

From: Sharlene Wellard [<mailto:swellard@meridianlawyers.com.au>]
Sent: Monday, 16 January 2017 10:20 AM
To: AMOD
Cc: admin@mga.asn.au; Scott Harris; Zoe Blandfort
Subject: 2016/36 Blood and bone marrow done leave / General Retail Award

Dear Amod team

**2016/36 Blood and bone marrow done leave.
General Retail Award**

We are instructed to mention the appearance of the Master Grocers Association (MGA) at the hearing of this matter on 16 January 2017.

The MGA has instructed us to provide the attached document to the Commission. The document sets out the MGA's position in response to the SDA claim for blood and bone marrow leave provisions in the General Retail Award 2010.

Regards,

Sharlene Wellard | Principal



Level 6, 20 Bond Street, Sydney NSW 2000
p: 02 9018 9939 | **f:** 02 9018 9900 | **w:** www.meridianlawyers.com.au

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Sydney | Melbourne | Newcastle | Brisbane

12 January 2017

Attention: Scott Harris
Pharmacy Guild Australia
10 National Circuit
Canberra
ACT 2600

BY EMAIL: Scott.Harris@guild.org.au

Dear Mr Harris,

Re: AM2016/36 – Blood and bone marrow donor leave

We refer to the above application that the Shop Distributive and Allied Employees Association (SDA) have made claims to insert new provisions for Blood and bone marrow donor leave into the *Fast Food Industry Award 2010*, *General Retail Industry Award 2010*, *Hair and Beauty Industry Award* and the *Pharmacy Industry Award 2010*.

Master Grocers Australia (MGA) is a national employer industry association representing independent grocery and liquor stores in all States and Territories of Australia. Independent supermarkets and liquor stores comprise a significant subsector of the retail industry. The stores operate under banners such as IGA, Foodland, FoodWorks, Friendly Grocer, SPAR, Cellarbrations, Bottle-O, IGA Liquor, Local Liquor and Bottlemart.

The majority of our members operate under the GRA. As a result, the application of a blood and bone marrow leave clause will greatly affect them. The general consensus of MGA's members is that they oppose the new provisions for Blood and bone marrow donor leave. Our members are small businesses and cannot afford to pay for additional leave that would usually be absorbed in the National Employment Standards. If any of our members were minded to provide blood donor leave to their employees they are able to do so in an enterprise agreement, therefore making the clause unnecessary to include in the GRA. Furthermore, this does not deter employers from providing the blood donor and bone marrow leave at their discretion.

Employers should not be held responsible for the personal choices of employees outside the work environment. If employees wish to donate blood this can be done in their personal time and access sick or personal leave. Alternatively the blood and bone marrow leave could be Government funded as the donation of blood and bone marrow is of significant benefit and should be Government responsibility. The blood and bone marrow leave would unfairly prejudice small business employers who are continually burdened with increased costs of running a business and may act as a deterrent to employing future staff; this is especially the case with casual employees who will be entitled to take blood and bone marrow leave under the proposed clause.

We are agreeable for Meridian Lawyers to present this document to the Fair Work Commission on MGA's behalf.

Yours sincerely,

MGA Independent Retailers