

## Modern Awards Review 2023-24 Work and Care Survey

### Proposed survey research questions for comment

As set out Deputy President O'Neill's [Statement of 8 March 2024](#), submissions in response to the proposed survey questions are due **by no later than 12:00PM, Friday 12 April 2024**.

All correspondence and submissions should be emailed to [awards@fwc.gov.au](mailto:awards@fwc.gov.au).

#### Context

The Fair Work Commission has procured a qualitative survey of employers on workplace flexibilities to balance work and care. Topics include what flexibilities are currently available to employees and may be facilitated by modern awards. The survey will also identify any barriers in modern awards to employers implementing those flexibilities, and any barriers to use and access.

This qualitative survey has been commissioned as part of the Modern Awards Review 2023-24, which consists of a wider range of activities including research and discussion papers, written submissions, consultations and reports.

#### Methods – Qualitative survey

The qualitative survey will consist of 45 interviews with senior decision makers (business owners, managers, HR professionals) within organisations, aiming at those with a knowledge of industrial instruments used to set employment conditions. The survey will target interviews across a range of industries and business sizes.

#### Proposed research Questions

Research questions	Sub-questions
1. <b>What workplace flexibilities are available to employees, including to employees with care responsibilities?</b>	<ul style="list-style-type: none"> <li>a.) What workplace flexibilities are available to employees?</li> <li>b.) Do the workplace flexibilities available vary by employment type (full-time, part-time, casual)?</li> <li>c.) Do the workplace flexibilities available vary by work undertaken or role?</li> <li>d.) What work from home arrangements are available?</li> </ul>
2. <b>What workplace flexibilities are currently used by employees?</b>	<ul style="list-style-type: none"> <li>a.) How common is it for employees to have flexible working arrangements?</li> <li>b.) What workplace flexibilities are requested by employees?</li> <li>c.) What are the reasons for requesting flexible working arrangements?</li> </ul>
3. <b>What are the operational considerations for accommodating workplace flexibilities?</b>	<ul style="list-style-type: none"> <li>a.) How are requests for flexible working arrangements processed or evaluated in your organisation? (Including discussion of tenure, employment type, performance etc.)</li> <li>b.) What criteria is used to assess whether the business can accommodate flexible working arrangements?</li> </ul>



	<p>c.) What proportion of requests for flexible working arrangements are approved? In cases where employees with caring responsibilities request flexible working arrangements are denied, what are the primary reasons for refusal?</p> <p>d.) What have been the typical outcomes when employees with caring responsibilities in the business have encountered, but not met operational requirements for approval of flexible workplace arrangements?</p>
<p><b>4. What are the impacts and use of industrial instruments and relevant clauses to enable or dissuade workplace flexibilities?</b></p>	<p>a.) What instrument or instruments are used to set employment conditions for your employees (e.g. modern awards, workplace bargaining or enterprise agreements, individual flexibility arrangements, etc.)? Does this vary between roles or between areas of your organisation?</p> <p>b.) What provisions in the applicable industrial instrument allow for workplace flexibilities? <i>(Including discussion of Section 65 Fair Work Act, individual flexibility arrangements, modern award facilitative provisions)</i></p> <p>c.) Are there provisions in the applicable industrial instrument that impact implementation of workplace flexibilities?</p>
<p><b>5. How can modern awards be amended to enable your business to provide greater flexibilities to employees with caring responsibilities?</b></p>	<p>a.) Are there changes that could be made to the relevant workplace instrument(s) to make it easier for employers to approve flexible working arrangements to assist employees to balance work and caring responsibilities?</p>

#### Provider – Social Research Centre

The Social Research Centre has been commissioned by the Fair Work Commission to lead on the qualitative survey. The Social Research Centre will be conducting interviews and synthesising the insights from the qualitative survey and delivering these in an evidence report to the Fair Work Commission. Owned by the Australian National University (ANU), the Social Research Centre is a leading supplier of research and evaluation services to the Australian Government, and has an established track record, and well-earned reputation, as one of Australia's pre-eminent social research organisations. The Social Research Centre has partnered with The Online Research Unit, an agency with large and robust business and consumer panels, from which interview participants will be recruited.