

Flying Minute: Submission for 2023 State Wage Case

By Davina Hunter, Employee Relations Service Manager

That the WALGA 2023 State Wage Case submission be endorsed.

RESOLUTION 222.FM/2023

CARRIED

Executive Summary

- Annually the Western Australian Industrial Relations Commission (**WAIRC**) in Court Session issues a decision setting the WA minimum wage.
- WALGA has an opportunity to file a submission with the WAIRC containing Local Government specific information and economic data for the WAIRC to consider when making its decision.
- The provision of a submission is important because Local Governments are now the second largest employer in the State industrial relations (**IR**) system (after the State Government) and the decision issued may impact on Local Government employee wages.

Attachment

- Draft WALGA submission for the 2023 State Wage Case (**Attachment 1**)
- Letter from the WAIRC to WALGA dated 21 February 2023 (**Attachment 2**)

Policy Implications

This submission does not affirm, amend or create a new policy position. The purpose of this submission is to provide the WAIRC with Local Government relevant economic information to consider when deciding on increases to the State minimum wage and State awards. These increases may in turn affect the pay rates Local Governments provide their employees.

Background

1. On 1 January 2023 the State and Federal Governments legislated for WA Local Governments and Regional Councils to be State system employers which required approximately 80% of the sector to transition from the Federal IR system to the State IR system.
2. Local Governments are now the second largest employer of employees in the State IR system, after State Government employees.
3. Annually the Western Australian Industrial Relations Commission issues a State Wage Case General Order (**State Wage Order**) in June which sets the WA minimum wage for adults, apprentices and trainees, and adjusts wage rates under the State awards.
4. The State Wage Order now applies to all Local Governments and Regional Councils in WA (with the exception of the Shire of Christmas Island and the Shire of Cocos (Keeling) Islands).
5. Local Governments must ensure that the wages paid to employees are the same as, or higher than, the State minimum wage. As a general rule, many Local Governments provide much higher rates of pay than the State minimum wage which is important for the attraction and retention of staff.
6. All interested persons and organisations have an opportunity to provide a submission to the WAIRC by 17 May 2023 regarding what minimum wage should be set. The call for submissions is published on the WAIRC website [here](#) and the WAIRC wrote to WALGA on 21 February 2023

(**Attachment 2**) advising of the opportunity to provide a submission should WALGA wish to do so. This notification is based on WALGA's request to the WAIRC last year to be kept abreast of new applications and opportunities to provide submissions given the transition of Local Governments to the State IR system.

7. The call for submissions was made public on the WAIRC's website and published in The West Australian Newspaper. An email alert was also sent to Local Governments about this on 27 April 2023.
8. The organisations which usually file submissions for the State Wage Order include the WA Minister for Industrial Relations, UnionsWA, the Chamber of Commerce and Industry WA and the WA Council of Social Service. The first three organisations listed are section 29(1)(b) parties under the *Industrial Relations Act 1979* (WA) (**IR Act**) which means they have the power under the IR Act including to (among other things) refer matters to the WAIRC and they are served with new applications made to the WAIRC for general orders, award variations, new industrial agreements, etc. Division 3 of the IR Act contains the rights and obligations of the WAIRC and the section 29(1)(b) parties for the State Wage Order.
9. These organisations which file submissions provide extensive economic data for the WAIRC to consider when setting the State minimum wage. The WAIRC also considers the minimum wage rate set by the Federal Fair Work Commission (**FWC**) before releasing its decision. Previous submissions can be viewed on the WAIRC website [here](#).
10. On the basis that the Chief Commissioner of the WAIRC wrote to WALGA about the State Wage Case it is likely that it considers that the views of the Local Government sector may be of assistance to the making of the State Wage Order (see s. 51BA(1)(a) of the IR Act).
11. The provision of a short submission from WALGA will provide the WAIRC with Local Government specific economic data to consider when setting the minimum wage. The submission has been drafted by the WALGA Economics team and the Employee Relations team.

WAIRC considerations when determining the State Wage Order

12. In making its decision, the WAIRC is required to consider the need to:
 - a. ensure that Western Australians have a system of fair wages and conditions of employment; and
 - b. meet the needs of the low paid; and
 - c. provide fair wage standards in the context of living standards generally prevailing in the community; and
 - d. contribute to improved living standards for employees; and
 - e. protect employees who may be unable to reach an industrial agreement; and
 - f. encourage ongoing skills development.
13. The WAIRC is also required to consider:
 - a. the state of the economy of Western Australia and the likely effect of its decision on that economy and, in particular, on the level of employment, inflation and productivity in Western Australia; and
 - b. to the extent that it is relevant, the state of the national economy; and
 - c. to the extent that it is relevant, the capacity of employers as a whole to bear the costs of increased wages, salaries, allowances and other remuneration; and

- d. the need to ensure that the Western Australian award framework represents a system of fair wages and conditions of employment; and
- e. relevant decisions of other industrial courts and tribunals; and
- f. any other relevant matters.

Historic WAIRC wage increases

14. The historic increases to the State minimum wage and award rates determined by the WAIRC are set out in the below table.

| | | |
|--|----------------|--|
| WAIRC State Wage Order Increases wage | 1 July 2022 | <ul style="list-style-type: none"> The State minimum adult wage increase: \$40.90 per week (or 5.25%) to \$819.90 per week. WA award rate increase: Rates below \$887.40 per week will increase by \$40.90 per week and award rates above \$887.40 per week will increase by 4.65% |
| | 1 July 2021 | 2.5% |
| | 1 January 2021 | 1.75% |
| | 1 July 2019 | \$20.00 per week |
| | 1 July 2018 | \$18.00 per week |
| | 1 July 2017 | \$16.00 per week |
| | 1 July 2016 | \$15.80 per week |
| | 1 July 2015 | \$14.00 per week |
| | 1 July 2014 | \$20.00 per week |
| | 1 July 2013 | \$18.20 per week |
| | 1 July 2012 | \$20.60 per week |

Impact of the State Wage Order on Local Governments

15. In the table below we have set out how the State Wage Order affects Local Governments and their industrial agreements and awards. An award is a document setting out minimum terms and conditions of employment for a particular industry or occupation. An industrial agreement is a collective agreement negotiated between an employer and unions.

| | Impact on awards / transitional award | Impact on industrial agreements |
|---|--|--|
| Local Governments that transitioned from the Federal IR system to the State IR system <u>on 1 January 2023</u> | <p>The wages in the Local Government Industry Award 2020 Industrial Agreement (LGIA IA) must be higher than the State minimum wage.</p> <p>Currently, the wage rates in the LGIA IA are higher than the State minimum wage. This comparison will need to be done again when the 2023</p> | <p>The wages in an industrial agreement must be higher than the State minimum wage.</p> <p>Local Governments need to undertake their own assessment of their industrial agreement wage rates against the State minimum wage rates.</p> |

| | | |
|---|---|--|
| | State Wage General Order is issued in June. | |
| Local Governments that operated in the State IR system before 1 January 2023 | <p>The wages in the Local Government Officers' (Western Australia) Award 2021 (LGO Award) and the Municipal Employees (Western Australia) Award 2021 (ME Award) must be higher than the State minimum wage. *Currently there is an issue with level 1 wage rates under the ME Award (see below).</p> <p>The award rates will increase when the 2023 State Wage General Order is issued in June.</p> | <p>The wages in an industrial agreement must be higher than the State minimum wage.</p> <p>Local Governments need to undertake their own assessment of their industrial agreement wage rates against the State minimum wage rates.</p> |

16. *Local Governments applying the ME Award: Currently the level 1 wage rate in clause 16.1 of the ME Award is lower than the State minimum wage. This means Local Governments must not apply the level 1 rates directly from the ME Award, they must apply the State minimum wage which is currently \$819.90 per week.

How Local Governments determine wage increases for employees

17. The wage increase applied to employee wages (with the exception of the CEO) should be determined in the following ways:
- An industrial agreement contains a wage increase which must be applied to employees;
 - An award contains a wage increase which must be applied to employees (where employees are paid the minimum award rate and are not subject to an industrial agreement);
 - A policy or annual decision which links an employee wage increase to the WAIRC State Wage Increase or FWC Federal wage increase, Consumer Price Index (CPI), Wage Price Index (WPI) or another economic indicator.

Comment

WALGA's submission provides an opportunity for the Local Government sector to influence minimum wage and award pay rates, which in turn impacts on wages paid to Local Government employees. The organisations which traditionally make State Wage Case submissions provide extensive economic data for WA (in particular the State Government). The provision of Local Government specific background and economic data will assist the WAIRC to consider the Local Government sector in its decision.

The Governance and Organisational Services Policy Team provided input into this submission and recommended endorsement.

FLYING MINUTE OUTCOME

Poll created: 05/05/2023 at 10:55

Poll closed: 15/05/2023 at 10:00

Total invited to survey: 24

Total finished survey: 18

Endorse the Recommendation: 17

Endorse the Recommendation subject to comment below: 1

Do not endorse: 0

| First Name | Last Name | Completed Date |
|------------|-------------|------------------|
| Carol | Adams OAM | 08/05/2023 15:56 |
| Phillip | Blight | 15/05/2023 9:49 |
| Laurene | Bonza | 15/05/2023 9:12 |
| Ruth | Butterfield | Not completed |
| Cheryl | Cowell | 15/05/2023 9:49 |
| Frank | Cvitan | Not completed |
| John | Daw | 08/05/2023 21:33 |
| Tony | Dean | 08/05/2023 18:48 |
| Catherine | Ehrhardt | 10/05/2023 13:36 |
| Russ | Fishwick JP | 08/05/2023 9:07 |
| Moirra | Girando JP | 15/05/2023 13:27 |
| Patrick | Hall | 14/05/2023 17:09 |
| Logan | Howlett JP | 08/05/2023 17:16 |
| Paul | Kelly | Not completed |
| David | Lagan | 10/05/2023 10:27 |
| Peter | Long | Not completed |
| Chris | Mitchell JP | 15/05/2023 9:54 |
| Chris | Pavlovich | Not completed |
| Les | Price | 09/05/2023 20:52 |
| Michelle | Rich | 12/05/2023 16:00 |
| Helen | Sadler | 09/05/2023 12:35 |
| Ken | Seymour | Not completed |
| Stephen | Strange | 09/05/2023 11:47 |
| Doug | Thompson | 08/05/2023 16:30 |

Responses

(17) Endorse the Recommendation: Cr Russ Fishwick JP (08/05/2023 9:07), Cr Doug Thompson (08/05/2023 16:30), Mayor Carol Adams OAM (08/05/2023 15:56), Mayor Logan Howlett JP (08/05/2023 17:16), President Cr Tony Dean (08/05/2023 18:48), Cr John Daw (08/05/2023 21:33), President Cr Stephen Strange (09/05/2023 11:47), Cr Helen Sadler (09/05/2023 12:35), Cr Les Price (09/05/2023 20:52), Cr David Lagan (10/05/2023 10:27), Cr Catherine Ehrhardt (10/05/2023 13:36), Mayor Patrick Hall (14/05/2023 17:09), President Cr Phillip Blight (15/05/2023 9:49), President Cr Cheryl Cowell (15/05/2023 9:49), Cr Chris Mitchell (15/05/2023 9:54), Cr Moira Girando JP (15/05/2023 13:27), President Cr Michelle Rich (12/05/2023 16:00)

(1) Endorse the Recommendation subject to comment below: President Cr Laurene Bonza (15/05/2023 9:12)

(0) Do not endorse

Comments

President Cr Laurene Bonza

Has there been any consideration given to the fact that now we are to be bound by the State IR conditions, that someone from the DLGSC and/or WALGA should be allowed to sit on the WAIRC to give advice on how LG works and what we are constrained by, in order to have a more informed view of the implications of their actions? Every paper or policy that comes from State or Federal Govt appears to demonstrate a complete lack of understanding of how LG functions.

Secretariat Comment

When a matter is brought before the WAIRC, or if the WAIRC commences a matter of its own motion, WAIRC Commissioners preside over those matters. The *Industrial Relations Act 1979* (WA) (**IR Act**) provides that Commissioners of the WAIRC are appointed to their offices by the Governor by commission under the Public Seal of the State (on recommendation of the State Government), and the IR Act outlines the qualifications that a person must have before being appointed to this office. Unfortunately, with the way the WAIRC is constituted under the IR Act it is not possible to have a DLGSC, Local Government or WALGA representative making those decisions.

However, the way that WALGA and Local Governments can influence WAIRC decisions to account for Local Government specific context is to make submissions in any matters that affect Local Governments and to appear in front of the WAIRC on these matters. WALGA has been carefully monitoring all applications that have been made in the WAIRC this year to identify those impacting on Local Governments, and WALGA has either made a submission and/or appeared at the WAIRC to advocate for the best interests of Local Governments. When a matter of interest to the sector arises, WALGA also commences consultation with the sector via invitations for feedback, working groups, etc. to ensure the views of Local Governments are captured in any submission.

Western Australian Industrial Relations Commission

Application No. CICS 1 of 2023

2023 State Wage Order

Filed on behalf: the Western Australian Local Government Association

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Email: employeerelations@walga.asn.au

Date of filing: 16 May 2023

Written Submission Western Australian Local Government Association

Introduction

1. The WA Local Government Association (WALGA) provides this submission in response to application no. CICS 1 of 2023 regarding the 2023 State Wage Order.
2. WALGA is an independent, member based, not for profit organisation representing and supporting the WA Local Government sector. WALGA advocates on behalf of WA's 139 Local Governments and negotiates service agreements for the sector. WALGA is not a government department or agency.
3. According to [Australian Bureau of Statistics data](#), 22,800 employees were employed in the WA Local Government sector at the end of June 2022¹.
4. WALGA supports wage increases that balance the need for fair wages with the requirement for Local Governments to carefully manage their budgets in the interest of their communities.

Industrial relations context of WA Local Governments

5. The State and Federal Governments recently legislated for WA Local Governments and Regional Councils to be State system employers which required approximately 80% of the sector to transition from the Federal industrial relations (IR) system to the State IR system on 1 January 2023.

¹ Employment and Earnings, Public Sector, Australia 2021-22 financial year.

6. Therefore the 2023 State Wage Order now applies to all Local Governments and Regional Councils in WA (with the exception of the Shire of Christmas Island and the Shire of Cocos (Keeling) Islands).
7. Approximately 58 WA Local Governments out of 137 are covered by either the State awards or the new state instrument – Local Government Industry Award 2020 industrial agreement. These are largely the smaller SAT band 4 Local Governments that have more limited revenue and capacity to pay than some of the larger Local Governments. The remaining Local Governments have a registered and negotiated industrial agreement in place.

Industrial instruments for Local Governments that transitioned from the Federal system to the State system on 1 January 2023

8. Local Governments which transitioned are currently covered by industrial agreements including the following:
 - a. New State instrument – The Federal Local Government Industry Award 2020 which became the Local Government Industry Award 2020 industrial agreement on 1 January 2023;
 - b. New State instrument – Federal enterprise agreements which became State industrial agreements on 1 January 2023; and/or
 - c. Newly registered industrial agreements since 1 January 2023.
9. Each of the above instruments were underpinned by the Fair Work Commission's Annual Wage Review until 1 January 2023.

Industrial instruments for Local Governments that operated in the State system before 1 January 2023

10. State system Local Governments apply the following industrial instruments:
 - a. The Local Government Officers' (Western Australia) Award 2021 (**LGO Award**);
 - b. The Municipal Employees (Western Australia) Award 2021 (**ME Award**);
 - c. Other State awards that may cover Local Government employees; and/or
 - d. An industrial agreement.
11. The LGO Award and the ME Award were federal awards created by the Australian Industrial Relations Commission (**AIRC**) and have not been amended for some 24 years. They also have not been amended to ensure they are compliant with State legislation, including the *Industrial Relations Act 1979* (WA), General Orders, the *Minimum Conditions of Employment Act 1993* (WA), or the *Local Government Act 1995* (WA) amongst others.
12. In 2021 the LGO Award and the ME Award replaced the Local Government Officers' (Western Australia) Interim Award 2011 and the Municipal Employees

(Western Australia) Award 2011 (**2011 Interim Awards**) without significant amendment. The 2011 Interim Awards were put in place when the *Fair Work Act 2009* (Cth) (**FW Act**) was made and the conundrum of the ‘constitutional corporation’ raised its head. Immediately prior to the FW Act, some WA Local Governments were covered by pre-modern Federal awards, namely the Local Government Officers’ (Western Australia) Award 1999 and the Municipal Employees (Western Australia) Award (**1999 Federal Awards**) – awards which were made by the AIRC. The 1999 Federal Awards and their predecessors, were all drafted and amended in response to the FW Act (and its predecessors), as well as the national wage fixing principles of the time.

Impact of superannuation increases

13. WA Local Governments will be required to provide employees with an additional 0.5% of superannuation from 1 July 2023 taking the total superannuation contribution to 11% of ordinary time earnings.
14. WALGA submits that the legislated superannuation increase will have an impact on Local Governments’ capacity to pay additional wages and should be considered when setting the State minimum wage and award wages.

WA Economic context

Economic growth

15. Economic conditions in WA remain strong, however, growth is expected to slow down in coming years.
16. The WA economy, as measured by State Final Demand, grew by 0.1% in December quarter, and 3.2% compared to a year earlier. The strong growth over the year to December was underpinned by public investment (up 7.7%), and household consumption (up 3.6%). Dwelling investment detracted from growth over the year to December (down almost 3%) in line with the end to COVID-19 related stimulus programs.
17. Looking ahead, forecasts for the WA economy contained in the WA Government’s Mid-year Financial Projections Statement show that growth will slow in coming years. After expanding by 3% in 2022-23, the WA economy is predicted to grow by 1% in 2023-24 and 1.75% in 2024-25. This is well below the long-term average of 4%. The slowdown in growth reflects a weaker outlook for the global economy impacting the state’s exports and major producers operating at capacity; the impact of higher interest rates on household spending, and the continued unwinding of COVID-19 related stimulus.

Inflation

18. Like most of the developed world, inflation in Australia remains high. The Australian Consumer Price Index (**CPI**) reached 7.8% in the December quarter of 2022 – the

highest rate of growth since 1990. However, there are signs that inflation may have peaked, with Australian CPI receding to 7.02% in March. The monthly CPI figure supports this, with the rate of growth falling for three consecutive months to March.

19. Inflation rates in Perth have also been high, with the growth in the Perth CPI reaching 8.3% over the year to December off the back of strong increases in the price of housing, recreation and culture, food and beverages and household furnishings. It too appears to have peaked, slowing to 5.76% in March.
20. According to WA Treasury forecasts in December, growth in Perth's CPI is now projected at 5.25% through the year to the June quarter 2023, which is slightly below the latest national forecasts produced by Commonwealth Treasury (5.75%) and the Reserve Bank of Australia (6.25%).
21. Thereafter, growth in the Perth CPI is expected to slow to 3.25% in 2023-24 and to 2.5% by 2024-25 as economic growth slows and global supply chain issues are resolved.

Labour and wages

22. Labour market conditions in WA remain strong and are expected to remain tight in coming years.
23. The number of people employed in WA has been flat for nine months with few net jobs created.
24. Advertised job vacancies are unable to be filled, with the number of jobs on offer still close to record highs, and above the number of unemployed people.
25. The WA unemployment rate is forecast to bottom out at 3.5% in the current financial year, increasing to a still low 4% in 2023-24 and 2024-25. The participation rate is forecast to come down only slightly from the record highs. At the same time employment growth is forecast to grow less than 2% annually over the next three years, in-line with modest economic growth.
26. This tight labour market and price pressures are starting to translate into growth in wages. In WA, the Wage Price Index (**WPI**) grew by 0.8% during the December quarter and 3.6% over the year. This represents the largest increase in annual terms in a decade.
27. Looking forward, the WA WPI is expected to grow by 3.5% in 2022-23 and 3.75% in 2023-24, and 3.5% in 2024-25.

Local Government capacity to pay

28. Maintaining financial sustainability is important for all Local Governments. However, the objective is to ensure they can deliver services and infrastructure for their communities

and minimise the burden on rate payers, rather than generate general commercial returns or deliver shareholder value.

29. Local Governments set their budget with an aim to generate sufficient revenue to meet the needs of the community, as set out in each Council's Strategic Community Plan.
30. Unlike other levels of Government which have a range of revenue generating levers at their disposal, Local Government's capacity to raise revenue is constrained.
31. Local Governments' primary lever for generating revenue is rates – which are a form of property tax levied by Councils to fund local infrastructure and services. Rates are the sector's primary source of revenue – accounting for 60% of the sector's revenue in 2019-20, and 70% of the sector's own-sourced revenue. Local Governments also rely heavily on grants from the Federal and State Governments to meet their operating and capital needs.
32. To this end, Local Governments must weigh up any increase in costs with an increase in rates, or commensurate reduction in services.
33. It's important to note that the Local Government sector is not homogenous. Some Local Governments face significant financial sustainability challenges – typically, those with declining populations which are facing an ongoing underlying operating deficit.
34. Local Government finances have come under pressure in recent years as a result of a number of factors.

Local Government costs

35. Local Governments have also been operating in an environment of rising costs in recent years.
36. The Local Government Cost Index (**LGCI**) is an indicator which aims to measure changes in a basket of cost items commonly incurred by Local Governments. The components of the Index capture the key inputs that Local Governments purchase to undertake its activities and include both capital and operating costs.
37. Local Governments have not been immune from the sharp increases in prices in recent times. The LGCI has accelerated for the past two years. However, there are signs that it may have peaked after the index eased for the second consecutive quarter in December 2022.
38. After stabilising in September quarter of 2022, the LGCI has started to slow, but remains above the long-term average. The LGCI grew by 1.1% in the December quarter of 2022 to stand 4.7% higher than a year earlier. This is down from the 5.3% rate of growth recorded over the year to September.

39. Much of the increase in the LGCI in recent years has been led by the spike in construction costs, which have been growing at unprecedented rates resulting from supply chain constraints, COVID-19 stimulus induced demand, and labour shortages.
40. The LGCI is expected to grow 4.5% through 2022-23, down from the increase of 6.4% in 2021-22. Local Government costs are then expected to grow 2.9% in 2023-24.

Street lighting tariffs

41. On 27 April 2023 the Economic Regulation Authority published the draft Western Power price list for 2023/24. Western Power proposes to increase prices for streetlighting by an average of 43.85% from 1 July 2023. The tariff paid by Local Governments to Synergy or Horizon Power is set by the Government through the State Budget process.
42. Depending on the number and types of lights in each Local Government area that is serviced by Synergy, the financial impact could range from a few hundred thousand dollars to several million dollars per year.

Restrictions on fees and charges

43. Local Governments also impose fees and charges for a range of activities. However, a number of fees and charges are prescribed and restricted by legislation and are specifically limited to recouping the cost-of-service provision. This has become an issue because a number of fees determined by State Government legislation represent significant revenue leakage because of:
 - a. lack of indexation;
 - b. lack of regular review (fees may remain at the same nominal levels for decades); and
 - c. lack of transparent methodology in setting the fees (fees do not appear to be set with regard to appropriate costs recovery levels).
44. Examples of fees and charges of this nature include dog registrations fees, town planning fees and building permits. Since Local Governments do not have direct control over the determination of fees set by legislation, this revenue leakage is recovered from rate revenue.

Financial assistance grants are declining as a share of tax revenue

45. Financial Assistance (**FA**) Grants are provided to all Local Government bodies and are an important component of operating revenue for all Councils.
46. Councils only collect 3.5% of national taxation and are heavily reliant on funding from other levels of government. FA Grants have declined from one per cent of Commonwealth taxation revenue in 1996 to just 0.52% today. Recent research, commissioned by the Australian Local Government Association, shows FA Grants make

up more than 20% of annual operating expenditure for around one in four Australian councils, so it is a critical source of funding for many Local Governments which has come under pressure in recent years.

Local Government reserves

47. Many Local Governments also have assets in the form of reserves, that are generally held for a specific purpose. Typically, reserves are used for capital projects rather than ongoing operating expenditure.



THE WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

LEVEL 17, 111 ST GEORGES TERRACE
PERTH WA 6000

21 February 2023

Mr Nick Sloan
Chief Executive Officer
Western Australian Local Government Association
PO Box 1544
WEST PERTH 6872

Dear Mr Sloan

APPLICATION NO. CICS 1 of 2023 – STATE WAGE CASE

Section 50A of the Industrial Relations Act 1979 (WA) obliges the Commission before 1 July in each year, of its own motion, to make a State Wage Order setting, amongst other things, a minimum wage for adults, apprentices and trainees, and also adjusting rates of wages paid under awards. The Commission, on its own motion, has created an application (CICS 1 of 2023) to consider the 2023 State Wage Order.

Please see the following information and schedule of dates, should you wish to make a submission to this year's State Wage Case:

1. Submissions to be filed and exchanged by 5:00pm on Wednesday, 17 May 2023;
2. Submissions in reply are to be filed and exchanged by 5:00pm on Monday, 22 May 2023;
3. The hearing will be listed for one day on Wednesday, 24 May 2023, with a half day Thursday, 25 May 2023 in reserve;
4. The Commission in Court Session will reconvene shortly after the Fair Work Commission hands down its decision in the national Annual Wage Review, to hear from the parties in relation to that decision; and
5. The hearings will be webcast.

In due course, a notice will be published on the Commission's website and in *The West Australian* newspaper calling for public submissions. All submissions will be made public on the Commission's website.

Yours sincerely

Elizabeth Roberts
EXECUTIVE ASSISTANT TO CHIEF COMMISSIONER S J KENNER