

McNALLY JONES STAFF

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Our Ref: NK:TM:1503007

Associate to the Hon Justice Ross AO

Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

By email: chambers.ross.j@fwc.gov.au; amod@fwc.gov.au

Dear Associate,

**RE: PORTS, HARBOURS AND ENCLOSED WATER VESSELS AWARD 2010
 4 YEARLY REVIEW
 AM2014/241**

We are the solicitors for the Maritime Union of Australia.

We make the following submissions in relation to matters raised in that revised exposure draft issued 18 July 2017:

Clause 6.5 – casual employment

The model casual conversion clause, without adaptation, should be inserted into this award. There are no special provisions in this award that warrant a departure from the model clause.

Clause 6.5(b) – casual loading

In light of the content of clause 6.5(b)(ii) it is clear that overtime and shift allowances are not incorporated into the casual loading. As a result it is unnecessary to alter clause 6.5(b)(i).

Clause 13.2 – Shiftwork rates

Shiftwork on weekends should be paid at the Saturday rate.

PRINCIPALS: • W.G. McNALLY Acc. Spec. (Employment & Industrial Law) • D.T. TRAINOR Acc. Spec. (Personal Injury)
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Clause 22.6

We support the reference to “occupational health and safety legislation” being amended to read “work health and safety legislation”.

Yours faithfully,

McNALLY JONES STAFF



NATHAN KEATS

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