

**APPLICATION FOR COVID-19 GENERAL ORDER THAT AIMS TO
PROVIDE FURTHER FLEXIBILITY TO MANAGE PRIVATE SECTOR
EMPLOYMENT ARRANGEMENTS**

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES	COMMISSION'S OWN MOTION	
	APPLICANT	
	-v-	
	(NOT APPLICABLE)	
		RESPONDENT
CORAM	SENIOR COMMISSIONER S J KENNER COMMISSIONER T EMMANUEL COMMISSIONER D J MATTHEWS COMMISSIONER T B WALKINGTON	
DATE	TUESDAY, 30 MARCH 2021	
FILE NO	APPL 16A OF 2020	
CITATION NO.	2021 WAIRC 00088	

Result	Statement Issued
Representation	- Mr P Moss on behalf of the Chamber of Commerce and Industry of Western Australia Limited
	- Mr B Entrekin, and with him Ms M Hughie-Williams on behalf of the Hon. Minister for Industrial Relations
	- Dr T Dymond on behalf of UnionsWA

Statement

1. On 14 April 2020, the Commission in Court Session issued a General Order in this matter (2020 WAIRC 00205) to provide for flexible leave arrangements association with the COVID-19 pandemic.

2. Clause 1. – Application, subclause (3) of the Schedule – Provisions Relating to the COVID-19 Pandemic states that the General Order operates from the date it issued until 31 July 2020, unless extended on application or at the initiative of the Commission.
3. On 22 July 2020, the Commission reviewed the operation of the General Order of its own motion and received responses from the Hon. Minister for Industrial Relations, The Chamber of Commerce and Industry of Western Australia Limited and UnionsWA.
4. The parties agreed that, in the then circumstance of the COVID-19 Pandemic and its effects on business and employment, and the continuing uncertainty it had generated, the operation of the General Order should continue until 31 March 2021.
5. In mid-March 2021, the Commission further reviewed the General Order of its own motion and received responses from the parties. Except for the Chamber of Commerce and Industry of Western Australia Limited, the parties considered that the General Order has served its purpose and ought not continue in effect. The Chamber of Commerce and Industry was of the view that the General Order should continue for a further period until 31 October 2021.
6. In the circumstances, and having considered the views of the parties, the Commission in Court Session has concluded that a further extension of the General Order is unnecessary at this point in time. Any issues arising in the community following from the pandemic that require further consideration by the Commission, can be promptly addressed at that time.
7. Accordingly, the General Order will cease to have effect on 31 March 2021.

SENIOR COMMISSIONER
FOR AN ON BEHALF OF THE COMMISSION IN COURT SESSION