

REVISED SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions on technical and drafting issues. The summary has been revised to include feedback from the hearing on 6 December 2016 ([Transcript](#)) and the Conference on 9 February 2017 ([Transcript](#)). This summary has been further revised to include submissions lodged on or before 5.00pm on 7 August 2017.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	Qantas	Sub-30/06/16	2	Definitions – <i>Response to question raised by Commission</i> Definition of “Cabin crew supervisor” should not be inserted. Rather, the reference to “Cabin crew supervisor” in cl.14.2 (classifications & minimum wages) should be replaced with “Cabin crew manager”.	Page 2	Agreed. See Transcript-9Feb17 [PN230]
2	Qantas	Sub-30/06/16	2	Definitions – sign-on (international cabin crew) – <i>Response to question raised by Commission</i> The reference to “at base” can refer to “at permanent base” (“home base” has same meaning).	Page 2	Agreed. See Transcript-9Feb17 [PN230]
	AIG	Reply sub-25/07/16		Does not oppose amendment proposed by Qantas.	Para 85	
3	AIG	Sub-30/06/16	11.1	Casual employment Reinstate original wording: “a casual employee is an employee engaged as such.” The absence of these words substantially alters definition.	Paras 197-201	Agreed. See Transcript-9Feb17 [PN233] Opposition to AIG sub withdrawn, see Transcript-6Dec16 [PN253-PN260]
	Qantas	Reply sub-21/07/16		Does not agree with AIG submission. Supports use of phrase “engaged on a casual basis” rather than “as such”. Generally, definition of “casual employee” should be consistent across awards.	Para 3	

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4	AIG	Sub-30/06/16	11.2	Casual employment Clause should not refer to the “ordinary hourly rate” (re-calculating a casual employee’s rate of pay).	Paras 202-209	Withdrawn. See Transcript-9Feb17 [PN236] <i>Note: Clause 11.2 of ED refers to “minimum hourly rate” to be paid to a casual cabin crew member, not the “ordinary hourly rate”.</i> Qantas to confer with AIG prior to hearing.
	Qantas	Reply sub – 21/07/16		Does not agree with AIG submission that clause will increase hourly rate payable to casual employees. Clause 11.2, which refers to the “minimum hourly rate”, should remain as proposed in ED.	Paras 4-7	
5	AIG	Sub-30/06/16	14.2	Minimum wages Clause should be amended to reflect that the minimum weekly rates are payable only to full-time employees. Proposal is to insert the words “(full-time employees)” directly below the words “minimum weekly wage”.	Paras 210-212	Agreed. See Transcript-9Feb17 [PN238]
6	AIG	Sub-30/06/16	Schedule A.1.7(c) and A.1.7(d)	Flying Allowance – Response to question raised by Commission Clauses are not redundant. Deletion of these clauses may have tax and superannuation implications.	Paras 213-214	Agreed. See Transcript-9Feb17 [PN239]
	Qantas	Sub-30/06/16		These clauses should remain. The “daily travelling allowance” component is treated differently from other components of the flying allowance for taxation purposes.	Page 2	
	AIG	Reply sub – 25/07/16		Agree the clauses should remain.	Para 86	

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7	Qantas	Sub-30/06/16	Schedule A.1.8(b)	Training allowance – <i>Response to question raised by Commission</i> The rate referred to is based on a cabin crew member's rate.	Page 2	Agreed. See Transcript-9Feb17 [PN241]
	AIG	Sub-30/06/16		The rate referred to is based on a cabin crew member's rate.	Paras 215-216	
	AIG	Reply sub – 25/07/16		Agree with Qantas' submission.	Paras 87	
8	Qantas	Sub-30/06/16	Schedule A.3.3 and Schedule B.4.5(a)	Rostering and Changes to duties Clauses A3.3 and B4.5 should not be made subject to cl. 24 (Consultation about changes to rosters or hours of work). Condition is unnecessary and possibly confusing since exception in cl. 24.3 would likely apply.	Para 2 (page 1)	Agreed. See Transcript-9Feb17 [PN244] Item added pursuant to feedback from Qantas, see Transcript 6Dec16 [PN261-PN265]
	AIG	Reply sub – 25/07/16		Agree with QANTAS submission.	Paras 88-89 (page 19)	
9	AIG	Corr-08/12/16	27.4-27.5	Annual leave common issue QANTAS to circulate a draft to the other parties and arrange for the parties to consult and confer about issue. If agreement can't be reached, SDP proposed to list matter for further conference on 10 March 2017 at 9:30.		See Transcript-9Feb17 [PN127-247]
	QANTAS	Corr-280717		Issue remains outstanding.		
	AIG	Corr-310717		Agree with QANTAS.		

List of abbreviations (in alphabetical order)

AIG	Australian Industry Group
ED	Exposure draft
Qantas	Qantas Group