

IN THE FAIR WORK COMMISSION

2014 Award Review

(AM2014/259)

Community and Public Sector Union (CPSU) (PSU Group)

Submissions re CPSU submission to vary Broadcasting and Recorded Entertainment Award

1. On 26 August 2016 President Ross issued a statement and directions relating to the 2014 Modern Award Review stage 4 awards. The *Broadcasting and Recorded Entertainment Award [MA000091]* is in sub-group 4D.
2. Those directions requested parties file a short submission by 30 September 2016 advising the nature of the change sought; a draft variation determination; the type of case to be run (merits or evidentiary based); and if the case is evidence-based, how many witnesses.
3. This is the CPSU's submission in response to those directions.
4. On 4 February 2015, pursuant to a Fair Work Commission statement of 14 December 2014, the CPSU filed submissions and a draft determination to vary the coverage of the BREA. The CPSU sought to cover work performed by CPSU members who are captioners and subtitlers. The work performed by these employees in this discrete area of the industry is not currently provided for by the BREA.
5. For example, captioners perform work to provide visual script for release with television broadcast content. Currently a pre-reform enterprise award, the *Community and Public Sector Union (Subtitlers) Award 1999* covers work performed by captioners at one employer, but there are several employers who engage captioners. An application to modernise that instrument has been made (in EM2013/71), but has not yet been determined.
6. The CPSU submissions of 4 February 2015 contained information regarding the nature of the industry and its industrial coverage. Those submissions included a draft determination outlining relevant classification wage rates and job level descriptors.
7. The CPSU presses its application to vary the coverage of the BREA to cover work performed by captioners and subtitlers. In support of its application the CPSU would call approximately 4 witnesses for evidence in chief.

CPSU Sydney

30 September 2016