

Australian Industry Group

4 YEARLY REVIEW OF MODERN AWARDS

Submission

Construction Awards – AM2016/23

14 November 2019



4 YEARLY REVIEW OF AWARDS

Construction Awards (AM2016/23)

1. On 31 October 2019, the Full Bench issued a Decision and Draft Determination¹ pertaining to the substantive claims in relation to the Construction Awards (*Building and Construction On-site Award 2010, the Joinery and Building Trades Award 2010, the Mobile Crane Hiring Award 2010 and Plumbing and Fire Sprinklers Award 2010*)
2. Parties were provided with 14 days to comment on the form of the draft determination.
3. The variations to the Award arising from the Decision are to take effect on and from 1 January 2020.

4. Ai Group makes the following comments:

Item 4

- a) At Subclause 21.2 (b) the highlighting of the words “residential building and construction industry should be removed as no emphasis is required.
- b) Subclause 21.2 (c) should be deleted. The clause replicates the reference already described in subclause 21.2 (b) and thereby redundant. Leaving it in in could cause confusion.

Item 5

- c) At Subclause 22.7(a) the word “who” should be added after the word “employee”.

¹ [2019 FWCFB6860

Item 7

- d) Items 7 and 8 has included the allowances for Hot and Cold Work

- e) On the 26 September the Full Bench issued a decision on this matter (September Decision)². The September Decision found in paragraph 369, that the new industry allowances were to be payable in lieu of a number of allowances. These included the allowances for Hot Work and Cold Work as found in subclauses 22.2(b) and 22.2(c) respectively in the current Award.

- f) Therefore the amendments to the Award arising from item 7 should only result in the deletion of the words clauses 22.2 (b) and 22.2(c) in clause 35.3(e)

Item 8

- g) As set out above, there is no requirement to insert a new clause 35.6.

² [2018] FWCFB6019