

## NATIONAL FARMERS' FEDERATION

### SUBMISSIONS ON EXPOSURE DRAFT: PASTORAL AWARD 2010

Date: 27 November 2019

This submission is made on behalf of the National Farmers Federation in response to the Commission's direction of 14 October 2019 to file submissions in relation the exposure draft of the Pastoral Award.

<u>Clause</u>	<u>Observations</u>
17.1	Query whether this clause should refer to clause 17 rather than 16.3.
17.2(b)	The source for the figures in this table is unknown. The Pastoral Award 2010 presently provides for the leading hand allowance to be a percentage of the relevant employee's salary.
17.3(d) & 42.8	We note that a decision in respect of meal break allowance is pending.
37.2	<p>Although the Commission has expressed its decision with regards to the redraft of this clause, the NFF remains concerned.</p> <p>While we accept that the language is not ideal, in our view the intent of the current clause is clear. It obliges a piggery employer to provide 38 hours for the employee every week, except where there is legitimately nothing for the employee to do. As such, we say that the clause has "work to do" and is more than purely aspirational.</p> <p>What's more, if in its current form the clause is purely aspirational then changing it to a clause which clearly has operative effect goes beyond the remit of the plain English redraft.</p> <p>Our concern is that as redrafted, where the employer averages the work over 4 weeks, so that where the employee works only 36 hours in Week 1 — but, for example, 40 in Week 2 — the employer will still have to pay for 38 hours in Week 1. It could also affect part-time and possibly casual arrangements.</p>
50	For consistency, the 2 <sup>nd</sup> column should read "If not found employee" or the 3 <sup>rd</sup> column should read "If Found employee"

54.8            The equivalent clause of current award reads “subject to this award, the employer will be ready...”. The exposure draft has deleted “subject to this award”, a change which could affect the interpretation of the award.

Kind Regards

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