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27 November 2019

The Hon. Justice IJK Ross
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: chambers.ross.j@fwc.gov.au

Dear Justice Ross,

Re. AM2019/17 Finalisation of Exposure Drafts – Salt Industry Award 2010 and Wool, Storage, Sampling and Testing Award 2010

We refer to the above matter.

As outlined during proceedings before Your Honour on 26 November 2019, the Australian Industry Group, the Australian Workers' Union, Australian Business Industrial and the NSW Business Chamber (collectively, **Parties**) jointly propose the courses of action outlined below in respect of the finalisation of the exposure draft of the *Salt Industry Award 2010 (Salt Award)* and the *Wool, Storage, Sampling and Testing Award 2010 (Wool Award)*.

Salt Award

1. The Full Bench as presently constituted refer the issue of whether casual employees are entitled to the casual loading and if so, the basis upon which the relevant rates are to be calculated, during the performance of ordinary hours on a weekend, ordinary hours on a public holiday and shiftwork under the Salt Award, to the Full Bench constituted to deal with AM2017/51 Overtime for Casuals (**Overtime for Casuals Full Bench**).
2. Any directions issued by the Overtime for Casuals Full Bench regarding the entitlement of casual employees during overtime under the Salt Award also contemplate the filing of submissions in respect of the issue described above at paragraph (1).
3. The Commission defer issuing a determination to vary the Salt Award to reflect the exposure draft until the Overtime for Casuals Full Bench has determined the aforementioned issues.



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Wool Award

1. The Full Bench as presently constituted refer the issue of whether casual employees are entitled to the casual loading and if so, the basis upon which the relevant rates are to be calculated, during the performance of ordinary hours on a weekend, ordinary hours on a public holiday and shiftwork under the Wool Award, to the Overtime for Casuals Full Bench.
2. The Overtime for Casuals Full Bench deal with the Wool Award in the 'third category' of awards it is considering, instead of the 'second category' of awards.
3. Any directions issued by the Overtime for Casuals Full Bench regarding the entitlement of casual employees during overtime under the third category of awards also contemplate the filing of submissions in respect of the issue described above at paragraph (1).
4. The Commission defer issuing a determination to vary the Wool Award to reflect the exposure draft until the Overtime for Casuals Full Bench has determined the aforementioned issues.

The Parties respectfully request that if appropriate, His Honour refer the relevant aspects of its proposals above to the Overtime for Casuals Full Bench, for its consideration.

Yours sincerely,

Ruchi Bhatt

Senior Adviser – Workplace Relations Policy

cc: Chambers of Vice President Hatcher (chambers.hatcher.vp@fwc.gov.au)