



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: ELC:JvdPns290822

29 August 2022

Justice Iain Ross AO
President
Fair Work Commission
PO Box 1994
Melbourne VIC 3001

By email: chambers.ross.j@fwc.gov.au

Dear President Ross,

Consultation: New enterprise agreements statistical reports

Thank you for the opportunity to provide feedback in relation to the Fair Work Commission's ("Commission") proposed enterprise agreements statistical reports ("the Reports"). The Law Society's Employment Law Committee has contributed to this submission.

The Law Society welcomes the introduction of the Reports, which will provide the public with valuable access to real time wage information in enterprise agreement applications. In our view, this information complements other published information, such as the Department of Employment and Workplace Relations quarterly reports entitled *Trends in Federal Enterprise Bargaining*, which together provide a holistic overview of wage and other information in enterprise agreements at both the application and approval stage.

We also support the inclusion of the section of the Reports headed "Data definitions", and the accompanying *Information note*, which give clarity and transparency to the methodology utilised in formulating the Reports.

In addition to the information currently included in the Reports, we suggest consideration be given to also including information regarding applications to terminate enterprise agreements. This information would, in our view, provide a more complete snapshot of short-term trends regarding enterprise agreement applications, and offer a valuable insight for interested parties, including the legal profession. It also provides relevant context to assist interested parties in interpreting and understanding the other contemporaneous data in the Reports.

If you wish to discuss these issues or require further information, please contact Nathan Saad, Policy Lawyer, on (02) 9926 0285 or email nathan.saad@lawsociety.com.au.

Yours sincerely,

Joanne van der Plaats
President