



## STATEMENT AND DIRECTIONS

*Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*  
Sch. 5, Item 6 - Review of all modern awards (other than modern enterprise and State PS awards) after first 2 years

### **Modern Awards Review 2012 - Road Transport (Long Distance Operations) Award 2010** (AM2012/39 and others)

Road transport industry

SENIOR DEPUTY PRESIDENT HARRISON

SYDNEY, 15 OCTOBER 2013

*Modern Awards Review 2012 - Road Transport (Long Distance Operations) Award 2010.*

[1] I issued a statement and directions with respect to applications to vary the *Road Transport (Long Distance Operations) Award 2010* as part of the two year review on 20 May 2013 [[2013] FWC 3136]. The matters were listed before me for hearing on 9 - 10 October 2013.

[2] A further hearing has been listed for 12 November 2013 to deal with the following:

A. Ordinary hours, ordinary time earnings and superannuation; and

B. The living away from home allowance.

#### **Ordinary hours, ordinary time earnings and superannuation**

[3] The Transport Workers' Union of Australia has provided a list of clauses to which it is opposed with reference to the 6 May 2013 draft award published by my chambers. A list of such clauses with respect to ordinary hours, ordinary time earnings and superannuation can be found at paragraph 4(c) of exhibit TWU3, tendered on 10 October 2013.

[4] During the proceedings on 10 October 2013, the TWU also tendered a document titled "Submissions of the Transport Workers' Union of Australia". This document was marked exhibit TWU2.

[5] The parties are directed to file any additional written submissions and evidence on which they seek to rely regarding matters that arise in reply from exhibit TWU2 and TWU3. Such submissions and evidence must be filed **by close of business 6 November 2013**.

**Living away from home allowance**

[6] Clause 14.2(c)(i) of the 6 May 2013 draft award was listed at paragraph [6] of the statement and directions I issued on 20 May 2013 as a matter that remains in dispute and was to proceed to arbitration. During the hearing on 10 October 2013, I was informed that further discussion between the parties may resolve the matter or narrow the scope of the issue(s) contested.

[7] If any agreement is reached between the parties regarding clause 14.2(c)(i), the parties are requested to advise my chambers in writing. If no agreement is reached prior to the hearing on 12 November 2013, it will be dealt with during the proceedings on that date.



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