

26 February 2020

Vice President J Catanzariti
Chambers
Fair Work Commission
Level 10 – Terrace Towers
80 William Street
SYDNEY NSW 2011

By Email: chambers.catanzariti.vp@fwc.gov.au

Dear Vice President Catanzariti,

**Re: Determination – Air Pilots Award 2010 (AM2018/14).
PR716763 Pilot Training Bonds**

I write regarding the Determination of the Full Bench of the Fair Work Commission in the *4 yearly review of modern awards – Air Pilots Award 2010* issued on 14 February 2020.

We respectfully bring to the FWC's attention what appears to be an inadvertent error in the above Determination setting out the new clause 16.6 – Training Bonds of the *Air Pilots Award 2010* ('**Award**').

Clause 16.6(a)(v) of the Award variation as set out in the above Determination, states:

(v) The training bond amount reduces on a monthly pro rata basis over the term of the training when the pilot successfully checks to line.

The clause seems to be missing a word, as highlighted in the below [emphasis added]:

*(v) The training bond amount reduces on a monthly pro rata basis over the term of the training **bond** when the pilot successfully checks to line.*

The error appears to have originated in the proposed clause referenced in the Decision of the Full Bench in [2020] FWCFB 817 at para [82], handed down on 14 February 2020. The Determination replicates that proposed clause. However at the earlier para [17] of that same Decision, the November Proposal was quoted as including [emphasis added]:

*E. The Training Bond amount reduces on a monthly pro rata basis over the term of the Training **Bond** from the commencement of the training.*

I have discussed the above with Mr Simon Lutton, Executive Director of the Australia Federation of Air Pilots and he has confirmed AFAP's agreement that the Determination is mistakenly absent reference to the word '**bond**' in the above mentioned clause.

I submit this to you for your consideration.

I do not have contract details of the appropriate representatives of the other participant organisations and so could not contract them.

Yours sincerely,



Chris Ridings
Principal Consultant

Cc: Mr Simon Lutton, Executive Director, Australian Federation of Air Pilots, simon@afap.org.au