



IN THE FAIR WORK COMMISSION

Matter No: AM2015/01

Fair Work Act 2009

s.156 – 4 yearly review of modern awards

4 yearly review of modern awards – AM2015/1 Family & Domestic Violence Clause

Introduction

1. This submission in support is filed by the Pharmacy Guild of Australia (the “**Guild**”) in reply to the Fair Work Commission Amended Directions, 20 May 2016.
2. The variations sought to the *Pharmacy Industry Award 2010* (MA000012) (“**the PIA**”) are reasonably significant in application. In particular, the ACTU claim:
 - seeks the introduction of an entitlement for family and domestic violence.
3. Given the significance of the proposed changes, the ACTU needs to have supported its claim for the inclusion of a social issue to ensure it meets the requirements as outlined in section 134, section 139 and section 142 of the *Fair Work Act 2009*.
4. The Guild does not condone, support or tolerate unlawful violence or family violence or domestic violence in any form towards an individual.
5. The Guild does, in our respectful view, recognise that family and domestic violence does occur in the community and individuals who have been subjected to this type of event are directly effected in some fashion.
6. Family and domestic violence is recognised by the Commonwealth as a social issue and should be supported by the community through the introduction of the appropriate policy by the Government.
7. The Guild submits that employers already provide and fund substantial forms of leave for employees and employees can already access various form of paid or unpaid leave to deal with family and domestic violence situations.

Conclusion



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8. The Guild submits that the claim does not meet the threshold requirements for inclusion in the Modern Award nor set a fair and relevant minimum standard.
9. The Guild supports the Australian Chamber of Commerce and Industry submission findings that the ACTU claim for the inclusion of family and domestic violence leave into the Modern Awards should not be permitted.

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