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22 February 2018

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Fair Work Commission  
Level 10, 80 William Street  
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[chambers.lee.c@fwc.gov.au](mailto:chambers.lee.c@fwc.gov.au)

Dear Members of the Full Bench,

**Re: AM2017/50 Hair and Beauty Industry Award 2010 – draft determination**

I write on behalf of the Australian Industry Group (**Ai Group**) and Hair and Beauty Australia (**HABA**) in relation to the above matter and directions issued by the Fair Work Commission on 21 February 2018.

In accordance with those directions, please find attached a draft determination that identifies the variations proposed in relation to the *Hair and Beauty Industry Award 2010*.

The variations proposed are the product of extensive discussions between Ai Group, HABA and the Shop, Distributive and Allied Employees Association and reflect the consent position reached between those organisations. In addition, we understand that the Australian Workers' Union and Australian Business Industrial and the NSW Business Chamber do not oppose the variations proposed.

Yours sincerely,

**Ruchi Bhatt**  
Senior Adviser – Workplace Relations Policy



# DRAFT DETERMINATION

*Fair Work Act 2009*

s.156 - 4 yearly review of modern awards

## **4 yearly review of modern awards – Hair and Beauty Industry Award 2010** (AM2017/50)

VICE PRESIDENT CATANZARITI  
DEPUTY PRESIDENT ASBURY  
COMMISSIONER LEE

SYDNEY, [DATE/MONTH] 2018

*4 yearly review of modern awards – Hair and Beauty Industry Award 2010.*

A. Further to the decision issued on [insert date]<sup>1</sup> it is ordered that, pursuant to s.156(2)(b)(i) of the *Fair Work Act 2009*, the *Hair and Beauty Industry Award 2010*<sup>2</sup> be varied by:

1. Inserting a new clause 28.4:

### **28.4 38 hour week rosters for full-time employees**

A full-time employee will be rostered for an average of 38 ordinary hours per week, worked in any of the following forms:

- (a) 38 hours in one week;
- (b) 76 hours in two consecutive weeks;
- (c) 114 hours in three consecutive weeks;
- (d) 152 hours in four consecutive weeks.

2. Inserting a new clause 28.5:

**28.5** Notwithstanding clause 28.4, a full-time employee may be rostered to work an average of 38 ordinary hours per week in accordance with an arrangement implemented prior to [insert date of effect of Commission's determination].

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<sup>1</sup> [insert citation].

<sup>2</sup> MA000005.

3. Deleting clause 29.1 and inserting in lieu:

**29.1** The employer will provide permanent employees with a written roster (which may be by electronic means) that identifies:

- (a) the number of ordinary hours to be worked each week;
- (b) the days of the week on which work is to be performed; and
- (c) the commencing and ceasing time of work for each day of the week.

4. Deleting clause 29.2.

5. Renumbering clause 29.3 as clause 29.2.

6. Inserting a new clause 29.3:

**29.3** A full-time employee's roster for a particular day may be varied by the provision of at least 48 hours' notice if this is due to an unexpected change in operational requirements (for example, staff absences or changes in customer demand).

NOTE: Clause 29.3 is to be read in conjunction with clause 8.2 of this Award.

B. This determination comes into effect on [insert date].

## VICE PRESIDENT

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