

IN THE FAIR WORK COMMISSION

Matter No.: AM2014/217 and others (Group 3 awards)



Submissions of the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)

4 Yearly Review of Modern Awards

COVER SHEET

About the Australian Manufacturing Workers' Union

The Australian Manufacturing Workers' Union (AMWU) is registered as the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union". The AMWU represents members working across major sectors of the Australian economy, including in the manufacturing sectors of vehicle building and parts supply, engineering, printing and paper products and food manufacture. Our members are engaged in maintenance services work across all industry sectors. We cover many employees throughout the resources sector, mining, aviation, aerospace and building and construction industries. We also cover members in the technical and supervisory occupations across diverse industries including food technology and construction. The AMWU has members at all skills and classifications from entry level to Professionals holding degrees.

The AMWU's purpose is to improve member's entitlements and conditions at work, including supporting wage increases, reasonable and social hours of work and protecting minimum award standards. In its history the union has campaigned for many employee entitlements that are now a feature of Australian workplaces, including occupational health and safety protections, annual leave, long service leave, paid public holidays, parental leave, penalty and overtime rates and loadings, and superannuation.

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Introduction

1. The Australian Manufacturing Workers' Union (AMWU) makes the following comments in accordance with directions issued in *4 yearly reviews of modern awards—Award stage—Exposure Drafts – Group 3 awards 6 July 2017 (July Group 3 Decision)*.¹
2. The AMWU makes comments about the two Attachments to the July Group 3 Decision:
 - a. Attachment B: Awards with all purpose allowances; and
 - b. Attachment C: Awards with work health and safety related clauses.
3. There were two issues in the July Group 3 Decision where the Commission identified that parties will be given an opportunity to make further submissions. In particular:
 - a. [351] Review of casual rates of pay calculations.
 - b. [379] References to allowances, rates, or loadings as opposed to shift penalties.
4. The AMWU intends to make submissions in response to the above issues when a process has been determined for parties to do so.

The AMWU understands that the deadline for submissions about the revised exposure drafts for Group 3 Awards has been extended by a week until Friday 4 August

Attachment B: Awards with all purpose allowances

5. At paragraph [362] of the July Group 3 Decision, the Full Bench invited parties to comment on the list of awards containing all purpose allowances found at Attachment B.
6. The AMWU makes the following comments regarding the Building and Construction General On-Site Award 2010 (Building Award) and Manufacturing and Associated Industries and Occupations Award 2010 (Manufacturing Award).

Building Award

7. The Building Award should also be listed in Attachment B. The award contains the following all purpose allowances which should also be listed:
 - (a) Clause 19.2 Leading Hands
 - (b) Clause 19.7(e) Apprentice allowances
 - (c) Clause 20.1 Tool and employee protection allowance
 - (d) Clause 21.3 Underground allowance

¹ [2017] FWCFCB 3433.

- (e) Clause 21.7 Carpenter-diver allowance
- (f) Clause 21.12 Electrician's licence allowance
- (g) Clause 22.2(m) Furnace work
- (h) Clause 22.2(n) Acid work
- (i) Clause 22.2(q) Hydraulic hammer
- (j) Clause 22.2(r) Waste disposal
- (k) Clause 42.2 Lift industry allowance

Manufacturing Award

8. The Manufacturing Award is listed in Attachment B, however it is contended that clause 32.1(f) should be included in Attachment B.

Attachment C: Awards with work health and safety related clauses

9. At paragraph [380] of the decision the Full Bench expressed an intention to replace references to "occupational health and safety" in awards with "work health and safety"² and listed the awards to be varied and the proposed variations at Attachment C.
10. The AMWU agrees that references in awards to "occupational health and safety" should be removed and replaced with "work health and safety."

Telecommunications Services Award

11. There are references to "occupational health and safety" in clauses A.2.2(b), A.2.3(b) and A.2.5(b) of the exposure draft for the *Telecommunications Services Award 2010* which are not identified in Attachment C to the July Group 3 Decision.
12. These additional references for this award should also be varied and be added to list in Attachment C of the July Group 3 Decision.

End

28 July 2017

² Ibid [380].