



DECISION

Fair Work Act 2009
s.185—Enterprise agreement

Federation University Australia
(AG2019/3228)

FEDERATION UNIVERSITY AUSTRALIA TAFE TEACHING STAFF AGREEMENT 2019

Educational services

DEPUTY PRESIDENT YOUNG

MELBOURNE, 23 SEPTEMBER 2019

Application for approval of the Federation University Australia TAFE Teaching Staff Agreement 2019.

[1] Federation University Australia (the Employer) has made an application for approval of an enterprise agreement known as the *Federation University Australia TAFE Teaching Staff Agreement 2019* (the Agreement) pursuant to s 185 of the *Fair Work Act 2009* (the Act). The Agreement is a single-enterprise agreement.

[2] On the basis of the material contained in the application, and the accompanying statutory declaration, I am satisfied that each of the requirements of ss 186, 187, and 188 as are relevant to this application for approval have been met.

[3] I observe that clauses 36.1, 36.2 and 47.7 of the Agreement are likely to be inconsistent with the National Employment Standards (NES). However, noting clause 3.3 of the Agreement, I am satisfied the more beneficial entitlements of the NES will prevail where there is an inconsistency between the Agreement and the NES.

[4] The Australian Education Union, being a bargaining representative for the Agreement, has given notice under s 183 of the Act that it seeks to be covered by the Agreement. In accordance with s 201(2) and based on the statutory declaration provided by the organisation, I note that the Agreement covers the organisation.

[5] The Agreement was approved on 23 September 2019 and, in accordance with s 54, will operate from 30 September 2019. The nominal expiry date of the Agreement is 23 September 2023.



DEPUTY PRESIDENT

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