

31 January 2025

Vice President Gibian, Deputy President Dobson, Deputy President Butler
Fair Work Commission
Level 10, Terrace Tower,
80 William Street
East Sydney NSW 2011

Via email: chambers.gibian.vp@fwc.gov.au

Dear Fair Work Commission

Clubs Australia welcomes the opportunity to comment on the draft model terms for enterprise agreements and copied State instruments.

Clubs Australia represents over 5,000 clubs across Australia that employ more than 140,000 people. Clubs are not-for-profit, member-owned organisations whose central activity is to provide sporting and recreation infrastructure to their members and the wider community. Clubs offer a safe and inclusive environment for employment, work experience, apprenticeships and traineeships. Our industry also has a specific modern award specifically for registered clubs, known as the *Registered and Licensed Clubs Award 2020*.

Clubs Australia submits that the Fair Work Commission (the Commission) should adopt a conservative approach when implementing model terms for enterprise agreements (EAs). Clubs Australia submits that the Commission should ensure that the model terms for EA's are:

- consistent and align with comparable modern award terms;
- not simple and clear to understand;
- do not introduce requirements that go beyond the existing safety net, which creates unnecessary complexity for employers; and
- consistent with established practices that are broadly accepted by Australian workplace participants as "best practice."

Clubs Australia also submits that the Commission should take a minimalist approach in exercising its function to make model terms for EA's.

Clubs Australia expresses significant concern regarding the draft model terms for EA's as these terms effectively reduce the flexibility available for employers.



Clubs Australia

In particular, Clubs Australia acknowledges that the draft model terms should maintain that the trigger for consultation should be when the employer makes a “definite decision”, rather than when the employer “proposes” to introduce a major change that is likely to have a significant effect on employees.

Clubs Australia also supports the Australian Chamber of Commerce and Industry’s submission.

Should you require any further information from Clubs Australia regarding this submission, please do not hesitate to reach out at [REDACTED]

Yours faithfully,

[REDACTED]

Alison Tehan
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Clubs Australia

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