

ACTU reply to Questions on Notice from Senator Kovacic, 19 August 2025

1. If a business automates certain functions so that casual employees under the award are no longer required to work unsociable hours, or these hours are significantly reduced, would this Bill result in those employees taking home less pay overall?

Under this scenario this Bill would not result in those employees taking home less pay overall. That instead is caused by the business deciding to offer those employees less hours on the basis that it automated certain functions.

2. Would you support a legislated review clause that compels DEWR/FWC to report on impacts on award simplicity, compliance costs, worker earnings and small-business viability – so Parliament can revisit if adverse effects emerge?

The principal purpose of the Bill is to remove the significant risk of penalty or overtime rates being reduced because of current employer organisation applications before the Fair Work Commission to vary awards. As such the Bill is not changing, but largely protecting, the status quo.

Parliament, DEWR or the FWC are already each able to initiate reviews into the issues outlined in the Senator's questions and frequently do so.