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**Fair Work Commission**  
Australia's national workplace relations tribunal

## COVID-19 response and award applications

The Fair Work Commission's ongoing focus is to ensure continued service provision to employees, employers and their representatives during the COVID-19 pandemic.

The Commission has published a [statement](#) that sets out how it is responding to the COVID-19 pandemic.

We have introduced measures to limit social interactions, to keep our workforce safe and to ensure the continuity of our services. This includes [closing our counters and no longer accepting applications in person or by post](#).

The Commission has established a dedicated email inbox ([COVID19Applications@fwc.gov.au](mailto:COVID19Applications@fwc.gov.au)) and workflows to deal with urgent applications related to the COVID-19 pandemic.

## Current application to vary a modern award

### Restaurant Industry Award 2010

An [application to vary the Restaurant Award](#) was received on 30 March 2020. The application seeks to include a new schedule in the Restaurant Award that provides for flexibility similar to the new schedules in the Clerks Award and Hospitality Award, as discussed below.

In a [statement issued on 30 March 2020](#), a Full Bench of the Commission expressed the provisional view that the variation of the Restaurant Award in the terms proposed is necessary to meet the modern awards objective. Any submission supporting or opposing the Restaurant Award application and the provisional views set out above were due by 4pm today, Tuesday, 31 March 2020.

If any submissions are filed opposing the Restaurant Award application and the Full Bench's provisional views, then a hearing will take place at **10am on Wednesday, 1 April 2020, by**

**telephone.** In the event that no submissions are filed opposing the provisional view then the hearing proposed for the morning of Wednesday, 1 April 2020 will be vacated.

## Recent significant decisions to vary modern awards

### Clerks – Private Sector Award 2010

On 28 March 2020, the Fair Work Commission granted a [joint application and varied the Clerks Award](#) to include a new schedule that provides more flexibility to work at home, the range of duties an employee can perform, take leave and reduce hours. The resulting variations to the Clerks Award will operate until 30 June 2020, unless extended.

Under the new [Schedule I – Award flexibility during the COVID-19 pandemic](#):

"An employer and the full-time and part-time employees in a workplace or section of a workplace, may agree to temporarily reduce ordinary hours of work for the employees in the workplace or section for a specified period while Schedule I is in operation."

"At least 75% of the full-time and part-time employees in the relevant workplace or section must approve any agreement to temporarily reduce ordinary hours."

Employers proposing to conduct a vote under the schedule should consult [advice on the Commission's website](#) to ensure they take the appropriate steps required.

### Hospitality Industry (General) Award 2010

A Full Bench made similar changes to the Hospitality Award in a [decision issued on 25 March 2020](#) due to the impacts of COVID-19.

The resulting variations to the Hospitality Award will operate until 30 June 2020, unless extended.

## Find out more

We will continue to update the [Coronavirus \(COVID-19\) updates & advice](#) page on our website with information about specific application types and changes to our operations in response to COVID-19.

To find out more about measures taken to restrict gatherings and non-essential business, and support for businesses, please read the latest [Information note – Government responses to COVID-19 pandemic \(PDF\)](#).

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