

From: Richard Calver [mailto:richard.calver@natroad.com.au]
Sent: Wednesday, 10 October 2018 12:28 PM
To: AMOD
Cc: David Johns
Subject: Decision [2018] FWCFB 5986 - Road Transport (Long Distance Operations) Award 2010

The Full Bench in the decision dated 26 September 2018 seeks feedback on one issue concerning the *Road Transport (Long Distance Operations) Award 2010* as follows:

[287] Interested parties are asked to file a written submission regarding our provisional view that clause 12.3(b)(iii) of the exposure draft be deleted from the exposure draft in its entirety. This provisional view is set out at paragraph [220] of this decision. Submissions are to be filed no later than 4.00 pm on Wednesday 10 October 2018.

The Full Bench indicated that submissions are to be filed no later than 4.00 pm on Wednesday 10 October 2018.

We note that this deletion is in fact countenanced in paragraphs 218 and 219 of the decision not para 220 thus:

[218] The amendment outlined at clause 12.3(b)(iii) in the revised version of the exposure draft appears to resolve the issue that the NRTA highlighted in their submission. However, it appears to us that the rationale for clause 12.3(b)(iii) in the exposure draft (and clause 14.2(b)(iii) in the current award) is unclear. In short, if an employee is required to check vehicles, oil, water and tyres, then why are they not entitled to be reimbursed for the cost of purchasing protective clothing, or entitled to be provided with the required clothing?

[219] It is our provisional view that clause 12.3(b)(iii) be deleted from the exposure draft in its entirety. Interested parties are asked to provide a written submission relating to our provisional view by no later than 4.00 pm on Wednesday 10 October 2018.

We do not oppose the deletion as proposed by the Full Bench.

In conclusion, we look forward to the convening of the relevant conferences that will settle the up-to-date exposure drafts of the two main transport awards.

Regards

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