COMMONWEALTH EMPLOYMENT SERVICE BILL 1978

Date Introduced: 5 May 1978
House: House of Representatives
Presented by: Hon. A.A. Street, M.P.,
Minister for Employment and Industrial Relations

Short Digest of Bill

Purpose

To provide for the establishment of the Commonwealth Employment Service (CES) as a unified and identifiable organization; to detail the functions of that Service; to allow for the appointment of a National Director of the CES; and to make provision for the establishment of an advisory committee structure at the national, regional and local levels.

Related Legislation

The present legislative basis for the CES is found in Part II, Division 5, of the Re-establishment and Employment Act 1945. This Bill necessitates that part of the 1945 Act being repealed, and the Re-establishment and Employment Amendment Bill 1978, also introduced on 5 May 1978, proposes to do this (see Bills Digest).

Background

In October 1976, the Government commissioned Mr. J.D. Norgard to make a comprehensive and detailed examination of the CES. This constituted the first major review of the Service since its inception in 1946.

Mr. Norgard's report, which was received in June 1977, was highly critical of the existing organizational structure of the CES, and of the standard of service it provided. The report recommended, among other things, that the CES should become a statutory authority solely concerned with employment and manpower matters; and that it should be upgraded into a modern manpower service.

Following receipt of the Norgard Report, the Minister for Employment and Industrial Relations, Hon. A.A. Street, announced on 22 November 1977 the Government's plans to spend $16 million over the next 5 years in upgrading the CES. The Minister also announced at
that time that the Government would reinforce the proposed changes in the organizational structure of the CES by introducing appropriate legislation. This Bill is designed to provide that legislative backing.

**Main Provisions**

The Bill is in three main parts, and these are dealt with separately below.

**PART II: Establishment, Functions and Powers of the CES**

Clause 5 provides for the establishment, within the Department of Employment and Industrial Relations, of a Commonwealth Employment Service.

Clause 6 sets out the functions of the Service, which include -

(a) assisting persons seeking employment or a change of employment to obtain suitable positions;

(b) assisting employers wishing to fill vacant positions to find a suitable person;

(c) promoting and implementing approved manpower programs and other measures designed to ensure a high level of employment; and

(d) collecting statistics and publishing information on the labour market.

**PART III: The National Director and Staff of the Service**

Clause 10 provides for a National Director of the Service, who shall be an employee of the Australian Public Service and responsible for the administration of the Service and the implementation of approved manpower programs.

Clause 11 states that the staff of the Service shall be employed under the *Public Service Act 1922*.

**PART IV: Advisory Committees**

Clause 13 provides for the establishment of a National Advisory Committee on the CES, whose function is to give advice to the Minister and the National Director on the operations of the Service. Clause 14 details the membership of the Committee, namely 4 members of the National Labour Consultative Council, two of whom were nominated by the National Employer's Policy Committee and two
by the ACTU or the CAGEO; a member nominated by the Department; and the National Director.

Clause 15 provides for the appointment by the Minister for Employment and Industrial Relations of one of the 6 members of the Committee other than the National Director, as Chairman. Clause 16 states that the Committee shall meet at least once each quarter.

Sub-clause 17(1) allows for the establishment by the Minister, after obtaining the advice of the National Labour Consultative Council, of a regional advisory Committee for a State or Territory to advise him or the National Director on the operations of the Service within that State or Territory.

Sub-clause 17(2) similarly allows for the establishment by the Minister, after obtaining the advice of the National Advisory Committee, of an advisory committee at the local level.

Clause 18 states that the Minister shall determine the membership of a regional or local committee.

Clause 21 states that members of the Advisory Committees are not entitled to remuneration, but are entitled to payment of travel allowance.

Clause 22 of the Bill provides that the National Director shall submit to the Minister, for the consideration of Parliament, an annual report on the operations of the Service over the past 12 months.