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**Sent:** Tuesday, 17 December 2019 1:24 PM

**To:** Chambers - Hatcher VP <[Chambers.Hatcher.VP@fwc.gov.au](mailto:Chambers.Hatcher.VP@fwc.gov.au)>

**Subject:** Matter Number AM 2019/17 - Local Government Associations - Hearing 18 December 2019

Dear Associate

**AM 2019/17 – 4 yearly review of modern awards – Finalisation of exposure drafts – Tranche 2 Awards  
Local Government Industry Award 2010**

1. We refer to the Statement of the Full Bench on 11 December 2019 [2019] FWCFB 8398 (**Statement**) and the Notice of Listing for 18 December 2019.
2. We represent the various Local Government Associations (**LGAs**) across Australia.
3. As we understand the Statement and listing of this matter, the Full Bench will deal with general issues from 9.30am (AEDT) and specific award issues at nominated times. For the Local Government Industry Award (LGIA) this will be at 3pm (AEDT)/12pm (AWST) by video link to Perth.
4. Subject to the matters noted below we do not believe it is necessary for the WA Local Government Association, on behalf of the LGAs, to appear before the Full Bench to deal the general issues at 9.30am (AEDT)/6.30am (AWST). However, we look forward to appearing to make submissions regarding the substantive Local Government Industry Award issues at 3pm (AEDT)/12 noon (AWST).

**Further minor corrections – Paragraphs 32 to 36 of the LGA Submissions**

5. The Statement at [20] footnote 36 identifies the minor drafting amendments raised in our Submissions dated 27 November 2019 (**LGA Submissions**) paragraphs 6 to 13. However, the Statement does not appear to address paragraphs 32 to 36 of the LGA Submissions either at [20] or [298] to [317] of the Statement.
6. The LGA Submissions at paragraphs 32 to 36 identify two errors in clause C.1.1 of Schedule C of the LGIA Exposure Draft regarding the adverse working conditions allowance and sleepover allowance.
7. We submit the reference to 'per week' for these allowances is incorrect and should be amended to 'per hour', as per clauses 19.2(c) and 21.7(a) of the LGIA Exposure Draft.
8. We respectfully request the Full Bench to consider paragraphs 32 to 36 of the LGA Submissions as minor corrections in accordance with the Statement at [20].
9. If the Full Bench is unable to consider these Schedule C matters as minor corrections, we would appreciate the opportunity to make our submissions when addressing the Full Bench in relation to the specific LGIA matters.

**General issues**

10. As to the other general issues raised in the Statement we say as follows:
  - a) **Statement at [7] – Common drafting amendments, changes to Tranche 2 awards:** the LGAs do not oppose these proposed amendments.
  - b) **Statement at [9 – 10] – Operative date:** the LGAs do not oppose the issuing of final variation determinations by no later than 14 February 2020 nor the commencement of operation of the variation determinations on 6 April 2020.

- c) **Statement at [12] – Overtime for casuals:** the LGAs do not oppose the proposal that the casual rates of pay in Schedule 2 of the LGIA Exposure Draft be deleted pending decision by the Full Bench on individual awards.
- d) **Statement at [15 – 19] Coverage for Group Training Organisations:** this does not apply to the LGIA.
- e) **Statement at [20] and [61] – Minor errors:** We refer to the LGA Submissions with respect to Schedule C above for further minor corrections, but otherwise invite the Full Bench to make the minor corrections noted.

#### **Award specific issues**

We look forward to addressing the Full Bench on the LGIA specific issues identified in the Statement at [298 – 317].

Sincerely,

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