

15 July 2016

To: [amod@fwc.gov.au](mailto:amod@fwc.gov.au)



**Business SA**  
Chamber of Commerce  
and Industry South Australia

ABN 000 14 725 309 328  
Level 1, 136 Greenhill Road  
Unley South Australia 5061  
T: +61 8 8300 0000

Working for your business.  
Working for South Australia

**Comment: Pastoral Award – ‘Learner Shearers’ Draft Determination**

Dear Sir/Madam

Business SA has reviewed the Full Bench decision [\[2016\] FWCFB 4393](#) (‘the decision’) issued on 8 July 2016. We acknowledge the Fair Work Commission’s invitation to comment on the draft variation determination at [83]. We agree in principle to the draft determination set out at Attachment 2 of the decision.

However, Business SA are concerned with the language used in the proposed clause 44.4(b)(ii). This clause states:

“A learner who starts in a shed as a learner will continue to be regarded as a learner under clause 44.4 for a run of sheds, although they become a shearer, not a learner, before the run of sheds is completed.”

Business SA submits there is the potential for this clause to be interpreted inconsistently by employers and employees who may not be aware of the development and operation of this clause. Business SA submits this clause be clarified before this draft determination is incorporated into the *Pastoral Award 2010*.

Should you require any further information or have questions, please contact Chris Klepper, Policy Adviser, on (08) 8300 0000 or [chrisk@business-sa.com](mailto:chrisk@business-sa.com).

Yours sincerely,

Chris Klepper

Policy Adviser

