



REPORT

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

Family Friendly Work Arrangements (AM2015/2)

JUSTICE ROSS, PRESIDENT

SYDNEY, 22 JUNE 2018

4 yearly review of modern awards – family friendly work arrangements - provisional model term.

[1] In a Decision issued 26 March 2018 (the March 2018 Decision)¹ a Full Bench rejected the Australian Council of Trade Union's (ACTU) claim seeking a variation of all modern awards to include an entitlement to part-time work or reduced hours for employees with parenting or caring responsibilities.

[2] The Commission issued a Statement² on 3 May 2018 attaching a draft model term and inviting submissions on whether the draft model term accurately reflected the outcome of the March 2018 Decision.

[3] Submissions were received from:

- Australian Chamber of Commerce and Industry (ACCI);
- Australian Council of Trade Unions (ACTU);
- Australian Industry Group (Ai Group);
- G Schuster (an individual);
- National Farmers' Federation (NFF);
- National Road Transport Association (NatRoad);
- Pharmacy Guild of Australia (the Pharmacy Guild); and
- The FlexAgility Group.

[4] A Mention was held in relation to this matter on 21 June 2018. A transcript³ is available on the 4 yearly review section of the Commission website. The following parties attended the mention:

- Ai Group;
- Australian Chamber of Commerce and Industry;
- Australian Council of Trade Unions;
- NatRoad; and
- The National Farmers' Federation.

¹ [\[2018\] FWCFB 1692](#) at [412].

² [\[2018\] FWCFB 2443](#)

³ [Transcript](#) 21 June 2018

[5] At the mention, there was general agreement as to the following matters:

1. ACCI and Ai Group are to discuss a range of issues with a number of other employer organisations with a view to reaching a common position which may obviate the need for an extensive debate about jurisdiction. Following the discussion amongst the various employer organisations, they will confer with the ACTU.
2. ACCI and Ai Group are to facilitate the preparation of a joint report regarding the outcome of the discussions.
3. The joint report is to be filed (to amod@fwc.gov.au) by no later than **4pm Monday, 16 July 2018**.
4. A further mention will be held on **Thursday 19 July 2018 at 9:30am**. A Notice of Listing will be issued in due course.
5. Liberty to apply.

PRESIDENT

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