

Submission by the Australian Nursing and Midwifery Federation

**Modern award superannuation clause review
2025 - AM2025/1**

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Australian
Nursing &
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Introduction

1. The Australian Nursing and Midwifery Federation (ANMF) is Australia's largest national union and professional nursing and midwifery organisation. In collaboration with the ANMF's eight state and territory branches, we represent the professional, industrial and political interests of more than 345,000 nurses, midwives and care-workers across the country.
2. Our members work in the public and private health, aged care and disability sectors across a wide variety of urban, rural and remote locations. We work with them to improve their ability to deliver safe and best practice care in each and every one of these settings, fulfil their professional goals and achieve a healthy work/life balance.
3. Our strong and growing membership and integrated role as both a trade union and professional organisation provides us with a complete understanding of all aspects of the nursing and midwifery professions and see us uniquely placed to defend and advance our professions.
4. Through our work with members, we aim to strengthen the contribution of nursing and midwifery to improving Australia's health and aged care systems, and the health of our national and global communities.
5. The ANMF thanks the Fair Work Commission (the Commission) for the opportunity to provide initial comments on the provisional list of award classifications to be considered as part of this review as published in the Statement of 12 August 2025.
6. The Review was commenced by the Commission under its own initiative under s 157 and s 160 of the *Fair Work Act 2009 (Cth)* (the Act). The Review will consider three key issues:
 - The absence of the standard employer contributions clause in particular Awards;
 - Inconsistencies in the definition of the National Employment Standards (NES) in 9 plain language Awards; and



- Outdated or incorrect naming of default superannuation funds in a number of Modern Awards.

7. The Commission's Statement¹ presents the preliminary view that the standard superannuation guarantee clause be inserted into the relevant Awards, and that the default superannuation fund names be correct and updated to reflect current fund structures and branding.
8. The ANMF is an affiliate of the Australian Council of Trade Unions (ACTU). The ANMF has had an opportunity to review the submission of the ACTU and broadly supports the positions taken therein.

Employer contributions clause

9. The Review proposes inserting the standard employer contribution clause into six modern enterprise Awards made after 1 January 2014:
 - *Australian Broadcasting Corporation Enterprise Award 2016*
 - *Australian Bureau of Statistics (Interviewers) Enterprise Award 2016*
 - *Australian Federal Police Enterprise Award 2016*
 - *Australian Public Service Enterprise Award 2015*
 - *Christmas Island Administration Enterprise Award 2016*
 - *Parliamentary Departments Staff Enterprise Award 2016*
10. Of these, only the *Christmas Island Administration Enterprise Award 2016* is relevant to ANMF members.

¹ [2025] FWCFCB 175



11. We agree with the ACTU's comments regarding the *Christmas Island Administration Enterprise Award 2016* [MA000149], and the proposed amended Clause 12.5 of that Award as a preferred alternative to inserting the standard employer superannuation clause.

Amendment to the NES definition in plain language Awards

12. The ANMF defers to the ACTU submission and the submission of other affiliate unions on this issue.

Updating or correcting superannuation fund names in default fund terms

13. The Commission's preliminary view at paragraph [18] of the Statement is that:
 - the names of default superannuation funds in Modern Awards should be amended to reflect any changes to the names of superannuation fund due to mergers, or for other reasons.
 - The names of any funds that do not offer a MySuper product be removed.
 - That superannuation fund names should be expressed consistently across Modern Awards.
14. The ANMF agrees with the ACTU submission that the proposed changes to the names of default superannuation fund are an appropriate use of the Commission's power under s.160 of the Act. Along with the Statement, the Commission published a spreadsheet²

² <https://www.fwc.gov.au/work-conditions/awards/create-or-change-award/applications-create-or-change-award/review-super-clause-am20251> <accessed 10 September 2025>



outlining the proposed changes to superannuation fund names. The ANMF appreciates the work of the Commission in conduct this audit and collating the detailed results.

15. The ANMF has consulted the spreadsheet and conducted its own inquiry into the proposed changes on the Spreadsheet for the following Awards relevant to ANMF members:

- *Nurses Award [MA000034]*
- *Aged Care Award [MA000018]*
- *Nurses (ANMF Victorian Local Government Award) [MA000131]*
- *Nurses and Midwives (Victoria) State Reference Award [MA000125]*
- *Northern Territory Public Sector Enterprise Award [MA000151]*
- *Christmas Island Administration Enterprise Award 2016 [MA000149]*
- *Victorian Public Service Award 2016 [MA000135]*

16. The ANMF is satisfied that the changes suggested by the Commission to the default superannuation fund names are correct.

17. Of the list of default super funds listed in Clause 18.4 of the Nursers Award, we note the following.

- Under clause 18.4(a) First State Super has become Aware Super;
- Under clause 18.4(e) Mercy Super has been absorbed into HESTA, proposed to be expressed consistently across Modern Awards;
- Under clause 18.4(f) Sunsuper has merged with Q Super to become Australian Retirement Trust;
- Under clause 18.4(g) Tasplan has merged with CareSuper, already listed at clause 18.4(h), so can be deleted.



18. Of the default super fund names listed in the Aged Care Award at clause 21.4, we note that First State Super (at clause 21.4(a)) Mercy Super (at clause 21.4(e)), Sun Super (at clause 21.4(f)) Care Super (at clause 21.4(h)) and Tasplan (at clause 21.4(g)) are also named in this Award, as well as in the Commission's audit of the super fund names listed for that Award.
19. Clause 15.4(a) of the *Victorian Public Service Award* lists VicSuper, which has merged with Aware Super, while clause 15(b) lists HESTA.
20. Of the other Awards, the following current default superannuation fund names are listed:
 - Clause 18.4 (a) of the *Nurses (ANMF Victorian Local Government Award)* refers to First State Super, while clause 18.4(b) refers to HESTA;
 - The *Nurses and Midwives (Victoria) State Reference Award* refers to Mercy Super in clause 18.4(e), Sunsuper in clause 18.4(f), and Tasplan in clause 18.4(g).;
 - Clause 12.4(a) of *The Northern Territory Public Sector Enterprise Award* lists Australian Super.
21. The ANMF supports the update to these superannuation fund names as outlined above and in the Commission's audit.

Conclusion

22. The ANMF reiterates its support of the review and in other relevant matters, defers to the ACTU submission and the submissions of other affiliate unions.