

IN THE FAIR WORK COMMISSION

Matter No: AM2019/17

s.156 – 4 Yearly review of modern awards

Finalisation of exposure drafts

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia Submissions in respect of Decision [2019] FWCFB

6077

1. On 2 September 2019 the Full Bench issued a Decision [2019] FWCFB 6077¹ (Decision) inviting parties to file submissions in respect of the submissions set out in Attachment A of the Decision.²
2. The Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU) has an interest in several Awards. However, this reply submission is limited to submissions received in respect of the *Electrical, Electronic and Communications Contracting Award 2010* exposure draft (Electrical exposure draft).³
3. It is noted that the following parties provided submissions in respect of the Electrical exposure draft:
 - a. Master Electricians Association (MEA), dated 11 April 2019;⁴ and
 - b. Australian Business Industrial and NSW Business Chamber (ABI and NSW BC), dated 12 April 2019.⁵
4. MEA filed submissions in respect of concerns of the “ordinary hourly rate” expressed in B.2.1. Specifically, seeking to insert “and electricians licence allowance” into the definition of “ordinary hourly rate” in the table at B.2.1.
5. The CEPU does not oppose such proposal as long as the rates provided in the table is adjusted to include the electricians licence allowance.
6. ABI and NSW BC filed submissions provides at paragraph 1.4 the following:

¹ <https://www.fwc.gov.au/documents/decisionsigned/html/2019fwcfb6077.htm>

² See paragraph [26] of the Decision.

³ <https://www.fwc.gov.au/sites/awardsmodernfouryr/exposure-draft-electrical-contracting-revised-220319.pdf>

⁴ <https://www.fwc.gov.au/sites/awardsmodernfouryr/am2014265-sub-mea-110419.pdf>

⁵ <https://www.fwc.gov.au/sites/awardsmodernfouryr/am2018260-80-sub-abi-120419.pdf>

1.4 To resolve this issue, our clients submit that:

(a) the definition of 'standard rate' is amended to the following, "the minimum wage for an Electrical Worker Grade 5 in clause 16.2"; and

(b) the percentages in the table in clause C.1 of Schedule C for weekly allowances are updated in accordance with the percentages in the current Electrical Award. For example, the industry allowance is changed from 140.59% to 3.7%; and

(c) any references in Schedule C to '\$22.04' (being the hourly standard rate) are either:

(i) deleted; or

(ii) the weekly standard rate of '\$837.40' is also inserted alongside each

reference; and

(d) the weekly wage related allowances calculated on the weekly standard rate and the hourly wage related allowances calculated on the hourly standard rate are placed in separate tables so that users of the Electrical Award can clearly identify the basis for calculating particular allowances.

7. The CEPU does not oppose ABI and NSW BC proposal if the effect is the status quo.

20 September 2019