

## MEDIA RELEASE

### **NECA calls for flexibility in Enterprise Agreements: amend Fair Work Act**

National Electrical and Communications Association (NECA) CEO Suresh Manickam is urging the Federal Government to consider a number of amendments to the *Fair Work Act 2009* to provide flexibility in Enterprise Agreements in response to the COVID-19 pandemic.

In a submission to the Attorney General and Minister for Industrial Relations, the Honourable Christian Porter, MP, NECA has proposed allowing for provisions to be included in Enterprise Agreements similar to those recently adopted in Schedules to several awards to 'cater for the unique circumstances pertaining to the COVID-19 pandemic'.

A Full Bench of the Commission issued a Statement [[2020 FWCFB 1760](#)] on 2 April foreshadowing its intention to vary 103 awards (including the Electrical Award) to provide temporary measures "*in the context of the unique circumstances pertaining to the COVID-19 pandemic*" by utilising the powers available to the Commission under sect 157(3) of the Act.

#### **Suresh Manickam, CEO of NECA, said:**

*"A significant number of NECA's members are covered by Enterprise Agreements approved by the Fair Work Commission. Those employers will not have the benefits of the temporary measures approved by the Commission in the Clerks, Hospitality and Restaurant and Catering Awards or to be made to 103 Awards foreshadowed by the Full Bench of the Commission.*

*"Amending the Fair Work Act to insert a provision similar to section 157(3) would allow the Commission to vary groups of enterprise agreements to introduce temporary measures to deal with the COVID-19 pandemic either on its own initiative or on application.*

*"Such a Bill is necessary to allow employers and employees covered by Enterprise Agreements to benefit from the same flexibilities introduced in Awards. It would not be practicable to seek to vary all of the Enterprise Agreements covering employers and employees individually in time to provide adequate responses to the COVID-19 pandemic."*

*"The proposed bill should address deficiencies and level the playing field for all employers regardless of whether they are employed under an Award or an Enterprise Agreement during this crisis."*

A full copy of the letter can be downloaded [here](#).

**ENDS**

#### **NECA media contact**

Katherine Cammuso – [katherine.cammuso@neca.asn.au](mailto:katherine.cammuso@neca.asn.au) or +61 2 410 609 443