



30 September 2016

ABN 24 373 510 535

Your Ref: AM2014/256

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Award Modernisation Team  
Fair Work Commission

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Dear Sir/Madam,

4 YEARLY REVIEW OF MODERN AWARDS -AMUSEMENT, EVENTS AND RECREATION AWARD  
2010 AM2014/256

We refer to the Modern Award Review proceedings pertaining to the *Amusement, Events and Recreation Award 2010* (the **Award**) and the Statement and Directions issued on 26 August 2016 ([2016] FWC 6062), requesting parties to raise additional substantive claims in relation to the review.

We act for State Medical Assistance Pty Ltd (the **Company**) in relation to these proceedings. The Company (and others) provide on-site first aid and paramedical services for the amusement, events and recreation sector.

We respectfully submit the following merit based case for consideration by the Fair Work Commission.

#### **Proposed variation to the Award**

Our clients propose that the Award should be varied in the following manner:

1. The inclusion of "paramedical and first aid services", in clause 4.2 (d) of the award which relates to coverage:

**4.2 (d)** *For the purposes of this clause, the amusements, events and recreation industry also includes the provision of services within the primary venue such as photographic services, provision of on-site paramedical and first aid services, the sale of food, beverages and merchandising, and also activities undertaken by an employer covered by this Award which are ancillary to the conduct of the primary venue, such as road or water transport at, to or from, or away from, the primary venue, sightseeing tours, travel arrangements, and wildlife research, conservation and collection conducted away from the primary venue.*

2. Inclusion of the words 'or first-aid officer' into Schedule B – Classification B.4 Grade 3 definition

**B.4.4 (k)** *Operates a passenger vehicle, handles animals, grades garments, maintenance, pattern making, animal health management, basic stable/animal compound management, operate*



*games/amusement rides, specialised animal care, assistance with animal training, preparation of animal feed and animal care, animal management, maintenance of enclosures and gardens including pruning and irrigation, tour guide duties and presentations to the public, international host required to speak a second language, cocktail or specialised waiter, non-trade cooking, operate a food outlet, bookings and reservations, ordering stock and stock control, basic lifeguarding or first-aid officer, security officer monitoring and operating CCTV systems.*

3. Inclusion of the words 'or advanced first-aid' into Schedule B – Classification B.4 Grade 4 definition

**B.5.3 (r)** *Trade qualified cooking, food production, senior security officer, trade qualified maintenance (i.e. plumbing, spray painting, construction work) designs costumes and production, liaise with agencies, staff recruitment, menu planning, animal training, medication of animals, plantation management, animal education duties, management of a food outlet, cleaning operators, projectionist, bar supervisor, maître d', green keeping, specialised performers and advanced lifeguarding or advanced first aid officers*

#### **Grounds for the variation**

1. The Company supplies basic through to advanced first-aid officers and paramedical staff on-site for customers at various sporting, trade, amusement, recreation, community and other events.
2. The provision of these services is consistent with the Award's coverage provisions under subclause 4.2 (d) which includes "the provision of services within the primary venue". However, without the inclusion of 'the provision of on-site paramedical and first-aid services', subclause 4.2 (d) is ambiguous and creates uncertainty in the coverage provisions of the Award
3. The *Ambulance and Patient Transport Industry Award 2010* [MA000098] does not cover State Medical Assistance event operations as the Company is not providing an Ambulance or Emergency transport service, only immediate first aid / paramedic assistance at the venue.
4. In fact, there currently is no relevant modern award that provides coverage for first-aid officers or paramedics engaged to provide services at on-site venues within the amusements, events and recreation sector with the exception of the generic coverage captured under the *Miscellaneous Award 2010* [MA000108] which provides employees with minimum standards in addition to those provided by the National Employment Standards.
5. Our client maintains that the insurance and legislative requirements, for on-site immediate first-aid and paramedical response services at sporting, trade, amusement, recreation, community and other events has changed dramatically over the last five years, resulting in private medical companies becoming a regular inclusion on the services list at sporting, trade and community events.



6. Given the increased engagement and demand for first aid and paramedic staff at amusements sporting, trade, amusement, recreation, community and other events in recent years it is appropriate that the coverage and classification provisions of the Award be amended to reflect current standards and the engagement of these employees at the worksite.
7. For these reasons, we submit that the amendments to the Award outlined above are required to reflect current community standards and industry requirements.

Should you have any queries in relation to this submission, please do not hesitate to contact Kath Long or Ben Cant on the numbers below.

Yours faithfully,

A handwritten signature in black ink that reads 'Katherine Long'. The signature is written in a cursive style with a large, prominent 'K' and 'L'.

**Kath Long**  
**Director**  
Calibrate HR  
(02) 4878 5585

A handwritten signature in black ink that reads 'Ben Cant'. The signature is written in a cursive style with a large, prominent 'B' and 'C'.

**Ben Cant**  
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