



Pay rates



Working conditions



Health and safety

## UWU-ADIA Market and Social Research Agreement 2022-2026

### FAQs

#### Q1. Why does ADIA have an enterprise Agreement?

ADIA (formerly AMSRO) has been involved since the late 1980's in creating and maintaining a set of minimum terms and conditions of employment for the industry that provide the flexibility for businesses to undertake market and social research on weekend and evenings without having to pay the penalty rates that most other industries face. This approach was enshrined most recently in the [Market and Social Research Industry Award](#) which underpins the current enterprise (or 'Industry') agreement negotiated with the UWU and that agreement.

#### Q2. Who is required to adhere to the Agreement?

It is a condition of ADIA membership that ALL ADIA members comply with its industrial arrangements. ADIA member signatories to the Agreement however are those members with a field force or those that provide recruitment services to members.

#### Q3. Who is involved in the Union negotiations?

ADIA's Industrial Relations Committee is led by Andrew Maher, Partner at CIE Legal and ADIA's legal counsel. The IR Committee is chaired by Rob McLachlan, ADIA board director and includes seven committee members representing the membership base. There have been six negotiation meetings with the Union (conducted via zoom) over the past 12 months.

#### Q4. Who registers the Agreement?

Once the Agreement is voted on by members it is registered with the Fair Work Commissioner, FWC. (Note - subject to a favourable vote.)

#### Q5. What are the new wage rates and when do they come into effect?

The wage rate increase is scheduled for July 1, 2022. The wage rates table is included in the new Agreement (p.5) and available on the ADIA website [Wage Rates - 1 July 2022 - ADIA \(dataandinsights.com.au\)](#)

The UWU and ADIA agreed upon (in principle, subject to a member vote) on the following wage increases:

- Where the current rates are less than 2% above the award, they are brought up to 2%.
- July 1, 2022, increase, also includes the Fair Work Commission (minimum wage increase) of 4.6%.

- Commencing 2023, wage increases will take effect July 1 and be equal to the Fair Work Commission (FWC) minimum wage rate increase for the nominal life of the Agreement (for all classifications).
- There will be no other increases.

NOTE: The **Executive Face-to-Face interviewer rate** – at late notice, ADIA received the union’s agreement to modify the methodology that will be used for calculating the new *Face to Face* interviewing rates. This modified methodology resulted in smaller initial increases for that classification than the increases previously reported, and the rate is now the same as the **Team Leader** rate.

**Please note - Wage rates are exclusive of Superannuation.**

**Q6. Do the out of hours penalties and travel time change?**

**Yes, these rates have been increased in accordance with the National Employment Standards (NES).**

- Out-of-hours penalty per hour
- On a Public Holiday (as set out in clause 21 of this Agreement)) \$16.59
- On any day between midnight and 8.00 am \$8.27
- On Sunday between 9.00 pm and midnight \$8.27
- The new overtime rate is the relevant rate in the wages table above plus \$7.59 per hour.
- The new travel allowance – kilometre rate – is as per the Modern Award which is 0.91 cents.

**Clause 19.1:** In addition to the ordinary rates of pay set out in Clause 9, an Out-Of-Hours Penalty shall be paid to all employees for each ordinary hour of work.

**Q7. When does the member ballot take place and why is it required?**

**The member vote will be conducted only with those ADIA members who are signatories to the Agreement (i.e., Field and Recruitment organisations.)**

The online ballot will **commence on Thursday, 14 July 2022 and will close Monday, 25 July 2022**, to approve the new *UWU and ADIA Market and Social Research Industry Agreement 2022-2026*.

In order to have the Industry Agreement approved by the Fair Work Commission, the new Agreement must be approved and voted upon by a majority of your employees who would be covered by it. A favourable vote will allow the Agreement to legally override the 2017-2020 Agreement and provide ADIA companies access to the new employer benefits ADIA has negotiated, such as the new graduate rates at 10% less than the full Research Assistant and Research Officer rates.

All ADIA member employees earning less than \$162,000 per annum (not including super) must have access to a copy of the new Industry Agreement and Employee Information Sheet (both attached) **for a minimum of 7 days as per the Fair Work Act before the ballot commences on 14 July 2022.**

As part of the process of having the new Industry agreement ratified by the Fair Work Commission, each employer must provide a statutory declaration to the Commission in a specified form (Form F17). ADIA (c/- Andrew Maher CIE Legal will send members relevant documentation.)

*If the new agreement is not voted in favour of by your employees, you will be required as an ADIA member to comply with the pro-employee agreement terms (such as wage rises) - without being able to access to changes referred to above which benefit our members as employers.*

#### **Q8. Who is required to vote?**

All employees working in company (that is a signatory to the Agreement) and **earning under the high-income** threshold set **at \$162,000 (NOT including Superannuation)** are entitled and should be encouraged to vote.

Note - the High-Income Threshold, as defined by the *FWC Act*, or the equivalent provision in any successor legislation. ADIA (signatory) member organisations are required (by law) to inform all employees about the ballot and ADIA recommends employers encourage all relevant staff (i.e., those earning less than the high-income threshold) to vote.

#### **Q9. What happens to Superannuation in the new Agreement?**

##### **Clause 17.2.1 - Fund**

In this clause references to Fund for all employees shall be the fund selected in accordance with Superannuation Guarantee legislation (with the default fund, as defined in the legislation, being Australian Super provided that the default fund offers a MySuper product).

**Please note - the minimum statutory superannuation contribution will increase from 10 to 10.5% on 1 July 2022.**

#### **Q10. Why did it take so long to renegotiate the latest Agreement?**

The global pandemic disrupted the general negotiation process and significantly delayed meetings between the UWU and ADIA. It should be noted that apart from the mandated [FWC minimum wage increases](#) incurred November 2020 and July 2021. Wages have not increased as part of the Agreement since January 1, 2020.

#### **Q11. Are ADIA member company employees able to contact ADIA for advice regarding the Agreement terms and wage rates?**

ADIA represents member organisations and as such provides advice and guidance only to employers and their directors. If employees, contact ADIA they are redirected to the member company in question or to the Union.

#### **Q12. If the Agreement is not registered, do members and their employees still need to comply with the Agreement?**

ADIA recommends all members comply with the new Agreement terms and conditions as of July 1 (including applying the **new wage rates**). This recommendation applies to the unregistered version to prevent any administrative burden.

#### **Q13. What happens if an ADIA member organisation does not comply with the terms of the Agreement?**

ADIA membership application and renewal requires that the organisation will comply with the Industry Agreement between ADIA and the UWU and any subsequent revisions.

Should a member not comply with the terms and conditions outlined in the Agreement, under the [Rules of the Association](#), the ADIA Board retains the right to suspend a member during an investigation and expel if found in breach of these Rules.

**Q14. Who should I contact for further information?**

ADIA offers members a Workplace Relations advisory service with Andrew Maher, CIE Legal which draws on over a decade of experience with the Market and Social Research Industry.

The ADIA free member hotline - 0403 399 237 - (telephone advisory for workplace relations and privacy law advice) can be used more effectively by members because our legal advisor is involved in the preparation and negotiation of the Industry Agreement and therefore come armed with detailed knowledge of minimum terms and conditions that apply across the industry as well as the issues unique to employment within market and social research.

Alternatively, please contact Sarah Campbell CEO ADIA on 0460 102 092 or via email [sarah@dataandinsights.com.au](mailto:sarah@dataandinsights.com.au)

**ADIA thanks our IR Committee members for dedicating their time, expertise, and efforts over the past 12 months.**