



19<sup>th</sup> of July 2017

The Honourable Justice Iain Ross AO  
President  
Fair Work Commission  
Melbourne  
By email

Cc: APSC Commissioner , ACTU Industrial Officer Sophie Ismail

Your Honor,

**Re: Family and Domestic Violence and Family Friendly Work Arrangements**

We are writing in relation to the decision of the Full Bench regarding the Family and Domestic Violence Leave Clause as part of the 4 yearly review of modern awards ([2017] FWCFB 3494).

We understand that the decision is intended to affect all modern awards. Since the 4 year review began, the Commission has made a new modern industry award which the CPSU has a major interest in. The Australian Government Industry Award 2016 was made on 15 August 2016 (PR581996). That award has not explicitly been part of the proceedings to date as the award was made after the process started.

The CPSU is seeking clarity about whether the Australian Government Industry Award 2016 should be subject to the current proceedings or whether other arrangements will have to be made. The CPSU considers that, as the Bench has made an in principle decision only at this stage of the proceedings, it would be appropriate to formally join that award to the current proceedings.

In addition to the Australian Government Industry Award 2016, the CPSU has an interest in several modern enterprise awards which have also been made since the 4 yearly review started. The most notable of these modern enterprise awards are the Australian Public Service Enterprise Award 2015. A list of other modern enterprise awards which the union has an interest is attached (Attachment A).

The CPSU is unaware of any proceedings dealing directly with how modern enterprise awards are to be affected by the Family and Domestic Violence Leave decision or other decisions of the Commission during the current review. We seek your views on how the Commission intends to deal with modern enterprise awards in the review process.

It would be appreciated if the Commission could add the CPSU to the list of interested persons for future proceedings in relation to Family and Domestic Violence Leave. We also intend to attend the hearing of the Commission in relation to this matter to be held this Friday the 21<sup>st</sup> of July. We have sent a copy of this correspondence to the Australian Public Service Commission.

Yours sincerely

Lindsay Benfell

**Senior Industrial Officer**

## Attachment A

List of modern enterprise awards that the CPSU has an interest in.

- Airservices Australia Enterprise Award 2016 [MA000141]
- Australia Post Enterprise Award 2015 [MA000137]
- Australian Broadcasting Corporation Enterprise Award 2016 [MA000147]
- Australian Bureau of Statistics (Interviewers) Enterprise Award 2016 [MA000143]
- Australian Capital Territory Public Sector Enterprise Award 2016 [MA000146]
- Australian Federal Police Enterprise Award 2016 [MA000142]
- Australian Nuclear Science and Technology Organisation (ANSTO) Enterprise Award 2016 [MA000144]
- Australian Public Service Enterprise Award 2015 [MA000124]
- CSIRO Enterprise Award 2016 [MA000148]
- Northern Territory Public Sector Enterprise Award 2016 [MA000151]
- Parliamentary Departments Staff Enterprise Award 2016 [MA000145]
- Telstra Award 2015 [MA000123]