment entitlement amounts owing to claimants, as evidenced by the books and records of the former employer, in accordance with the Fair Entitlements Guarantee Act 2012 and FEG criteria.	Workplace Relations	14-Nov-22	30-Jun-23	CN3959262	4400060872
Total DELOITTE	**$16,993,302.04**									

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Total Big 7 contracts (by value) active between 1 July 2022 to 31 August 2023

Attachment C

Supplier Name	Contract Value	Contract Active as at 31 August	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID	Contract ID
EY	$1,759,050.00	No	Management advisory services	Consultancy Services	Component 1: a)Analysis and advice on the potential impacts of the AQF Review recommendations on current VET reforms to support engagement with stakeholders. Components 2 & 3: b)Skills Ministers have agreed, through the Jobs and Skills Summit, to simplify and modernise VET qualifications. c)As part of this work, Ministers have asked for specific advice on how a new qualification model would be implemented, including risks, impacts and transition options. d)This consultancy will consider the potential impacts of transition, including for Jobs and Skills Councils and RTOs, and provide advice on possible transition approaches. e)An optional component involves the provision of advice regarding changes that would need to be made to policies and procedures to facilitate the transition	Skills and Training	11-Nov-22	30-Jun-23	CN3933731	4400067457
EY	$1,109,901.00	No	Management advisory services	Skills Demand and Supply Model	Detailed economic models constructed in the JSA data environment (datalake) to be transferred to JSA at completion of project (final handover in progress). These assets include: •Demand-side model of the Australian labour market integrating employment and vacancy data. •Microsimulation model of the Australian labour supply (all persons 15+) across a 10-year time horizon. •Related modelling infrastructure to allow detailed examination of model results via extraction from the datalake to PowerBI and other software. •Methodology and technical papers and model user guide.	Skills and Training	11-Mar-22	24-Feb-23	CN3873694	4400066802
EY	$686,215.00	Yes	Management advisory services	Commercial Management Advisory Services	Expert assistance is required to deliver a VET Stewardship and Governance Model to align with the reform work proposed by the National Skills Agreement vision and guiding principles.	Skills and Training	05-Jun-23	31-Dec-23	CN3986442	4400068294
EY	$498,889.00	Yes	Management advisory services	Financial Management Advisory Services	Expert assistance is required for the development of a performance framework attached to the national skill reform. The services required will include working with the Commonwealth, States and Territory skills officials, to develop a performance framework including indicators, measures and targets. The supplier is also required to provide a dashboard tool to support ongoing performance monitoring.	Skills and Training	05-Jun-23	31-Dec-23	CN3986443	4400068341
EY	$457,974.00	No	Computer services	Apprenticeships-Discovery and Environmental Scan and Content Review	EY was contracted to undertake a detailed analysis of information across ten apprenticeships websites, a survey and follow up interviews and workshops, and to develop a suite of practical and technical guidance materials and recommendations to inform the future state for apprenticeships information. Deliverables included: • Environment Scan Report – detailed analysis of 10 websites identified by the department • Tree Testing Report – technical report which outlines search engine optimisation i.e., how people navigate websites based on google analytics • Content Review – in-depth review of the AAPathways website and the department's Australian Apprenticeships website • Content Strategy – practical and technical guidance on how to construct a new website, building on a survey and follow up interviews with apprentices and employers and workshops with departmental staff • Information Architecture – an information taxonomy that responds to apprentice and employer needs and takes a citizen focussed approach	Corporate and Enabling	15-Aug-22	30-Nov-22	CN3908190	4400067188
EY	$384,681.00	No	Research programs	Evaluation Services	An evaluation of the Industry Training Hubs (ITH), Commonwealth Scholarships Program for South Australia (CSSA) and Commonwealth Scholarships Program for Young Australians (CSYA). The evaluation will be conducted in two parts: ITH The evaluation will review the design, implementation and outcomes of the ITH and will explore the efficiency, effectiveness and appropriateness of the services offered to inform a possible full national roll out of the program. The project will involve: • evaluation design, instrument development and survey tools (including all relevant documentation); • quantitative and qualitative research to gather information on participation, provider, employer and stakeholder perspectives of the program; and • reports and presentations to the department outlining the key findings, analysis and insights generated from the research. CSSA and CSYA The evaluation will review the outcomes of the CSSA and CSYA and determine whether the programs had an impact on attraction and retention in training. The desktop review will involve: • quantitative research drawing on publicly available datasets, such as NCVER, and program data provided by the department, to analyse participation and outcomes including how they compare to other training outcomes for similar groups of students. • a report and meeting with the department outlining key findings, analysis and insights generated from the research.	Skills and Training	15-Nov-22	30-Jun-23	CN3930459	4400067405
EY	$345,985.20	No	Management advisory services	Vocational Education and Training and the Labour Market	Vocational Education and Training and the Labour Market Procurement of data and analytical services to conduct analysis on vocational education and training (VET) and the labour market, particularly the linkages between the VET system and the labour market. This involved quantitative and qualitative analysis on a range of data sources, including National Centre for Vocational Education Research's VET activity data and Australian Bureau of Statistics labour market statistics. Findings were presented in a descriptive report that provided key input into the Department's research and analysis of VET system performance.	Jobs and Skills Australia	04-Apr-22	04-Aug-22	CN3863758	4400066709
EY	$178,540.00	No	Research programs	Research Services	Services -Procurement of research services through the Research and Evaluation Services (RES) panel to support a research project on 'Opportunities for linkages in employment services'. Deliverables -Report to the department that summarised findings from literature review, qualitative research with participants including job seekers, employers, providers and other community stakeholders, including an external Human Research Ethics Committee (HREC) review process.	Employment and Workforce	26-Apr-22	29-Jul-22	CN3873158	4400066796

Department of Employment and Workplace Relations - Released under FOI

Total Big 7 contracts (by value) active between 1 July 2022 to 31 August 2023

Attachment C

Supplier Name	Contract Value	Contract Active as at 31 August	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID	Contract ID
EY	$118,800.00	No	Management advisory services	Improving the Department's Performance Framework - Tranche 2	Improving the department's Performance Framework – Tranche 2 Activity 1 –Assessment of Performance Framework •Review of the Framework including: o2021-22 APS process/approach, templates, and identification of gaps oReport on review of the full suite of measures PGPA compliance including appropriate mix and if further efficiency measures are appropriate oWorkshops on efficiency measures •Expected Due Date: 22 April 2022 Activity 2 –Risk Assessment •Working with the team, undertake a risk assessment for each of the Department's performance measures. •Expected Due Date: 13 May 2022 Activity 3 –Control Testing •Working with the team assess the design and operating effectiveness of a selection Department's key controls over its highest risk performance measures. •Expected Due Date: 10 June 2022 Activity 4 – Continual improvement •Working with the team, develop a roadmap for future improvements. •Expected Due Date: 30 June 2022. Activity 5 – Ad-hoc Support •Additional support may be required depending on the outcomes of this work.	Corporate and Enabling	06-Apr-22	31-Jul-22	CN3863021	4400066706
EY	$84,700.00	No	Management advisory services	Management Advisory Services	Workshop facilitation with senior Commonwealth, State and Territory skills officials for the development of a national skills agreement and development of a reform opportunities	Skills and Training	10-Jan-23	27-Jan-23	CN3940623	4400067505
Total EY	**$5,624,735.20**									
KPMG	$2,791,914.73	No	Management advisory services	Temporary Personnel Services	Work with medium to large businesses to develop a tailored action plan for each business that identifies and implements changes to improve the workplace to better attract and retain women.	Employment and Workforce	30-Aug-21	30-Jun-23	CN3807383	4400065752
KPMG	$545,927.36	Yes	Management advisory services	Apprenticeships Data Management System Project	Need for independent research or assessment - This consultancy is intended to obtain independent assurance services over a Tier 1 project, in line with the project management framework.	Skills and Training	22-Dec-22	30-Nov-23	CN3941669	4400067509
KPMG	$348,380.00	No	Management advisory services	Statutory review	The Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 (Cth) made amendments to casual employment arrangements. It included a requirement that a review of the operation of the legislative amendments must occur as soon as practicable 12 months after commencement, and that it be completed within 6 months. In line with these requirements, an independent review, undertaken by KPMG, commenced on 11 April 2022 and the report was provided to the Minister for Employment and Workplace Relations on 11 October 2022. The report on the review was tabled before the Australian Parliament on 1 December 2022. See Statutory Review of casual employment legislation - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)	Employment and Workforce	11-Apr-22	11-Oct-22	CN3867079	4400067110
KPMG	$290,421.50	No	Computer services	Collaboration and leadership services	Build deliberate and productive ways of working together across the WR Group that genuinely foster collaboration.	Workplace Relations	30-Sep-21	31-Aug-22	CN3822167	4400067113
KPMG	$283,837.95	No	Research programs	VDS Regulatory Impact Statement & BP Phase 1	KPMG was procured to assist and advise in stakeholder engagement on regulatory impact assessment and benefits.	Skills and Training	19-Jul-22	23-Dec-22	CN3900707	4400067003
KPMG	$190,383.00	No	Management advisory services	Consultancy Services	Consultant procured to provide advice on the structure of the Skills and Training Group. KPMG developed a report and supported the implementation of their findings from the report.	Skills and Training	21-Nov-22	14-Apr-23	CN3933730	4400067456
KPMG	$182,575.00	No	Research programs	Research Services	A consultancy undertook desktop research and fieldwork to assist with a project to identify whether there is room for improvement in how the department identifies and services job seekers with mental health conditions.	Employment and Workforce	13-May-22	31-Aug-22	CN3872487	4400066793
KPMG	$89,710.00	No	Research programs	Data Verification Services	The Department is seeking to have its Employment Service Provider Performance Framework reviewed and tested for accuracy of the translation of business rules to SAS code and data outputs and is fit for purpose against the policy intent settings.	Employment and Workforce	01-Jun-23	30-Jun-23	CN3969902	4400057793
KPMG	$79,002.00	No	Management advisory services	Workplace Relations Management Advisory Training	Entitlements Safeguards Divisional Training	Workplace Relations	27-Mar-23	30-Jun-23	CN3953224	4400068038
KPMG	$74,250.00	Yes	Accounting services	Financial Management Advisory Services	Provision of the KPMG Accelerated Annual Reporting model and associated support.	Corporate and Enabling	21-Feb-23	20-Feb-25	CN3947276	4400061005
KPMG	$67,599.75	No	Management advisory services	Management Advisory Services	Informed by previous work with the FEG Branch, KPMG will delivered three workshops designed to support the FEG leadership team to build a high-performing team culture. The workshops were designed to support the FEG leadership team and the broader branch to: - Realign a shared sense of purpose. - Assist the FEG Executive leadership to shape Branch culture and set the Branch up for on-going success. - Reflect on and consider ways of working beyond individual projects and teams. This will involve supporting each other to test the tension between individual accountability for project delivery, against the collective responsibility for shared outcomes. - Propose and test new models of collaboration specific to the FEG Branch context, progress to date, and sharpened practices (interactive mechanisms and soft controls) to test alignment and effectiveness as a whole. The theme of each workshop was as follows: - Workshop 1: FEG Program and team purpose and outcomes for 2023. - Workshop 2: Revisit workshop one outcomes; collaboration approaches and working as a team; and psychological safety. - Workshop 3: Revisit workshop one and two outcomes and building resilience with high performing teams	Workplace Relations	01-Feb-23	31-Mar-23	CN3941668	4400060960
KPMG	$44,550.00	Yes	Accounting services	Financial Management Advisory Services	Provide monthly actuals model license for a period of 3 years. Assistance to set up the new Departmental and Administered monthly actual models fit for purpose for DEWR.	Corporate and Enabling	21-Feb-23	21-Feb-25	CN3947277	4400061006
KPMG	$40,000.00	No	Management advisory services	Management Personnel Services	Engagement for provision of QA of Key Management Personnel (KMP) and Remuneration Tribunal determinations notes.	Corporate and Enabling	02-May-22	30-Sep-22	CN3865595	4400053212
KPMG	$18,900.00	No	Management advisory services	Monthly Profiles for Business Services	The department is required to provide monthly profile data to the Department of Finance in CBMS. The KPMG monthly profile model helps to collect and then produce the data in the required CBMS format.	Corporate and Enabling	10-Nov-22	30-Jun-23	CN3931921	4400060883
KPMG	$11,594.00	No	Public administration and finance services	Insolvency Services	A contract to procure Fair Entitlement Guarantee (FEG) Verification Services. This involves the identification and verification of employment entitlement amounts owing to claimants, as evidenced by the books and records of the former employer, in accordance with the Fair Entitlements Guarantee Act 2012 and FEG criteria.	Workplace Relations	11-Oct-22	30-Jun-23	CN3959560	4400060842
Total KPMG	**$5,059,045.29**									
PwC	$5,073,200.00	Yes	Computer services	Identity and Access Management Services	Identity and Access Management Services - This is an ICT Services contract to supply identity and access management specialist resources to fill project requirements. The resources are embedded and work with Technology and Services Division teams. The resources are able to scale up and down to ensure the department has access to the expert skill set it requires.	Corporate and Enabling	01-Jul-22	30-Jun-24	CN3895661	4400066987

3

Total Big 7 contracts (by value) active between 1 July 2022 to 31 August 2023

Attachment C

Supplier Name	Contract Value	Contract Active as at 31 August	Category*	Description	Services Purchased	Group	Start Date	End Date	CN ID	Contract ID
PwC	$2,885,802.00	No	Research programs	Expert Advice on Qualification Reform	•PwC are engaged to support qualifications reform work, as requested by Skills Ministers in February 2022 and reconfirmed at the September 2022 Jobs and Skills Summit. •In particular, PwC are engaged to: osupport commonwealth and state officials to develop a proposed modernised training system architecture, including developing new qualifications and skill sets across a range of industries to support national consultations; osupport the department in consultations, including 25 meetings with industry and training peaks, 26 jurisdictional workshops hosted by states and territories and 22 technical workshops with training providers, licensing bodies and State Training Organisations. •The department required PwC to have strict probity arrangements in place, including information and personnel barriers, as well as conflict of interest and confidentiality forms and probity training that were developed specifically for the project.	Skills and Training	25-Mar-22	30-Jun-23	CN3860606	4400053006, 4400057124
PwC	$964,586.94	Yes	Components for information technology or broadcasting or telecommunications	ICTSR 221973 - CyberArk Licenses	This is a multi-year contract for CyberArk software licences and co-term maintenance and support. The software is a tool that manages Privileged (administrator) level access to the DEWR network.	Corporate and Enabling	21-Dec-22	17-Jun-24	CN3942919	4400067520
PwC	$770,000.00	Yes	Computer services	For Delivery of Independent Assurance: Onboarding of Complementary Programs onto Digital Platform	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	Employment and Workforce	21-Feb-23	20-Feb-24	CN3959588	4400068036
PwC	$438,477.88	No	Research programs	Vocational Education and Training (VET) Student Loans and VET FEE-HELP IT Review	The consultancy is for a review of the release of historical student debt records held in the VET Student Loans (VSL) Payment System (VPAYS), a number of which were released to the Australian Taxation Office on 2 and 3 August 2022 (the issue). The review is divided into two phases. Phase 1 of this review is to: a)Identify the key impact factors that contributed to the failure to process relevant VET FEE-HELP (VFH)/VSL debt data from VPAYS to the Higher Education Information Management System (HEIMS) and the Tertiary Collection of Student Information (TCSI) system relevant to the issue between the period 2017 to 2022. b)Subject to the completion of objective A), commence the identification of impact factors that contributed to the failure to process the remaining VFH/VSL debt data (as identified by the department) from VPAYS to HEIMS and the TCSI system over the period 2009 to 2022. Phase 2 of the review will assess whether appropriate risk mitigation treatments have been designed and implemented to reduce the likelihood and impact of recurrence in the future. The key deliverables are a report and the presentation of findings to relevant governance forums (as agreed to by the department)	Skills and Training	20-Oct-22	17-May-23	CN3928076	4400067392
PwC	$295,000.00	No	Management advisory services	Data Quality Management and Assurance	Consultancy – a data quality assurance framework including publication checklist and other templates to be used for a number of National Skills Commission (now Jobs and Skills Australia) products	Jobs and Skills Australia	07-Jun-22	31-Aug-22	CN3885267	4400066914
PwC	$142,183.80	No	Management advisory services	Protected Uplift Project Assurance Health Checks	The Protected Uplift Project was classified as a Tier 2 project and therefore was required to have an assurance plan be independently developed and verified. PWC were engaged and provided: a. Assessment of the management practices on the Project through document review and insights gathering in order to confirm the appropriateness of management practices established by the Project. Recommendations were continually tracked during project delivery. b. Go-live readiness assessment in order to confirm the project can demonstrate readiness to go-live (planned mid-2022) against key risk areas (e.g. through the use of a go-live criteria). c. Project team and stakeholder sentiment insights gathering in order to support high-level document review for the Health Check and Go-live readiness assessment. Final health check and report was provided in May 2022.	Corporate and Enabling	18-Feb-22	31-Jul-22	CN3864844	4400066718
PwC	$85,415.00	No	Research programs	Facilitator for Skills for Education and Employment Remote Consultations	PWC is facilitating a series of workshops seeking feedback from stakeholders on changes to the delivery of language, literacy, numeracy and digital literacy skills (LLND) training to Australians living in remote Australia. They will also deliver a report which collates feedback from the sessions for the department's use. This work will support the Future delivery of foundation skills training in remote Australia discussion paper and the co-design of a new delivery model.	Skills and Training	10-Oct-22	28-Feb-23	CN3922893	4400067311
PwC	$42,900.00	Yes	Accounting services	Financial Management Advisory Services	Financial Management Advisory Services - Preparation and lodgement of the Department's Fringe Benefits Tax (FBT) Return for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers.	Corporate and Enabling	01-Feb-23	30-Nov-25	CN3947275	4400061004
PwC	$33,000.00	No	Accounting services	Audit Services	Review DEWR's Business Activity Statement (BAS) processes in the shared general ledger environment to ensure that DEWR is meeting its GST obligations.	Corporate and Enabling	05-Dec-22	31-Jan-23	CN3933729	4400060911
PwC**	$1,282,905.00	Yes	Audit services	Audit Services	Undertake internal audit and assurance activities on behalf of the Chief Internal Auditor. PwC provides the majority of outsourced audit and assurance activities under the internal audit and assurance program.	Corporate and Enabling	03-Feb-22	30-Jun-25	CN3850520	4400066160
Total PwC	**$12,013,470.62**									
Total Big 7	**$40,180,004.15**									

*: Category is an AusTender reporting requirement that requires procurements to be categorised under the *United Nations Standard Products and Services Code (UNSPSC)*

**: CN3850520 - PwC Internal Audit and Assurance Program (2022-24) contract totalling $1,282,905 GST inclusive is 100% owned by DEWR and was successfully migrated to DEWR with the recent company code build but its contract listing remains with Department of Education on AusTender, this is currently being rectified on Austender.

Shaded cells relate to Consultancy contracts.

Data includes contracts that have originated before the establishment of DEWR, and subsequently varied by DEWR.

Notes for Clearing Officer

Contract details are derived from AusTender Contracts data published as at 31 August 2023, extracted on 19 September 2023 by S 22(1) reviewed by S 22(1) and approved by S 22(1) on 28 September 2023.

Grey shaded supplier name - Services provided descriptions were provided by the area responsible for the contract during the preparation of the May 2023 Senate Estimates brief.

Unshaded supplier name - Services provided were sourced from HUB contract shopping cart data 'Background for Senate Estimates' tab.

This attachment will be sent to business areas for their visibility.

Department of Employment and Workplace Relations - Released under FOI

DEWR engagement with PwC

- As at 31 August 2023, DEWR has **5 active contracts** with PwC to the **value of $8.1 million**, details are at Attachment A.
- DEWR **completed an internal review** of **existing PwC contracts** in late May 2023 to assure ourselves that the objective and requirements of these contracts have been applied:
    - DEWR **has not identified issues with the PWC engagements** with respect to their deliverables, application of confidentiality requirements, outcomes of their engagements, or conduct of their personnel.
    - **Where appropriate, non-disclosure agreements have been completed** and all contractors hold a minimum of a **baseline security clearance**.
    - DEWR **also sought and received additional assurances** from the PwC partner responsible for the **delivery of the existing Internal Audit contract on 18 May** regarding the treatment of confidential information relating to this engagement **which have been assessed as appropriate** (including confirmation of the information security arrangements within PwC to protect information generated during any internal audit). Further, the **DEWR Chief Internal Auditor** and their team **continue to maintain an appropriate level of oversight and control** for all internal audit engagements.
- PwC also responded on 2 June to a letter from DEWR confirming **there are no conflicted partners or staff who** appear on emails released by the Tax Practitioners Board to the Senate working on any live project with DEWR.
- The Department of Finance (DoF) has published **guidance on considering ethical behaviour** in procurement that focuses on the importance of ethical conduct as a **key value for money consideration on 19 May**. Drawing on the updated DoF Guidance, **on 24 May DEWR reminded staff of their requirements** to consider and manage confidentiality and ethical behaviour in any procurement. Focussing on confidentiality considerations throughout the procurement process and ethics and probity requirements in procurement.
- **No new contracts have been entered into with PwC since the internal review** in late May, however for key operational reasons **2 long term IT contracts have been varied** to increase the value and the contract terms by 12 months.
    - **One for ICT services** contract to supply identity and access management specialist resources to fill short term project requirements.
    - **The other contract for CyberArk software licences**, DEWR purchased 200 additional CyberArk licenses and co-term maintenance and support.
- DEWR may vary existing contracts where **'value for money'** considerations deem that PwC is the best option. For example, existing IT contracts with PwC for Identity and Access Management Services, and access to IT licenses, require longer term changes in strategy to cease. **Appropriate assurances have been provided, and conflict of interest declarations provided.**

Sycne

- PwC separated out its government businesses and entered into an exclusivity agreement to divest its state and federal business to a third party, Allegro Funds. The new entity, Scyne Advisory (Scyne) is a private company and has 'ASX level' governance with independent directors and Chair. The full separation was delivered on 30 September 2023.
- A **coordinated approach to the use of Scyne by the Commonwealth has been led by DoF** through Secretaries' Board, to align the approach to novation across all Commonwealth entities. A two-tiered approach was adopted, with the following actions:
    - DoF to undertake an overarching examination to determine whether Scyne has the appropriate governance structures, ethics, and culture to contract with the Government.
    - If Scyne is deemed appropriate, individual entities would need to consider the capability and capacity of Scyne to deliver services and meet individual contractual requirements.
- The DoF review concluded that Scyne **has the appropriate governance, ethical and cultural posture to contract with the Commonwealth**. DoF will continue to monitor Scyne's implementation of and compliance with their proposed ethical frameworks as many of Scyne's proposed processes will be implemented over the coming months.
- DoF released guidance on 12 October 2023 to advise agencies of the outcome of the review and to support DEWR to determine the appropriateness of any change of control or novation of DEWR contracts to Scyne (published on the DEWR intranet 13 October 2023). Based on this guidance **DEWR can now consider contracting with Scyne** in the same way we would consider other tenders, including considering novation of existing PwC contracts to Scyne. DEWR will take into consideration the capability and capacity of Scyne to deliver services and meet individual contractual requirements in due course. To date DEWR has not been requested to novate any contracts.

Consulting Services

- On 9 March 2023 the Senate referred the **management and assurance of integrity by consulting services** provided for the Australian Government to **the Finance and Public Administration References Committee**. DEWR **continues to pay close attention** to the inquiry.
- On 22 June 2023, the **Parliamentary Joint Committee on Corporations and Financial Services** resolved to commence an inquiry into recent allegations of and responses to misconduct in the Australian operations of the major accounting, audit, and consultancy firms (including but not exclusive to the 'Big Four'). **DEWR has made a submission** to the **Inquiry into Ethics and Professional Accountability: Structural Challenges in the Audit, Assurance and Consultancy Industry**.
- As at 31 August 2023, DEWR has **18 active contracts with the Big 7 valued at $24.04 million,** details at Attachment B.

Questions

How many contracts does DEWR have with PwC?
As at 31 August 2023, DEWR has **5 active contracts** to the value of **$8.1 million**.

Do they all have confidentiality clauses?
General confidentiality clauses, **in the form set out in the Commonwealth Contracting Suite**, were included in all PwC contracts as the department uses the standard confidentiality terms limited to the goods purchased under the contract.

Have you sought assurance from PwC? when did you seek assurance?
Yes, **assurance has been sought from individual contract managers** (such as Internal Audit) **and broadly from the interim CEO on 2 June 2023 based** on developments and guidance received from the Department of Finance

Have you instructed staff not to use PwC?
No blanket ban has been applied to PwC contracts. **Emphasis has been given to Value For Money** (and the need to consider ethical behaviour specifically), **confidentiality requirements and capability to deliver with appropriately skilled staff**.

Australian Government
Department of Employment and Workplace Relations

Attachment A
SB23-000230

Active PwC contracts as at 31 August 2023

Supplier Name	Description	Publish Date (AusTender)	Start Date	End Date	Original Value	Number of Amendments	Total Value of Amendments	Total Contract Value*	Purchasing Group
PwC	Identity and Access Management Services - This is an ICT Services contract to supply identity and access management specialist resources to fill project requirements. The resources are embedded and work with Technology and Services Division teams. The resources are able to scale up and down to ensure the department has access to the expert skill set it requires.	14/07/2022	1/07/2022	30/06/2024	$880,000.00	3	$4,193,200.00	$5,073,200.00	Corporate and Enabling Services
PwC**	Implementation of the department's Internal Audit and Assurance Program (2022-24)	21/02/2022	3/02/2022	30/06/2025	$1,945,900.00	1	-$662,995.00	$1,282,905.00	Corporate and Enabling Services
PwC	ICTSR 221973 - CyberArk Licenses - This is a multi-year contract for CyberArk software licences and co-term maintenance and support. The software is a tool that manages Privileged (administrator) level access to the DEWR network.	30/01/2023	21/12/2022	17/06/2024	$503,048.94	1	$461,538.00	$964,586.94	Corporate and Enabling Services
PwC	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	20/04/2023	21/02/2023	20/02/2024	$770,000.00	n/a	n/a	$770,000.00	Employment and Workforce Group
PwC	Financial Management Advisory Services - Preparation and lodgement of the Department's Fringe Benefits Tax (FBT) Return for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers.	21/02/2023	1/02/2023	30/11/2025	$42,900.00	n/a	n/a	$42,900.00	Corporate and Enabling Services
				Total	**$4,141,848.94**	**5**	**$3,991,743.00**	**$8,133,591.94**	

* Contract value is the contract amount entered into, actual expenditure against the contract may be to a lesser value.

** Contract was successfully migrated to DEWR as part of the recent company code build however, the contract remains listed on AusTender with the Department of Education. We are liaising with the Department of Finance to have this rectified as quickly as possible.

Consultancy contracts have been highlighted in the above table.

Notes for Clearing Officer

Contracts details are derived from AusTender Contracts data published as at 31 August 2023, extracted on 19 September 2023 by s 22(1) reviewed by s 22(1) and approved by s 22(1) on 28 September 2023.

Australian Government
Department of Employment and Workplace Relations

Attachment B
SB23-000230

Active Contracts with the Big 7 as at 31 August 2023

Supplier Name	Description	Publish Date (AusTender)	Start Date	End Date	Original Value	Number of Amendments	Total Value of Amendments	Total Contract Value*	Purchasing Group
DELOITTE	Solutions Management for Modern Apprenticeships IT System Project - Solution management for the Apprenticeship Data Management system (ADMS). Providing design and requirements gathering for the ADMS project.	15/12/2020	8/12/2020	30/06/2024	$1,520,695.00	6	$9,964,893.86	$11,485,588.86	Corporate and Enabling Services
PwC	Identity and Access Management Services - This is an ICT Services contract to supply identity and access management specialist resources to fill project requirements. The resources are embedded and work with Technology and Services Division teams. The resources are able to scale up and down to ensure the department has access to the expert skill set it requires.	14/07/2022	1/07/2022	30/06/2024	$880,000.00	3	$4,193,200.00	$5,073,200.00	Corporate and Enabling Services
PwC	Implementation of the department's Internal Audit and Assurance Program (2022-24)**	21/02/2022	3/02/2022	30/06/2025	$1,945,900.00	1	-$662,995.00	$1,282,905.00	Corporate and Enabling Services
PwC	ICTSR 221973 - CyberArk Licenses - This is a multi-year contract for CyberArk software licences and co-term maintenance and support. The software is a tool that manages Privileged (administrator) level access to the DEWR network.	30/01/2023	21/12/2022	17/06/2024	$503,048.94	1	$461,538.00	$964,586.94	Corporate and Enabling Services
DELOITTE	commissioned Jobs and Skills Australia (JSA) to undertake a capacity study on the workforce needs for Australia's transition to a clean energy economy. JSA requires forecasts for the supply and demand of clean energy workers over the next 10, 20 and 30 years (and the impacts on the broader labour market) to support the final report within the time expected by government.	7/07/2023	24/05/2023	27/10/2023	$799,810.00	n/a	n/a	$799,810.00	Jobs and Skills Australia
PwC	Provide independent assurance of the implementation of Complementary Programs onto the Workforce Australia Digital Platform.	20/04/2023	21/02/2023	20/02/2024	$770,000.00	n/a	n/a	$770,000.00	Employment and Workforce Group
ERNST AND YOUNG	Commercial Management Advisory Services - Expert assistance is required to deliver a VET Stewardship and Governance Model to align with the reform work proposed by the National Skills Agreement vision and guiding principles.	14/07/2023	5/06/2023	31/12/2023	$686,215.00	n/a	n/a	$686,215.00	Skills and Training Group
DELOITTE	supply cyber security and identity and access management specialist resources to fill short term project requirements. The resources are embedded and work with Technology and Services Division teams. The contract was initiated following a competitive RFQ process to multiple potential vendors via the Digital Market Place.	14/07/2022	1/07/2022	30/06/2024	$880,000.00	1	-$270,271.65	$609,728.35	Corporate and Enabling Services
KPMG	Apprenticeships Data Management System Project - Need for independent research or assessment - This consultancy is intended to obtain independent assurance services over a Tier 1 project, in line with the project management framework.	23/01/2023	22/12/2022	30/11/2023	$545,927.36	n/a	n/a	$545,927.36	Skills and Training Group
ERNST AND YOUNG	Financial Management Advisory Services - Expert assistance is required for the development of a performance framework attached to the national skill reform. The services required will include working with the Commonwealth, States and Territory skills officials, to develop a performance framework including indicators, measures and targets. The supplier is also required to provide a dashboard tool to support ongoing performance monitoring.	14/07/2023	5/06/2023	31/12/2023	$498,889.00	n/a	n/a	$498,889.00	Skills and Training Group

Department of Employment and Workplace Relations - Released under FOI

Supplier Name	Description	Publish Date (AusTender)	Start Date	End Date	Original Value	Number of Amendments	Total Value of Amendments	Total Contract Value*	Purchasing Group
ACCENTURE	TRA Skills Assessment and Systems Support - IT System Enhancements - Engagement of experienced Business Analysts in the Migrant Skills Assessment Branch to assist in developing Agile SaFE feature documentation, in consultation with program teams, for planned enhancements to the TradesII IT system, and Producing documentation in accordance with requirements for a first pass business case under the ICT Investment Approval Process.	24/05/2023	22/05/2023	22/09/2023	$160,566.58	1	$328,884.42	$489,451.00	Skills and Training Group
DELOITTE	Migrant Skills Incentive Evaluation - The Services to be provided include scoping, designing and conducting an evaluation of the Skills Assessment Pilots, as well as delivering a final evaluation report.	20/05/2022	16/05/2022	30/06/2024	$300,346.20	n/a	n/a	$300,346.20	Skills and Training Group
DELOITTE	Funding Policy and Modelling Advisory Services - The National Skills Agreement Taskforce has engaged a consultant to support the development of Commonwealth funding policy for a new national skills agreement, including by modelling, analysing and providing advice on the impact of potential variations in the Commonwealth financial offer to states.	15/06/2023	30/05/2023	31/12/2023	$300,000.00	n/a	n/a	$300,000.00	Skills and Training Group
KPMG	Financial Management Advisory Services - Provision of the KPMG Accelerated Annual Reporting model and associated support.	21/02/2023	21/02/2023	20/02/2025	$74,250.00	n/a	n/a	$74,250.00	Corporate and Enabling Services
DELOITTE	Insolvency Services - For any contracts (approved quotes) for verification services on FEG cases that are over $10,000 in value for the 2023-24 FY. The appointed liquidators will verify the outstanding employee entitlements for FEG and there is no other option for the procurement with fees charged in line with DEWR's IP fee model.	17/07/2023	19/06/2023	30/06/2024	$45,012.00	n/a	n/a	$45,012.00	Workplace Relations Group
KPMG	Financial Management Advisory Services - Provide monthly actuals model license for a period of 3 years.	21/02/2023	21/02/2023	21/02/2025	$44,550.00	n/a	n/a	$44,550.00	Corporate and Enabling Services
PwC	Financial Management Advisory Services - Preparation and lodgement of the Department's Fringe Benefits Tax (FBT) Return for the years to 31 March 2023, 31 March 2024 and 31 March 2025 including associated working papers.	21/02/2023	1/02/2023	30/11/2025	$42,900.00	n/a	n/a	$42,900.00	Corporate and Enabling Services
DELOITTE	Insolvency Services - For any contracts (approved quotes) for verification services on FEG cases that are over $10,000 in value for the 2023-24 FY. The appointed liquidators will verify the outstanding employee entitlements for FEG and there is no other option for the procurement with fees charged in line with DEWR's IP fee model.	24/05/2023	17/05/2023	30/06/2024	$10,000.00	1	$20,000.00	$30,000.00	Workplace Relations Group
				Total	**$10,008,110.08**	**14**	**$14,035,249.63**	**$24,043,359.71**	

* Contract value is the contract amount entered into, actual expenditure against the contract may be to a lesser value.

** Contract was successfully migrated to DEWR as part of the recent company code build however, the contract remains listed on AusTender with the Department of Education. We are liaising with the Department of Finance to have this rectified as quickly as possible.

Notes for Clearing Officer

Contracts details are derived from AusTender Contracts data published as at 31 August 2023, extracted on 19 September 2023 by s 22(1) , reviewed by s 22(1) and approved by s 22(1) on 28 September 2023.

Department of Employment and Workplace Relations - Released under FOI

Australian Government
Department of Employment and Workplace Relations

SB23-000232
Data for: 1 July 2022 to 31 August 2023

Conversion of External Labour Hire Contractors to Australian Public Service (APS) Positions

Key Points

- The Government is committed to **creating secure jobs in the APS** and to only utilise contractors and labour hire when it is suitable and when required.
- The **Strategic Commissioning Framework** led by the Finance Minister is part of the Government's commitment to reduce inappropriate outsourcing, prioritise direct employment and strengthen APS capability. It requires that **core work be done by APS employees,** with outsourcing allowed in limited circumstances. "Core" means work essential to delivering the enduring functions of an agency, required on a regular and ongoing basis.
- Procuring contractors or labour hire is only appropriate if:
    - **APS recruitment processes have been unsuccessful** or are unlikely to be successful (e.g. due to a competitive labour market)
    - there **are genuine periods of high demand for staffing** beyond what should be reasonably expected of an agency that are also unlikely to reoccur in future. APS employees should still be the first resort in this circumstance
    - there is a **temporary need to backfill a vacancy** to meet critical business needs, pending a recruitment process or while APS capability uplift is underway.
- The Government's **Closing the labour hire loophole** measure seeks to prevent wages in enterprise agreements and other covered employment instruments from being undercut by the use of labour hire. A determination of terms and conditions made under s 24 of the *Public Service Act 1999*, such as DEWR's s 24 Determination, is specifically included as a covered employment instrument under paragraph (c) of the definition of that term in proposed amendments to s 12 of the *Fair Work Act 2009*. This measure **has not yet been passed by the Parliament**.
    - **Pay obligations** under this measure **would commence 1 November 2024**. If an order is made by the Fair Work Commission, labour hire employees must be paid no less than the 'full rate of pay' (as defined in s 18 of the *Fair Work Act 2009* to include overtime, shift penalties, allowances, bonuses, and any other separately identifiable amounts) that would be payable to them under our s 24 Determination.
- The Department of Finance's mandatory **People Panel will provide DEWR with greater visibility of contractor hourly rates as the department will set an agreed rate** (equivalent to APS pay rates under the DEWR Determination plus a casual loading to compensate for absence of employee entitlements) for each contractor at the time of engagement.
- The People Panel commenced on 7 August 2023. It is mandatory for DEWR to use this panel when **entering into new labour hire arrangements, with existing contracts to transition within 6 months**. The People Panel does not include labour hire workers for ICT or digital roles.
- ICT and digital roles will continue to be procured from **The Digital Transformation Agency (DTA) Panel**. When engaging new ICT and digital labour hire contractors, DEWR will request that the labour hire firm provide us with the charge rate breakdowns which will provide visibility of the hourly rates paid to the contractors to ensure pay obligations are met.
- DEWR will be **proactively managing all of its external labour hire arrangements** but not pre-empting the final outcomes of legislation still before the Parliament. DEWR will continue to monitor its **labour hire contract data** to support our approach and ensure we are in a good position to meet the new requirements applying to labour hire.

Background

- At establishment on 1 July 2022 DEWR had a total workforce of **4,275**. Of these, **1,256 were labour hire contractors** (29% of the total workforce), which has reduced to **860** (19% of the workforce) as at 31 August 2023. Refer to **Attachment A** for movement in labour hire numbers across the department.
- DEWR's budgeted ASL in 2023-24 increased primarily to insource work previously performed by labour hire firms in DEWR contact centres (248 ASL) and the Pacific Australia Labour Mobility (PALM) Scheme (190 ASL).

DEWR	2022-23	2023-24
Budgeted ASL	2,915	3,557

- To reduce reliance on external labour hire and to build internal capability, DEWR is continuing to convert external labour hire roles, such as service delivery and administration roles, to new ongoing APS positions where possible.
- By **31 August 2023** DEWR had **converted a number of roles** including:
    - **135 APS employees** who commenced at the APS3 – EL1 classifications in the Contact Centres Branch. These new employees rebalanced the workforce profile in this Branch to more APS employees than contractors. A further phase of recruitment commenced in June 2023. The selection process for APS 3 and 4 is progressing to interviews. APS 5 and 6 advertising is currently open for applications.
    - Many of the **128 APS employees** who commenced at the APS1 – EL2 classifications within the Digital Solutions and Technology and Services Divisions, which previously had higher reliance on contractors.
- **Further work is continuing to reduce use of labour hire contractors and reprofile the workforce**. External labour hire will continue to be used as a part of DEWR's overall workforce to deliver our outcomes including for specialist and surge roles.
- A snapshot of current DEWR labour hire employees including average hourly rates paid to labour hire firms and numbers by location and group is at **Attachment B**.

DEWR Actions

What steps is the department taking to convert specialist/ ICT labour hire positions in the future?

- The department is finalising an ICT Workforce Strategy setting out a targeted approach to identify ICT roles and classification for conversion. The strategy will include:
    - A staged approach to **offer APS development** opportunities and appropriate remuneration for **ICT specialist labour hire employees** to convert to APS positions.
        - Digital Solutions Division has increased its APS footprint by at least 15.2% over the past 12 months and has already increased its APS workforce by 27 positions in the 2023-24 financial year.
    - **Increasing digital entry level intake** in collaboration with APSC to create a future APS pipeline and reduce dependency on ICT labour hire.

Year	Digital Cadetship Program	Australian School Based Apprentice	Australian Government Graduate Program	APS Digital Trainee Program	Total
2023	6	6	8		s 22(1)
2024	8	8	7		s 22(1)

    - **Expanding APS recruitment across geographical locations** for specific technology skills and potentially establishing ICT Hubs outside of Canberra such as Sydney, Melbourne, Newcastle and Adelaide.

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Why aren't more conversions occurring across DEWR?

- The conversion of labour hire employees needs to happen in a staged approach to ensure balance between the department's short-term and long-term needs, our ability to deliver on Government policies in the next few years, and the availability of labour in the market, noting recruitment activities are progressing.

Attachments

- Attachment A – Movement in External labour Hire
- Attachment B – Labour Hire ICT and Non-ICT
- Attachment C – SQ23-000628 Contractors pay compared to APS staff

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Attachment A

Movement in External Labour Hire - as at 31 August 2023

	Conversions proposed for 2023-24 (FTE)	Number of contractors as at 1-Jul-22 Non-ICT	Number of contractors as at 31-Aug-23 Non-ICT	Movement in contractors Non-ICT	Number of contractors as at 1-Jul-22 ICT	Number of contractors as at 31-Aug-23 ICT	Movement in contractors ICT
Employment and Workforce Group	201	s 22(	246	-300	17	s 22	s 2
Employment Policy and Analytics Division	s 22(1)		0	s 2	0	0	0
Workforce Australia for Business Division	s 22(1)	18	0	-18	0	0	0
Workforce Australia for Individuals Division	171	281	220	-61	10	9	s 22(1)
Workforce Australia Provider Support Division	22	201	5	-196	0	0	0
Evidence and Assurance Division	s 22(1)	43	18	-25	7	s 22(1)	-6
Pacific Labour Operations	0	0	s 22(1)		0	0	0
Jobs and Skills Australia	16	18	10	-8	22	17	-5
Skills and Training Group	46	114	41	-73	31	43	12
Careers and International Skills (Migrant Skills Assessment – TRA)	21	0	0	0	0	9	9
Strategic Policy and Projects (Skills Systems Projects and Engagement)	6	0	s 22(1)		0	11	11
Industry Engagement and Quality	s. 22(1)(a)(ii)	0	s 22(1)		0	0	0
VET Data, Loans and Compliance	0	0	24	24	0	16	16
National Skills Agreement Taskforce	0	0	s 22(1)		0	0	0
Apprenticeships and Foundation Skills	s. 22(1)(a)(ii)	8	12	s 22(1)		7	s 22(1)
Workplace Relations Group *		0	19	19	0	s 22(1)	
Entitlements and Safeguards		0	19	19	0	0	0
Safety and Industry Policy	0	0	0	0	0	s 22(1)	
Corporate and Enabling Services Group	16	51	38	-13	457	435	s 22
Digital Solutions Division	s 22(1)		0	s 22(1)	436	407	-29
Technology and Services Division	s 22(1)	46	35	-11	18	26	8
Legal and Assurance		0	0	0	0	0	0
Finance and Budget	9	s 22(1)			0	0	0
People and Communication	s. 22(1)(a)(ii)	0	s. 22(1)(a)(ii)				
DEWR Total	266	729	354	-375	527	506	-21

*Workplace Relations Group joined DEWR during 2022-23 and these movements reflect the number of contractors at the time of the MOG

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Data for: 31 August 2023

Labour Hire Contractors ICT and Non-ICT

All figures provided as at 31 August 2023.

- IT divisions within Corporate and Enabling Services account for most ICT labour hire contractors (433 or 86%) and deliver IT Services to DEWR and a number of other entities including the Department of Education.
- Employment and Workforce group account for the majority of Non-ICT labour hire contractors (426 or 69%) with a majority delivering call centre support to people seeking access to employment services
- Skills and Training group engages 41 Non-ICT labour hire contractors (12%) to build data capability, provide compliance and regulation, support migrant skills assessments, provide careers advice to school leavers and support for apprenticeship programs

Table 1 – Labour hire contractor numbers by group

Group	ICT	Non-ICT	Total
Corporate and Enabling Services	435	38	473
Employment and Workforce Group	10	246	256
Skills and Training Group	43	41	84
Workplace Relations Group	s 22(1)	19	20
Jobs and Skills Australia	17	10	27
Total	s 22(1)	**354**	s 22(1)

Table 2 – Labour hire contractor numbers by location and group

Location	DEWR Corporate and Enabling Services		Employment and Workforce Group		Skills and Training Group		Workplace Relations Group		Jobs and Skills Australia		Grand Total	
	No.	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
ACT	385	81	34	13	76	90	5	25	12	44	512	59
NSW	56	12	s 22(1)	1	s 22(1)	2.5	0	0	s 22(1)	15	63	7
NT	0	0	0	0	0	0	0	0	0	0	0	0
QLD	8	2	88	34	s 22(1)	2.5	15	75	s 22(1)	15	117	14
SA	s 22(1)	1	130	51	0	0	0	0	s 22(1)	4	135	16
TAS	0	0	0	0	s 22(1)	2.5	0	0	0	0	s 22(1)	0
VIC	20	4	s 22(1)	1	s 22(1)	2.5	0	0	5	19	30	4
WA	0	0	0	0	0	0	0	0	s 22(1)	3	s 22(1)	0
Total	s 22(1	**100**	**256**	**100**	**84**	**100**	**20**	**100**	**27**	**100**	s. 22(1) (a)(ii)	**100**

Table 3 – Top 5 Labour hire contractor numbers by branch and APS level equivalent

Branch	APS Class.	Total
Contact Centres Branch	APS 3	80
	APS 4	132
	APS 5	7
	APS 6	s. 22(1)
	ICT	9
Contact Centres Branch Total		**229**
Digital Experience and Services	ICT	150
Digital Experience and Services Total		**150**
Architecture, Design and Development	ICT	101
Architecture, Design and Development Total		**101**
Data Platforms and Education Systems	ICT	78
Data Platforms and Education Systems Total		**78**
Digital Security and Operations	ICT	58
Digital Security and Operations Total		**58**

Table 4 – Top 10 labour hire contractor numbers by job roles and by APS equivalency

Job Role	APS Class.	No.	Avg. Pay rate ($
Call Contact or Smart Centre	APS 3	74	$60.41
	APS 4	130	$63.62
	APS 5	s 22(1)	$67.09
	APS 6		$77.81
Call Contact or Smart Centre Total		**208**	**$62.60**
Test Analyst/Tester/Performance Tester	ICT	70	$135.38
Test Analyst/Tester/Performance Tester Total		**70**	**$135.38**
Development and Programming	ICT	63	$160.72
Development and Programming Total		**63**	**$160.72**
Business Intelligence Developer	ICT	61	$159.99
Business Intelligence Developer Total		**61**	**$159.99**
Systems Analyst	ICT	58	$164.63
Systems Analyst Total		**58**	**$164.63**
Web Developer	ICT	36	$170.96
Web Developer Total		**36**	**$170.96**
Business Analyst	EL1	s 22(1)	$221.83
	ICT	26	$157.34
Business Analyst Total		s 22(1)	**$164.01**
Regulation Officer	APS 4	15	$69.91
	APS 5	s 22(1)	$79.86
	APS 6		$98.32
	EL1	8	$128.12
Regulation Officer Total		**27**	**$90.68**
Helpdesk/Support Officer	APS 2	18	$43.23
	APS 3	6	$45.20
	APS 5	s 22(1)	$82.10
	APS 6		$90.52
	EL1		$151.25
Helpdesk/Support Officer Total		**27**	**$50.86**
Interaction Designer	ICT	17	$155.73
Interaction Designer Total		**17**	**$155.73**

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Data for: 31 August 2023

Table 5 – Labour hire contractor numbers by job family

Job Family	ICT	Non-ICT	Total
Accounting and Finance	0	s 22(1)	
Administration	s 22(1)	11	13
Communications and Marketing		s 22(1)	
Compliance and Regulation	0	29	29
Human Resources	s 22(1)		
ICT	407	29	436
Intelligence	7	s 22(1)	
Legal and Parliamentary	0	6	6
Monitoring and Audit	s 22(1)	6	s 22(1)
Project and Programme	44	22	66
Organisation Leadership	0	s 22(1)	
Research	40	16	56
Service Delivery	s 22(1)	224	s 22(1)
Strategic Policy	s 22(1)	3	s 22(1)
Trades and Labour	0	s 22(1)	
Grand Total	**506**	**354**	s.

Table 6 – Labour hire contractor numbers by APS classification equivalency and per hour pay rates

Classification Equivalent	Count	Min of Pay Rate ($ p/h)	Max of Pay Rate ($ p/h)	Average of Pay Rate ($ p/h)
APS 1	s 22(1)	27.17	27.17	27.17
APS 2	23	42.80	47.87	43.66
APS 3	93	43.40	71.12	59.19
APS 4	158	43.23	80.08	64.52
APS 5	21	65.57	95.70	77.17
APS 6	19	72.97	145.79	103.79
EL1	38	96.33	236.50	157.90
EL2	s 22(1)	229.90	229.90	229.90
ICT	506	88.00	307.00	163.68
Grand Total	s 22(1)	**27.17**	**307.00**	**127.18**

Note: Hourly rates have been adjusted from 1 July 2023 due to the 0.5 per cent rise in the minimum Superannuation Guarantee rate.

The hourly rate is the amount DEWR pays the labour hire firm, not the amount the contractor receives. Hourly rates are elevated to compensate for the absence of employee entitlements, for example annual and personal leave.

Table 7 – APS classification average pay rates

Classification Equivalent	Average Annual Salary ($)	Average Hourly Rate ($ p/h)	15.4% Super	Total Pay Rate ($ p/h)
APS 1	55,750	28.59	4.40	32.99
APS 2	64,885	33.27	5.12	38.40
APS 3	70,831	36.32	5.59	41.92
APS 4	79,572	40.81	6.28	47.09
APS 5	87,702	44.98	6.93	51.90
APS 6	100,318	51.45	7.92	59.37
EL1	123,099	63.13	9.72	72.85
EL2	153,128	78.53	12.09	90.62
GOVLWR	114,133	58.53	9.01	67.54
IT SPECIALIST EL1	137,815	70.67	10.88	81.56

Table 8 – Labour hire broken down by category, headcount and lowest and highest hourly pay rate

Category	Number of Contractors	Lowest Hourly Rate	Highest Hourly Rate
ICT Specialist	506	88.00	307.00
Non-ICT Contractor	354	27.17	236.50

Supplier Details

- 208 suppliers provided the s. labour hire contractors.
- Of these, 195 suppliers provided less than 10 contractors each to the department.

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Table 9 – breakdown of category type by number of contracts and contract value

Type	Number of procurement contracts	Total Value of Contracts $ Million
ICT	505	324
Non-ICT	116	131
Total number of individual contracts	**621**	**455**

Table 10 - Largest supplier breakdown of contract type and contract value

Supplier	Type	Number of Contracts	Number of Contractors	Total Value of all Contracts $
Hays Specialist Recruitment (Australia) Pty Limited	Non-ICT	14 (In addition to their 19 ICT contracts) 33	53	28,191,473
Hitech Personnel	ICT	32	32	24,222,090

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000628

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 11-12

Contractors pay compared to APS Staff

Question

Senator CASH: Let me put them on the table as well. Are any of the contracting roles the same as roles undertaken by employees in the APS? If so, are they paid the same rate?
Ms Strangio: I think we can certainly confirm all those details on notice. At a principle level, of the 101 that Ms Jenkins mentioned to you in the call centre, at the very base level of an APS3, the average pay rate through a labour hire firm is about $58 an hour. The average rate of an APS3 staff member within the department, I think, is in the high thirties. I could confirm those details for you on notice. There is a differential in terms of the cost per hour between using a contractor and an APS staff member.
....
Senator CASH: This is a huge issue now. You have said that there is a huge cost differential. They're paid around $58 an hour versus what someone in the APS is now paying. You are converting them over. What I am now hearing is that you are converting them over. They might be getting permanency but they're actually now going to be getting less money.
Ms James: In response to that, I would say two things. Firstly, Mr Sladic said that hourly rate is what the labour hire companies are paid, not what they receive in the hand. Secondly, each of these cases is a case of an offer of employment being made to an individual. It is entirely their choice whether they accept it or not. I have personally spoken to a number of our contact centre staff who are absolutely thrilled to be receiving offers of ongoing employment from our department. I can only provide that feedback. While it is entirely appropriate for us to talk about what is happening with our workforce, to extrapolate that out to what might happen in relation or to or under laws not yet drafted under consultation and not yet tabled I put to you is a reasonably long bow.
Senator CASH: I completely disagree given the consultation process you are currently going through and the information that you are actually seeking from people and the feedback that is being given to you. This is clearly a complex process. It is not something that you necessarily already do in the Public Service. You can tell me you are taking something on notice. With all due respect, what I am also looking for is the contracting controls across the department, what ones are actually the same as the roles undertaken by employees of the APS. I would also like to know whether you can guarantee that the labour hire workers, or the contractors as you call them, are getting the same pay as those in the APS? If not, what is the level of pay they are getting? Is it higher or is it lower? In terms of the consultation process and when you come to drafting the legislation, do you have any contractors actually working on the consultation process, or will you have any contractors working on the legislation itself?
Ms James: I will confer with my colleagues on that. It might be better to raise that when they are at the table. If you like, I can have a quick conversation while you continue.
Senator CASH: Would you mind? If it is easier, I will raise it in the appropriate section.

Answer

The table below sets out average hourly rates paid by the Department of Employment and Workplace Relations (DEWR) for APS and EL classifications under the DEWR Determination. It also sets out average charge rates paid to service providers for labour hire.

Classification Equivalent	Labour Hire Firms Average charge Rate ($ p/h)	APS Staff Average Hourly Rates ($ p/h)
APS 1	28.04	32.99
APS 2	43.21	38.40
APS 3	57.59	41.92
APS 4	63.87	47.09
APS 5	76.56	51.90
APS 6	97.94	59.37
EL1	153.54	72.85
EL2	217.37	90.62
ICT	161.01*	41.92 – 90.62**

* ICT contractors are not engaged at an equivalent APS level, rather as 'ICT contractors' based on the technical skills and experience they bring to the role.

**ICT APS staff can be engaged by the department to perform IT functions/roles at levels ranging from APS3 to EL2. This is why this column provides a range.

Department of Employment and Workplace Relations - Released under FOI

Cyber Security

Key Points

- To ensure the ongoing safeguarding of information held by the department, **we do not publicly discuss** the details of our information security arrangements.
- The Department of Employment and Workplace Relations is committed to the protection of government and public information, and the integrity and availability of ICT systems, from the threat of cyber security incidents.
- The department **adopts** a **risk-based approach** to the management of information risk in accordance with:
    - the Protective Security Policy Framework (PSPF)
    - the Australian Cyber Security Centre's (ACSC) Information Security Manual (ISM)
    - the ACSC's Strategies to Mitigate Cyber Security Incidents, in particular, the 'Essential Eight'.
    - Whole-of-Government initiatives, frameworks, and policies.
- The department **provides** an **annual report** on its protective security maturity to the Department of Home Affairs (previously the Attorney Generals Department) **under** the **PSPF**.
- **Publicly reporting** on the department's protective security maturity and vulnerabilities would **provide details** that **malicious actors** may **exploit** and **increase** the **department's risk** of its protective security arrangements. **Questions** relating to the **PSPF** are a matter for the Department of **Home Affairs**, who can **respond** on behalf of the Commonwealth.
- The department has several **internal activities** to **educate** and **raise cyber** security **awareness** to staff on their responsibilities in the evolving threat environment including:
    - **mandatory online** security education and awareness **training** for all **new staff** within four weeks of commencement, which includes content on cyber security.
    - a requirement for **all staff** to complete the **mandatory** online security **training annually** to reinforce their security responsibilities.
    - running department wide email **phishing campaigns** to enhance email awareness and security.
    - regular **communications** to staff to **remind** them of their security **obligations**.
- The department closely **monitors cyber events**, working closely with relevant agencies to **understand** and **remediate** where appropriate any **potential risks** to the department and/or our clients.
- The department monitors the impact of external cyber security data breaches such as the Medibank, Optus and Latitude breaches. The department has engaged closely with the Department of Home Affairs in relation to the HWL Ebsworth data breach.

Background

- The following **five core elements** underpin the department's **cyber security approach**:

1. **Secure-by-design:** The department carries out due diligence on all hardware and software implemented within its ICT environment. The department applies security measures throughout the system lifecycle, including capturing security requirements alongside business requirements and incorporating these into system designs.

   The department security hardens the configuration of operating systems and applications.

2. **Rapid mitigation:** The department proactively monitors publicly known vulnerabilities – through vendors, the ACSC and other sources, and patches or mitigates as quickly as possible.

3. **Assurance:** The department carries out security assessments internally and by independent third parties to identify security gaps and acts to close these gaps. This includes assessment carried out by Information Security Registered Assessors Program (IRAP) assessors, penetration tests and vulnerability assessments.

4. **Collaboration:** The department partners with the ACSC, vendors and service providers, and with other Australian Government agencies, sharing intelligence and knowledge, to reduce the risk of cyber threats.

5. **Cyber resilience:** The department monitors and responds to risks posed by cyber security threats to maintain business operations.

Essential Eight

- The ACSC released an enhanced Essential Eight Model in July 2021, that included the following changes:
  - Redefining the number of maturity levels and what they represent
  - Moving to a stronger risk-based approach to implementation
  - Implementing the mitigation strategies as a package.

- The department adjusted our Cyber Uplift Work Program for 2021-22 and 2022-23 to reflect the new direction of the Essential Eight Model.

Related Questions received on notice

Question	Subject
SQ23-001110 Senator Michaelia Cash	Internal IT-policy for employees
SQ23-001099 Senator Michaelia Cash	Storing and Securing of Sensitive Documents | DEWR Policy

Last Cleared By	s. 22(1)(a)(ii)
Date Last Cleared	09 October 2023 3 Oct 2023

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001110

Senator Michaelia Cash provided in writing.

Internal IT-policy for employees

Question

Please provide a copy of the agencies internal IT-policy for employees.
- Has this policy been amended in the current financial year? If so, please provide a copy of the amendments the policy.
- Is this the same policy for all employees regardless of APS level classification, if not please provide a copy of any other internal IT-policies.
- How many breaches of internal IT policies have occurred in the current financial year?
- Please provide a breakdown, by APS level classification, of how many employees have breached internal IT policies.
- Please provide a list of how many employees, according to APS level classification, have committed multiple violations of internal IT policies.

Answer

The department sets out its internal IT policy for employees in the 'Acceptable Use of IT Policy' which is available to staff on the department's intranet.

The policy has not been amended in the current financial year.

In the current financial year there has been one breach of internal IT policies by an EL1 staff member.

There were no occurrences of employees that breached internal IT policies multiple times.

The department has not included a copy of the policy as it sets out how the department and its staff meet responsibilities under the Protective Security Policy Framework and Information Security Manual in relation to maintaining the security of information. The policy outlines security responsibilities, compliance rules, acceptable and unacceptable uses of the ICT network. Releasing the policy may provide a malicious actor with information that could adversely impact the security of the department's ICT network.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001099

Senator Michaelia Cash provided in writing.

Storing and Securing of Sensitive Documents | DEWR Policy

Question

Please provide a copy of the Department's internal policy, in relation to the storing and securing of sensitive documents?
- Has this policy been amended in the current financial year? If so, please provide a copy of the amendments the policy.
- Is this the same policy for all employees regardless of APS level classification, if not please provide a copy of any other internal document policies storage.
- How many breaches of internal document storage policies have occurred in the current financial year?
- Please provide a breakdown, by APS level classification, of how many employees have breached internal document storage policies.
- Please provide a list of how many employees, according to APS level classification, have committed multiple violations of internal document storage policies.

Answer

The department's Information Management Security Policy is currently being revised and updated. The Information Management Security Policy applies equally to all staff regardless of level.

The Department has recorded 33 breaches of Information Management Security Policy in the current financial year, across 30 staff ranging in levels from APS3 to SESB1 levels.

The department has not included a copy of the policy as it sets out how the department meets its responsibilities under the Protective Security Policy Framework in relation to the security of information. The policy outlines how information is to be protected, accessed, stored and used. Releasing the policy may provide a malicious actor with information that could adversely impact the security of the department's information.

Department of Employment and Workplace Relations - Released under FOI

Non-ongoing workforce

Non-ongoing – APS employees

- As at **31 August 2023**, the department had a total of s 22(1) non-ongoing (NOG) employees.

Table 1: Total workforce by status and classification equivalent

Classification	Ongoing	NOG	% NOG
APS1-3	72	36	33.3%
APS4	286	58	16.9%
APS5	428	40	8.6%
APS6	857	28	3.2%
EL1	1181	28	2.3%
EL2	454	5	1.1%
SES	124	s 22(1)	2.4%
Total	**3,402**		**6%**

Source: Departmental HR Information System (SAP)

- The department primarily uses NOG employees where there are temporary increases in workload or a temporary demand for specific skills.
- For the period **1 July 2022 – 30 June 2023**, there was:
  - an increase of 72 non-ongoing employees from **99 in July 2022** to **171 at 30 June 2023**; and
  - **232** non-ongoing **engagements** (s. 22(1)(a)(ii)).
- The predominant generic roles for non-ongoing employees are Program Manager (30), Program Support Officer (29), Administrative Support Officer (18), Program Delivery Officer (17) and Personal/Executive Assistant (13).
- Migrant Skills Assessment Branch, Skills and Training Group employs the largest number of non-ongoing employees (35), some of whom were previously labour hire, in support roles for the **Trades Recognition Australia (TRA) job ready program**. Duties include verification of applications, desktop research on submitted documents, and skills assessment determinations. TRA is conducting a bulk recruitment exercise in November 2023 to increase ongoing positions but will maintain a balance of non-ongoing employees due to the demand driven nature of their work.

Appropriate use of non-ongoing employment arrangements

- Minister for the Public Service, Katy Gallagher opinion piece in Canberra Times, 4 March 2022 stated:

  "The APS should also be investing in job security – not wasting money on excessive and expensive temporary labour-hire contracts. Labor will focus on reducing the job insecurity which has become rampant across key agencies and conduct an audit of employment arrangements across the APS to ensure temporary forms of work are being used appropriately. Labor will abolish the arbitrary staffing cap which has eroded internal capability, reduced job security and wasted public money with exorbitantly expensive labour-hire arrangements."

- The department is committed to implementing non-ongoing employment arrangements appropriately **to reduce the reliance and expenditure on consulting and contracting**, as part of our commitment to build the capability of the APS in line with the APS Reform Agenda.
- The department acknowledges that the *usual basis* of engaging staff is through ongoing APS employment, pursuant to section 10A of the *Public Service Act 1999* (PS Act). However, the APS Strategic Commissioning Framework (soon to be released by the APSC following endorsement by the Secretaries Board), acknowledges non-ongoing APS employment **is also appropriate and is preferable to external labour**.
- There are limited instances where the department uses non-ongoing employment arrangements, such as:
  - where there is a **temporary increase in workload**
  - where there is a **temporary demand for employees with particular skills**
  - where duties of a role have **irregular or intermittent requirements** and
  - where there is a short-term requirement for an employee **to undertake the duties of an ongoing APS employee who is on leave or on a temporary assignment**.

Secure Jobs, Better Pay fixed term employment limits

- The fixed term contracting provisions of the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act* 2022 (FW Act) commence on 6 December 2023 and limit the use of fixed term employment contracts.
- From 6 December 2023, the FW Act will limit the use of fixed term contracts for the **same role** beyond **two years** (including renewals), and only allow a maximum of **one contract extension/renewal**, unless exemptions apply, including where an employee:
  - is engaged to perform only a **distinct and identifiable task involving specialised skills**
  - is engaged to perform **essential work** during a peak demand period, emergency, or a temporary absence of another employee
  - is engaged under a **training arrangement** or government funding arrangement, for no more than 2 years
  - earns above the **high-income threshold** ($167,500) for the year in which the contract is entered into.
- The changes to fixed term contracts only apply to new contracts/renewals **entered into on or after the commencement of the legislation**. This means that where an employee has an existing fixed term contract for a period greater than 2 years, their existing contract will remain unchanged. However, any contract that was in place prior to 6 December 2023 will be subject to these requirements **if it is renewed**.

APS non-ongoing employment limits

- The *Public Service Act 1999* (PS Act) **currently** provides for an individual to be engaged on a non-ongoing or temporary basis, for:
  - a specified term of 18 months, which **must not exceed 3 years**, including any extensions.
  - the duration of a specified task.
  - irregular or intermittent (casual) duties.
- The *Public Service Regulations 2023* (PS Regs) and the *Commissioner's Directions 2023* (the Directions) specifically provide for transition to the new FW Act provisions regarding non-ongoing employment.
- From 6 December 2023, non-ongoing employees are limited to an initial employment period of **12 months or less**, which may be extended up to a total period of **18** months **without a merit-based selection** process. Where a **merit-based** selection process has been undertaken, the **maximum term is 2 years**.
- Some of the exemptions may apply in relation to certain DEWR employees engaged under non-ongoing employment contracts who provide specialist skills or are paid above the high-income threshold ($167,500).
- For example, the new FW Act provisions **do not** apply to SES employees as they are paid above the high-income threshold ($167,500). However, the restrictions in the PS Regulations and the Commissioner's Directions **do apply**. As such, **without a merit selection process, the 12-18 month limits apply to non-ongoing SES employees. With a merit selection process, the maximum term for a non-ongoing SES employee is 5 years.**
- Although both the FW Act and PS Act contain provisions limiting the length of fixed-term contracts, the FW Act provisions will apply where there is conflict between the two.

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Actions to ensure compliance with legislative changes

The department will:

- **issue guidance** information for employees and managers on the legislative changes
- **monitor requests** to commence or extend non-ongoing (fixed term) contracts to ensure compliance with legislation
- **provide regular** reports to managers to enable monitoring of non-ongoing employment arrangements.

Attachments

Attachment A – Opinion Piece Katy Gallagher published in the Canberra Times on 4 March 2022

Attachment B – Non-ongoing extracts of policies and legislation

Attachment C – Non-ongoing data

Related Questions received on notice

PDR Link	Submitted By	Subject	Answer Summary
SQ22-001046	*Michaelia Cash*	*Non-ongoing Contractors*	*The department does not capture information on previous employee for staff engaged as non-ongoing APS.*
SQ22-001236	*Michalea Cash*	*Contractors*	*Total 1,214 contractors and 109 non-ongoing (NoG). Contractor breakdown hourly rate and NoG classifications by salary range*
SQ23-000243	*Jacqui Lambie*	*Non-ongoing employees between 1 July 22 -17 February 2023*	*Employment detail including FT, PT status and recruitment activity*
SQ23-000629	*Michalea Cash*	*Non-ongoing Employees*	*202 non-ongoing employees engaged between 1 July 2022 and 31 May 2023.*
SQ23-000630	*Michalea Cash*	*Difference between a non-ongoing role that is secure vs not secure*	*The department engages contractors through a range of arrangements. None of these provide for ongoing work.*
SQ23-001025	*Jacqui Lambie*	*Non-ongoing Employees between 18 February 2023 – 2 June 2023*	*Employment detail including FT, PT status and recruitment activity*
SQ23-001138	*Senator Michaelia Cash*	*DEWR Employee Breakdown*	*Employment detail broken down by classification including FT, PT status, ongoing, non-ongoing and casual, commencements and employees on leave. Also numbers of secondees.*

Department of Employment and Workplace Relations - Released under FOI

Katy Gallagher
Senator for the Australian Capital Territory
Minister for Finance, Women and the Public Service

OP ED: LABOR HAS A PLAN TO REBUILD THE PUBLIC SERVICE AFTER A DECADE OF COALITION CUTS

04 March 2022

In 2019 the most substantive review of the Australian Public Service (APS) in the past 40 years was handed to the government, reaffirming the essential role the public service plays in all of our lives. The Thodey Review as it has become known found that whilst the APS wasn't 'broken' it was an institution under enormous strain.

Unfortunately, after thousands of hours of work led by six distinguished Australians and widespread consultation with stakeholders, the report - its recommendations and its vision were largely moth-balled by a Prime Minister whose long-term commitment to the APS doesn't exist beyond servicing his immediate political needs.

Two years on from the release of the Review, and after almost a decade of Coalition Governments, the cracks identified by Thodey have only grown deeper across the APS.

The Morrison Government's complete disinterest in the APS as an enduring institution central to Australia's democratic wellbeing and the role it plays in directly supporting the lives of millions of Australians is, perhaps, best captured by its attitude towards its own APS employees.

Leadership, capacity and capability have been so seriously eroded now that even core functions like basic policy development are now routinely outsourced to the private sector to the extent that some agencies no longer retain policy capacity at all.

Expensive outsourcing costing billions of dollars, arbitrary staffing caps, wages caps and pegging policies, as well as inflexible bargaining rules with "no enhancement" policies have denied APS workers the right to seek improvements for improved performance and outcomes.

From Prime Ministers Abbott to Morrison, APS employees have had their wages, conditions and job security attacked by a government that doesn't value or respect their work; and just like workers in the private sector, public sector workers have endured eight years of stagnant wages, with wages going backwards now as costs of living increase.

The combined effect of these failed policies has had a devastating impact on the APS and whilst it will take time to rebuild internal capability across the service, in the lead up to the next election Labor is making a clear commitment to do so.

Labor understands the critical need for our APS to be able to serve our community, deliver better services and help shape the future of our nation. With all the challenges facing our country from defence to skills, to aged care, protecting Medicare, a responsive and high-functioning public service matters for all of us.

The job of rebuilding the brain drain must start by valuing, respecting and investing in the APS's biggest asset - its people.

The APS should be a place which attracts the best and brightest minds from around the country and then retains them with exciting opportunities and clear career paths.

The APS should also be investing in job security – not wasting money on excessive and expensive temporary labour-hire contracts. Labor will focus on reducing the job insecurity which has become rampant across key agencies and conduct an audit of employment arrangements across the APS to ensure temporary forms of work are being used appropriately.

Labor will abolish the arbitrary staffing cap which has eroded internal capability, reduced job security and wasted public money with exorbitantly expensive labour-hire arrangements.

The APS should be a model employer that sets the standard from which the private sector follows. Genuine bargaining should involve both employees and their representatives.

Labor would engage in good faith bargaining where productivity improvements and better service outcomes allow for improvements to flow to employees.

If Labor is fortunate enough to be given the honour of forming government after the election, we will work quickly to rebuild a stronger public service which is able to deliver better outcomes for the community, use precious public resources more effectively and contribute to building a fairer and more inclusive Australia.

The last two years have thrust the APS into the public's line of sight in a way that we have not seen for many decades and the demands on the public service are only going to increase both in output and complexity as we grapple with the public policy challenges currently before us and the ones that lie ahead. It is critical that the APS has the capability and people to respond to these challenges as it has proudly done for the past 120 years.

Senator Katy Gallagher

Shadow Minister for the Public Service

Senator for the Australian Capital Territory

This article first appeared in The Canberra Times

https://www.canberratimes.com.au/story/7643834/labor-is-committed-to-revitalising-the-public-service/

Join Team Katy!

Donate Contact

I acknowledge the Traditional Custodians of the ACT, the Ngunnawal People, and respect their continuing culture and the contribution they make to the life of this city and this region.

Authorised by Katy Gallagher, Australian Labor Party, Canberra

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Attachment B

Extracts of key legislation, regulations and policies

Public Service Regulations 2023

Public Service Regulations 2023 (legislation.gov.au)

12 Engagement of SES employees for a specified term

(1) For the purposes of subsection 22(4) of the Act, this section prescribes circumstances in which an Agency Head may engage a person as an SES employee for a specified term.

Note 1: The usual basis for engagement of an APS employee is as an ongoing APS employee (see paragraph 10A(1)(b) of the Act). An Agency Head is expected to have regard to that paragraph before engaging a person as a non-ongoing APS employee.

Note 2: Paragraph 10A(1)(c) of the Act requires engagement and promotion decisions to be based on merit. Division 1 of Part 4 of the Commissioner's Directions explains how this employment principle is to be applied.

(2) Subject to subsection (4), an Agency Head may engage a person as an SES employee for a specified term if the term does not exceed 5 years.

(3) For the purposes of subsection 22(5) of the Act and subject to subsection (4) of this section, if a person has been engaged for a specified term of less than 5 years, the engagement may be extended once or more than once, but only to the extent that the total term does not exceed 5 years.

(4) An Agency Head may engage a person under a contract of employment as an SES employee for a specified term only if the Agency Head is reasonably satisfied that entering into the contract would not contravene subsection 333E(1) of the *Fair Work Act 2009*.

Note: **Subsection 333E(1) of the *Fair Work Act 2009* is** about limitations on fixed term contracts.

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Australian Public Service Commissioner's Amendment (2023 Measures No. 1) Directions 2023

Schedule 2—Amendments relating to short-term engagements

Australian Public Service Commissioner's Directions 2022

1 Paragraph 27(1)(a)

Omit "18 months", substitute "12 months".

2 Subsection 27(2)

Omit "3 years", substitute "18 months".

3 In the appropriate position in Part 10

Insert:

77 Application of amendments made by Schedule 2

The amendments of section 27 made by Schedule 2 to the *Australian Public Service Commissioner's Amendment (2023 Measures No. 1) Directions 2023* apply in relation to an engagement of a person made on or after the commencement of that Schedule.

27 Engagement on a short-term, irregular or intermittent basis

(1) An Agency Head may engage a person to perform duties as a non-ongoing APS employee if:
- (a) the engagement is for a specified term or the duration of a specified task and the period of employment is 18 months or less; or
- (b) the engagement is for duties that are irregular or intermittent.

(2) An Agency Head may extend or further extend an engagement mentioned in paragraph (1)(a) if:
- (a) there is a continuing need for the duties to be performed; and
- (b) the person engaged is performing the duties satisfactorily or better; and
- (c) the Agency Head is satisfied that:
  - (i) it is still appropriate for the duties to be performed on a non-ongoing basis; and
  - (ii) the extension, or further extension, will contribute to efficient and effective organisational performance.

However, the total period of engagement (including any extension), must not exceed 3 years.

(3) The Agency Head must ensure as far as practicable that such a vacancy is brought to the notice of the community in a way that gives eligible members of the community a reasonable opportunity to apply for it.

Example: A vacancy may be brought to the notice of the community by being advertised or access being provided to non-ongoing APS employment registers.

(4) As a minimum requirement, the Agency Head must be satisfied that the person to be engaged has the work-related qualities genuinely required to perform the relevant duties.

Note 1: Sections 12 and 13 of the Regulations provide for matters regarding the engagement of non-ongoing APS employees.

Note 2: For the meaning of ***work-related qualities***, see section 5.

Note: These limits replace the 18 month/36 month limits for new/renewed non-ongoing contracts from 6 December 2023.

They will apply to SES employees unless a merit-based selection process has been undertaken, in which case the current 5 year maximum remains as SES employees will be over the high-income threshold.

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https://www.legislation.gov.au/Details/C2022A00079/Download



Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022

No. 79, 2022

An Act to abolish the Registered Organisations Commission and the Australian Building and Construction Commission and to amend the law relating to workplace relations, and workers' compensation and rehabilitation, and for related purposes

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Division 5—Fixed term contracts

Subdivision A—Limitations on fixed term contracts

333E Limitations

(1) A person contravenes this subsection if:

(a) the person enters into a contract of employment with an employee; and

(b) the contract includes a term that provides the contract will terminate at the end of an identifiable period (whether or not the contract also includes other terms that provide for circumstances in which it may be terminated before the end of that period); and

(c) the employee is not a casual employee of the employer; and

(d) subsection (2), (3) or (4) applies.

Note 1: This subsection is a civil remedy provision (see Part 4-1).

Note 2: A contract referred to in this subsection includes (and is not limited to) a contract of employment for a specified period of time, for a specified task or for the duration of a specified season.

Employment for more than 2 years

(2) This subsection applies if the identifiable period is greater than 2 years.

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Renewable contracts

(3) This subsection applies if:

(a) the sum of the identifiable period and any other period for which the contract may be extended or renewed is greater than 2 years; or

(b) the contract provides for an option or right to extend or renew the contract more than once.

Consecutive contracts

(4) This subsection applies if the contract comes into effect after another contract (the ***previous contract***) of employment between the person and the employee in circumstances referred to in subsection (5).

(5) The circumstances for the purposes of subsection (4) are:

(a) the previous contract included a term that provided that the contract would terminate at the end of an identifiable period (whether or not the contract also includes other terms that provide for circumstances in which it may be terminated before the end of that period); and

(b) the previous contract was for the employee to perform the same, or substantially similar, work for the person as the employee is required to perform under the contract referred to in paragraph (1)(a) (the ***current contract***); and

(c) there is substantial continuity of the employment relationship between the person and employee during the period between the previous contract terminating and the current contract coming into effect; and

(d) any of the following apply:

(i) the sum of the period for which the previous contract was in effect and the identifiable period referred to in paragraph (1)(b) for the current contract is greater than 2 years;

(ii) the current contract contains an option for renewal or extension;

(iia) the previous contract contained an option for extension that has been exercised;

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(iii) the previous contract came into effect after another contract (the ***initial contract***) that satisfies the requirements of paragraphs (a) and (b) of this subsection and there was substantial continuity of the employment relationship between the person and the employee during the period between the initial contract terminating and the previous contract coming into effect.

333F Exceptions to limitations

(1) Subsection 333E(1) does not apply in relation to a contract of employment entered into by a person and an employee if:

(a) the employee is engaged under the contract to perform only a distinct and identifiable task involving specialised skills; or

(b) the employee is engaged under the contract in relation to a training arrangement; or

(c) the employee is engaged under the contract to undertake essential work during a peak demand period; or

(d) the employee is engaged under the contract to undertake work during emergency circumstances or during a temporary absence of another employee; or

(e) in the year the contract is entered into the amount of the employee's earnings under the contract is above the high income threshold for that year; or

(f) the contract relates to a position for the performance of work that:

(i) is funded in whole or in part by government funding or funding of a kind prescribed by the regulations for the purposes of this subparagraph; and

(ii) the funding is payable for a period of more than 2 years; and

(iii) there are no reasonable prospects that the funding will be renewed after the end of that period; or

(g) the contract relates to a governance position that has a time limit under the governing rules of a corporation or association of persons; or

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(h) a modern award that covers the employee includes terms that permit any of the circumstances mentioned in subsections 333E(2) to (4) to occur; or

(i) the contract is of a kind prescribed by the regulations for the purposes of this paragraph.

(2) For the purposes of paragraph (1)(e), if under the terms of the contract either of the following apply:

(a) the employee is required to work fewer hours than a full-time employee for a year;

(b) the employee is required to work for only part of a year;

the high income threshold for that year is taken, for the purposes of that paragraph, to be the amount, or the amount worked out using a method, prescribed by the regulations for the purposes of this subsection.

(3) For the purposes of subsection (2), in determining whether an award/agreement free employee has worked fewer hours than a full-time employee, regard may be had to the following:

(a) the hours of work of any other full-time employees or part-time employees of the employer employed in the same position as (or in a position that is comparable to) the position of the employee;

(b) the definition of ***ordinary hours of work*** in subsection 20(2).

Evidential burden

(4) If, in proceedings for a civil penalty order against a person for a contravention of subsection 333E(1), the person wishes to rely on an exception in this section, then the person bears an evidential burden in relation to that matter.

333G Effect of entering prohibited fixed term contract

(1) If a person enters into a contract of employment with an employee in contravention of subsection 333E(1):

(a) the term of the contract that provides that the contract will terminate at the end of an identifiable period is taken to have no effect; and

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(b) the contravention is taken not to affect the validity of any other term of the contract.

(2) Subsection (1) of this section has effect for the purposes of all of the following:

(a) this Act and any other law of the Commonwealth;

(b) a law of a State or Territory;

(c) any fair work instrument that applies to the employee;

(d) a copied State instrument;

(e) the employee's contract of employment.

Note 1: One effect of subsection (1) of this section is that Division 11 of Part 2-2 (notice of termination and redundancy pay) may apply to the employee because the employee is not covered by paragraph 123(1)(a) (which deals with the application of that Division).

Note 2: Another effect of subsection (1) of this section is that Part 3-2 (unfair dismissal) may apply to the employee because the employee is not covered by paragraph 386(2)(a) (which affects the meaning of ***dismissed***).

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High income threshold amounts

Date	Amount
1 July 2023 - 30 June 2024	$167,500
1 July 2022 - 30 June 2023	$162,000
1 July 2021 - 30 June 2022	$158,500
1 July 2020 - 30 June 2021	$153,600

Article Preview · Library - Fair Work Ombudsman

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Reporting Date
31 August 2023

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DEWR Non-ongoing Employees
31 August 2023

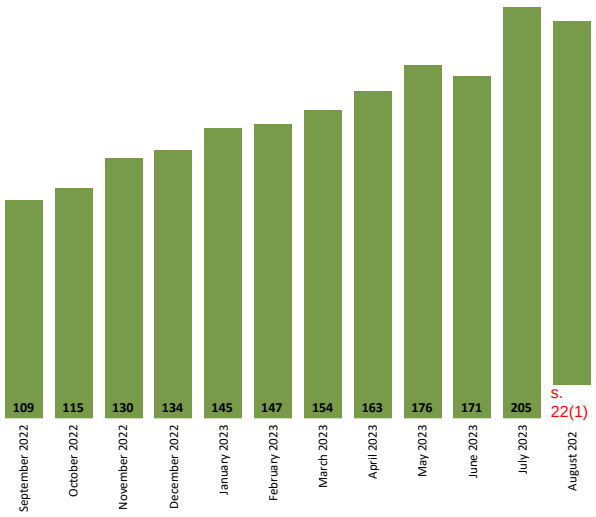
Total headcount
s. 22(1)(a)(ii)

Change in headcount
(last 12 months)
89

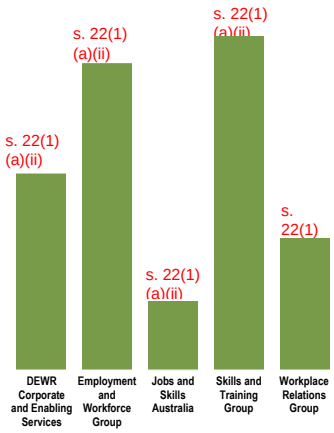
Top 3 job families

Portfolio Program and Project Management	Administration	Service Delivery
66	34	24

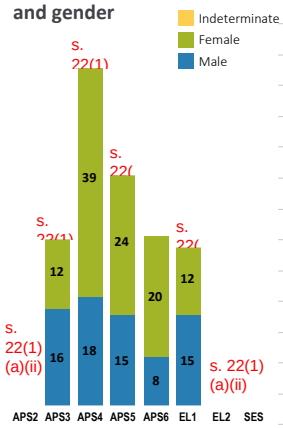
Headcount - previous 12 months



Headcount by Group



Headcount by classification and gender



Headcount by State

ACT	147
NSW	10
NT	s. 22(1)
QLD	12
SA	15
TAS	s. 22(1)
VIC	11
Grand Total	s. 22(1)(a)(ii)

Headcount by Non-ongoing term of contract

<3 months	s. 22(1)(a)(ii)
3-6 months	29
6-12 months	56
12-18 months	71
18-24 months	31
24-36 months	7
36+	s. 22(1)(a)(ii)
Grand Total	s. 22(1)(a)(ii)

Headcount by APS job family/function/role

Job Role	Job Function	Job Function	
Program Manager	Program	Program	30
Program Support Officer	Program	Program	29
Administrative Support Officer	General Administrative Support	General Administrative Support	18
Program Delivery Officer	Program Delivery	Program Delivery	17
Personal/Executive Assistant	Executive Support	Executive Support	13
Recruitment/Redeployment Officer	Human Resource Operational	Human Resource Operational	7
User Researcher	Research	Research	s. 22(1)(a)(ii)
Project Manager	Project	Project	
Helpdesk/Support Officer	Service Support	Service Support	
Data Analyst	Numerical Analysis	Numerical Analysis	
Call Contact or Smart Centre	Customer Advice and Support	Customer Advice and Support	
Strategic Pol Advice and Devel Officer	Policy Design	Policy Design	
Stakeholder/Relation Mgmt Off or Manag	Public Relations and Stakeholder Managem	Public Relations and Stakeholder Managem	
Risk Management Officer/ Risk Manager	Risk	Risk	
Policy Officer	Policy Design	Policy Design	
Paralegal	Legal and Court Officer	Legal and Court Officer	
Group Manager/Branch Manager/ Executive	Chief Executive or Statutory Office Hold	Chief Executive or Statutory Office Hold	
Governance Officer	Governance	Governance	
General Finance Officer	Finance	Finance	
Customer Support Officer	Customer Advice and Support	Customer Advice and Support	
Service Manager	Service Delivery	Service Delivery	
Regulation Officer	Regulation and Compliance	Regulation and Compliance	
Public Relations and Media Officer	Public Relations and Stakeholder Managem	Public Relations and Stakeholder Managem	
Null	Null	Null	
Lawyer	Lawyer or Legal Adviser	Lawyer or Legal Adviser	
Human Resource Adviser	Human Resource Operational	Human Resource Operational	
Facilities and Estate Manager	Facilities and Property	Facilities and Property	
Digital Channel/Social Media Off or Spec	Public Relations and Stakeholder Managem	Public Relations and Stakeholder Managem	
Development and Programming	Solutions Development	Solutions Development	
Contract Management Officer	Procurement and Contracting	Procurement and Contracting	
Visual Analytics Specialist	Data and Research	Data and Research	
Security Advisor	Security	Security	
Researcher	Research	Research	
Project Support Officer	Project	Project	
Project Reporting	Project	Project	
Product Manager	IT Business Management	IT Business Management	
Procurement Officer	Procurement and Contracting	Procurement and Contracting	
Operational Practices and Standards Offi	Operational Support	Operational Support	
Management Accountant	Accounting	Accounting	
Learning and Development Officer	Human Resource Strategic	Human Resource Strategic	
General Accountant	Accounting	Accounting	
Finan Analyst/ Financial Policy Analyst	Budget Costs and Financial Analysis	Budget Costs and Financial Analysis	
Evaluation Officer	Evaluation	Evaluation	
Data Scientist	Data and Research	Data and Research	
Corporate and Business Planner	Governance	Governance	
Business Analyst	Research	Research	
Budgeting Officer/ Specialist	Budget Costs and Financial Analysis	Budget Costs and Financial Analysis	
Grand Total			s. 22(1)(a)(ii)

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Non-ongoing mulitple contracts

as at 31 August 2023

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Group	Division	Branch	Actual	NOG End Date	Number of contracts
DEWR Corporate and Enabling Services	Digital Solutions Division	Digital Security and Operations	APS2	30/11/23	s. 22(1)(a)(ii)
	People and Communication Division	Communications and Media	APS4	13/02/24	
		People Branch DEWR	APS4	8/09/23	
				1/09/23	
			APS5	1/09/23	
Employment and Workforce Group	Evidence and Assurance Division	Quality Assurance and Risk Management Br	APS5	30/09/23	
				22/12/23	
	Workforce Australia for Individuals Div	Activities and Experience Branch	EXEC1	31/12/23	
		Strategic Program Office	EXEC1	15/02/24	
	Workforce Australia Provider Support Div	Employment Procurement and Advice Branch	EXEC1	30/06/24	
		Employment Services Programs	APS6	30/06/24	
				30/06/24	
		Northern Territory	APS6	30/01/24	
		Victoria	APS5	31/08/23	
Jobs and Skills Australia	Deputy Jobs and Skills Australia Div	Domestic Skills System Branch	APS3	29/03/24	
		Enterprise and Systems Branch	APS3	1/12/23	
Skills and Training Group	Apprenticeships Foundation Skills Divis	Multilateral Policy Branch	APS3	31/08/23	
	Careers and International Skills	Migrant Skills Assessment	APS3	31/12/23	
				22/12/23	
			APS4	30/06/24	
				28/06/24	
				5/01/24	
			APS5	28/06/24	
			APS6	20/02/24	
		National Careers Institute	APS5	28/06/24	
				30/06/24	
			EXEC1	1/09/23	
	Digital Projects and First Nations Div	Digital Projects Branch	APS4	17/05/24	
		First Nations Branch	EXEC1	1/09/23	
	National Skills Agreement Taskforce	Div Exec	APS4	30/06/24	
			s. 22(1)(a)(ii)	2/01/24	
	VET Data Loans and Compliance	VET Student Loans Branch	EXEC2	29/09/23	
Workplace Relations Group	Employment Conditions	WR Strategy Branch	APS5	21/10/23	
	Entitlements Safeguards Division	Fair Entitlements Guarantee	APS5	1/09/23	
	Safety and Industry Policy	Bargaining and Industry Policy	APS4	21/02/24	

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Department of Employment and Workplace Relations - Released under FOI

Non-ongoing term of contract greater than 18 months

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as at 31 August 2023

Group	Division	Branch	Actual	NOG Start Date	NOG End Date	Length of term category
DEWR Corporate and Enabling Services	Digital Solutions Division	Data Platforms and Education Systems	APS3	3/03/22	1/03/24	24-36 months
			APS4	28/06/21	22/12/23	24-36 months
		Digital Security and Operations	APS2	7/03/22	10/09/23	18-24 months
				21/02/22	30/11/23	18-24 months
				3/03/22	3/09/23	18-24 months
			APS3	15/05/23	15/11/24	18-24 months
			APS5	10/07/23	10/01/25	18-24 months
	People and Communication Division	Communications and Media	APS4	8/04/22	13/02/24	18-24 months
		People Branch DEWR	APS6	4/05/23	1/11/24	18-24 months
	Technology and Services Division	IT Environment and Customer Support	APS4	24/01/22	22/12/23	18-24 months
			EXEC1	11/05/23	11/11/24	18-24 months
Employment and Workforce Group	Evidence and Assurance Division	Provider and Program Performance Branch	APS6	22/06/23	13/12/24	18-24 months
	Workforce Australia Provider Support Div	Div Exec	s. 22(1)(a)(ii)	21/10/20	20/10/24	36+
		Employment Procurement and Advice Branch	EXEC1	1/12/22	30/06/24	18-24 months
		Employment Services Programs	APS6	8/12/22	30/06/24	18-24 months
				4/04/22	27/03/24	18-24 months
		Northern Territory	APS6	31/01/22	30/01/24	24-36 months
		NSW and ACT	s. 22(1)(a)(ii)	1/10/21	6/12/24	36+
Jobs and Skills Australia	Deputy Jobs and Skills Australia Div	Domestic Skills System Branch	APS3	17/06/22	29/03/24	18-24 months
		Enterprise and Systems Branch	APS4	3/01/22	28/07/23	18-24 months
		Labour Market and Migration Branch	APS3	2/02/23	2/08/24	18-24 months
				2/02/23	2/08/24	18-24 months
				21/08/23	21/02/25	18-24 months
				21/08/23	21/02/25	18-24 months
Skills and Training Group	Apprenticeships Foundation Skills Divis	Apprenticeship Operations Branch	APS5	17/04/23	18/10/24	18-24 months
				17/04/23	18/10/24	18-24 months
	Careers and International Skills	Migrant Skills Assessment	APS6	7/03/22	1/09/23	18-24 months
		National Careers Institute	APS4	2/05/22	2/11/23	18-24 months
			APS5	26/05/22	28/06/24	24-36 months
				27/09/21	30/06/24	24-36 months
	Digital Projects and First Nations Div	Digital Projects Branch	APS4	17/11/22	17/05/24	18-24 months
	National Skills Agreement Taskforce	NSA Policy and Modelling	APS2	16/05/22	17/11/23	18-24 months
		Stewardship and Engagement	APS4	30/05/23	29/11/24	18-24 months
Workplace Relations Group	Employment Conditions	Safety Net	EXEC1	4/08/22	5/09/24	24-36 months
	Entitlements Safeguards Division	Fair Entitlements Guarantee	APS5	24/07/23	23/07/25	24-36 months
				2/08/23	31/07/25	18-24 months
		Recovery and Litigation	APS5	4/08/22	30/06/24	18-24 months
			GOVLWR1	4/08/22	30/06/24	18-24 months
			GOVLWRS1	4/08/22	12/07/24	18-24 months
	Safety and Industry Policy	Bargaining and Industry Policy	APS4	22/08/22	21/02/24	18-24 months

Department of Employment and Workplace Relations - Released under FOI 138 837 of 853

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ22-001046

Senator Michaelia Cash on 08 November 2022, Proof Hansard page 10-11

Non-ongoing Contractors

Question
Senator CASH: Thank you for raising that, Minister Watt. Of the 109 that you say are currently on contracts, where are they from, basically? Are they from within the Public Service? Will they continue on with their other role when they formalise their short-term contract or not?

Ms Casson: I will make a point of clarification, if I might. A non-ongoing contract has a fairly specific intent and description under the Public Service Act. The main difference between it and an ongoing role is it is for a fixed term. But it still attracts the superannuation, flex time and benefits.

Senator CASH: I understand all of that. It is just in relation to the particular contract itself.

Ms Casson: Temporary transfers are obviously an option under the Public Service Act as well. We would obviously welcome, as Ms James noted, temporary transfers as well as non-ongoing contracts. We probably don't have for a non-ongoing contractor—we can take this on in notice—consistent information that would help the committee know where they were before. You could rely on the information someone puts into the recruitment system, which we could validate.
....
Senator CASH: Are you able to tell whether or not they've come from within or outside the Public Service?

Ms Casson: I think we would, but I will take that on notice.

Senator CASH: I do appreciate that. The issue I have is the government is obviously lecturing others about insecure work. I just find this incredibly ironic that you actually have advertised two non-ongoing opportunities for six to 12 months in relation to—

Answer

The department does not consistently capture information on the most recent/previous employer for staff engaged as non-ongoing Australian Public Service (APS) employees.

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ22-001236

Contractors

Question

1. How many contractors and non-ongoing staff are currently employed by the department?

2. Please provide a breakdown of levels and costs associated with all contractors and non-ongoing staff.

3. How many of these staff are ICT or non-ICT staff.

Answer

1. As at 30 September 2022, there was a total of 1,214 Contractors and 109 non-ongoing staff engaged by the Department.

2. As at 30 September 2022, Contractors broken down by category, headcount and lowest and highest hourly pay rate

Category	Number of Contractors	Lowest Hourly Rate	Highest Hourly Rate
ICT Specialist	538	$69.00	$279.50
Non-ICT Contractor	676	$28.04	$236.50

Non-ongoing employees broken down by classification, headcount and annual base salary range*

Classification	Count	Salary Range ($)
APS2	5	60,736 – 64,722
APS3	16	67,828 – 70,648
APS4	23	73,783 – 78,907
APS5	23	81,464 – 87,093
APS6 (incl. Gov Lawyer)	15	91,584 – 100,710
EL1	16	112,617 – 124,466
Senior Government Lawyer	4	112,617 – 137,955
EL2	5	132,522 -159,076
SES B1	2	207,605 – 242,590
Total	**109**	

**Salary ranges reflect the Department of Employment and Workplace Relations Determination 22/2*

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Supplementary Budget Estimates 2022 - 2023

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000243

Senator Jacqui Lambie provided in writing.

Non-ongoing Employees between 1 July 2022 - 17 February 2023

Question

Note: please segment the responses to these questions by APS classification.
How many non-ongoing employees were employed in the agency between 1 July 2022, and 17 February 2023?
1. How many of these are engaged full time?
2. How many of these are engaged part time?
3. How many non-ongoing positions were advertised by the agency in this period?
4. How many of these advertised positions were filled?
5. How many of the new non-ongoing employees transferred in from another agency?
6. What is the average duration for the recruitment of a non-ongoing employee (I.e. how long does it take, on average, from approval to fill a position to the filling of the position)?
7. How many non-ongoing roles that were offered to prospective employees turned down by the prospective employee?
8. How many non-ongoing contract extensions were granted by the agency between 1 July 2022, and 17 February 2023?
9. How many of these were engaged full time?

Note: for the following question please exclude employees departing due to retirement.
10. How many non-ongoing employees resigned from the agency between 1 July 2022, and 17 February 2023?

Answer

1. During the period 1 July 2022 to 31 January 2023, 111 non-ongoing employees were engaged. **95** non-ongoing employees were engaged on a full-time basis.

	Non-ongoing full time
APS2	6
APS3	9
APS4	26
APS5	15
APS6	21
GOVLWR	1
EL1	14
EL2	2
SES Band 2	1
Total	**95**

2. During the period 1 July 2022 to 31 January 2023, there were a total of **16** non-ongoing employees engaged on a part-time basis.

	Non-ongoing part time
APS2	2
APS3	3
APS4	5
APS5	1
APS6	2
EL1	1
EL2	2
Total	**16**

3. During the period 1 July 2022 to 5 January 2023, **223** employment opportunities were externally advertised. Generally, employment opportunities are advertised as ongoing and/or non-ongoing opportunities, and therefore the response provides information on all employment opportunities advertised externally.

	Employment opportunities advertised externally
APS1	1
APS3	8
APS4	21
APS5	48
APS6	65
GOVLWR (APS 4-6)	6
EL1	51
GOVLWR (EL1)	6
EL2	12
GOVLWR (EL2)	1
SES Band1	1
SES Band2	2
SES Band3	1
Total	**223**

4. During the period 1 July 2022 to 5 January 2023, appointments were made from 204 of the 223 externally advertised employment opportunities. Employment opportunities advertised after 5 January 2023 are still underway.

	Externally advertised employment opportunities that led to people being appointed
APS1	1
APS3	8
APS4	19
APS5	46
APS6	60
GOVLWR (APS 4-6)	6
EL1	43
GOVLWR (EL1)	4
EL2	12
GOVLWR (EL2)	1
SES Band1	1
SES Band2	2
SES Band3	1
Total	**204**

5. The department does not consistently capture information on the most recent/previous employer for staff engaged as non-ongoing Australian Public Service (APS) employees.
6. The average duration to recruit a non-ongoing APS employee was **45** calendar days.
7. **15** offers for non ongoing employment were declined.

	Declined non-ongoing offers
APS2	2
APS3	1
APS4	6
APS5	1
APS6	3
EL1	2
Total	**15**

8. During the period 1 July 2022 and 17 February 2023, **36** non-ongoing contracts were extended.

	Non-ongoing extensions
APS2	4
APS3	5
APS4	9
APS5	8
APS6	4
EXEC1	6
Total	**36**

9. Of the 36 non-ongoing contract extensions above, **25** were full time employees.

	Non-ongoing Extensions
APS3	3
APS4	8
APS5	6
APS6	4
EXEC1	4
Total	**25**

10. For the period 1 July 2022 to 31 January 2023, **23** non-ongoing employees resigned from the department.

	Number of resignations
APS3	4
APS4	4
APS5	6
APS6	1
GOVLWR	2
EL1	5
EL2	1
Total	**23**

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001138

Senator Michaelia Cash provided in writing.

DEWR Employee Breakdown

Question

1) How many employees are currently employed in the Department of Employment and Workplace Relations?
   a) Please provide the number of full-time employees that are currently employed.
   b) Please provide a breakdown of how many employees are employed on a part time basis.
   c) Please provide the number of how many employees are currently employed on a casual basis.
   d) Please provide the number of employees currently employed on temporary contracts.
   e) Please provide the number of employees currently on non-ongoing contracts.
   f) Please provide the number of employees that are currently on leave.
   g) Please provide the number of employees that have been employed in the current financial year.
2) Please provide the number of employees that are currently employed on the APS Level 1 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 1 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 1 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 1 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 1 classification.
   e) Please provide the number of employees employed under the APS Level 1 classification, that have commenced employment in the current financial year.
   f) Please provide the number of employees that were employed under the APS Level 1 classification at the time of their contract termination.
   g) Please provide the number of employees that are currently employed under the APS Level 1 classification that are currently on leave.
3) Please provide the number of employees that are currently employed on the APS Level 2 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 2 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 2 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 2 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 2 classification.
   e) Please provide the number of employees employed under the APS Level 2 classification, that have commenced employment in the current financial year.
   f) Please provide the number of employees that were employed under the APS Level 2 classification at the time of their contract termination.
   g) Please provide the number of employees that are currently employed under the APS Level 2 classification that are currently on leave.

4) Please provide the number of employees that are currently employed on the APS Level 3 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 3 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 3 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 3 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 3 classification.
   e) Please provide the number of employees employed under the APS Level 3 classification, that have commenced employment in the current financial year.
   f) Please provide the number of employees that were employed under the APS Level 3 classification at the time of their contract termination.
   g) Please provide the number of employees that are currently employed under the APS Level 3 classification that are currently on leave.
5) Please provide the number of employees that are currently employed on the APS Level 4 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 4 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 4 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 4 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 4 classification.
   e) Please provide the number of employees employed under the APS Level 4 classification, that have commenced employment in the current financial year.
   f) Please provide the number of employees that were employed under the APS Level 4 classification at the time of their contract termination.
   g) Please provide the number of employees that are currently employed under the APS Level 4 classification that are currently on leave.
6) Please provide the number of employees that are currently employed on the APS Level 5 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 5 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 5 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 5 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 5 classification.
   e) Please provide the number of employees employed under the APS Level 5 classification, that have commenced employment in the current financial year.
   f) Please provide the number of employees that were employed under the APS Level 5 classification at the time of their contract termination.
   g) Please provide the number of employees that are currently employed under the APS Level 5 classification that are currently on leave.
7) Please provide the number of employees that are currently employed on the APS Level 6 classification.
   a) Please provide the number of employees employed on a full-time basis under the APS Level 6 classification.
   b) Please provide the number of employees employed on a part time basis under the APS Level 6 classification.
   c) Please provide the number of employees that are currently employed on a casual basis under the APS Level 6 classification.
   d) Please provide the number of employees employed on a non-ongoing contract under the APS Level 6 classification.

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e) Please provide the number of employees employed under the APS Level 6 classification, that have commenced employment in the current financial year.
f) Please provide the number of employees that were employed under the APS Level 6 classification at the time of their contract termination.
g) Please provide the number employees that are currently employed under the APS Level 6 classification that are currently on leave.

8) Please provide the number of employees that are on secondment from other agencies.
a) Please provide the number of agencies that have employees on secondment within this Department.
b) Please provide the breakdown of how many employees are on secondment from each individual Department within this Department.
c) Please provide the number of employees that have commenced secondment in the current financial year.
d) Please provide the number of employees that have finalised their secondment in the current financial year and have since returned to their employing Department.

9) Please provide the number of employees that are currently on leave from this Department.
a) Please provide the number of employees currently on leave in each APS employment classification within the Department.
b) Please provide the average length of the period (s) of leave of employees within the Department.
c) Please provide the number of employees that have resigned following a period of paid or unpaid leave in the current financial year.
d) Please provide the number of employees that have had their contracts terminated in the current financial year following a period of paid or unpaid leave.

10) Please provide the number of employees who have their contracts terminated in the current financial year.
a) Please provide a breakdown of the number of employees that have their contracts terminated in each APS employment classification in the current financial year.
b) Please provide the number of employees that have had their contracts terminated in each APS employment classification in the current financial year.
c) Please provide the number of employees whose contracts were terminated following behavioural complaints in the current financial year.
d) Please provide the number of employees whose contracts were terminated as a result of disciplinary action by the Department in the current financial year.
e) Please provide the number of employees who have commenced employment in the Department following the termination of their contracts in another Department within the current financial year.
f) (If yes) please provide the number of employees that commenced employment in the Department who had their contracts terminated as a result of disciplinary action in another Department.

11) Please provide the number of employees who have commenced employment within the Department following a resignation from another Department within the department.
a) Please provide the number of employees who commenced employment in the Department, following their resignation from another Department within the department, who have made complaints about a fellow employee (s) in their previous Department of employment in the current financial year.
b) Please provide the number of employees who have remained on the same APS employment classification in this Department following the ceasing of their employment in another Department within the department in the current financial year.

12) Please provide the average number of formal staff meetings that are held by the Department within a fortnightly period.
a) Please provide the number of these meetings that are held in person.
b) Please provide the number of meetings that are held via online means including zoom.
c) Are these meetings compulsory for staff?
d) Are in person meetings able to be attended by digital means for employees not working in the physical workplace?
e) Please provide the number of staff who attend such meetings.
f) Please provide the average duration of these staff meetings.

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g) Please provide Agenda/Action item lists from such staff meetings

13) Please provide the number of employees currently engaged in working from home employment arrangements
   a) Please provide a breakdown of employees engaged in working from home arrangements by APS level classification.
   b) Please provide the number of employees who are currently employed under working from arrangements who are employed on a part time basis.
   c) Please provide the number of employees who are currently employed under working from arrangements who are employed on a full-time basis.
   d) Please provide the number of employees who are currently employed under working from arrangements who are employed on a casual basis.
   e) Please provide the number of employees who are currently employed under working from arrangements who are employed on a non-ongoing contract.
   f) Please provide the number of employees who are currently employed under working from arrangements who are currently on leave.

14) Please provide the number of employees who have been hired on working from home arrangements since May 23, 2022
   a) Please provide a breakdown by APS level classification.
   b) Please provide the number of employees hired since May 23,2023 who have working from arrangements and are employed on a part time basis.
   c) Please provide the number of employees who hired since May 23,2023 who have working from arrangements and are employed on a full-time basis.
   d) Please provide the number of employees hired since May 23,2023 who have working from arrangements and are employed on a casual basis.
   e) Please provide the number of employees hired since May 23,2023 who have working from arrangements and are employed on a non-ongoing contract.
   f) Please provide the number of employees hired since May 23,2023 who have working from arrangements and are currently on leave.

Answer

Responses to questions 1a to 1f are based on data as at 31 May 2023.

1. The department's APS employee headcount is **3,417**. This excludes Secretary, inactive, casuals, contractors, public office holders, committee board members and locally engaged staff.
   a) **2,892** APS employees were employed on a full-time basis.
   b) **525** APS employees were employed on a part-time basis.
   c) **5** APS employees were employed on a casual basis.
   d) **176** APS employees were employed on a non-ongoing contract.
   e) **176** APS employees were employed on a non-ongoing contract.
   f) **584** APS employees are currently on leave.
   g) During the period 1 July 2022 to 31 May 2023, **913** APS employees commenced working at the department. This excludes machinery of government movements.

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2. to 7.

The table below responds to questions 2 to 7

	a) Full-time	b) Part-time	c) Casual	d) Non-ongoing	e) Commencements July 22 – May 23	f) Employment Contracts^ terminated July 22 – May 23	g) Currently on leave on the 31 May 2023
APS1	2	0	2	0	0	0	0
APS2	6	15	1	9	25	0	2
APS3	105	23	0	23	109	0	15
APS4	253	34	0	50	178	1	39
APS5	368	60	0	27	150	0	64
APS6*	710	147	0	32	228	1	175

**Includes Government Lawyers classification.*
^Includes all employment types (ongoing and non-ongoing).

8. **6** APS employees are on secondment from other agencies.

   a) **4** agencies have employees on secondment within the department.

   b) Employees on secondment by department:

	No. of Employees on secondment
Department of House of Representatives	2
Department of Prime Minister and Cabinet	2
Australian Skills Quality Authority	1
Services Australia	1

   c) **7** employees have commenced a secondment in the period 1 July 2022 to 31 May 2023.

   d) **1** employee has finalised their secondment in the period 1 July 2022 to 31 May 2023.

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9. **584** employees are currently on leave as at 31 May 2023.

   The below table provides responses to questions 9a to 9d.

	a)	b)	c)	d)
	On Leave on 31 May 2023 by classification	**Average leave days 1 July 2022 to 31 May 2023**	**Resignation following a period of leave 1 July 2022 to 31 May 2023**	**Employment contracts^ terminated following a period of leave 1 July 2022 to 31 May 2023**
APS1	0	5	2	0
APS2	2	4	2	0
APS3*	15	3	17	0
APS4	39	4	10	1
APS5	64	5	25	0
APS6**	175	5	21	0
EL1**	214	5	28	1
EL2**	62	5	4	0
SES Band 1	9	5	0	0
SES Band 2	4	6	0	0
SES Band 3	0	7	0	0
Total	**584**		**109**	**2**

**Includes trainees and graduates.*
*** Includes Government Lawyers and IT Specialists.*
^Includes all employment types (ongoing and non-ongoing).

10. There have been **3** ongoing employees that have had their employment contract terminated in the period 1 July 2023 to 31 May 2023.

    a) – b) Of the 3 ongoing employees that had their contracts terminated, 1 was APS4, 1 was APS6 and 1 was EL1 classification.

    c) No employees had their employment contract terminated following behavioural complaints in the period 1 July 2023 to 31 May 2023.

    d) No employees had their employment contract terminated following disciplinary action in the period 1 July 2023 to 31 May 2023.

    e) The department does not collect this information.

    f) The department does not collect this information.

11. The department does not collect this information. This response applies to 11a and 11b.

12. Formal all-staff meetings are held on average once per quarter. Between July 2022 and June 2023, there have been **4** all-staff meetings.

    a) All meetings are held in person and online.

    b) Where possible, staff are encouraged to attend all-staff meetings in person. For staff who cannot attend in person or live interstate, there is an option to attend virtually.

    c) No, the meetings are not compulsory.

    d) Yes, the meetings can be attended digitally.

    e) The most recent formal all-staff meeting had approximately 2,300 attendees.

    f) The average duration of these meetings is approximately 1 hour.

    g) Formal all staff meetings are ordinarily run as panel events or question and answer sessions where executive leaders or guest speakers provide updates to staff.

Department of Employment and Workplace Relations - Released under FOI 848 of 853

13. **1,521** employees currently have an approved active working from home arrangement as at 31 May 2023.

    The table below responds to questions 13a to 13f regarding employees on working from home arrangements.

	a)	b)	c)	d)	e)	f)
	Class.	**Part-time**	**Full-time**	**Casual**	**Non-ongoing**	**Currently on leave**
APS1	1	0	1	0	0	0
APS2	1	0	1	0	0	1
APS3	38	7	31	0	8	6
APS4	114	10	104	0	14	13
APS5	191	25	166	0	13	27
APS6*	422	59	363	0	5	86
EL1*	573	86	487	0	8	119
EL2*	166	20	146	0	1	27
SES Band 1	14	1	13	0	1	3
SES Band 2	1	0	1	0	0	0
Total	**1521**	**208**	**1313**	**0**	**50**	**282**

**Includes Government Lawyers.*

14. **16** employees have been hired during the month of May 2023 and have a working from home arrangements.

    The table below responds to questions 14a to 14f.

	a)	b)	c)	d)	e)	f)
	Class.	**Part-time**	**Full-time**	**Casual**	**Non-ongoing**	**Currently on leave**
APS4	7	0	7	0	2	2
APS5	3	0	3	0	1	1
APS6	3	0	3	0	0	0
EL1	3	0	3	0	0	0
Total	**16**	**0**	**16**	**0**	**3**	**3**

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-001025

Senator Jacqui Lambie provided in writing.

Non-ongoing Employees between 18 February 2023 – 2 June 2023

Question

1.How many non-ongoing employees were employed in the agency between 18 February 2023, and 2 June 2023?
a) How many of these are engaged full time?
b) How many of these are engaged part time?
c) How many non-ongoing positions were advertised by the agency in this period?
d) How many of these advertised positions were filled?
e) How many of the new non-ongoing employees transferred in from another agency?
f) What is the average duration for the recruitment of a non-ongoing employee (I.e. how long does it take, on average, from approval to fill a position to the filling of the position)?
g) How many non-ongoing roles that were offered to prospective employees turned down by the prospective employee?

Note: for the following question please exclude employees departing due to retirement.
2.How many non-ongoing employees resigned from the agency between 18 February 2023, and 2 June 2023?

Answer

1. During the period 1 February 2023 to 31 May 2023, **93** non-ongoing employees were employed.
   a. During the period 1 February 2023 to 31 May 2023, **72** non-ongoing employees were engaged on a full-time basis.
   b. During the period 1 February 2023 to 31 May 2023, **21** non-ongoing employees were engaged on a part-time basis.
   c. During the period 18 February 2023 to 2 June 2023, **6** non-ongoing employment opportunities were advertised. During the same period, a further **29** employment opportunities were advertised as either ongoing or non-ongoing employment opportunities.
   d. From the **35** non-ongoing employment opportunities externally advertised between 18 February 2023 to 2 June 2023, **39** employees have been engaged on a non-ongoing basis. Selection processes for other employment opportunities advertised during the period are still underway.
   e. Nil. Non-ongoing employees are new engagements and, as a result, are not recorded as a transfer, even if their previous employer was an APS agency.
   f. On average, it took **32** calendar days to recruit the **39** non-ongoing employees that were engaged through opportunities advertised between 18 February 2023 and 2 June 2023.
   g. During the period 18 February 2023 to 2 June 2023, **9** people declined written formal offers for non-ongoing employment.

Department of Employment and Workplace Relations - Released under FOI

2. During the period 1 February 2023 to 31 May 2023, **16** non-ongoing employees resigned from the department.

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Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000630

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 13

Difference between a non-ongoing role that is secure vs not secure

Question

Senator CASH: Is there a difference between a non-ongoing role that is secure and not secure, then?
Ms James: I think you would need to talk to specifics. Some non-ongoing roles might be for a longer term. I think it would depend. But there's no doubt that ongoing APS employment is a very secure form of work. It is a more secure form of work both in terms of income security and job security than a non-ongoing role.
Senator CASH: In a speech I previously referred to, Mr Burke said:
Insecure work can be defined in several ways. However, its hallmark is a lack of certainty or predictability of hours or days of work and income. An insecure worker has little or no control over their shifts and is unable to choose the days or times of work that suits them.
Does this description apply to any of your department's non-ongoing employees or contractors?
Ms James: We have 935 contractors, as we've already said. There would be a range of types of engagement and types of work under that, so it is not a question I can answer at the general level.
Senator CASH: Again, this is what I am struggling with. You have a minister who both in opposition and now in government has made very strident statements in relation to same job, same pay, the use of labour hire and the definition of insecure work. You currently have no less than 935 contractors who work with the department. You can't guarantee that there are no contractors in your department who are in insecure work. I find that surprising given the statements by the minister. Again, as the lead department, you would not seek to lead by example?
Ms James: I am not sure what your question was in there. I don't agree with your characterisation of what I said in terms of not guaranteeing that people are not in insecure work. I said that these are the contractors by legal structure. The arrangements that they are on, relatively speaking, are less secure than an ongoing public servant. A range of arrangements would be in place.
Senator CASH: Again, take this on notice. Are some of the contractors you have in insecure work as defined by Mr Burke?
Ms James: I will take that on notice, Senator.

Answer

The department engages contractors through a range of arrangements. None of those arrangements provide for ongoing work.

Department of Employment and Workplace Relations - Released under FOI

Standing Committees on Education and Employment

QUESTION ON NOTICE
Budget Estimates 2023 - 2024

Outcome: Cross Portfolio

Department of Employment and Workplace Relations Question No. SQ23-000629

Senator Michaelia Cash on 30 May 2023, Proof Hansard page 12

Also, refer to previous hearing Question No. SQ23-000243

Non-ongoing Employees

Question

Senator CASH: That is fine. You provided a response to a question on notice. My question relates to the figure you put out. You advertised 111 non-ongoing roles, I understand, since 1 July 2022. Does that figure still sound correct?
Ms Jenkins: I suspect that would have grown since then.
Senator CASH: That's fine.
Ms Jenkins: Can I come back to you? We have different dates.
Ms James: Can you give us the number of the question on notice again?
Senator CASH: Yes. I have it for tabling if you need it. It is SQ23-000243.
Ms Jenkins: What you are after is the updated figure?
Senator CASH: The updated figure. In the response to the question on notice, the department stated that it has advertised 111 non-ongoing roles since 1 July 2022. I assume that was obviously correct at the time. Would you mind updating that figure?
Ms Jenkins: I will get you an updated figure. That was to 17 February 2023, I think. There will be a change to the figure. I will come back to you on notice.

Answer

During the period 1 July 2022 to 31 May 2023, a total of 202 non-ongoing employees were engaged.

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