

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 42
Issue No. 2

WEDNESDAY, 12 MARCH 2014

WORKFORCE REFORM BILL 2013 [42-1]

When in committee on the *Workforce Reform Bill 2013*:

Clause 4

Committee Recommendation 2:

1/4 Page 3, lines 7 to 25 — To delete the lines and insert —

- (2A) In making a public sector decision the Commission must take into consideration any submission made to the Commission on behalf of the State Government that is to include such matters as —
- (a) any Public Sector Wages Policy Statement that is applicable in relation to negotiations with the public sector entity;
 - (b) the financial position and fiscal strategy of the State as published by the Department of the Treasury in publications including —
 - (i) the most recent Government Financial Strategy Statement released under the *Government Financial Responsibility Act 2000* section 11(1);
 - (ii) the most recent Government Financial Projections Statement released under the *Government Financial Responsibility Act 2000* section 12(1);
 - (iii) the most recent Government Mid-year Financial Projections Statement released under the *Government Financial Responsibility Act 2000* section 13(1); and
 - (iv) any other submissions made to the Commission on behalf of the State Government;
 - (c) the financial position of the public sector entity.

Minority Committee Recommendation A:

2/4 Page 3, line 4 to page 5, line 22 — To oppose the clause.

Clause 13**Minority Committee Recommendation C:**

3/13 Page 8, lines 12 and 13 — To delete the lines.

Committee Recommendation 3:

4/13 Page 8, lines 26 and 27 — To delete the lines.

Clause 14**Committee Recommendation 3:**

5/14 Page 10, lines 16 and 17 — To delete “in accordance with the Commissioner’s instructions”.

Hon Sally Talbot: To move –

11/14 Page 10, line 23 — To delete “whether made before,”.

Hon Sally Talbot: To move –

12/14 Page 10, after line 25 — To insert —

- (2) Any existing award, industrial agreement or order made under the *Industrial Relations Act 1979*, including a General Order made under section 50 of that Act, before the commencement of the *Workforce Reform Act 2013* section 14, will continue in force, as negotiated, until such time as it would ordinarily expire by the passage of time, or otherwise by mutual agreement between the parties.

Committee Recommendation 4:

6/14 Page 10, lines 29 and 30 — To delete the lines.

Clause 15**Committee Recommendation 6:**

7/15 Page 13, after line 18 — To insert —

96B. Review of Part

- (1) The Minister is to cause a review of the operation and effectiveness of this Part of the Act as soon as is practicable on or before —
 - (a) the fourth anniversary of the commencement of this section; and
 - (b) the expiry of each 4 year interval after that anniversary.
- (2) The Minister may advise the Public Sector Commissioner of the findings of any review under subsection (1) not more than 28 days prior to tabling a report under subsection (3).
- (3) The Minister shall cause a report of the findings of any review under subsection (1) to be tabled in both the Legislative Assembly and the Legislative Council.

Hon Sally Talbot: To move –

10/15 Page 13, after line 18 — To insert —

96B. Review of Part

- (1) The Public Sector Commissioner is to carry out a review of the operation and effectiveness of this Part of the Act as soon as is practicable on or before —
 - (a) the fourth anniversary of the commencement of this section; and
 - (b) the expiry of each 4 year interval after that anniversary.
- (2) In the course of a review under subsection (1) the Public Sector Commission is to consider and have regard to —
 - (a) whether there is a need for this Part to continue; and
 - (b) how the processes contained within this Part have operated in practice, including numbers and categories of registered public sector employees whose employment has been terminated pursuant to section 95A; and
 - (c) whether individual employing authorities should have a separate role in exercising the powers and applying the processes of this Part, or, in the alternative, the Public Sector Commission should centrally exercise the powers and apply the processes of this Part to the exclusion of individual employing authorities; and
 - (d) whether the impact of any exercise of the powers provided in this Part have generated measurable managerial, economic or cultural change within the Public Sector; and
 - (e) any other matters that appear to the Public Sector Commission to be relevant to the operation and effectiveness of this Part.
- (3) The Public Sector Commissioner may advise the Minister of the findings of any review under subsection (1) not more than 28 days prior to tabling a report under subsection (4).
- (4) The Public Sector Commissioner shall cause a report of the findings of any review under subsection (1) to be tabled in both Houses of Parliament.

Clause 18

Minority Committee Recommendation B:

8/18 Page 15, lines 2 and 3 — To oppose the clause.

Clause 19

Minority Committee Recommendation B:

9/19 Page 15, line 4 to page 16, line 7 — To oppose the clause.

