

IN THE FAIR WORK COMMISSION

Matter No: AM2014/69

Section 156 - Four Yearly Review of Modern Awards *Cleaning Services Award 2010*

SUBMISSION OF UNITED VOICE

1. On 9 June 2017, in the decision *4 yearly review of modern awards –award state - group 1* [2017] FWCFB 3177, the Commission released various group 1 exposure drafts of modern awards and sought comments by 30 June 2017. This submission is in response to this call for comments concerning the exposure draft of the *Cleaning Services Award 2010* ('Cleaning Award').

Clause 11.3(a) – Meal allowance

2. Under clause 17.6 of the current award, an employee is entitled to a meal allowance if they work two hours overtime without being notified the previous day or earlier. The exposure draft has altered the language of this provision so that the allowance is only paid where the employee works '*beyond the completion of their ordinary hours*'. This is a significant reduction in the entitlement. The current language of the Award should be retained which reads:

An employee required to work an additional two hours without being notified on the previous day or earlier that they will be so required to work will be paid a meal allowance of \$12.79 or supplied with a meal instead.

Clause 13 – Penalty Rates

3. The example on page 13 contains a mistake. Margaret is described as working a '*5 hour night shift starting at 6.00 pm*'. A 5 hour shift commencing at 6.00 pm is an afternoon shift, not a nightshift. Per clause 13.2, a night shift is one that finishes after midnight and at or before 8.00 am.

Clause 14.1 – definition of overtime

4. Clause 14.3 (c) defines overtime for casual employment as '*any time worked in excess of 38 ordinary hours in a week*'. This definition needs to be revised to incorporate the ordinary hours of work prescribed by clause 8.2(a) of the exposure draft [clause 24.2(a) of the current

award]. That provision states that ‘*the ordinary hours of work will be worked in periods of not more than 7.6 hours per day, or not more than 5 days, Monday to Sunday inclusive.*’

Clause 22.1 – Consultation regarding major workplace change

5. This clause refers to ‘*employers*’ in the plural. It should refer to an ‘*employer*’ singular.

Clause 22.1 (b) – Employers to discuss change

6. Clauses 22.1(b)(i)-(ii) incorrectly reference 12.1(a). It should refer to clause 22.1(a).

**UNITED VOICE
28 June 2017**