



STATEMENT

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2019–20 (C2020/1)

JUSTICE ROSS, PRESIDENT

MELBOURNE, 23 MARCH 2020

TIMETABLE VARIATION

[1] The current timetable for the Annual Wage Review 2019–20 (2019–20 Review) is set out below:

Date	Event
27 MARCH 2020	Closing date for lodging submissions
9 April 2020	Closing date for lodging reply submissions and any submissions relating to data published after 13 March 2020
10 April–13 April 2020	Easter Break
5 May 2020	Closing date for expressions of interest in taking part in the final consultations
15 May 2020*	Closing date for lodging supplementary submissions limited to matters arising from the Budget
19 May–20 May 2020	Final consultations in Melbourne (19 May 2020) and Sydney (20 May 2020)

*This date has been set on the assumption that the Budget for 2020–21 will be handed down on the second Tuesday of May, 12 May 2020, consistent with usual practice.

[2] As noted above, the timetable has been set on the assumption that the 2020–21 Commonwealth Budget will be handed down in May. That is no longer the case.

[3] Further, responding to the consequences of the COVID-19 pandemic is drawing heavily on the resources of each party. In these circumstances, the 2019–20 Review will be varied as follows:

- reply submissions from 9 April 2020 to 23 April 2020;
- final consultations scheduled for May will not proceed; and
- Questions on notice for parties will be published by 3 April 2020.

[4] Further changes to the timetable will be necessary to provide parties with an opportunity to comment on a rapidly changing environment and relevant economic data as it emerges.

[5] We note the [submission](#) from the Australian Industry Group (Ai Group) that ‘there is obvious merit in the Commission delaying the *Annual Wage Review 2019–20 Decision* until the Q1 2020 *National Accounts* statistics have been released by the ABS on 3 June and properly considered.’¹ Ai Group have proposed the following:

- that the timetable for the 2019–20 Review should be amended to allow all interested parties to file a further written submission by Monday 8 June 2020 following the release of the March quarter 2020 National Accounts on 3 June 2020;
- that the Expert Panel should not hand down the 2019–20 Review decision until the March quarter 2020 National Accounts and the proposed 8 June 2020 round of submissions have been considered; and
- ‘exceptional circumstances’, for the purposes of ss.286(2) and 287(4) of the *Fair Work Act 2009* (Cth), justify an operative date of 15 July 2020 this year (i.e. a delayed operative date of two weeks).²

[6] The Australian Retailers Association and the South Australian Wine Industry Association Incorporated also recommend deferring any decision until after the release of the March quarter 2020 National Accounts.³

[7] In order to provide certainty to the parties, the Expert Panel wishes to settle the arrangements related to the timetable as soon as practicable. To that end, parties are asked to file a short submission setting out their response to the Ai Group proposal and other views that they have in relation to the timetable for the 2019–20 Review.

[8] Short submissions in relation to the timetable are to be filed electronically at awr@fwc.gov.au by **4pm Wednesday 1 April 2020**.

PRESIDENT

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¹ Ai Group submission, 16 March 2020 at p. 3.

² Ai Group submission, 16 March 2020 at pp. 3–4.

³ ARA submission, 20 March 2020 at p. 4; SAWIA submission, 20 March 2020 at p. 7.