



# ORDER

*Fair Work Act 2009*

s.216AA - Application by an employer for approval of a variation of a supported bargaining agreement to add employer and employees

*Fair Work Commission Rules 2024*

Application for directions on procedure

## **Cowes Primary School T/A Phillip Island Early Learning Centre**

(ADM2025/1)

DEPUTY PRESIDENT HAMPTON

ADELAIDE, 16 JANUARY 2025

*Order for substituted/modified service of applications for variations of the Early Childhood Education and Care Multi-Employer Agreement 2024-2026 to add employers.*

A. Pursuant to s.609 of the *Fair Work Act 2009* (Cth) (**Act**) and rules 7 and 8 of the *Fair Work Commission Rules 2024* (**Rules**), the Commission orders that:

- [1] The service of the F23D and F23DA forms by the Applicant and any other employer applying to be added to the *Early Childhood Education and Care Multi-Employer Agreement 2024-2026* (**Agreement**) otherwise required by the Rules is dispensed with and it will be sufficient service if copies of the forms are sent by email addressed to:

<b>Organisation:</b>	<b>Email address/es:</b>
Community Child Care Association	<a href="mailto:laurastevens@cela.org.au">laurastevens@cela.org.au</a>
Community Early Learning Australia	<a href="mailto:laurastevens@cela.org.au">laurastevens@cela.org.au</a>
Australian Childcare Alliance	<a href="mailto:paul@mondocorp.com.au">paul@mondocorp.com.au</a> ; <a href="mailto:Nigel.Ward@ablawyers.com.au">Nigel.Ward@ablawyers.com.au</a>
United Workers' Union	<a href="mailto:ecec-agreements@unitedworkers.org.au">ecec-agreements@unitedworkers.org.au</a> ; <a href="mailto:larissa.harrison@unitedworkers.org.au">larissa.harrison@unitedworkers.org.au</a>
Australian Education Union	<a href="mailto:Cara.Nightingale@aeuvic.asn.au">Cara.Nightingale@aeuvic.asn.au</a>
Independent Education Union	<a href="mailto:michaela@ieu.asn.au">michaela@ieu.asn.au</a>

- [2] The Applicant and any other employer applying to be added to the Agreement must provide a copy of the F23D and F23DA form upon request by an employer covered by the Agreement.
- [3] Subject to clause 4 herein, a notice must be issued to each employer currently covered by the Agreement, and to any new employer who is added to the Agreement in the future, that reads as follows:

To whom this may concern,

You are an employer covered by the Early Childhood Education and Care Multi-Employer Agreement 2024-2026. Certain employers and their employees in the early childhood education and care sector can join the coverage of this agreement. To join the agreement, a variation must be made and then approved by the Fair Work Commission.

When an employer applies to the Commission to approve a variation, their details will be added to the ‘variations in progress’ section on the Commission’s dedicated webpage for this Agreement – see here: <https://www.fwc.gov.au/hearings-decisions/major-cases/early-childhood-education-and-care-supported-bargaining-agreement>

If you would like to view a copy of an employer’s variation application, you can contact them and request that they provide you with a copy.

[4] Once the notice in clause [3] of the order has been issued to a relevant employer by any applicant in relation to any relevant application, the notice need not be issued to that employer for subsequent matters.

B. Subject to further order of the Commission, this order will apply to any current or future applications to vary the Agreement made under s.216AA of the Act



DEPUTY PRESIDENT

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