



Fair Work Commission
Award Modernisation Team
By E-mail: amod@fwc.gov.au

30 June 2016

Re: Four yearly review of modern awards – multiple modern award coverage

We refer to the President's Statement [2016] FWC 3531 issued on 31 May inviting response to the EY Sweeney report titled "Multiple modern award coverage and the utility of majority clauses".

Having considered the report and the feedback from our constituents, we are of the view that there is little value in continuing to explore the issue of multiple modern award coverage and the utility of majority clauses in the course of this four yearly review of modern awards. Certainly, the report provides absolutely no basis upon which the Commission could conclude that the inclusion of majority clauses in modern awards was "necessary" in the sense in which the word is used in section 138 of the *Fair Work Act*. Rather, the contents of the report (inclusive of its elevation of the observation "Solution for a problem that may not exist" to the status of subheading) point strongly in the opposite direction, in our respectful view.

Yours faithfully,

Handwritten signature of Trevor Clarke.

Trevor Clarke
Director, Industrial & Legal
Australian Council of Trade
Unions

Handwritten signature of Richard Calver.

Richard Calver
Director, Workplace
Relations
Australian Chamber of
Commerce and Industry

Handwritten signature of Stephen Smith.

Stephen Smith
Head of National Workplace
Relations Policy
Ai Group