



STATEMENT

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective
s 576(2)(aa)—Promoting cooperative and productive workplace relations and preventing
disputes

Modern Awards Review 2023-24

(AM2023/21)

DEPUTY PRESIDENT O'NEILL

MELBOURNE, 31 MAY 2024

Modern Awards Review 2023-24 – work and care survey of employers report published

[1] As part of the Modern Awards Review 2023-24 (the Review), the Full Bench announced in a statement on 24 November 2023¹ that a survey of employers would be conducted to support the research and consultation for the work and care stream of the Review.

[2] In consulting interested parties about the conduct of the employer survey, I invited interested parties to provide oral submissions to inform the survey at a mention and directions hearing on 21 February 2024.² I also invited interested parties to propose topics or questions for inclusion in the survey in writing by 23 February 2024.³

[3] On 5 April 2024, the Commission released the proposed survey questions for comment. Responses to the survey questions were received from Carers NSW,⁴ the ACTU⁵ and Ai Group.⁶

[4] Carers NSW submitted that there is ongoing conflation of parents and carers within the employment context and that the survey should investigate the different approaches to flexibility requests made by parents as compared to carers defined by the *Carer Recognition Act 2010 (Cth)*. The ACTU proposed a number of additional questions be added to the survey to explore employees' awareness of workplace flexibilities and the types of workplaces flexibilities being approved by employers, as well as to reframe some of the questions to clarify workplace flexibilities as distinct from flexible working arrangements. Ai Group contended that the reference to workplace flexibilities in the survey was unclear and that the survey questions would benefit from some overarching guidance and context provided to employers participating in the survey.

[5] These submissions were provided to the Social Research Centre (SRC) who considered them in the design of the survey.

[6] The survey was conducted between April and May 2024 by SRC, who facilitated 45 interviews with employers across a wide range of industries and business sizes.

[7] I have now received the outcomes of the survey via a report prepared by the SRC: *Modern Awards Review 2023-4 Work and Care Survey Report*. The report will be published on the [Modern Awards Review 2023-24, Work and Care](#) page of the Commission's website along with this statement.

[8] The release of the report completes the consultation phase of the work and care stream.

[9] All correspondence regarding the Review should be directed to awards@fwc.gov.au and will be published on our website.



DEPUTY PRESIDENT

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¹ [\[2023\] FWCFB 218](#).

² [\[2024\] FWC 213](#) at [5].

³ [\[2024\] FWC 476](#) at [2].

⁴ [Submissions](#) of Carers NSW Australia, 12 April 2024.

⁵ [Submissions](#) of the ACTU, 12 April 2024.

⁶ [Submissions](#) of Ai Group, 14 April 2024.