



10 September 2018

FAMILY FRIENDLY WORKING ARRANGEMENTS SUBMISSION IN RESPONSE

AM2015/2

- 1 This submission is made following the Fair Work Commission (**'Commission'**) Full Bench directions of 30 August 2018.
- 2 In accordance in the Directions, parties are invited to file submissions in relation to:

“If the model term were amended in the manner contended by the Australian Industry Group and the Australian Chamber of Commerce and Industry, that is, to delete clauses X.7 and X.8 and it not extend the model term to the broader class of employees specified in clause X.3, then what should be the scope of the model term?

In particular, if the model term was amended in this way should it be confined to parents and carers only or be extended to all of the categories of employees set out in s.65(1A)?”
- 3 The Pharmacy Guild of Australia (**"Guild"**) does not oppose the provisional question proposed in the directions regarding the deletion clauses X.7 and X.8 and not extending the model clause to the broader class of employees as specified in clause X.3 as submitted by Australian Industry Group and the Australian Chamber of Commerce and Industry.
- 4 The Guild has formed the view that is no cogent reason why the provision should not extend to all the categories of employees set out in s65(1A) if the obligation to confer and provide refusal reasons as referenced in s65(5A) is contained in the model clause.
- 5 The Guild does have a minor concern about the increased regulatory burden placed on small business to meet this provisional obligation in regards to providing a written response when refusing an employee's request for family friendly working arrangements.

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