

Confidential

27 November 2019

Email

Four Yearly Review of Modern Awards
Fair Work Commission
amod@fwc.gov.au

Dear Madam/Sir

Submission in relation to Exposure Drafts of the Higher Education Industry Awards

1. We act for the Group of Eight universities. We refer to the Decision and Directions in [2019] FWCFB 6861 in relation to the finalisation of the exposure drafts of the Tranche 2 awards, which relevantly include the Higher Education Industry – General Staff – Award (**General Staff Award**) and the Higher Education Industry – Academic Staff – Award.
2. At [7] of the Decision, the Full Bench invited interested parties to comment on the Full Bench's provisional view and the Tranche 2 exposure drafts, and to file such submissions by 25 November 2019. These comments are filed in accordance with this direction.
3. For clarity, our client draws two matters to the Full Bench's attention, as set out below.
4. Outcome for Casuals – in relation to the note at clause 12 and 22 of the General Staff Award, and the rates of pay for casual staff in Schedule B, our client has made submissions to the Casual Full Bench on reflecting an agreed position of the parties. We understand that those submissions will be considered by the Casual Full Bench, which would result in some changes to those exposure draft clauses.
5. Casual conversion – in relation to the note at clause 12.4 of the General Staff Award that the casual conversion clause had been referred to the Plain Language Full Bench, we note that in [2019] FWCFB 7062, the Plain Language Full Bench decided that pre-existing casual conversion clauses (including in the General Staff Award) would not be redrafted. As such, we understand that this clause will remain unchanged.
6. If you have any queries regarding this letter, please do not hesitate to contact us.

Yours sincerely



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