

From: "DEWR - DLO Burke"
Sent: 14/09/2022 7:01:28 AM
To: "DEWR - Parliamentary" s. 47E(d)
Cc: s. 22(1)(a)(ii)

"DEWR - DLO Burke"

s. 47E(d)

Subject: WR: [Mark up] - DEP | A workers perspective- How EBAs are negotiated | RAFFWU | s. 47F(1) SEC=OFFICIAL]
Attachments: C20218447-8_s. 47F(1) Decision-FINAL-1September202225957619da66f555-2b8d-4f32-b572-8510c5bc03016325ac7e-f198-44d5-8a8c-629c75a40373.pdf
Categories: s. 22(1)(a)(ii)

OFFICIAL					
Responsible Minister	Minister Burke				
Subject	DEP Expired EBA- Safety clauses - FWC decision attached RAFFWU s. 47F(1) – delegate, applicant				
Response to	s. 47F(1)				
Referral from					
Responsible Area	Safety and Industry Policy				
Timeframe	15 business days				
Drafting Instructions	<table border="1"> <tr> <td>Ministerial Coversheet</td> <td>NA</td> </tr> <tr> <td>Meeting request</td> <td>NA</td> </tr> </table>	Ministerial Coversheet	NA	Meeting request	NA
Ministerial Coversheet	NA				
Meeting request	NA				
Related PDRs	NIL				

From: s. 47F(1)
Sent: Thursday, 8 September 2022 11:54 AM
To: Burke, Tony (MP) <Tony.Burke.MP@aph.gov.au>
Subject: A workers perspective- How EBAs are negotiated.

Dear Tony,

I am requesting an immediate change on how EBA are negotiated.

Why?

Myself and a colleague recently had a case before the Fair Work Commission with our employer. See attached findings.

We are worried the clauses to protect us in our now expired EBA might be negotiated away or significantly eroded.

All we want is a fair and equal seat at the table. This is not occurring with our current negotiations.

All Employees deserve full transparency and no back door deals.

There is no excuse from employers with modern technology where it is today for this not to occur.

Thank you for your time and consideration.

Kind regards,
s. 47F(1)

From: "noreply@pws.gov.au" <noreply@pws.gov.au>
Sent: 20/12/2022 4:35:09 PM
To: s. 47F(1)
Subject: Reply from the Department of Employment and Workplace Relations
[SEC=OFFICIAL]
Attachments: MC22-038935.pdf

SEC=OFFICIAL

Please find attached a reply to your correspondence.

Yours sincerely

Department of Employment and Workplace Relations
Australian Government

Note: Do not reply to this email as this is an unmonitored inbox.

SEC=OFFICIAL



Australian Government
**Department of Employment
and Workplace Relations**

Document 2

Our Ref MC22-038935

s. 47F(1)

Dear s. 47F(1)

Thank you for your email of 8 September 2022 to the Hon Tony Burke MP, Minister for Employment and Workplace Relations, regarding enterprise bargaining. The Minister has asked me to reply on his behalf, and I appreciate your patience while your email was considered.

Enterprise bargaining under the *Fair Work Act 2009* (Fair Work Act) must be conducted fairly and efficiently. Bargaining representatives are required to act in an appropriate and productive manner by engaging in good faith bargaining. The good faith bargaining requirements in the Fair Work Act promote purposeful and meaningful communication between all parties, to ensure the views of bargaining representatives are considered.

Where a bargaining representative has concerns that good faith bargaining obligations are not being met, they may apply to the Fair Work Commission for assistance and bargaining orders. Further information about bargaining orders can be found on the Fair Work Commission's website (<https://www.fwc.gov.au/bargaining-orders>).

The Fair Work Act also requires employers and unions or employer organisations that are bargaining representatives for a proposed enterprise agreement to disclose certain financial benefits that they, or a person or body reasonably connected with them, may derive from the proposed agreement. Employees must have access to the disclosed information before they vote on the proposed agreement. This is intended to promote transparency during bargaining.

Further information on enterprise bargaining, and recent changes introduced by the Government's *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022* can be found on the Department of Employment and Workplace Relations website (<https://www.dewr.gov.au/secure-jobs-better-pay>).

I trust this information is of assistance to you.

Yours sincerely
s. 22(1)(a)(ii)

Bargaining and Industry Policy Branch
20 December 2022