

## SUMMARY OF SUBMISSIONS

*This summary of submissions has been updated to include a summary of submissions received in accordance with the [Directions](#) issued by Deputy President Clancy on 14 December 2016. It includes submissions lodged on or before 5.00 pm on 16 February 2017.*

## Fitness Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	GA	<a href="#">Sub-12/11/2015</a>	3	3	<b>Coverage</b> Seeks to vary clause to include “gymnastic services, activities or classes” in the definition of the fitness industry.	Para 9-10	Clause to be varied to include “gymnastic services, activities or classes” in the definition of the fitness industry, see <a href="#">Report to Full Bench</a> .  No opposition from AA, ABI&NSWBC, AFEI, AWU, BusSA or TA, see <a href="#">Summary of Positions</a> .
	AA	<a href="#">Sub – 16May16</a>			Does not oppose proposed amendments.	Para 1.3	
2.	TA	<a href="#">Sub-11Feb15</a>	3	4, 13.5	<b>Coverage</b> Coverage of tennis coaches should be more explicit. Also propose inclusion of tennis coaches in Schedules in various classification levels.	Attachment pages 1-2	Clause to be varied as per submissions regarding tennis coaches filed by Tennis Australia on 11 February 2015, see <a href="#">Report to Full Bench</a> .  No opposition from AA, ABI&NSWBC, AFEI, AWU, BusSA, FA or GA, see <a href="#">Summary of Positions</a> .
	FA	<a href="#">Sub-02Mar15</a>			The variations proposed by Tennis Australia not opposed.	Para 3	
	AA	<a href="#">Sub – 16May16</a>			The variations proposed by Tennis Australia not opposed.	Para 1.1	

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2A.	AA	<a href="#">Sub-4Aug16</a>	3.4		<b>Coverage</b> 'Outside of fitness centres' should be removed or expended to cover the activities listed in subclauses (b)-(k) in cl.3.2. This would reflect custom and practice in the industry.	Pages 1-2	
	GA	<a href="#">Sub-10Jan17</a>			GA notes it has suggested in discussion with interested parties that proposed wording may be unclear in relation to how it applies to providers of gymnastics services.	Para 5	
2B.	AA	<a href="#">Sub-22Dec16</a>	3.4		<b>Coverage</b> Suggests clause be replaced with 'This award does not cover an employee who is employed by the employer to provide administrative and other operational support outside of fitness centres, group fitness organisations, weight loss/control centres, aquatic centres, indoor sports centres, golf driving ranges, dance centres, martial arts centres, recreational camps, tennis clubs and centres.'	Pg 2	FA, BusSA and AWU not opposed to this wording, see <a href="#">Report back to FWC</a> .
	AA	<a href="#">Sub-22Dec16</a>			Continues to press claim.	Pg 2	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.2	

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3.	AWU	<a href="#">Sub-19Apr16</a>	6	16	<b>Classifications</b> Amend clause to require changes to employee's classification level to be in writing, and that changes will occur at a later date, not commencement of employment.	Para 4	Clause to be varied, see <a href="#">Report to Full Bench</a> for proposed wording. No opposition from AA, ABI&NSWBC, AFEI, BusSA, GA or TA, see <a href="#">Summary of Positions</a> .
	BusSA	<a href="#">Reply sub – 6May16</a>			Disagrees with AWU proposal, but agrees the current wording is too broad. Prepared to collaborate in redrafting clause.	Paras 6.0 and 6.10	
	AA	<a href="#">Sub – 16May16</a>			Does not oppose AWU's proposed amendment.	Para 2.1	
4.	SA & ASCTA	<a href="#">Sub-26Feb15</a>	7.1	10.1	<b>Types of employment</b> <del>A reference to 'weekly seasonal or fixed term employment' should be included with facilitative provisions being incorporated within context of clauses 11 and 12 (current award). Would provide for employees engaged for swim school 'terms'.</del>	Page 1	This does not appear to be pressed by SA & ASCTA, see <a href="#">Summary of Positions</a> .

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5.	AA	<a href="#">Sub-07Mar16</a>	7.3(a)(iii), 11.1	12.1(c), 18	<b>Part-time employees and allowances</b> Tension between clauses 7.3(a)(iii) and 11.1 may cause confusion. Opening sentence in 11.1 should be qualified to enable pro rated payment of all allowances relating to work and wages on an <u>hourly basis</u> for other than full-time employees.	Para A.1-A.2	Agreement for word to be inserted in subclause 11.1 and to amend wording of clause 11.2(b), see <a href="#">Report to Full Bench</a>  Proposal to enable pro-rate payment of allowances relating to work and wages on an hourly basis for other than full-time employees generally agreed, see <a href="#">Report to Full Bench</a> .  No opposition from ABI&NSWBC, AWU, BusSA, FA, GA or TA, see <a href="#">Summary of Positions</a> .  AFEI does not oppose in respect of leading hands/supervisors but otherwise has concerns regarding the proposed wording. See <a href="#">proposed wording</a> attached	
	BusSA	<a href="#">Reply sub – 6May16</a>				Agrees with submissions of AA		Para 6.2
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>				Agrees with submissions of AA		Para 8.5
	FA	<a href="#">Sub-26May16</a>	13.1	Agrees with submissions of AA	Para 2.10			

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6.	AWU	<a href="#">Sub-19Apr16</a>	7.4(a)		<b>Casual employees</b> Propose to add: “ <i>and works less than 38 ordinary hours per week</i> ”.	Paras 5-6	The positions of the parties remain as set out in the Summary of Submissions published 20 May 2016, save that BusSA has withdrawn its support for the AWU's proposal.  This remains an area of dispute on which it is unlikely the parties will come to agreement, see <a href="#">Summary of Positions</a> .
	GA	<a href="#">Reply sub – 5May16</a>		AWU proposed variation would be substantive. If award does not meet requirements in s.147 of Act, party proposes to insert wording similar to that in s.20(2)(b)(ii) of Act.	Paras 5-7		
	AWU	<a href="#">Reply sub – 5May16</a>		Proposal will assist in rectifying the inconsistency identified in clauses 8.3 and 14.1.	Para 13(c)		
	BusSA	<a href="#">Reply sub – 6May16</a>		Agrees with AWU submission.	Paras 6.3 and 6.11		
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>		Opposes AWU proposal as the ED is consistent with s.147 of the Act given the operation of clauses 7.4(b), 8.1 and 8.2. Variation is unnecessary.	Para 8.1		
	AA	<a href="#">Sub-16May16</a>		Supports amendment proposed by GA. Does not agree with AWU that s.147 of Act automatically provides entitlement to overtime to casuals.	Paras 1.3 and 2.2		
	TA	<a href="#">Sub-10Jan17</a>		Opposes AWU’s proposal.	Para 15		
	GA	<a href="#">Sub-10Jan17</a>		Maintains opposition to AWU’s proposal.	Para 1		
	GA	<a href="#">Sub-20Jan17</a>		Opposes AWU’s proposal.	Para 15		
	TA	<a href="#">Sub-20Jan17</a>		Still opposes AWU’s proposal. Provides ground for opposition.	Paras 4-30		

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	AWU	<a href="#">Sub-27Jan17</a>			Still pursuing claim. Provides grounds for claim.	Paras 21-24	
	BusSA	<a href="#">Sub-31Jan17</a>			Opposes AWU's proposal.	Pg 1	
	TA&GA	<a href="#">Sub-7Feb17</a>			Still opposed to AWU's proposal.	Paras 22-69	
	ABI&NS WBC	<a href="#">Sub-7Feb17</a>			Still opposed to AWU's proposal. Repeat and rely upon previous submissions.	Para 2	
	AFEI	<a href="#">Sub-7Feb17</a>			Opposes AWU's proposal. It would introduce a substantial and unwarranted change to current award.	Paras 8-9	
	AWU	<a href="#">Replysub-13Feb17</a>			Rejects TA's arguments per 20Jan17 submissions.	Paras 20-26	
7.	ABI&NS WBC	<a href="#">Sub-14Apr16</a>	7.4(b)(i)	13.2	<b>Casual employees – Casual loading</b> Insertion of clause reference to clause 10 ED appropriate. Or insert definition of minimum hourly rate in Sched G.	Para 8-8.1	'Minimum hourly rate' to be inserted into Schedule G, see <a href="#">Report to Full Bench</a>
	GA	<a href="#">Reply sub – 5May16</a>			Support ABI proposal to insert minimum hourly rate definition.	Paras 12-13	No opposition from AA, AFEI, AWU, BusSA, GA or TA. See <a href="#">proposed wording</a> .
	AWU	<a href="#">Reply sub – 5May16</a>			Not opposed to either of ABI's proposals. Notes reference to 'minimum hourly rate' at cl.9.1(b) does not account for 250% public holiday loading when employee works through their meal break on a public holiday.	Para 4	Refer to <a href="#">FA's submissions dated 26 May 2016</a> at 2.9.
	BusSA	<a href="#">Reply sub – 6May16</a>			Agree with ABI&NSWBC.	Para 6.4	
	AA	<a href="#">Sub – 16May16</a>			Does not oppose GA's proposal.	Para 1.3	

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	ABI&NS WBC	<a href="#">Sub-7Feb17</a>			Still pressing claim. Repeat and rely upon previous submissions.	Para 2	
8.	AA	<a href="#">Sub-07Mar16</a>	7.4	13	<b>Casual employees</b> Suggests words “in accordance with Schedule B – Summary of Hourly Rates of Pay (B.2) Casual employees” be added to clause.	Para B.1	Clause to be varied after the words “for the work being performed”, see <a href="#">Report to Full Bench</a> No opposition from ABI&NSWBC, AFEI, AWU, BusSA, GA or TA, see <a href="#">Summary of Positions</a> .
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>			Not opposed, though not strictly necessary as current drafting does not create ambiguity.	Para 8.2	
9.	FWO	<a href="#">Corro-02Mar15</a>	7.4(b)(ii), 18.3	13.3, 26.3(e)	<b>Casual employees</b> Rates payable to casuals on public holidays are unclear.	Para 17	Parties do not see an ambiguity, save for if overtime is worked by a casual on a public holiday. To the extent this related to casual entitlement to overtime, this remains an area of dispute on which it is unlikely the parties will come to agreement, see <a href="#">Summary of Positions</a> .  FA's position is set out at 2.8 of its <a href="#">submissions dated 26 May 2016</a>
	FA	<a href="#">Sub-26May16</a>			Wording not ambiguous as casuals don't receive overtime – agrees with submission of AA.	Para 2.1-2.9	

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9A	GA	<a href="#">Sub-12Nov15</a>	7.4(c)(ii)	13.5	<b>Casual employment</b> Seeks to vary clause with the effect that casual employees classified at Level 5 may be engaged for a minimum period of one hour's work.	Para 18-19	Clause to be varied with the effect that casual employees classified at Level 5 may be engaged for a minimum of one hour's work, see <a href="#">Report to Full Bench</a> . No opposition from AA, ABI&NSWBC, AFEI, AWU, BusSA, TA, see <a href="#">Summary of Positions</a> .
	AA	<a href="#">Sub – 16May16</a>			Does not oppose proposed amendments.	Para 1.3	
10.	AA	<a href="#">Sub-07Mar16</a>	8.1	24.1	<b>Ordinary hours of work and rostering: application of overtime provisions to casuals</b> Clause deviates from current award which appears to limit the hours that do not apply to casuals. New wording has universal application.	Para C-C.3	The positions of the parties remain as set out in the Summary of Submissions published 20 May 2016, save that FA's position is set out at 2.1-2.7 and 2.9 of its <a href="#">submissions dated 26 May 2016</a> .  This remains an area of dispute on which it is unlikely the parties will come to agreement, see <a href="#">Summary of Positions</a> .
	AWU	<a href="#">Reply sub – 5May16</a>			Agrees wording has universal application, consistent with the current award. Does not accept AA's argument regarding payment of overtime for casuals on weekends. Casual employees are worse off on weekends and public holidays, and are precluded from favourable penalty rates afforded to full time and part time employees.	Paras 5–8	
	ABI&NSWBC	<a href="#">Reply sub – 6May2016</a>			Agrees with AA's submissions However submits that proposed	Para 8.3	



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					amendment to cl.14.2 not strictly necessary as the current drafting does not give rise to ambiguity.		
	FA	<a href="#">Sub-26May16</a>			Wording not ambiguous as casuals don't receive overtime – agrees with submission of AA and ABI&NSWBC.	Para 2.1-2.9	
	GA	<a href="#">Sub-10Jan17</a>			Clause has a different legal effect from the current award. Provides basis for claim.	Paras 2, 7-19	
	TA	<a href="#">Sub-10Jan17</a>			Clause has a different legal effect from current award. Adopts GA's comments on the basis for this.	Paras 16, 18	
	GA	<a href="#">Sub-20Jan17</a>			Still submits ED clause has a different legal effect. Drafting of clause 8 should be changed to the wording of current award cl 24. Provides justification for claim.	Paras 15-40	
	TA	<a href="#">Sub-20Jan17</a>			Opposes variation arising from drafting of clause. Drafting of clause 8 should be changed to the wording of current award cl 24. Provides suggested wording and justification for claim.	Paras 4-30	
	ABI&NS WBC	<a href="#">Sub-7Jan17</a>			Agrees with GA and TA's submissions dated 10 and 20 Jan 17. Repeat and rely on previous submissions.	Paras 1-2	
	AFEI	<a href="#">Sub-7Feb17</a>			References to full-time and part-time employees in cl 8.1 and 8.2 have been	Para 7	

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					removed. This would have the effect of extending overtime to casual employees working outside the span of hours and/or in excess of 38 hours per week. Opposed to this substantive change.		
	AWU	<a href="#">Replsub-13Feb17</a>			Rejects specific evidence and submissions from TA and GA relating to payment of overtime to casuals.	Paras 20-51	
11.	GA	<a href="#">Sub-14Apr16</a>	8.3	24.2	<b>Ordinary hours of work and rostering</b> <i>If overtime is payable to casual employees, should clause 8.3 be amended to include casuals</i> Unclear whether casuals are entitled to overtime when working outside ordinary hours and ED should be amended to clarify this.	Para 1-2	The positions of the parties remain as set out in the Summary of Submissions published 20 May 2016, save that FA's position is set out at 2.1-2.7 and 2.9 of its <a href="#">submissions dated 26 May 2016</a> .
	ABI&NS WBC	<a href="#">Sub-14Apr16</a>			Party submits casual employees are not entitled to overtime if they work in excess of ten hours on any one day.	Para 8.2	This remains an area of dispute on which it is unlikely the parties will come to agreement, see <a href="#">Summary of Positions</a> dated 30 May 2016.
	<del>BusSA</del>	<del><a href="#">Sub-15Apr16</a></del>			<del>Party submits casual employees are not entitled to overtime and only full-time and part-time employees are.</del>	Para 6.2.1	
	AWU	<a href="#">Sub-19Apr16</a>			Party submits casuals are to be paid overtime. Clause 14.1 does not exclude casuals and applies to all employees. Proposed wording for clause 8.3 in submission.	Para 7-9	Parties remain in dispute regarding the Commission's question. See <a href="#">Report back to the</a>

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	GA	<a href="#">Reply sub – 5May16</a>			AWU has not provided support for its assertions and fails to address Award’s intent to exclude casuals from ordinary hours of work. Variation to hours of work clause would be a substantial change.	Paras 2-4	<a href="#">FWC</a> dated 29 August 2016.
	AWU	<a href="#">Reply sub – 5May16</a>			Opposes submissions of ABI and BusSA, noting inconsistency between clauses 8.3 and 14.1. Proposes words ‘for a full-time or part-time employee’ be removed. Rejects GA’s argument that casual employees not governed by ordinary hours, consistent with s62(1) of the Act.	Paras 9–14	
	BusSA	<a href="#">Reply sub – 6May16</a>			Agrees with GA, disagrees with AWU. Relies on its earlier submission.	Paras 6.5, 6.6 and 6.12	
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>			Opposes AWU’s proposed amendment. Rely on para. 8.2 of submissions of 15 April 2016. Agrees with submissions of BusSA and GA.	Para 8.4	
	AFEI	<a href="#">Reply sub – 9May2016</a>			Agrees with BusSA and AiG that extending clause to casual employees would involve a substantial change.	Para 32	
	AA	<a href="#">Sub – 16May16</a>			Does not oppose amendment proposed by GA.	Para 1.3	
	FA	<a href="#">Sub-26May16</a>			Wording not ambiguous as casuals don’t receive overtime – agrees with submission of AA, ABI&NSWBC and BusSA.	Para 2.1-2.9	

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	AA	<a href="#">Sub-22Dec16</a>			Clause should be incorporated as it appears in the ED published 29 July 2016, without reference to casuals.	Pg 2	
	GA	<a href="#">Sub-10Jan17</a>			Maintains position that overtime is not currently and should not become payable to casual employees. Provides basis for this.	Paras 3, 7-19	
	TA	<a href="#">Sub-10Jan17</a>			Overtime is not currently payable to casual employees.	Para 17	
	AWU	<a href="#">Sub-27 Jan17</a>			Still pursuing claim that casuals are entitled to overtime. Provides grounds for claim.	Paras 16-20, 28-41	
	TA&GA	<a href="#">Sub-7Feb17</a>			Still pursuing claim that casuals are not entitled to overtime. Provides justification for claim.	Paras 22-69	
	ABI&NS WBC	<a href="#">Sub-7Feb17</a>			Still opposed to claim. Repeat and rely upon previous submissions.	Para 2	
	AFEI	<a href="#">Sub-7Feb17</a>			Notes and agrees with submissions from TA and GA dated 10 Jan 17. Submits overtime does not apply to casual employees.	Para 6	
11A.	AA	<a href="#">Sub-22Dec16</a>	11.1		<b>Allowances</b> Insert the following in the first sentence prior to the full stop: ‘, provided that employees engaged under sub-clause 7.3 (as part-time), shall be paid all allowances on a pro-rata, hourly, basis.’	Pg 2-3	

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	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.		
12.	BusSA	<a href="#">Sub-02Mar15</a>	11.2(b)	18.4	<del><b>Broken shift allowance</b> The term 'excess fares' is used but not defined and no explanation of the application of the allowance is provided.</del>	Page 6	BusSA has withdrawn its proposal, see <a href="#">Summary of Positions</a> .  In <a href="#">Corr-31/01/17</a> , BusSA note summary not updated to reflect submission re item 11 withdrawn on <a href="#">30 June 2016</a> , PN [727]. BusSA refer to Sporting Orgs Award in <a href="#">corr-31/01/17</a> . However, no item 11 in summary for this award. PN [727] appears to be referring to Fitness Award.
11B.	TA	<a href="#">Sub-20Jan17</a>	14		<b>Overtime</b> Seeks clause be varied to clarify casual employees are not entitled to overtime.	Para 4	
11C.	GA	<a href="#">Sub-20Jan17</a>	14.1(a)		<b>Overtime – Definition of overtime</b> Delete, substitute with: 'Overtime work is any work performed outside of ordinary hours, on any day or shift, as defined by clause 8—Ordinary hours of work and rostering.'	Para 23	

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	TA				Clause should be deleted and substituted. Suggests same wording as GA.	Paras 13-30	
13.	GA	<a href="#">Sub-14Apr16</a>	14.3	26.2	<b>Overtime – Break between shifts</b> <i>Parties are asked to clarify whether the 10 hour break is between the end of overtime on one day/shift and the beginning of ordinary hours on the next day/shift</i> Party submits appropriate for employees in gymnastics clubs as unpredictable length of gymnastics competitions means that instructors may be required to work unrostered overtime.	Para 9-16	Clause to be varied, see <a href="#">Report to Full Bench</a> for wording.  AA, ABI&NSWBC, AWU, BusSA, FA, GA and TA support the proposal of AA in its submissions dated 16 May 2016, see see <a href="#">Summary of Positions</a> .
	BusSA	<a href="#">Sub-15Apr16</a>			Whilst a shift is not defined in the fitness industry, it is commonly seen as a regular system of work.	Para 6.2.2	AFEI may wish to make submission.
	AWU	<a href="#">Sub-19Apr16</a>			10 hour break is between the end of work one shift and the beginning of ordinary hours on the next shift. Proposed clause amendment in submission.	Para 10-11	See <a href="#">proposed wording</a> in attachment (note ABI&NSWBC have proposed slightly varied wording that has not been considered by the parties).
	GA	<a href="#">Reply sub – 5May16</a>			AWU’s submission does not account for the word “rostered” in current Award and proposed variation would result in further ambiguity. Party adopts BusSA’s submissions.	Paras 8-11	

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	AWU	<a href="#">Reply sub – 5May16</a>			Rejects BSA and GA reasoning about operation of ‘rostered’. Proper construction is a 10 hour break between the end of overtime on one shift and the beginning of ordinary hours on next shift, or a 200% loading is applicable. Relies on previously proposed clause amendment.	Paras 15–21	
	BusSA	<a href="#">Reply sub – 6May16</a>			Agrees with GA, disagrees with AWU. Clause clearly states the break operates between ‘rostered shirts’ – nothing in clause suggests the 10 hour break begins at the end of overtime.	Paras 6.7, 6.8 and 6.13	
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>			Opposes AWU submissions, agrees with BusSA and GA.	Para 8.6	
	AA	<a href="#">Sub – 16May16</a>			10 consecutive hours must be measured from time of cessation of work in one work period and commencement of work in next, regardless of nature of work involved. Operation of clause should be limited to circumstances wherein the employee has worked for a period in excess of 3 consecutive hours, in first instance, prior to any additional premium being applied to work commencing without a 10 consecutive hour break.	Paras 2.3 and 2.4	

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14.	GA	<a href="#">Sub-14Apr16</a>	<i>Proposed new clause 15.X</i>	<i>New clause</i>	<b>Annual leave – close down</b> Propose insertion of the annual leave close-down provision.	Para 1-22	Clause to be varied, see <a href="#">Report to Full Bench</a> for proposed wording.
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>			Supports GA’s proposal	Para 8.7	
	AA	<a href="#">Sub – 16May16</a>			Support GA’s submissions and proposed variation	Para 1.3	



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14A.	AA	<a href="#">Sub-4Aug16</a>	18.3		<b>Payment for working on a public holiday</b> Submits 'at the rate of 250% of the minimum hourly rate' at the end of the second sentence should be deleted.	Pg 2		
14B.	AA	<a href="#">Sub-4Aug16</a>	19.3		<b>Job search entitlement</b> Asks whether clause applies to casual employees. Submits if the clause does not apply to casuals, it should be amended to make this clear.	Pg 2		
15.	TA	<a href="#">Sub-11Feb15</a>	Schedule A	B.1.1(e), B.2.2(b), B.4.1, B.6.1, B.7.1	<b>Classification definitions</b> Award should be more explicit in specifying coverage for tennis coaches. They also propose additional text in the classifications schedule to include tennis coaching in a number of classification levels.	Attachment pages 1-2	Clause to be varied as per TA's submission filed on 11 February 2015, see <a href="#">Report to Full Bench</a>  No opposition from AA, ABI&NSWBC, AFEI, AWU, BusSA or GA, see <a href="#">Summary of Positions</a> .	
	FA	<a href="#">Sub-02Mar15</a>				The variations proposed by Tennis Australia not opposed.		Para 3
	AA	<a href="#">Sub-16May16</a>				Does not oppose TA's proposed amendments.		Para 1.1
16A.	SA & ASCTA	<a href="#">Sub-26Feb15</a>	Schedule A	Schedule B	<b>Classification definitions</b> Classifications relating to Swim Teachers, Coaches and Support Staff engaged in swim schools should be amended.	Page 1	Clause should be amended but no proposed wording is included in SA and ASCTA submission, see <a href="#">Report to Full Bench</a> . Proposed wording is in AA <a href="#">submission</a> of 7 March 2016, see <a href="#">Transcript</a>	
	AA	<a href="#">Sub-16May16</a>				Does not oppose GA's proposed amendments		Para 1.3

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	AA	<a href="#">Sub-07Mar16</a>			Party proposes to remove redundant references to elements of relevant training package, remove references to specific competencies and rely upon more accurate descriptions. Proposes to remove corporate branding of training products and redraft some aspects of the current wording to clarify the cross-over points between Levels 1, 2 and 3. Proposed Schedule A in submission.	Para D-D.3	<del>[PN848] [PN860]</del> . They are not opposed and AA seeks their incorporation into the ED, see <a href="#">Report to Full Bench</a>  No opposition from AA, ABI&NSWBC, AFEI, AWU, BusSA, GA or TA, see <a href="#">Summary of Positions</a> .
	BusSA	<a href="#">Reply sub – 6May16</a>			<del>Disagrees with proposed additions of AA. Proposal would result in substantive change.</del>	<del>Paras 6.9 and 6.14</del>	BusSA's previously notified objection is withdrawn, see <a href="#">Summary of Positions</a> .
	ABI&NS WBC	<a href="#">Reply sub – 6May2016</a>			Does not oppose AA's proposed amendment.	Para 8.8	
	AWU	<a href="#">Sub-11Jan17</a>			Opposed to SA & ASCTA's submission.	Pages 1-2	
16B.	GA	<a href="#">Sub-12/11/2015</a>			Seeks to vary classifications to better reflect the nature of work performed by gymnastics coaches.	Paras 11-17	GA detailed proposed amendments in its submission. These have been agreed by interested parties/are not opposed and GA seeks their incorporation into ED, see <a href="#">Report to Full Bench</a> . No opposition from AA, ABI&NSWBC, AFEI,

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
							AWU, BusSA or TA, see <a href="#">Summary of Positions</a> .
	GA	<a href="#">Sub-20Jan17</a>			Provides justification and evidence in support of submission.	Paras 5-40	
17.	AA	<a href="#">Sub-22Dec16</a>	Sched A1.1(a)		<b>Classification Definitions – Level 1</b> Add ‘...and assisting with swimming and water safety teaching’.	Pg 3	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
18.	AA	<a href="#">Sub-22Dec16</a>	Sched A1.1(a)		Add new subclause: ‘(x) swimming and water safety teaching’.	Pg 3	
	ASCTA	<a href="#">Sub-10Jan17</a>			Add new subclause: ‘(x) Trainee Swimming Instructor working under direct supervision’.	Pg 3	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
19.	AA	<a href="#">Sub-22Dec16</a>	Sched A.2.1(a)		<b>Classification Definitions – Level 2</b> Delete and replace clause. Suggests replacement wording.	Pg 3	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
20.	AA	<a href="#">Sub-22Dec16</a>	Sched A.2.2(b)		Add the words ‘pool plant operating’.	Pg 4	
	ASCTA	<a href="#">Sub-10Jan17</a>	(ii)		Add the words ‘and Pool Plant operations’ at the end of sentence.	Pg 3	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
21.	AA	<a href="#">Sub-22Dec16</a>	Sched A.2.2(b)		Delete and replace subclause (xiii). Suggests substitute wording.	Pg 4	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	AA	<a href="#">Sub-20Jan17</a>	(ii)		Provides further justification and evidence in support of submission.	Para 8.4	
22.	AA	<a href="#">Sub-22Dec16</a>	Sched A.3.3		<b>Classification Definitions – Level 3</b> Delete and replace clause. Suggests substitute wording.	Pg 4	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
23.	ASCTA	<a href="#">Sub-10Jan17</a>	Sched A.3.3(a)(i)		Replace ‘performed’ with ‘attended’ and insert ‘at Level 2’ after ‘teaching’.	Pg 4	
24.	ASCTA	<a href="#">Sub-10Jan17</a>	Sched A.3.3(a)(ii)		Insert ‘at level 2’ following ‘teaching’.	Pg 4	
25.	AA	<a href="#">Sub-22Dec16</a>	Sched A.5.3		<b>Classification Definitions – Level 4</b> Delete and replace clause. Suggests substitute wording.	Pg 4	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	
26.	ASCTA	<a href="#">Sub-10Jan17</a>	Sched A.5.3(a)(i)		Replace ‘performed’ with ‘attended’ and insert ‘at Level 3’ after ‘teaching’.	Pg 4	
27.	ASCTA	<a href="#">Sub-10Jan17</a>	Sched A.5.3(a)(ii)		Insert ‘at level 2’ following ‘teaching’.	Pg 4	
28.	ASCTA	<a href="#">Sub-10Jan17</a>	Sched A.5.3(b)(i)		Replace ‘performed’ with ‘attended’.	Pg 4	
29.	AA	<a href="#">Sub-22Dec16</a>	Sched B.2.1		<b>Summary of Hourly Rates of Pay – Casual employees</b> In the absence of any further changes to cl 8, table should not contain overtime rates for casual employees.	Pg 5	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.4	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
30.	AA	<a href="#">Sub-22Dec16</a>	Sched C.1		<b>Summary of Monetary Allowances</b> Notes clause may need redrafting, consistent with views in relation to clause 11.	Pg 5	
31.	AA	<a href="#">Sub-22Dec16</a>	Sched F		<b>2016 Part-day Public Holidays</b> Asks if this provision is now redundant.	Pg 6	
32.	AA	<a href="#">Sub-22Dec16</a>	Sched G		<b>Definitions</b> Add additional definition: 'centres'. Proposes wording in submission.	Pg 6	
	AA	<a href="#">Sub-20Jan17</a>			Provides further justification and evidence in support of submission.	Para 8.2	

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

AA	Aussie Aquatics/Australian Swim Schools Association
ABI&NSWBC	Australian Business Industrial & New South Wales Business Chamber
AFEI	Australian Federation of Employers and Industries
ASCTA	Australian Swimming Coaches and Teachers Association
AWU	The Australian Workers' Union
BusSA	Business South Australia
ED	Exposure draft
FA	Fitness Australia
FWO	Fair Work Ombudsman
GA	Gymnastics Australia
SA & ASCTA	Swim Australia and Australian Swimming Coaches and Teachers Association
TA	Tennis Australia