



11 November 2022

Senate Education and Employment Legislation Committee

CC: The Hon Catherine King MP, Minister for Infrastructure and Transport

Dear Committee,

Inquiry into the Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022

The Regional Aviation Association of Australia (RAAA) welcomes the opportunity to make a submission into this Inquiry.

The RAAA has approximately 45 Ordinary Members (Air Operating Certificate holders) and 65 Associate/Affiliate Members. Our members directly employ over 10,500 Australians, many in regional areas. On an annual basis RAAA members jointly turnover more than \$1.5b, carry well in excess of two million passengers and move over 23 million kilograms of freight. RAAA members operate in all states and territories and include airlines, freight operators, airports, engine and airframe manufacturers, flight training companies including Universities, finance and insurance companies and government entities. Regional airlines deliver critical services to isolated communities such as allowing persons living in regional areas to access medical care. Most RAAA members operate in accordance with Awards including the Air Pilots Award and the Airline Operations Ground Staff Award.

The RAAA members are very concerned about the lack of detail behind some of the impacts of this Bill. The aviation industry is very unique, it is dynamic and heavily regulated. Currently our industry is suffering critical skills shortages with no end in sight. Regional aviation is at the forefront of these shortages and are currently seeing much higher wage demands such as from engineers, we are also on the cusp of a critical pilot shortage as well, some of these demands are stretching small aviation businesses to their breaking point.

The very nature of an aviation business means that no two operations are the same, even when utilising the same aircraft type. You cannot compare operations in Kununurra and say Port Macquarie due to significant differences in the labour market, passenger demand, operating conditions and numerous other factors. Indeed, two similar looking flying schools at Bankstown in Sydney cannot also be compared as the nature of the training at one school could be completely different to the other (e.g. contract with TAFE/UNI, overseas airline or independent). The RAAA is very concerned about the lack of clarity surrounding the 'common interest' test and how it could be applied to aviation businesses for multi-employer bargaining. A requirement for regional aviation operators to participate in multi-employer bargaining across the industry could seriously impact the viability of many of the RAAA members.

The flexible workplace changes will also make it extremely difficult for aviation organisations to manage rostering in a very unique work environment if they are imposed on our industry. Rostering is already regulated



by the Civil Aviation Safety Authority to ensure adequate rest and recovery provisions are applied to all aviation operations. It is also regulated by the Air Pilots Award. Aviation businesses are usually 24/7 operations with late night, early morning, weekends and public holiday duties the norm. The RAAA is unsure of the impact of the new flexible workplace rules on businesses, there is clearly a lack of information on how this change is supposed to work. As an example, if a business is forced to allow flexible work arrangements for a new parent, this would impact other staff as they would have to take up the slack and incur more duties in the periods mentioned above. This is not possible for pilots who are required to adhere to fatigue management rostering limitations. The only solution would be that employer would need to employ additional staff to cover the flexible arrangements of others. This places an unfair burden on our members and may impact on the availability of vital aviation services to regional areas. There is no clear guidance on the impacts of this Bill for aviation.

As the Bill stands and with the lack of clarity around the impacts, the RAAA can only see legal firms being the winners, any lack of clarity results in legal action, our industry cannot afford lengthy and very costly legal processes.

The RAAA would strongly recommend that the committee seek to have the aviation industry isolated from these changes, they bear no resemblance to our industry and are impractical to implement and could be the tipping point for some businesses to close their doors.

Alternatively, much of the burden on our members could be alleviated by exempting employers which employ fewer than 100 employees from the proposed changes.

Best regards,

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Regional Aviation Association of Australia

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