

Fair Work Commission
Level 4, 11 Exhibition Street
Melbourne, Vic, 3000
Via email: AMOD@fwc.gov.au

30 March 2017

Re: AM2014/279 Pest Control Industry Award 2010

BACKGROUND

1. These submissions of the Australian Workers' Union (AWU) are made pursuant to undertakings made by the AWU in Conference before Commissioner Cirkovic on 29 March 2017 in Sydney.

DRAFTING AND TECHNICAL ISSUES

2. **Clause 17.3(c)(iv):** The AWU proposes the following amendment for comment by other parties:

"An employee sent from one place to another as prescribed in clause 17.3(c) travelling to or between country work locations will be paid a meal allowance of \$8.45 for each meal. This allowance is payable in addition to the allowance in clause 17.3(c)(ii) but will not be payable if the employee is otherwise entitled to a meal allowance pursuant to clause 17.3(a)."

3. **Clause 22.3:** The AWU confirms its position concerning the calculation of annual leave loading under this award is as follows:

- 3.1. The loading under **Clause 22.3(b)** is calculated at (17.5% of the minimum rate) + leading hand allowance + the first aid allowance; or, if the employee was a shiftworker prior to taking leave and their shift penalty is higher than 17.5%, the calculation is (shiftwork% of the minimum rate) + leading hand

allowance + first aid allowance.

- 3.2. To clarify, the loading – whether 17.5% or the shiftwork loading – only applies to the minimum rate.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'ZD' with a long horizontal flourish extending to the right.

Zachary Duncalfe
NATIONAL LEGAL OFFICER
The Australian Workers' Union