

8 December 2017

Fair Work Commission
Level 10, terrace Tower
80 William Street
EAST SYDNEY NSW 2011

Attention: Associate to Vice President Hatcher

By Email: chambers.hatcher.vp@fwc.gov.au

ABN 76 486 092 631

Contact

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Partner

Tim McDonald

Our reference

TDM:390418

Dear Associate

AM2014/196 and AM2014/197 - Four Yearly Review of Modern Awards - Casual Employment and Part-Time Employment

1. We write on behalf of Clubs Australia – Industrial (CAI).
2. We refer to the letter of United Voice dated 1 December 2017 in which it proposes a change to clause 28.2 of the draft determination issued with the Full Bench decision of 24 November 2017 [2017] FWCFB 6181 for the *Registered and Licensed Clubs Award 2010*.
3. We advise that CAI disagrees with the change proposed by United Voice to clause 28.2 of the draft determination and instead proposes that “employee” be inserted after “full-time”.
4. The reason that CAI disagrees with the United Voice proposal is that it would mean that the overtime provisions for full-time employees in clause 28.2 could also apply to part-time and casual employees. Such a result was never intended as specific overtime provisions were determined for such employees (overtime entitlements for part-time employees are specifically dealt with in clause 10.4 (h) of the draft determination and, for casual employees, in clause 10.5(e) of the draft determination).

Yours faithfully
MORAY & AGNEW



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