



The Senate Education and Employment Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600
By email: eec.sen@aph.gov.au

13 April 2023

Re: Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023

I write in response to the request for submissions to the Senate Education and Employment Legislation Committee (Committee) into its inquiry into the Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023 [Provisions].

National Electrical and Communications Association (NECA) are pleased to provide input into the Committee's inquiry into the provisions of the Fair Work Legislation Amendment (Protecting Worker Entitlements), and offer our feedback and suggestions.

NECA is the peak body for Australia's electrical and communications industry, which employs 340,370 people and turns over more than \$82bn annually.

NECA represents more than 6,500 member businesses performing works including the design, installation, and maintenance of electrical and electronic equipment in the construction, mining, air conditioning, refrigeration, manufacturing, communications, and renewables sectors.

We note that many of the NECA members and stakeholders are highly engaged in this space, and the eventual form will significantly affect NECA members' activities regarding the matters contained within the Bill.

In our opinion many of the amendments are uncontroversial and are not opposed by the NECA. As such we would not oppose the schedules as detailed in the legislation.

For clarity we note that regarding the section for the Protection of Migrant Workers clarifies where a contract is held to be invalid under migration law, the provisions of the Fair work Act continue to apply.

We see this as not only protecting migrant workers but also deterring employers from breaching minimum employment standards and assist compliant employers.

Regarding unpaid Parental Leave we note additional flexibility is being provided and to increase female participation in our sector is applauded.

Within the electrotechnology sector we note that predominately the subcontractor are small businesses with limited in-house human resources or flexible workforces.

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We would recommend the committee turn its attention to how to address workforce and employee shortfalls for such companies and review for smaller enterprises to allow more flexible arrangements to ensure the employer and employee can provide both parties more defined periods for the unpaid leave periods.

Schedule 3 regarding Superannuation is supported by the NECA as we accept that it allows for enforcement provisions, we note that our members and employers in the electrotechnology sector are well versed on their obligations and as employers of choice are compliant with these obligations.

In regard to Employee Authorised deductions the NECA would wish to note that the proposal would allow authorised deductions to be escalated without the express permission of the employee.

NECA would emphasise that should this provision be supported there must be a legal requirement for the entities withdrawing the fees, such as Health Insurance providers or other service providers to advise the employee and employer at least 3 months prior to introducing the increased fee.

Should you wish to discuss any matter relating to the submission, please contact NECA's Head of Government Relations and Regulatory Affairs, Kent Johns,

Yours sincerely

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