The Parliament of the Commonwealth of Australia

THE SENATE

Workplace Relations Amendment (A Stronger Safety Net) Bill 2007

(Amendment to be moved by Senator Siewert on behalf of Australian Greens in committee of the whole)

(1) Schedule 2, page 61 (after line 10), after item 31, add:

Social Security Act 1991

31A Paragraph 502(4)(e)

After “applicable statutory conditions”, add “and would not pass the fairness test under Division 5A of the Workplace Relations Act 1996.”

[fairness test]

(2) Schedule 2, page 61 (after line 10), after item 31, add:

31B Paragraph 541D(1)(e)

After “applicable statutory conditions”, add “and would not pass the fairness test under Division 5A of the Workplace Relations Act 1996.”

[fairness test]

(3) Schedule 2, page 61 (after line 10), after item 31, add:

31C After subsection 629(1B)

Add:

(1C) Without limiting the matters to be taken into account for the purposes of paragraph (1)(d), a refusal to accept an offer of employment that is conditional on signing an AWA which would not pass the fairness test under Division 5A of the Workplace Relations Act 1996 constitutes a reasonable excuse to refuse an offer of employment.

[AWA failure to pass fairness test is reasonable excuse for refusing employment offer]

(4) Schedule 2, page 61 (after line 10), after item 31, add:

31D Paragraph 731B(1)(e)

After “applicable statutory conditions”, add “and would not pass the fairness test under Division 5A of the Workplace Relations Act 1996.”

[fairness test]