

SUBMISSIONS IN REPLY

1. In accordance with the directions issued by the Fair Work Commission (**Commission**) on 26 October 2016:-
 - the Master Plumbers ACT;
 - the Master Plumbers and Mechanical Services Association of Australia;
 - the Master Plumbers & Gasfitters Association of Western Australia;
 - the Master Plumbers Association of Queensland;
 - the Master Plumbers of South Australia; and
 - the Master Plumbers Association of Tasmania

(collectively referred to as the **Master Plumbers Group**)

hereby submit the following submissions in reply with respect to the *Plumbing and Fire Sprinklers Award 2010 (PFS Award 2010)* arising from the 4 Year Review of Modern Awards.

2. The Master Plumbers Group note that, apart from the Master Plumbers & Mechanical Contractors Association of New South Wales (**Master Plumbers - NSW**), no other party has submitted any material to the Commission. As a consequence, the Master Plumbers Group cannot make any additional comments in reply.
3. Master Plumbers NSW has made a number of submissions on Clause 18 – Industry Specific Redundancy Scheme of the PFS Award 2010 (proposed Clause 33 of the *Plumbing and Fire Sprinklers Award 2016 [PFS Award 2016]*).
4. The Master Plumbers Group has made very similar submissions to those made by the Master Plumbers – NSW, in that the Master Plumbers Group also seeks the variation of Clause 18 – Industry Specific Redundancy Scheme of the PFS Award 2010 (proposed Clause 33 of the PFS Award 2016).
5. The Master Plumbers Group has proposed a different, but, at the same time, a very similar outcome to that proposed by Master Plumbers - NSW, in that the Master Plumbers Group have only sought the variation of Clause 18 – Industry Specific Redundancy Scheme of the PFS Award 2010 (proposed Clause 33 of the PFS Award 2016) to distinguish between those employees employed on a *daily hire basis* as compared to those employed on a *weekly hire basis*, whereas Master Plumbers – NSW has classified the variation proposed by the Master Plumbers Group as their secondary position.

6. The Master Plumbers Group supports and endorses the proposal of Master Plumbers – NSW, in that Master Plumbers – NSW seeks to vary the PFS Award 2010 in the following manner:-
 - “(a) removing the ISRS (Clause 18 – Industry Specific Redundancy Scheme of PFS Award 2010 [Clause 33 of PFS Award 2016]) altogether and deferring to the FW Act with regard to redundancy pay; or
 - (b) limiting the ISRS's (Clause 18 – Industry Specific Redundancy Scheme of PFS Award 2010 [Clause 33 of PFS Award 2016]) application to daily hire employees only, thus deferring to the FW Act with regard to redundancy pay for weekly hire employees; and/or
 - (c) limiting its application to circumstances in which an employee neither resigns nor has his/her employment terminated for misconduct or refusal of duty (which also reflects the industrial history of the building awards where the parties had arrived at a consent position on this issue”.
7. The Master Plumbers Group supports and endorses the submissions made by Master Plumbers – NSW.
8. It is the Master Plumbers Group view that there have been no other submissions made seeking substantive variations to PFS Award 2010 / PFS Award 2016. As a consequence, the Master Plumbers Group cannot make any comments on submissions that have not been made.
9. Therefore, it is the Master Plumbers Group submission that the only matters before the Commission that need determination under the substantive variations heading are:-
 - Clause 18 – Industry Specific Redundancy Scheme of PFS Award 2010 (Clause 33 of PFS Award 2016); and
 - Clause 32 – Penalty Rates (Clause 22 of PFS Award 2016); and
 - Clause 33 – Overtime (Clause 21 of PFS Award 2016).

The Master Plumbers Group

- the Master Plumbers ACT;
- the Master Plumbers and Mechanical Services Association of Australia;
- the Master Plumbers Association of Queensland;
- the Master Plumbers of South Australia; and
- the Master Plumbers Tasmania

Wednesday 8 March 2017