



IN THE FAIR WORK COMMISSION

Matter No: AM2014/254

Fair Work Act 2009

Section 156 - 4 yearly review of modern awards

Airline Operations—Ground Staff Award 2010

Submissions of AMWU

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Further to the directions issued by the President on 10 May 2016, the Australian Manufacturing Workers' Union (AMWU) makes the following submissions in relation to the plain language pilot of the *Airline Operations—Ground Staff Award*. We also rely on the previous submissions of the AMWU in relation to common matters subject to the drafting of the awards, and in relation to the plain language pilot.

We note that the changes to the award have been fairly minor and consist mainly of adopting the new award structure rather than any substantive changes to the text of the award. While we largely support the continuation of the current agreed terms, it does not seem that the changes would make a marked difference to the readability or interpretability of the award for a lay reader.

In regards to specific changes we make the following observations:

Clause 2

The changes to definition of 'airline operations industry' do not clearly make the clause any easier to read, and the trailing 'and' after sub-clause (a) potentially makes the clause read that the purpose must be *both* (a) and (b). Our recommendation would be either to leave the clause as in the current award or add an additional 'or' to make operation clearer:

2. Definitions

Airline operations industry means operating and/or ancillary on-airport servicing of aircraft used for the purposes of:

- (a) providing commercial passenger or freight air transport services (whether schedule or non-scheduled); and/or
- (b) private business and instructional flying in, and from a base in, Australia.

Clause 11.1

We do not object to the change to the definition of casual employee as one 'engaged on a casual basis' rather than one 'engaged as such'. This makes the clause easier to understand.

Clause 12.17

While the heading makes this clause clearer, it functions as a subclause of the text above it. We would suggest either retaining as a subclause or adding to the heading the words 'Reduction of payment for travel payment'.

Clause 18

Bringing all of the minimum wage conditions under one numbered clause creates a very lengthy and difficult to reference section of the award. As an example the new clause 18.5(e)(v) one must turn back three pages to find the clause reference '18.5'. Additionally, many subclauses that were previously enumerated now appear as bullet points, for example what was previously 16.5(a)(i) is now 18.5(e)(i)(first bullet point). Our recommendation would be to retain separate clause numbering for the minimum wages sections, or at the very least where subclauses have become bullet points to retain the current style of capital letters for sub roman numeral sections; e.g. 18.5(e)(i)(A). This also occurs in other sections throughout the award, for instance clause 19.7 and 20.3.

Clause 18.6(b)

We agree that the heading 'adult trades assistant' in the table heading should be to 'Aircraft Worker 3', this appears to have been an error implementing the determination from the 2012 review that replaced this term in the clause.¹

Clause 21

The AMWU agree that these rates should be updated, as there appears to have been no change to these rates since 2010.

¹ AM2012/148 PR533545,
<https://www.fwc.gov.au/documents/awardsandorders/html/pr533545.htm>