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Annual Wage Review 2022-23

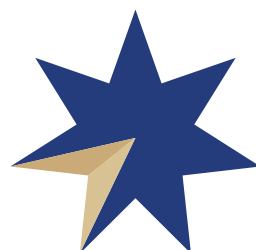
Fair Work Commission

Draft Timetable

Statement [2022] FWC
2756

ACCI Submission

25 October 2022



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DRAFT TIMETABLE — ANNUAL WAGE REVIEW 2022-23

1. ACCI welcomes the opportunity to respond to the draft timetable for the Annual Wage Review 2022-23 published by the Fair Work Commission (**Commission**).
2. On 23 March 2020, the Commission published Statement [2020] FWC 1544 which sought the views of interested parties on a proposal to vary the timetable for the Annual Wage Review 2019-20 to delay the final decision of the review. The purpose was to allow for submissions in response to the March quarter National Accounts statistics released by the ABS because of the volatile and unpredictable circumstances presented by the outbreak of the COVID-19 pandemic.
3. In a letter to the President of the Commission on 1 April 2020, ACCI responded to the proposal in the following terms (emphasis added):

ACCI does not oppose such this approach, recalling **however that in more usual circumstances it remains important, as the Panel has previously recognised, that there be a due period of notice prior to the commencement of any increase.**
4. The Australian economy continues to face significant challenges over the short and medium term which should encourage caution in decision-making, as we will address throughout the forthcoming review. However, relative to the extent of uncertainty that beset the economy during the last three reviews, those “more usual circumstances” have now returned for the purposes of timetabling.
5. Accordingly, the Commission should now strive to return to providing a longer period of notice after the annual wage review decision prior to any annual wage review determinations varying modern awards and national minimum wage orders coming into operation under sections 286 and 287 of the *Fair Work Act 2009* (Cth) (**FW Act**) respectively. As Statement [2022] FWC 2756 notes, this course of action provides businesses affected by the Commission’s decision with critical time to implement payroll changes.
6. Additionally, as Statement [2022] FWC 2756 also notes, this longer period will provide more time for interested parties to respond to published draft award determinations. ACCI considers this process highly important. At no fault of the Commission or any participating party, the extended timetable for the Annual Wage Review 2021-22 unavoidably restricted the timeframe in which interested parties were able to reply to a submission in response to the draft determinations regarding modern award wage increases to apprentice and trainee rates. Similar circumstances should be avoided in the Annual Wage Review 2022-23 if possible.
7. The timetable for the Annual Wage Review 2022-23 should reflect that of annual wage reviews prior to the COVID-19 pandemic. The final opportunity for interested parties to express views to the Commission prior to the handing down of the decision should be during final consultations occurring in mid-May 2023. This would allow the Commission to finalise its decision by early June 2023 and responses to draft determinations to be lodged by mid-June, weeks prior to the earliest date any awarded changes to modern award and minimum wages can take effect.

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