

From: Sascha Peldova-McClelland <sascha@actu.org.au>
Sent: Thursday, February 15, 2024 10:28 AM
To: Chambers - O'Neill DP <Chambers.O'Neill.DP@fwc.gov.au>
Subject: RE: AM2023/21 - Modern Awards Review - Work and Care Stream

OFFICIAL

Dear Associate,

Thank you for your reply.

The ACTU has also seen and considered the correspondence of the AI Group dated 12 February 2024.

We share some of the concerns in that correspondence, especially regarding the fact that parties will not have sufficient time to deal with the literature review in their written submissions. We also note that there is no timeframe for the publication of the survey results, and that it would be helpful if parties were able to address these results in either initial or reply submissions.

We support an alteration to the timetable to address these concerns, but AI Group's proposed timetable raises some concerns for us as some key affiliates would not be available during the proposed consultation period, and the need to minimise overlap with the Annual Wage Review as far as possible.

Accordingly, we would respectfully propose an alternate timetable for consideration as follows:

- Submissions due 19 March
- Submissions in reply due by 4 April
- Consultations to run in the weeks beginning 8 and 15 April, and to be finalised by 19 April.

If the survey results are not available by the time initial submissions are due, we would suggest a direction that parties can comment on the survey results in their reply submissions.

We understand that the timetable will be the subject of further discussions during the Mention on 21 February.

Kind regards,

Sascha Peldova-McClelland
Senior Legal & Industrial Officer

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We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

From: Chambers - O'Neill DP <Chambers.O'Neill.DP@fwc.gov.au>
Sent: Wednesday, February 14, 2024 5:32 PM
To: Sascha Peldova-McClelland <sascha@actu.org.au>
Subject: RE: AM2023/21 - Modern Awards Review - Work and Care Stream

OFFICIAL

Dear Ms Peldova-McClelland,

I refer to your email below.

Consultation dates

The Deputy President is on notice regarding the issues you have raised with the consultation dates and these will be addressed at the Mention on 21 February 2024.

Survey

As outlined in the [Full Bench statement](#) of 24 November 2023 and the Deputy President's [statement](#) of 29 January 2024, the Commission will soon conduct a survey of employers on workplace flexibilities. The survey will occur as part of the Commission's consultations for the work and care stream of the Modern Awards Review 2023-24.

The following topics are proposed to be canvassed in the survey:

- Working from home arrangements.
- Barriers to workplace flexibilities.

The survey questions have not been finalised as procurement of a third-party provider to prepare the survey questions and conduct the survey is underway but not concluded. The survey is intended to obtain qualitative rather than quantitative data and anticipated to involve discussions of a small number of questions with the survey participants. It will not be concluded prior to the Mention. Given that, the parties have an opportunity at the Mention to suggest any particular topics or questions they consider the survey should cover. Any such suggestions should align with modern awards and facilitate qualitative data collection.

I trust that clarifies your queries.

Kind Regards,

Claudia Fruscalzo

Associate to Deputy President O'Neill



Fair Work Commission

Australia's national workplace relations tribunal

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The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander people. We acknowledge their continuing connection to country and pay our respects to their Elders past, present and emerging.

This email was sent from Wurundjeri Woi Wurrung Country

From: Sascha Peldova-McClelland <sascha@actu.org.au>

Sent: Monday, February 12, 2024 11:58 AM

To: Chambers - O'Neill DP <Chambers.O'Neill.DP@fwc.gov.au>; Awards <Awards@fwc.gov.au>

Subject: FW: AM2023/21 - Modern Awards Review - Work and Care Stream

Dear Associate,

Intention to participate in consultation process and Mention

I refer to matter AM2023/21. The ACTU intends to participate in the consultation process for the Work and Care stream of the Modern Award Review 2023-24. I confirm that I will be in attendance for the ACTU at the Mention on 21 February 2024.

Consultation dates

Regarding consultation dates, we are aware that both 21 and 22 March pose difficulties for the ACTU and for multiple unions, who will not be able to attend due to pre-existing commitments. As one example, we note that the Making Awards Easier to Use stream has consultation dates on 21 and 22 March. We therefore respectfully request that the consultation dates of 21 and 22 March for the Work and Care Stream are vacated and relisted for a later time.

As to the desirability of additional consultation dates, the ACTU and unions note the number of consultation questions and the many issues raised in this Stream. We have some concerns that it may not be possible to cover all of the issues in four days. We respectfully request that the Commission list the matter for additional days, which can be utilised if required.

Survey

The ACTU notes the Commission has indicated that it will hear any submissions from interested parties on the survey of employers at the Mention. In order for parties to be able to provide submissions and feedback on the survey, the ACTU respectfully requests that prior to the Mention, the Commission provides some further information about the survey (eg draft content/questions).

Kind regards,

Sascha Peldova-McClelland
Senior Legal & Industrial Officer

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