

EMPLOYER-EMPLOYEE AGREEMENTS, REGISTRATION, TIME DELAY

1188. Hon. C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to the registration of Employer Employee Agreements (EEA) and ask -

- (a) what is the actual time delay between lodging an EEA and registration of the agreement;
- (b) what is the time delay caused by the requirement for employees to respond in writing to the Industrial Relations Commission, regarding their EEA;
- (c) how many EEAs have been rejected because of the employee failing to respond in writing to the Industrial Relations Commission;
- (d) has the Industrial Relations Commission considered or investigated any other means for employees to reply other than by post;
- (e) if not, why not; and
- (f) what protection does the Employer have, during these delays?

Mr J.C. KOBELKE replied:

- (a) The time frame varies depending on factors such as whether the EEA is fit for registration or requires correction, and how long the parties take to correct the EEA if required.
- (b) Employees do not respond to the Western Australian Industrial Relations Commission but to the Registrar of the Commission. There has only been one instance and the four employees were given 14 days to respond.
- (c) Four.
- (d) Yes.
- (e) Not applicable.
- (f) EEAs for existing employees do not take effect until the day after registration. So the employer's usual working arrangements continue during the registration period. EEAs for new employees may take effect on signing by both parties. If the EEA is subsequently refused registration, the employer may recover any amount he or she would not have been required to pay if the EEA had not taken effect. Furthermore, during the registration period the employer may be represented by a bargaining agent, make written submissions to the Registrar, be given opportunity by the Registrar to correct certain deficiencies in the EEA and has appeal rights if the EEA is refused registration.