

From: Vivienne Wiles [mailto:vwiles@tcfvic.org.au]
Sent: Wednesday, 20 September 2017 1:34 PM
To: AMOD
Cc: Kate Thomson; roushan.walsh@nat.awu.net.au; Andrew Crabb; Stephen.Bull@unitedvoice.org.au
Subject: FW: AM2014/264 Dry Cleaning and Laundry Industry Award 2010 [SEC=UNCLASSIFIED]

Dear Amod,

In relation to my email below, please note that there is an error in relation to the second issue – the correct reference is to '**Item 22 – Shiftwork**'. The reference to clause 24.1 is the clause number in the Exposure Draft.

Regards

Vivienne Wiles
(National Industrial Officer)
Textile Clothing & Footwear Union of Australia (National Office)
(t) 03 9639 2955 (f) 03 9639 2944
(m) 0419 334 102 (e) vwiles@tcfvic.org.au

Privileged/Confidential Information may be contained in this message.

If you are not the intended recipient of this communication, or responsible for the delivery of this message to such person, you should not copy, disclose or distribute this communication without the written authority of the TCFUA (National Office). In such instances, you should delete and destroy all copies and kindly notify the sender by return email immediately.

Please advise the TCFUA (National Office) immediately if you or your employer does not consent to receiving messages of this kind.

Opinions, conclusions and other information in this message that do not relate to the official business of the TCFUA (National Office) shall be understood as neither given nor endorsed by it. All liability for direct and indirect loss arising from this email and any attachments is hereby disclaimed to the extent permitted by law.

From: Vivienne Wiles [mailto:vwiles@tcfvic.org.au]
Sent: Wednesday, 20 September 2017 1:23 PM
To: AMOD
Cc: Kate Thomson; jennifer.zadel@afei.org.au; roushan.walsh@nat.awu.net.au; Andrew Crabb; Stephen.Bull@unitedvoice.org.au; 'Michael Robson'
Subject: RE: AM2014/264 Dry Cleaning and Laundry Industry Award 2010 [SEC=UNCLASSIFIED]

Dear Amod,

(AM2014/264) Dry Cleaning and Laundry Industry Award 2010

We refer to the email to the parties of 8 September 2017 (11:45am).
The TCFUA's response follows:

Item 9 – Ordinary hours of work – dry cleaning workplaces

The TCFUA supports the proposed change to clause 13.1 of the Exposure Draft so that clause 13.1 would read '*The ordinary hours of work will be 38 hours per week.*' In our view, this is an appropriate way to address any ambiguity in the meaning and operation of the clause.

We reiterate our previous submissions that the deletion of the word 'average' would be consistent with the current award, in that it does not currently provide for an averaging mechanism for the dry cleaning stream.

Item 24.1 – Definitions

The TCFUA does not support the proposed change to clause 24.1(b) (Definition of Morning shift – laundry) of the Exposure Draft.

In our submission, the addition of the words *'and finishing after midday'* to the end of clause 24.1(b) would constitute a substantive change and would negatively impact on a current award entitlement to shift loading (15%).

For instance, an employee working a Morning shift (as currently defined under clause 23.2 of the award i.e. 'a shift commencing before 6.00am) is entitled to a shift loading of 15% (see clause 23.5 of the award).

Under the proposed amendment to clause 24.1(b) of the Exposure Draft, an employee could commence a shift before 6.00am and work to 11.59am, for example, and would no longer satisfy the definition of a 'morning shift'. In such a case, the employee would therefore lose the entitlement to a 15% shift loading as prescribed by clause 23.5 of the award.

The laundry industry is one in which morning shifts commencing before 6.00am are commonly worked in laundry operations. Indeed, it is not unusual for laundry morning shifts to commence as early as 4am or 5am.

For the reasons above the TCFUA strongly opposes the proposed amendment.

The TCFUA confirms that it's preferred position is that as outlined in the email of Roushan Walsh (AWU National Legal Officer) to the chambers of Commissioner Cirkovic on **29 June 2017 (2:07pm)**, which contained an alternative proposal supported by the AWU, TCFUA and United Voice.

Regards

Vivienne Wiles
(National Industrial Officer)
Textile Clothing & Footwear Union of Australia (National Office)
(t) 03 9639 2955 (f) 03 9639 2944
(m) 0419 334 102 (e) vwiles@tcfvic.org.au

Privileged/Confidential Information may be contained in this message.

If you are not the intended recipient of this communication, or responsible for the delivery of this message to such person, you should not copy, disclose or distribute this communication without the written authority of the TCFUA (National Office). In such instances, you should delete and destroy all copies and kindly notify the sender by return email immediately.

Please advise the TCFUA (National Office) immediately if you or your employer does not consent to receiving messages of this kind.

Opinions, conclusions and other information in this message that do not relate to the official business of the TCFUA (National Office) shall be understood as neither given nor endorsed by it. All liability for direct and indirect loss arising from this email and any attachments is hereby disclaimed to the extent permitted by law.