



Australian
Higher
Education
Industrial
Association

13 September 2018

Vice President Hatcher
Fair Work Commission
80 William Street
East Sydney 2010

By email: amod@fwc.gov.au

Dear Vice President

**Re: 4 yearly review of modern awards – AM 2014/196 & AM 2014/197 –
Part time Employment & Casual Employment
Higher Education (General Staff) Award 2010 (MA 000007)**

We refer to the Decision of the Full Bench issued on 9 August 2018 ([2018] FWCFB 4695) and the submission filed by the National Tertiary Education (**NTEU**) on 6 September 2018 in relation to the Higher Education (General Staff) Award 2010 (MA000007) (**GS Award**). We seek leave to respond to the NTEU's submission.

As the NTEU notes, the GS Award was among the awards in respect of which variation to minimum engagement for casual staff was sought in Matter AM2014/197. The Full Bench considered written and oral evidence in relation to the GS Award as part of those proceedings, and determined that there should be no variation to the current provisions in the award: see the Full Bench decision of 5 July 2017 ([2017] FWCB 3541).

Accordingly, the issue of minimum engagement for casuals under the GS Award was not before the Full Bench in FWCB 4695, and in our view it is, with respect, not appropriate to reconsider the issue in these circumstances.

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