

Article Information

Authors: Tim Lange, John Evans

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Safety-net changes for degree-qualified workers: When something you didn't know about can hurt you

Modern awards create enforceable obligations on employers and are not overridden by contract terms.

The process for bringing about changes to modern awards has been supercharged by an active and ongoing process of award review initiated by the Fair Work Commission, including for gender based undervaluation. The Commission's process is not widely published, and is easy to miss in circumstances where any resulting changes have potentially significant impacts on pay and conditions.

Employers who wish to have a say in the variation process need to actively involve themselves either directly or through employer associations. The latest iteration of this process is over employment conditions for degree-qualified workers.

Amendments to the *Fair Work Act 2009* (Cth) (**FW Act**) require the Fair Work Commission to take into account the need to achieve gender equality in the workplace and eliminating gender-based undervaluation. The Commission has first focussed on significantly feminised industries and has included significant research into gender-based undervaluation in employment. At the same time, individual applications have been filed seeking increases to wages under particular awards which have been found to be most exposed to gender-based undervaluation.

The Commission is not leaving gender undervaluation relating to modern award minimum wage rates to be dealt with on an application-by-application basis outside a wider framework. Subsequent reviews have been making their way through the Commission process.

The most recent development following the annual wage review has been the Commission's announcement of review into degree-qualified workers. As the Commission's research indicated:

"Professional occupations, considered as a whole, are majority female (55.4 per cent). However, a much higher proportion — 69.7 per cent — of modern award-reliant professionals are female. This surpasses the threshold of 60 per cent female identified for feminised occupations in the Priority Awards Review decision and makes clear that the detriment of non alignment with the C1(a) benchmark rate principally accrues to female professionals."^[1]

The C1(a) benchmark referred to is currently \$1525.90 per week. The Commission has noted that a guiding principle is that the benchmark should as a minimum, apply to any classification for which a university degree is required.^[2]

Provisional list of awards with classifications to be reviewed

Already touted for review are degree-qualified classifications falling within the below awards:

Airport Employees Award 2020

Ambulance and Patient Transport Industry Award 2020

Higher Education Industry—General Staff—Award 2020

Hydrocarbons Field Geologists Award 2020

Animal Care and Veterinary Services Award 2020

Architects Award 2020

Black Coal Mining Industry Award 2020

Book Industry Award 2020

Broadcasting and Recorded Entertainment Award 2020

Educational Services (Post-Secondary Education) Award 2020

Educational Services (Schools) General Staff Award 2020

Electrical Power Industry Award 2020

Higher Education Industry—Academic Staff—Award 2020

Legal Services Award 2020

Live Performance Award 2020

Local Government Industry Award 2020

Medical Practitioners Award 2020

Professional Employees Award 2020

Rail Industry Award 2020

State Government Agencies Award 2020

Surveying Award 2020

Water Industry Award 2020

The full list of classifications provisionally to be included in the review can be found here: [Provisional classifications list](#)

Classifications requiring a diploma qualification may also form part of the review and given the expansive nature of the provisional review, it is more likely than not that this will be the case, especially if there are interested parties seeking their inclusion.

Employers with degree or diploma qualified workers should consider whether they ought to be involved in the review process. Early involvement in these review proceedings places employers in the best position to have their interests represented.

[\[1\]](#) [2025] FWCFB 3500 [82]

[\[2\]](#) [2025] FWCFB 74