



The Pharmacy
Guild of Australia

6 April 2017

Senate Education and Employment Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

SUBMISSION: FAIR WORK AMENDMENT (REPEAL OF 4 YEARLY REVIEWS AND OTHER MEASURES) BILL 2017

On behalf of The Pharmacy Guild of Australia (the 'Guild'), I am pleased to provide this submission to the Education and Employment Legislation Committee on the *Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Bill 2017*. This submission outlines the Guild's support of the *Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Bill 2017* and in particular, the Guild's support for the removal of the s156(1) and s156(2) of the *Fair Work Act 2009* (the '**Act**') obligations that the Fair Work Commission is required to conduct a review starting as soon as possible after each 4th anniversary of the commencement of the Act.

The 4 yearly review process has not contributed to providing a stable modern award system. It has given rise to sustained uncertainty about what is, might or should be, in the Pharmacy Industry Award and has provided a constant and significant drain on all involved parties' resources.

The review process was to investigate whether a particular award met the modern award objectives and provided a 'fair and relevant safety net'. We believe the process has not delivered the mooted outcomes in an objective and balanced manner for all parties' involved. We believe the current process cannot continue indefinitely and needs to be finalised. We are proposing that the current process be finalised by 30 June 2018. At this time, a party can apply to the Commission to vary an Award under s157.

The Guild supports the proposed changes intended for enterprise bargaining to allow the Commission to overlook or amend (where necessary) technical or procedural errors made in making of an agreement which would prevent the Commission from approving the agreement when the Commission is satisfied that the errors are not likely to impose any disadvantage to the parties covered by the agreement, and who have genuinely agreed to the agreement.

The Guild's recommendation to the Education and Employment Legislation Committee is to endorse the *Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Bill 2017*. The Guild would be pleased to add to this submission verbally, if required by the Education and Employment Committee.

Yours sincerely

David Quilty
Executive Director



National Secretariat