

## SUMMARY OF PROPOSED VARIATIONS

This table is a summary of proposed variations was first published on 1 June 2016 and revised on 10 October 2017

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	AIS&IEU	<a href="#">Sub – 14/04/16</a>	5.2		<b>Facilitative provisions</b> Parties seek removal of ‘boarding supervision services employees’ from cross reference to cl.9.6 as application of clause not limited to boarding supervision services employees.	Para 5	<b>AGREED</b>
2	AIS&IEU	<a href="#">Sub – 14/04/16</a>	6.4(a)(ii)		<b>Part-time employees</b> Parties seek inclusion of cross reference to cl.7 (leave without pay during non-term weeks) as pattern of work and payment arrangements in award for employees working only during term weeks are unique to this award.	Para 6	<b>OUTSTANDING</b>
	AFEI	<a href="#">Reply sub – 09/05/16</a>			Proposed amendment unnecessary – does not clarify operation of subclause.	Para 28	
3	AIS&IEU	<a href="#">Sub – 14/04/16</a>	6.4(b)		<b>Part-time employees</b> Parties seek insertion of words ‘hourly rate’ to give better effect to intention of clause.	Para 7	<b>AGREED</b>

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4	ABI & NSWBC	<a href="#">Sub – 15/04/16</a>	6.4(c)		<b>Part-time employees</b> Party seeks removal of words ‘at least’ as they do not appear in current award and materially change effect of provision.	Para 15.1	<b>AGREED</b>
	AIS&IEU	<a href="#">Reply sub – 05/05/16</a>			Supports proposed amendment.	Para 11	
5	AIS&IEU	<a href="#">Sub – 14/04/16</a>	7.2(a) and (d)		<b>Calculating annual salary for an employee on leave without pay during non-term weeks</b> Parties seek inclusion of more specific cross references to 7.2(b)	Para 8	<b>AGREED</b>
6	AIS&IEU	<a href="#">Sub – 14/04/16</a>	7		<b>Calculating annual salary ...</b> Parties seek insertion of example of an adjusted salary.	Para 9	<b>OUTSTANDING</b>
	AFEI	<a href="#">Reply sub– 09/05/16</a>			Opposes proposed amendment.	Para 29	
7	VAPS & GSV	<a href="#">Sub - 02/02/15</a>	9	22	<b>Hours of work</b> Parties seek change in ordinary hours of work (not specified).	Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
8	IEU	<a href="#">Sub - 02/03/15</a>	9.3 and 9.4 13.3(b)	22.2 and 16.6	<b>Boarding house employees</b> Party concerned employees employed in boarding houses disadvantaged by award. Exemptions in 22.2 from penalties and 16.6 sleepover allowance are harsh and unfair. Exclusions should be removed.	Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>

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9	AIS&IEU	<a href="#">Sub – 14/04/16</a>	9.4		<b>Boarding supervision services employees</b> Parties seek inclusion of words 'Minimum Wages' to provide clarification.	Para 10	<b>AGREED</b>
10	AIS&IEU	<a href="#">Sub – 14/04/16</a>	10		<b>Rostering</b> Parties seek insertion of example (at the end of provision) of calculation of rates for a part-time employee working broken shift on single day.	Para 13	<b>OUTSTANDING</b>
	AFEI	<a href="#">Reply sub – 09/05/16</a>			Opposes proposed amendment.	Para 29	
11	ABI & NSWBC	<a href="#">Sub – 15/04/16</a>	10		<b>Rostering</b> Party seeks reinsertion of shiftwork definition into cl.10 as opposed to cl.15, or inclusion of shiftwork definition into both clauses to reduce confusion about ordinary hours of work for shiftworkers.	Para 15.2	<b>OUTSTANDING</b>
	AIS&IEU	<a href="#">Reply sub – 05/05/16</a>			Does not consider proposed amendment necessary.	Para 13	
12	AIS&IEU	<a href="#">Sub – 14/04/16</a>	10.2(c)(i)		<b>Altering the roster</b> Parties seek clause be subject to provisions of cl.24.2 to indicate existence of additional obligations in some instances.	Para 11	<b>OUTSTANDING</b>
	AFEI	<a href="#">Reply sub – 09/05/16</a>			Opposes proposed amendment. A change of roster by mutual consent	Para 30	

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					or with 7 days' notice will not invoke consultation process in cl.24.2, and proposed amendment will likely lead to employers' misunderstanding their obligations.		
13	AIS&IEU	<a href="#">Sub – 14/04/16</a>	10.2(d)(ii)		<b>Broken shifts</b> Parties seek insertion of additional wording to clarify that provision does not apply to casual employees.	Para 12	<b>AGREED</b>
	ABI & NSWBC	<a href="#">Reply sub – 06/05/16</a>			Supports proposed amendment.	Para 15.1	
14	AFEI	<a href="#">Sub – 15/04/16</a>	10.2(d)(ii)		<b>Broken shifts</b> Party seeks amendment to clause to clarify that penalty and minimum payment in cl.15.4 apply to employees <i>other than</i> casual employees. As currently drafted, the clause represents substantive change.	Paras 14–16	<b>OUTSTANDING</b>
	AIS&IEU	<a href="#">Reply sub – 05/05/16</a>			Opposes proposal on basis it would change operation of the award. Argues that when read together, cl.10.2(d)(ii) and 6.5(d)(i) replicate employment arrangements under current MA, whereby a casual employee engaged to work a broken shift will work two engagements of not less than two hours and will be entitled to casual loading but not the broken shift penalty.	Paras 4–7	

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15	ISV	<a href="#">Sub - 02/03/15</a>	11.1	24.1	<b>Breaks - break after 5 hours</b> Seeks variation to clause 24.1 to ensure meal break commences no later than five hours after employee commenced work on the day.	Point 1, page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
16	ISV	<a href="#">Sub - 02/03/15</a>	11.2	24.2	<b>Breaks - variation to timing of breaks</b> Seeks variation to clause 24.2 to ensure alternative arrangement for classroom support services employees is at direction of employer.	Point 2, Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
17	VAPS & GSV	<a href="#">Sub - 02/02/15</a>	12.3	15.3	<b>Junior rates</b> Parties seek junior rates be introduced into Award for sports coaches and support persons for coaches. Seek introduction of more classifications for these types of employees at grades 1, 2 & 3.	Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
18	AIS&IEU	<a href="#">Sub – 14/04/16</a>	13.2(b)(iii)		<b>Sleepover allowance</b> Parties seek inclusion of names of clauses being cross-referenced.	Para 14	<b>AGREED</b>
19	AIS&IEU	<a href="#">Sub – 14/04/16</a>	13.3(a)(iv)		<b>Meal allowance</b> Parties seek clause be reworded for simplicity.	Para 15	<b>AGREED</b>

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20	AIS&IEU	<a href="#">Sub – 14/04/16</a>	14.4		<b>Superannuation fund</b> Parties seek amendments to names of certain superannuation funds list to reflect current naming conventions; and minor amendment to correct grammatical error in subclause (q).	Para 16	<b>AGREED</b> – Example provided in submission
21	VAPS & GSV	<a href="#">Sub - 02/02/15</a>	15	26	<b>Penalty rates</b> Parties seek reduction in penalty rates for work carried out before and after ordinary school hours and on weekends.	Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
22	AIS&IEU	<a href="#">Sub – 14/04/16</a>	15.4(a)		<b>Broken shifts</b> Parties seek minor variations to provide clarification.	Para 17	<b>AGREED</b>
23	AIS&IEU	<a href="#">Sub – 14/04/16</a>	15.4(b) and 15.5		<b>Broken shifts</b> Parties seek insertion of new cl.15.4(b) and amendments to cl.15.5 to correct error whereby clause incorrectly applies non-accumulation provisions of cl.26.3 of current MA to provisions of cl.25.3. Broken shift payments are paid in addition to other penalty payments.	Para 18	<b>OUTSTANDING</b>
	AFEI	<a href="#">Reply sub – 09/05/16</a>			Opposes proposed amendment as would involve substantive change – current MA does not require broken shift penalty to be paid in addition to any other penalties.	Para 31	

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24	AIS&IEU	<a href="#">Sub – 14/04/16</a>	16.3		<b>Reasonable additional hours–part-time employees</b> Parties seek removal of unnecessary wording ‘where employee’s hours are averaged’ and renumbering of subclauses.	Para 19	<b>OUTSTANDING</b>
25	AFEI	<a href="#">Sub – 15/04/16</a>	16.3(a)		<b>Reasonable additional hours–part-time employees</b> Party seeks removal of heading at 16.3(a) as it appears to limit reasonable additional hours to part-time employees whose hours are averaged (excluding part-time employees whose hours are not averaged) – a substantive change.	Para 17	<b>OUTSTANDING</b>
	AIS&IEU	<a href="#">Reply sub – 05/05/16</a>			Support proposed amendment.	Paras 8–9	
	ABI & NSWBC	<a href="#">Reply sub – 06/05/16</a>			Supports proposed amendment.	Para 15.2	
26	AIS&IEU	<a href="#">Sub – 14/04/16</a>	17.3(b)(i)		<b>Payment for annual leave</b> Parties seek correction to adjustment of load percentage to 1.3426% - noting that percentage has been incorrect from date current MA commenced.	Para 20	<b>OUTSTANDING</b> Provision may be affected by <a href="#">AM2014/47</a>

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27	ISV	<a href="#">Sub - 02/03/15</a>	Schedule A	Schedule B	<b>Classifications - instructional services employees</b> Separate classification be established for persons employed to undertake coaching or training in sporting activities.	Point 3, Page 1	<b>REFERRED</b> – Being dealt with by Full Bench <a href="#">AM2015/6</a> – see <a href="#">Directions</a>
28	AIS&IEU	<a href="#">Sub – 14/04/16</a>	B.1.2		<b>Full-time and part-time adult employees–shiftwork penalty rates</b> Parties seek amendment in form of additional rates tables identifying rates paid in event of a broken shift being worked during another shift (eg: afternoon, night or permanent night shift) as broken shift payments are paid in addition to other penalty payments.	Para 21	<b>OUTSTANDING</b>

#### List of abbreviations (in alphabetical order)

ABI & NSWBC	Australian Business Industrial and the NSW Business Chamber Ltd
AFEI	Australian Federation of Employers and Industries
IEU	Independent Education Union of Australia
ISV	Independent Schools Victoria
VAPS & GSV	Victorian Association of Public Schools and Girls Sport Victoria
AIS&IEU	Associations of Independent Schools and Independent Education Union of Australia