

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Banking, Finance and Insurance Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	BusSA	Sub-02/03/15	10.2(e)	Part-time employment Part-time clause is too restrictive – does not allow for working additional hours by agreement.	p.5	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
2.	FWO	Corro-02/03/15	22.1	Span of hours Shift span can be varied “on not more than one night per week” ordinary hours may be worked up to 9.00 pm. FWO has had inquiries about whether the extension of ordinary hours can apply on a Saturday.	p.1	
3.	ABI&NSWBC	Sub-12/11/2015	22.8(a)(i)	Shiftworker Seeks to vary clause to include a clear span of hours for shiftworkers of “Monday to Fridays or on Saturdays between 8am and 12pm” as it does not currently include clear span of hours.	Para 2.1-2.7	
4.	BusSA	Sub-02/03/15	22.8(a)	Afternoon shift This clause defines afternoon shift as a shift finishing between 6.00 pm and midnight. The ordinary hours are from 7.00 am to 7.00 pm. Clause leads to ambiguity about whether a day worker who finishes between 6.00 pm and 7.00 pm is entitled to an afternoon shift penalty.	p.5	
5.	FWO	Corro-02/03/15	22.8(a)(iv) & 22.8(b)	Night shift Whether night shift penalties will apply to a person finishing a shift between midnight Friday and 8.00 am Saturday.	p.1	

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Business Equipment Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	FWO	Corro-02/03/15	22.1(b)(ii)(A)	Undefined phrase ‘country territory’ Clause provides a higher vehicle allowance for employees in a ‘country territory’. This term is not defined.	p.1	
2.	BusSA	Sub-02/03/15	25.4	Termination of employment Requirement to pay wages on the day of the termination or by post the next working day. Employers may not be able to comply with this clause. Suggested alternative wording was inserted into the <i>Vehicle Manufacturing, Repair, Service and Retail Award 2010</i> .	p.5	Issue affects multiple awards – see also Correspondence from AIG 25 Nov 2014
3.	FWO	Corro-02/03/15	27.9	Undefined phrase ‘country employees’ Clause provides different hours of work for ‘country employees’. This term is not defined	p.1	
4.	FWO	Corro-02/03/15	27.1 and 28.1	Undefined term ‘shiftworker’ FWO has had enquiries about the circumstances in which an employee should be considered a shiftworker.	p.1	
5.	FWO	Corro-02/03/15	27.2(a)	Ordinary hours ‘altered at either end’ Ambiguity about whether the hours can be altered at one end to increase span by one hour, at both ends to move span or at both ends to increase span by two hours.	p.2	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
6.	FWO	Corro-02/03/15	31.6(b)	Undefined phrase 'country areas' Clause provides additional annual leave for employees operating in country areas. This term is not defined.	p.1	

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Clerks—Private Sector Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	Russell Kennedy and others	Sub-02/03/15		Amalgamation of Clerks Award and Legal Services Award – Preliminary view is that they do not support amalgamation of these two awards.	Page 1	See also Statement [2015] FWC 7253 at para 13
2.	CCSA	Sub-02/03/15	4.6	Coverage Propose variation to include <i>Children’s Services Award 2010</i> in the list of industry awards excluded from coverage of the <i>Clerks Award</i> , in order to remove ambiguity.	Page 2	
3.	ASU	Sub-02/03/15	17	Annualised salaries Propose deleting current clause and inserting a new clause.	Item 16, p.5	Referred to a separately constituted Full Bench Proposed wording is provided.
4.	FWO	Sub-02/03/15	24.5(b)	Superannuation FWO has received enquiries as to how to apply the maximum 52 week limit. i.e. whether it should be applied 52 weeks per workers compensation claim OR 52 consecutive weeks OR 52 weeks over the course of the employees entire employment.	Page 2	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	FWO	Sub-02/03/15	25.1 and 28.1	Shiftworker FWO has received enquiries about when an employee should be considered a shiftworker (term not defined). E.g. employee finishing after 7pm could be considered a day worker (working outside spread of ordinary hours) or an afternoon shiftworker.	Page 3	
6.	FWO	Sub-02/03/15	25.2	Spread of hours FWO has received enquiries as to what ' <i>spread of hours may be altered by up to one hour at either end of the spread</i> ' means. E.g. whether 7am-7pm may be changed to 7am – 8pm (increase at one end of spread), 6am-8pm (increase both ends of spread) or 6am-6pm (shifting spread).	Page 3	
7.	FWO	Sub-02/03/15	26.1 & 28.4(f)	Shiftworkers – meal breaks and related penalties FWO has received enquiries as to whether 20 minute paid crib break applies instead of, or in addition to, 30 minute unpaid meal break and if both apply, how they should be applied. Also, whether penalty of double time applies if shiftworker works through crib break.	Page 3	
8.	FWO	Sub-02/03/15	28.4 & 28.7	Special rates FWO has received enquiries about the meaning of 'special rates'. No definition in award. Unclear under what circumstances 28.7 applies and which of the listed entitlements in 28.4 constitute a special rate.	Page 4	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
9.	ASU	Sub-02/03/15	29.2	Definition of shiftworkers Propose deleting current clause and inserting new clause.	Item 12, p.4	
10.	FWO	Sub-02/03/15	29.3	Annual leave loading FWO has received enquiries about applicable loading payable on annual leave. In determining which rate to apply, may not be clear whether the two entitlements are to be compared on daily basis with each day of annual leave assessed separately, or as a whole over entire period of leave.	Page 4	
11.	ASU	Sub-02/03/15	29.3(b)	Annual leave loading - termination Proposes new clause in relation to annual leave loading on termination. Award currently silent.	Item 15, p.4	Being dealt with by Annual leave Full Bench in AM2014/47
12.	ASU	Sub-02/03/15	30.2	Personal/Carer's Leave and Compassionate Leave Proposes inserting new clause in relation to 'evidence supporting claim'.	Item 13, p.4	

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Commercial Sales Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	News Corp and others	Sub-02/03/15	24	Annual leave Subject to the pending decision of the FWC, propose that the award be amended to provide for cashing out of annual leave.	Para 1	Being dealt with by Annual leave Full Bench in AM2014/47
2.	News Corp and others	Sub-02/03/15	24	Annual leave Subject to the pending decision of the FWC, propose that the award be amended to provide for more flexibility for an employer to direct an employee to take annual leave where more than four weeks' annual leave is accrued.	Para 2	Being dealt with by Annual leave Full Bench in AM2014/47

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Contract Call Centres Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	ASU	Sub-12/11/2015	18.5	Annualised salaries Seeks to vary clause to include NES entitlement for annualised salaries.	Para 30	Referred to a separately constituted Full Bench
2.	AIG	Sub-12/11/2015	27	Annual leave Seeks to vary clause to remove inappropriately entitling employees to either payment of both the relevant shift loading and an additional annual leave loading or, alternatively, potentially requiring the payment of shift loadings twice when an employee receives annual leave entitlements.	Para 5-12	Claim affects a number of awards
3.	CPSU	Sub-02/03/15	18.1 and Schedule B	Classifications & minimum wages Propose amendment to classifications to provide for coverage of employees performing work as trainers and provide a rate of pay.	Para 7 and attached draft determination	
4.	ASU	Sub-02/03/15	18.5	Annual salaries Propose deleting current clause and inserting a new clause.	Para 16	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	FWO	Corro-02/03/15	24.6(b) and (c)	Spread of ordinary hours of work May be unclear what rate should be paid to an employee for the performance of work prior to the spread of ordinary hours which is continuous with ordinary hours.	Item 12	
6.	FWO	Corro-02/03/15	24.8(a)(i)	Changing spread of hours at either end Has received enquiries in relation to what “ <i>spread of hours may be altered by up to one hour at either end of the spread</i> ” means. E.g. whether 7am-7pm may be changed to 7am – 8pm (increase at one end of spread), 6am-8pm (increase both ends of spread) or 6am-6pm (shifting spread).	Item 13	
7.	FWO	Corro-02/03/15	27.4(a) and (b)	Annual leave loading Has received enquiries about the method of determining which rate applies – whether they are compared on a daily basis or over the entire period of annual leave.	Item 14	

This table is a summary of proposed variations lodged for this award – updated 4 April 2016 (note added to item 2C)

Fitness Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	GA	Sub-12/11/2015	3	Coverage Seeks to vary clause by including “gymnastic services, activities or classes” in the definition of the fitness industry.	Para 9-10	
			Schedule B	Classification and definition structure Seeks to vary classifications to better reflect the nature of work performed by gymnastics coaches.	Para 11-17	
			13	Casual employment 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	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197 To be dealt with in the award stage, see [2016] FWC 1191 at para [4]
2.	TA	Sub-11Feb15	3, 13.5, B.1.1(e), B.2.2(b), B.4.1, B.6.1, B.7.1	Coverage 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	Proposed wording is provided.
	FA	Sub-02Mar15		The variations proposed by Tennis Australia are not opposed.	Para 3	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
2A	AA	Sub-07Mar16	10	Part-time employees and allowances Conflict between clause 7.3(a)(iii) and 11.1 which has potential to cause confusion. Submit opening sentence in 11.1 needs to be qualified to facilitate proportional payments of all allowances relating to 'work/wages', on an <u>hourly basis</u> for other than fulltime employees.	Para A.1-A.2	Clause 7.3(a)(iii) and 11.1 of Exposure Draft (ED)
2B	AA	Sub-07Mar16	13	Casual employees Suggests that the words "in accordance with Schedule B – Summary of Hourly Rates of Pay (B.2) Casual employees" be added to clause	Para B.1	Clause 7.4 of ED
2C	AA	Sub-07Mar16	24	Ordinary hours of work and rostering: application of overtime provisions to casuals Clause deviates from current award and appears to limit the hours that do not apply to casuals whereas new wording has universal application.	Para C-C.3	Clause 8 of ED Referred to Part-time and Casuals Full Bench in- AM2014/196 and AM2014/197
3.	SA & ASCTA	Sub-26Feb15	10, 11, 12	Types of employment A reference to 'weekly seasonal or fixed-term employment' should be included.	Page 1	
4.	FWO	Corro-02Mar15	13.3, 26.3(e)	Casual employees The rates payable to casual employees on public holidays is unclear.	Para 17	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	BusSA	Sub-02Mar15	18.4	Broken shift allowance The term 'excess fares' is used but not defined and no explanation of the application of the allowance is provided.	Page 6	
5A.	AA	Sub-07Mar16	Schedule B	Classification definitions 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	Schedule A of Exposure Draft
6.	SA & ASCTA	Sub-26Feb15	Schedule B	Classifications Classifications relating to Swim Teachers, Coaches and Support Staff engaged in swim schools should be amended.	Page 1	

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Labour Market Assistance Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	FWO	Corro-02Mar15	10.3(d)	Part-time employment Clause may be in conflict with the NES.	Para 22	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
	Jobs Australia	Sub-02Mar15		Part-time employment Clause may be in conflict with the NES and should be deleted.	Page 2	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
2.	Jobs Australia	Sub-02Mar15	10.4	Casual employment Supports a variation to clarify the interaction between casual loading and penalty rates, and whether overtime rates are calculated on a daily or weekly basis.	Page 2	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
3.	Jobs Australia	Sub-02Mar15	10.5	Sessional employment Award should be varied to clarify that sessional employment is a sub-category of casual employment.	Page 2	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
4.	FWO	Corro-02Mar15	16.5, 23.1	Excursions It is unclear whether an employee entitled to the allowance under clause 16.5 is also entitled to overtime payments under clause 23.1	Para 23	
5.	FWO	Corro-02Mar15	23.2(e), 28.2	Public holidays The interaction between these two clauses is unclear, as both provide for penalty rates for work performed on public holidays.	Para 24	
6.	ASU	Sub-02Mar15	25.2	Annual leave loading The award is silent on payment of leave loading on termination. Proposes inserting additional sentence.	Paras 33-34	Being dealt with by Annual leave Full Bench in AM2014/47
7.	Jobs Australia	Sub-02Mar15	Schedule B	Classifications Definitions should be updated and expressed as generic skills-based levels rather than as job titles.	Pages 2-3	

This table is a summary of proposed variations lodged for this award – updated 23 March 2016.

Legal Services Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
General submissions						
1.	Russell Kennedy and ors	Sub-02Mar15		Amalgamation of award The suggestion that the <i>Clerks—Private Sector Award 2010</i> and the <i>Legal Services Award 2010</i> should be amalgamated is opposed.	Page 1	See also Statement [2015] FWC 7253 at para 13
Clause specific submissions						
2.	Russell Kennedy and ors	Sub-02Mar15	3	Definitions Definition of ‘law graduate’ should be amended.	Attachment B – para 1	Proposed wording is provided.
3.	Russell Kennedy and ors	Sub-02Mar15	10.5(e)	Casual employees Minimum engagement for casual employees should be decreased to three hours.	Attachment B – para 2	Proposed wording provided. Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
3A	IOLE – VIC	Sub-09Mar16	14 & B.7	Minimum wages and classifications Party submits an inclusion of new classification ‘Level 7 – Legal Executive’ to be considered with higher minimum level of remuneration than that of the Level 6 – Law Clerk.	Page 1-2	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
4.	Russell Kennedy and ors	Sub-02Mar15	24.1(a)	Weekly hours of work Facilitative provision should be inserted allowing averaging of hours over a period greater than 28 days (but less than 12 months).	Attachment B – para 3	Proposed wording is provided.
5.	Russell Kennedy and ors	Sub-02Mar15	28.1	Daylight saving Clause should be amended so that employees are paid for the actual number of hours worked.	Attachment B – para 4	Proposed wording is provided.
6.	Russell Kennedy and ors	Sub-02Mar15	30	Annual salary Annual salary should be payable in satisfaction of shiftwork allowances and rates.	Attachment B – para 5	Proposed wording is provided.
	ASU	Sub-02Mar15		Annual salary should be payable in satisfaction of a greater number of provisions of the award, and should be more prescriptive in terms of how the agreement is made and terminated.	Paras 31-32	Proposed wording is provided.
7.	Russell Kennedy and ors	Sub-02Mar15	33.2(a)	Rest breaks The two rest periods afforded to employees should be subject to the ‘reasonable business needs of the practice’.	Attachment B – para 6	Proposed wording is provided.

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
8.	Russell Kennedy and ors	Sub-02Mar15	34.5	Time off instead of payment for overtime The employer should be able to elect for the employee to be given time off instead of receiving payment for overtime.	Attachment B – para 7	Being dealt with in AM2014/300–Award flexibility
9.	Russell Kennedy and ors	Sub-02Mar15	39	Special conditions of employment—law graduate Provisions allowing law graduates paid leave for study and exams should be more prescriptive.	Attachment B – para 8	Proposed wording is provided.

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Market and Social Research Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	FWO	Corro-02/03/15	21.2	Ordinary hours of work Application of clause unclear as it specifies ordinary hours of work of “regular employees” but does not define that term.	Para 26	

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Miscellaneous Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
NO AWARD SPECIFIC SUBMISSIONS RECEIVED						

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Real Estate Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	REEF	Sub-10/11/15	16.2(e)	Commission only employment Seeks to remove the restriction which prevents a commission-only salesperson from being engaged on a “casual” basis.	Page 1	Substantive issues referred to separately constituted Full Bench in AM2016/6
2.	RRESSA	Sub-23/01/15	3	Definitions and interpretation Insert a new definition of “mobile communications device”.	Para 1	Substantive issues referred to separately constituted Full Bench in AM2016/6
3.	RRESSA	Sub-23/01/15	14.1	Minimum weekly wages Delete and replace classifications and wage amount with respect to all adult property classifications.	Para 2	Proposed wording is provided. Substantive issues referred to separately constituted Full Bench in AM2016/6
4.	RRESSA	Sub-23/01/15	15.2	Payment of wages with commission, bonus or incentive payments Insert a new clause 15.2 and renumber existing clause as 15.3.	Para 3	Substantive issues referred to separately constituted Full Bench in AM2016/6
5.	RRESSA	Sub-23/01/15	16	Commission-only employment Delete existing clauses 16.1, 16.2 and 16.3 and replace with party’s proposed clauses.	Para 4	Proposed wording is provided. Substantive issues referred to separately constituted Full Bench in AM2016/6
6.	REEF	Sub-27/02/15	16	Commission-only employment 1) Redraft Minimum Income Threshold Test (MITT) to remove ambiguity about methodology used to determine whether employee as satisfied the MITT. 2) Clarify	Para 5	Substantive issues referred to separately constituted Full Bench in AM2016/6

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				how MITT should apply to an employee who performs work of a buyer's agent. 3) Remove restriction preventing commission-only employees being employed on a casual basis.		
7.	FWO	Corro-02/03/15	16	Commission-only employment Queries whether "real estate sales" in clauses 16.2 and 16.3 should be calculated on gross sale amount of properties sold, the commission received by the employer, the commission received by the employee, or some other amount	Para 32	Substantive issues referred to separately constituted Full Bench in AM2016/6
8.	RRESSA	Sub-23/01/15	17.1	Matters relating to commission, bonus or incentive payments—Written agreements generally Amend clause by inserting a new paragraph (e)	Para 5	Proposed wording is provided Substantive issues referred to separately constituted Full Bench in AM2016/6
9.	RRESSA	Sub-23/01/15	17.3	Matters relating to commission, bonus or incentive payments—Entitlements after employment ends Amend clause by inserting a new paragraph (e).	Para 5	Proposed wording is provided. Substantive issues referred to separately constituted Full Bench in AM2016/6
10.	REEF	Sub-27/02/15	17.3	Matters relating to commission, bonus or incentive payments—Entitlements after employment ends Amend clause to clarify an employee is only entitled to portion of commission where an existing legally enforceable	Para 6	Substantive issues referred to separately constituted Full Bench in AM2016/6

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				contract was in place prior to cessation of employee's employment.		
11.	RRESSA	Sub-23/01/15	17.5	Matters relating to commission, bonus or incentive payments—Calculation of NES entitlements Delete paragraphs (a) and (b) and renumber existing paragraphs (c) and (d) as (a) and (b), respectively.	Para 5	Substantive issues referred to separately constituted Full Bench in AM2016/6
12.	FWO	Corro-02/03/15	17.5	Matters relating to commission, bonus or incentive payments—Calculation of NES entitlements Clause may be inconsistent with NES as commission-only employees may be paid entitlements to annual, leave, personal leave, or any other NES entitlements in advance. Pre-payment of annual leave considered to be a form of cashing out in a manner inconsistent with the NES in the Full Bench decision of Canavan Building Pty Ltd [2014] FWCFB 3202	Para 33	Substantive issues referred to separately constituted Full Bench in AM2016/6
13.	REEF	Sub-27/02/15	18	Allowances Insert an allowance on a per kilometre basis for employees who provide a motor cycle.	Para 7	Substantive issues referred to separately constituted Full Bench in AM2016/6

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
14.	RRESSA	Sub-23/01/15	18.6	Allowances—Mobile telephone allowance 1) Delete paragraph (a) and replace with party's proposed clause. 2) Delete paragraph (e) and replace with party's proposed clause. 3) Delete the word "telephone" from (e) and replace with "communication device".	Para 6	Proposed wording is provided. Substantive issues referred to separately constituted Full Bench in AM2016/6
15.	RRESSA	Sub-23/01/15	18.9	Allowances—Adjustment of expense related allowances Insert additional index figure to read "Communications sub-group" in "Applicable Consumer Price Index" column.	Para 6	
16.	RRESSA	Sub-23/01/15	20	Stand-by and call-out 1) Amend clause 20.2 by inserting party's proposed wording after words "identified in the agreement". 2) Delete clause 20.3 and renumber clause 20.4 and 20.3. 3) Renumber clause 20.5 as clause 20.4.	Para 7	
17.	RRESSA	Sub-23/01/15	23	Ordinary hours of work and rostering Insert a new 23.5 with party's proposed wording.	Para 8	
18.	RRESSA	Sub-23/01/15	24	Overtime—Time off instead of payment for overtime 1) Delete words "if requested by the employee" from clause 24.2. 2) Insert new clause 24.3 with party's proposed wording.	Para 9	Referred to Award Flexibility Full Bench in AM2014/300
19.	RRESSA	Sub-23/01/15	25.3	Annual leave Delete words "Subject to clause 17.5" and capitalise the word "payment".	Para 10	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
20.	REEF	Sub-27/02/15	B.1.1(a)	Schedule B—Classifications Amend role definition for Property Sales Associate to prescribe that employee can assist either Property Sales Representative or Property Sales Supervisor.	Para 8	Substantive issues referred to separately constituted Full Bench in AM2016/6
21.	APSA	Application 30/11/15	16.3(c)	Commission-only employment Proposal to insert new clause: “The minimum income threshold referred to in clause 16.3(a)(i)&(ii) herein shall not be pro rata for part time or casual employees.”	REEF WA Corr-11Dec15 p.1	Substantive issues referred to separately constituted Full Bench in AM2016/6
22.	APSA	Application 30/11/15	16.7	Commission-only employment Proposal to insert new clause: “Where an employee is engaged on a commission only employment method, either full time, part time or casual and does not in each 6 month period of employment earn the equivalent of the award wage as prescribed for in clause 14 of this award in commission payments, the employer shall pay the employee the difference between the earnings of commissions and the award wage for that 6 month period. For the purposes of this clause, 6 month period means each consecutive 6 month period from the date of commencement of commission only employment.”	REEF WA Corr-11Dec15 p. 1	

NOTE: This award has been the subject of conferences before Commissioner Hampton – see [Report](#) of 2 September 2015

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Sporting Organisations Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	BusSA	Sub - 2 March 2015	18.4	Allowances—overtime meal allowance Payable to clerical administrative staff when required to work overtime after 7pm. Appears to be payable even when at least 24 hours' notice has been given to work overtime, thereby allowing the employee make appropriate arrangements, including bringing a meal.	Page 7	
						Current application to vary coverage to include professional footballers in AM2015/16

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Telecommunications Services Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	CPSU	Sub - 02/02/15	Schedule B	Classifications structure and definitions Seeks the inclusion of a new classification for 'Customer Contact Trainer' as they appear to be excluded from coverage from the Award.	Para 4-7	Draft Determination has been included in the submission.
2.	FWO	Sub - 02/03/15	11.3(b) & 21.1(a)	Types of employment and overtime Seeks clarification as to whether the calculation of the overtime rate for casual employees includes or excludes the casual loading.	Para 38	
3.	AIG	Sub-12/11/2015	23	Annual leave Seeks to vary clause to remove inappropriately entitling employees to either payment of both the relevant shift loading and an additional annual leave loading or, alternatively, potentially requiring the payment of shift loadings twice when an employee receives annual leave entitlements.	Para 5-12	Claim affects a number of awards. Referred to a separately constituted Full Bench

This table is a summary of proposed variations lodged for this award – updated 26 February 2016.

Educational Services (Post-Secondary Education) Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
General issues						
1.	NTEU	Sub-02/03/15	–	Postgraduate qualifications Propose to update the language used to describe postgraduate qualifications throughout the award.	p.1	Being dealt with by Full Bench AM2015/6 – see Directions Not and NTEU claim, see Corr-26/02/16
Clause specific issues						
2.	FWO	Corro-02/03/15	3.1 and Sched C	Teaching qualifications FWO has had enquiries about appropriate classification for employee not holding teaching qualification who is teaching a an accredited course or units of an accredited course (does not appear to fall within either category: “teacher” or “tutor/instructor”)	p.5	Being dealt with by Full Bench AM2015/6 – see Directions
3.	AHEIA	Sub-02/03/15	7	Award flexibility Full breadth of award flexibility provisions to be included.	p.4	Being dealt with by Award Flexibility Full Bench in AM2014/300
4.	NTEU	Sub-02/03/15	10.6(a)	Casual or sessional employees - deemed continuous Propose to vary this clause by extending the 8 weeks to 12 weeks.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	IEU	Sub-02/03/15	11	Notice period for casual employees Propose to include notice provisions for continuous casuals.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
6.	NTEU	Sub-02/03/15	14.2	PHD point for casual employees Higher casual rates apply if an employee has a doctoral qualification OR full subject coordination duties. This reflects levels A2 and A6 in the full-time scale.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions
7.	IEU	Sub-02/03/15	14.5	Daily rate for casuals Propose to remove the daily rate for casuals and only have an hourly rate.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
8.	AHEIA	Sub-02/03/15	16	Accident pay Delete as sunset date has expired.	p.4	
9.	BusSA	Sub-02/03/15	21.1	Afternoon shift penalty Clause 21.1(a) provides that a general staff day worker can work until 8 pm up to 8 day within a 28 day cycle without attracting overtime provisions. Ambiguity with shiftwork clause where employees who work until 8 pm entitled to a shift penalty.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions
10.	ABI & NSWBC	Sub-03/03/15	23	Penalty rates Intend to pursue variation of this clause to expressly confirm that the penalty rates only apply to a ‘general staff member’.	p.1	Being dealt with by Full Bench AM2015/6 – see Directions

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
11.	BusSA	Sub-02/03/15	24.1	Minimum period for overtime Clause states that the minimum payment is 30 mins per week. Party's view is that is too onerous.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions
12.	IEU	Sub-02/03/15	Schedule C	Recognition of experience Propose to vary classifications to recognise a wider range of settings including experience as a casual teacher teaching relevant subjects to adult or secondary students.	p.1	Being dealt with by Full Bench AM2015/6 – see Directions

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Educational Services (Schools) General Staff Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	Their reference	NOTES
1.	VAPS & GSV	Sub - 02/02/15	15.3	Junior rates Parties seek that 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	Being dealt with by Full Bench AM2015/6 – see Directions
2.	VAPS & GSV	Sub - 02/02/15	22	Hours of work Parties seek change in ordinary hours of work (not specified).	Page 1	
3.	IEU	Sub - 02/03/15	22.2 and 16.6	Boarding house employees Party concerned employees employed in boarding houses have been disadvantaged by award. Exemptions in 22.2 from penalties and 16.6 sleepover allowance are harsh and unfair. Submit exclusions should be removed.	Page 1	
4.	ISV	Sub - 02/03/15	24.1	Breaks - break after 5 hours Seeks variation to clause 24.1 to ensure meal break commences no later than five hours after the employee commenced work on the day.	Point 1, page 1	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	Their reference	NOTES
5.	ISV	Sub - 02/03/15	24.2	Breaks - variation to timing of breaks Seeks variation to clause 24.2 to ensure alternative arrangement for classroom support services employees is at direction of employer.	Point 2, Page 1	
6.	VAPS & GSV	Sub - 02/02/15	26	Penalty rates Parties seek reduction in penalty rates for work carried out before and after ordinary school hours and on weekends.	Page 1	
7.	ISV	Sub - 02/03/15	Schedule B	Classifications - instructional services employees Submit that a separate classification be established for persons employed to undertake coaching or training in sporting activities.	Point 3, Page 1	

This table is a summary of proposed variations lodged for this award – **updated 23 March 2016.**

Higher Education Industry—Academic Staff—Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	Universities	Sub - 02/03/15	General	Minor drafting error and other issues Will be subject of discussions between parties.	Para 3	
	NTEU	Sub - 02/03/15		NTEU will seek this and other minor drafting changes.	p.6	Party provided further submission regarding variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
2.	NTEU	Sub - 02/03/15	4	Coverage of research institutes Seek to vary award to cover general, technical and research staff in medical, health and science research institutes.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions
		CPSU		Sub-11Mar16	Support the submission of NTEU.	Page 2
3.	AHEIA	Sub - 02/03/15	4.3	Coverage Propose to delete subclause, no longer applicable.		Being dealt with by Full Bench AM2015/6 – see Directions
4.	AHEIA	Sub - 02/03/15	7	Award flexibility 'Full breadth' of award flexibility provisions should be included.	Attach 1	To be dealt with as part of the award flexibility common issue - AM2014/300–Award flexibility

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	BUSA	Sub-20April15	10.2	Employment Seek to amend clause so that Bond University is no longer exempted from the effects of clause.		Proposed wording in submission. Party provided further submissions regarding variation, Sub-10Mar16
5.	AHEIA	Sub - 02/03/15	11.1	Full-time employment Definition and consequential - replace with “Continuing employment”.	Attach 1	Party provided further submission regarding variation, Sub-18Mar16
6.	AHEIA	Sub - 02/03/15	11.3	Fixed-term employment categories Add new paragraph (f) to provide for where an area is under review.	Attach 1	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-18Mar16
7.	AHEIA	Sub - 02/03/15	12.4	Fixed-term expiry severance pay Propose severance pay provisions upon expiration of fixed term employment be deleted.	Attach 1	Being dealt with by Full Bench AM2015/6 – see Directions Party has provided further submission regarding variation, Sub-18Mar16
	Universities	Sub - 02/03/15			Para 1	Party provided further submission regarding variation, Sub-15Mar16

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
8.	NTEU	Sub - 02/03/15	New provision (Part 3, clause 13?)	Conversion of Casual Academic work NTEU has developed a draft claim for the conversion of academic work within institutions (as distinct from incumbents). Refer to ACTU common claim.	p.3	To be dealt with at the conclusion of the Common issue - AM2014/197—Casual employment , dealing with ACTU claim. Party provided further submission regarding variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
9.	AHEIA	Sub - 02/03/15	17	Industry specific redundancy provisions Delete clause 17. Clause 15.2(b) to apply to all employees.	Attach 1	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-18Mar16
10.	Universities	Sub - 02/03/15	17.6	Redundancy - notice Entitlement to notice payment is based upon the age of the employee not on service. May be discriminatory and inconsistent with modern redundancy standards.	Para 2	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-15Mar16

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
11.	NTEU	Sub - 02/03/15	New provision (Part 4, new clause?)	ICT allowances Apply for allowances to be paid with respect to the costs of establishing, maintaining and using such ICT facilities when a worker is required to do so in order to satisfactorily perform their duties.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-15Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
12.	NTEU	Sub - 02/03/15	New provision (Part 4, new clause?)	Professional and Discipline Currency Allowance No provision for remuneration for casual staff for the specific work required to maintain currency in their discipline and relevant pedagogy, or to keep abreast of extensive institutional policies, both of which are inherent requirements of the job (as reflected in the fact that full time academics are paid to do this work.	p.2	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
13.	NTEU	Sub - 02/03/15	New provision (Part 5?)	Hours of work Propose to insert term providing ordinary hours of work for academic staff.	p.1	Being dealt with by Full Bench AM2015/6 – see Directions

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
14.	NTEU	Sub - 02/03/15	18 and schedule A	Classification of academic staff NTEU propose a variation to provide that in the absence of a bona fide academic promotion system (and only in that circumstance) academic employees may seek to enforce the correct classification and rate of pay for the work that they perform on the basis of the Minimum Standards for Academic Levels (Sched A).	p.3	Being dealt with by Full Bench AM2015/6 – see Directions
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	Party provided further submission regarding variation, Sub-11Mar16
15.	AHEIA	Sub - 02/03/15	23.3	Annual Leave Loading Replace “August quarter” with “May quarter”.	Attach 1	
16.	Universities	Sub - 02/03/15			Para 3	Party provided further submission regarding variation, Sub-15Mar16

This table is a summary of proposed variations lodged for this award – updated 23 March 2016.

Higher Education Industry—General Staff—Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	Universities	Sub - 02/03/15	General	Minor drafting error and other issues Will be subject of discussions between parties.	Para 3	
	NTEU	Sub - 02/03/15		NTEU will seek this and other minor drafting changes.	p.6	Party provided further submission regarding variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
2.	NTEU	Sub - 02/03/15	4	Coverage of research institutes Seek to vary award to cover general, technical and research staff in medical, health and science research institutes.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding variation, Sub-11Mar16
				Support the submission of NTEU.	Page 2	
3.	AFEI	Sub-05/03/15	4	Coverage Seeks to clarify interaction between this award and other industry awards for university and student union organisations that are engaged in multiple industries.	p.2	Being dealt with by Full Bench AM2015/6 – see Directions No longer pressed, see Corr-24/02/16

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
4.	AHEIA	Sub - 02/03/15	7	Award flexibility 'Full breadth' of award flexibility provisions should be included.	Attach 2	To be dealt with as part of the award flexibility common issue - AM2014/300–Award flexibility
5.	AHEIA	Sub - 02/03/15	10.1	Full-time employment Definition and consequential - replace with “Continuing employment”.	Attach 2	Party provided further submission regarding this variation, Sub-18Mar16
6.	AHEIA	Sub - 02/03/15	10.3	Fixed-term employment categories Add new paragraph (f) to provide for where an area is under review.	Attach 2	Being dealt with by Full Bench AM2015/6 – <i>see Directions</i> Party provided further submission regarding this variation, Sub-18Mar16
7.	AHEIA	Sub - 02/03/15	11.4	Fixed-term expiry severance pay Propose severance pay provisions upon expiration of fixed term employment be deleted.	Attach 2	Being dealt with by Full Bench AM2015/6 – <i>see Directions</i> Party provided further submission regarding this variation, Sub-18Mar16
	Universities	Sub - 02/03/15			Para 1	Party provided further submission regarding this variation, Sub-15Mar16

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
8.	NTEU	Sub - 02/03/15	15	Rates of pay - linking to classification descriptors Currently no words stating that classifications (sched B) are the determinant for classifying general staff. Seek to correct an anomaly omitted in error from the final General Staff Award in 2010.	pp.4-5	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding this variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
9.	AHEIA	Sub - 02/03/15	18.3	Accident pay Propose to delete, sunset date passed.	Attach 2	
10.	NTEU	Sub - 02/03/15	18 new provision	ICT allowances Apply for allowances to be paid with respect to the costs of establishing, maintaining and using such ICT facilities when a worker is required to do so in order to satisfactorily perform their duties.	p.6	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding this variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
11.	NTEU	Sub - 02/03/15	23	Working hours and overtime Seek variation that imposes an obligation on employers to take active steps to ensure staff are only working additional hours if they are appropriately compensated through overtime payments, time off in lieu or similar.	p.4	Being dealt with by Full Bench AM2015/6 – see Directions Party provided further submission regarding this variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
12	AHEIA	Sub - 02/03/15	30.3	Annual Leave Loading replace “August quarter” with “May quarter	Attach 2	
	Universities	Sub - 02/03/15			Para 3	Party provided further submission regarding this variation, Sub-15Mar16
13.	NTEU	Sub - 02/03/15	Sched B	Classification Definitions Seek to up-date descriptions to reflect work in universities in 2014. Do not seek to vary work value or relativities between job levels.	p.4	
						Party provided further submission regarding this variation, Sub-11Mar16
	CPSU	Sub-11Mar16		Support the submission of NTEU.	Page 2	
14.	AMWU	Sub - 02/03/15	15.2 / Sched G	Apprentices Intends to propose changes to apprenticeship rates	Para 2	Being dealt with by Full Bench AM2015/6 – see Directions

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Local Government Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	USU	Sub-06/03/15	3	Definitions and Interpretations Propose amendment to insert new definitions: “competency based training”; “council”; “days”; “employer”; “hourly ordinary time rate”; “local government entity”; and “ordinary pay”	Para 1	
2.	USU	Sub-06/03/15	3	Definitions and Interpretations Propose variation to delete definitions: “employer”; “full rate of pay”; “hourly ordinary time rate”; and “local government entity”	Para 2	
3.	Local Government Associations and ASU	Sub-02/03/15	3.1	Definitions and interpretation Propose variation to amend definition of “recreation centres” to include golf courses.	Schedule 1, para 3	Substantive issues in this award determined – PR575440
4.	USU	Sub-06/03/15	4.3	Coverage Delete clauses 4.3(d) and (e)	Para 5	Substantive issues in this award determined – PR575440
5.	Local Government Associations and ASU	Sub-02/03/15	4.3(e)	Coverage Propose variation by deleting clause because the local government in Victoria provides education programs for four year	Schedule 1, para 2	Substantive issues in this award determined – PR575440

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				old children in kindergartens.		
6.	USU	Sub-06/03/15	8	Consultation Propose deleting clause and replacing with new text.	Paras 6–7	Proposed wording is provided.
7.	USU	Sub-06/03/15	9	Dispute resolution Propose variation to insert a new “Dispute Resolution Training” clause.	Paras 8–9	Substantive issues in this award determined – PR575440
	ASU	Sub-02/03/15		Propose variation to insert a new “Dispute Resolution Training” clause.	Para 18	Substantive issues in this award determined – PR575440
8.	USU	Sub-06/03/15	10	Employment categories Propose new “Employment categories” clause.	Paras 10–11	Proposed wording is provided.
9.	USU	Sub-06/03/15	11	Termination of employment Propose deleting clause and replacing with new text.	Paras 12–13	Proposed wording is provided.
10.	USU	Sub-06/03/15	12	Redundancy Propose deleting clause and replacing with new text.	Paras 14–15	Proposed wording is provided.
11.	FWO	Corro-02/03/15	10.5(b); 10.5(c); 23; and 24.2	Employment categories; Penalty rates; Overtime Received enquiries in relation to whether casual loading is payable during overtime hours due to the interaction between clause 10.5(b) and 10.5(c)	Item 25	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
12.	USU	Sub-06/03/15	14	Rates of pay Propose deleting clause and replacing with new text.	Paras 16–17	Proposed wording is provided.
13.	USU	Sub-06/03/15	15	Allowances Propose deleting clause and replacing with new text.	Paras 18–19	Proposed wording is provided.
14.	USU	Sub-06/03/15	18	Higher duties Propose deleting clause and replacing with new text.	Paras 20–21	Proposed wording is provided.
15.	USU	Sub-06/03/15	19	Payment of wages Propose deleting clause and replacing with new text.	Paras 22–23	Proposed wording is provided.
16.	Local Government Associations and ASU	Sub-02/03/15	20.4(h)	Superannuation Propose variation because the name of the fund has changed.	Schedule 1, para 1	Substantive issues in this award determined – PR575440
17.	USU	Sub-06/03/15	21	Ordinary hours of work Propose deleting clause and replacing with new text.	Paras 24–25	Proposed wording is provided.
18.	ASU	Sub-02/03/15	21.2(b)(vii)	Days on which ordinary hours can be worked Propose amendment to delete subclause “garbage, sanitary and sullage services”	Para 19	
19.	ASU	Sub-02/03/15	21.2(b)(ix)	Days on which ordinary hours can be worked Propose amendment to delete subclause “libraries”	Para 20	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
20.	ASU	Sub-02/03/15	21.2 and 21.3	Days on which ordinary hours can be worked Propose variation to delete subclause 21.3 and insert new subclause 21.2(d) and 21.3	Paras 21–22	Proposed wording is provided.
21.	ASU	Sub-02/03/15	21.5; 23.3; 24.2(b); 24.3(b); 24.6(b)	Multiple provisions Propose variation to delete current clause and insert new.	Paras 23–27	
22.	USU	Sub-06/03/15	23	Penalty rates Propose deleting clause and replacing with new text.	Paras 26–27	Proposed wording is provided.
23.	USU	Sub-06/03/15	24	Overtime Propose deleting clause and replacing with new text.	Paras 28–29	Substantive issues in this award determined – PR575440
23.	USU	Sub-06/03/15	25	Annual leave Propose deleting clause and replacing with new text.	Paras 30–31	Proposed wording is provided.
24.	USU	Sub-06/03/15	25A	Personal/carer's leave Propose deleting clause and replacing with new text.	Paras 32–33	Proposed wording is provided.
25.	USU	Sub-06/03/15	27	Parental leave Propose deleting clause and replacing with new text.	Paras 34–35	Proposed wording is provided.
26.	USU	Sub-06/03/15	28	Public holidays Propose deleting clause and replacing with new text.	Paras 36–37	Proposed wording is provided.

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
27.	ASU	Sub-02/03/15	Insert new	Propose variation to insert new Part 7 to the award titled 'Further Conditions of Employment'	38	
28.	ASU	Sub-02/03/15	Insert new	Propose variation to insert new Schedule F in relation to rates of pay	43	

NOTE: This award has been the subject of conferences before Commissioner Johns

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

State Government Agencies Administration Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
General issues						
1.	CPSU	Sub-27/02/15	-	Confirm request that award be dealt with concurrently with proceedings in relation to state reference public sector transitional award modernisation process for the State agencies group (AM2013/31 and others)	Para 1.1	
2.	APESMA	Sub-02/03/15	-	Support the request of the CPSU that the award be dealt with concurrently with proceedings in relation to state reference public sector transitional award modernisation process for the State agencies group (AM2013/31 and others)		
3.	APESMA	Sub-02/03/15	-	Support the submission of the CPSU.		

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
Clause specific issues						
4.	CPSU	Sub-27/02/15	1	Title Propose that the award be titled <i>State Government Agencies Award</i>	Item 2.1	Substantive issues in this award dealt with by Full Bench in AM2015/7 – see Full Bench decision
5.	CPSU	Sub-27/02/15	13; 14 and Schedule B	Classifications; Minimum wages; and Position Statements Vic Roads road worker classification renamed as 'Field work stream' needs to be included in the classification structure.	Item 2.2	
6.	CPSU	Sub-27/02/15	25	Personal/carer's leave and compassionate leave Supplement NES with superior public sector standards for sick leave; and compassionate leave.	Item 2.4	
7.	CPSU	Sub-27/02/15	28	Parental leave Supplement NES with superior public sector standard for parental leave.	Para 2.5	

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Coal Export Terminals Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	CFMEU	Sub-02/03/15	10.3(c)	Casual Employment Current award states that casual loading paid instead of <i>'the other attributes of full-time and part-time employment'</i> . Made submissions opposing change of 'attributes' to 'entitlements' in Mining Award exposure draft - sub06/11/14 . Raise same issue in regard to this award, but note there is no exposure draft yet.	Item 4-6, p.1	Drafting issue; see also paras [68]–[69] [2014] FWC FB 9412
2.	CFMEU	Sub-02/03/15	16	Ordinary hours of work Seek that Saturday and Sunday penalty rates apply equally to shiftworkers when work ordinary hours worked on those days. Also, provision should be made for payment of penalty rate for ordinary hours on public holidays for shiftworkers and others. Rate should be triple time consistent with Black Coal Mining industry.	Items 7-11, p.2	

See [Schedule 1](#) for a list of abbreviations

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This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Dredging Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	FWO	Corro-2/3/2015	14.3	<p>Weekly aggregated wage Unclear what is meant by “weekly aggregated wage”.</p> <p>Use of term in clause 14.3 differs from clause 14.1 and 14.2 which both provide “minimum weekly rates” in respect of different categories of employees.</p> <p>In the absence of a definition of “weekly aggregated wage” it may be unclear which entitlements have been “aggregated” (and as a result it may be unclear which, if any, entitlements remain separately payable).</p>	P.5	Information based on common queries raised with FWO
2.	AWU	Sub-10/12/15	23	<p>Annual leave loading Seeks insertion of annual leave loading provision</p>	Paras 3–13	

See [Schedule 1](#) for a list of abbreviations

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This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Electrical Power Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	CFMEU - Mining and Energy Division	Sub -02/03/15	13.5	<p>Types of employment Current award states that the casual loading paid instead of ‘the other attributes of full-time and part-time employment’. CFMEU opposed change of ‘attributes’ to ‘entitlements’ in Mining Award exposure draft, Sub-06/11/14. Raise the same issue here although note there is no exposure draft as yet.</p> <p>Seeks the removal of term “attributes” and replace with “entitlements”.</p>	Para 6	<p>Error in summary corrected in response to CFMEU correspondence of 24/12/15</p> <p>Drafting issue; see also paras [68]–[69] [2014] FWCFB 9412</p>
2.	CEPU – (ETU)	Sub -02/03/15	18	<p>Allowances Seeks the inclusion of an ‘electrician’s licence’ allowance.</p>	Page 1	Being dealt with in AM2015/9

See [Schedule 1](#) for a list of abbreviations

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Marine Towage Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
NO SUBMISSIONS RECEIVED						

See [Schedule 1](#) for a list of abbreviations

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This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Port Authorities Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
NO SUBMISSIONS RECEIVED						

See [Schedule 1](#) for a list of abbreviations

Republished 18 February 2016

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Ports, Harbours and Enclosed Water Vessels Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	AIMPE	Sub-02/03/15	4.1	Coverage Because of how the coverage clause is drafted, Inshore Enterprise Agreements incorrectly refer to this Award. Party submits that the Award's coverage is broader than it should be. Propose number of changes to coverage.	Para 1	To be referred to a separately constituted Full Bench for determination – AM2016/5
2.	FWO	Corro-02/03/15	10.3(b)	Casual loading It is unclear whether the casual loading applies instead of, or in addition to overtime and shiftwork rates.	Item 30 page 8	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
3.	AIMPE	Sub-02/03/15	13.1	Wages Incorrect relativity between rate of pay for Master and Engineer. Seeking parity between Engineer classification at 100% relativity and Master.	Para 2	To be referred to a separately constituted Full Bench for determination – AM2016/5
4.	FWO	Corro-02/03/15	18.2	Ordinary hours Unclear under which circumstances an employee can work ordinary hours on Saturday or Sunday, given clause 20.1(b) and 20.3 refer to ordinary hours worked on Saturday or Sunday, whereas clause 18.2 states ordinary hours can be worked Monday to Friday.	Item 31 page 8	

See [Schedule 1](#) for a list of abbreviations

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Seagoing Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	AIMPE	Sub-02/03/15	4	<p>Coverage - coverage clause may need revision. There are problems with the manner in which the <i>Ports, Harbours and Enclosed Water Vessels Award 2010</i> is being utilised which impact of the <i>Seagoing Award 2010</i>. (Also see submission in relation to <i>Ports, Harbours and Enclosed Water Vessels Award 2010</i> coverage in table on page 6.)</p> <p>Definitions of Accommodation vessels and Transshipment vessels should be included in the definition of 'Seagoing industry'.</p>	Page 3 - Para 4	To be referred to a separately constituted Full Bench for determination – AM2016/5
2.	AIMPE	Sub-02/03/15	13	<p>Classifications - Two passenger vessel schedules of classifications should be inserted.</p>	Page 3 - Para 1	Referred to a separately constituted Full Bench for determination – AM2016/5
3.	AIMPE	Sub-02/03/15	13	<p>Classifications - A classification of 'electrician' should be added to the 'second mate/second engineer' grading. For passenger vessels, a grading of 'chief electrician' or 'first electrician' should be added.</p>	Page 3 - Para 2	

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
4.	AIMPE	Sub-02/03/15	13	Classifications - Consideration should be given to including classifications for fitters and boilermakers.	Page 3 - Para 3	
5.	FWO	Corro-02/03/15	18.2, 27	Hours of work - Interaction between these two clauses and the NES is unclear.	Para 34	
6.	FWO	Corro-02/03/15	30	Leave—employees on a vessel granted a temporary licence – It is unclear whether the leave payable under this clause is in addition to the NES entitlement or in substitution to it.	Para 35	

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Gardening and Landscaping Services Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	BusSA	Sub-02/03/15	Schedule B	Classification Structure Undergoing further consultation with members regarding inclusion of indicative tasks in classification structure.	p.6	May pursue a variation
2.				Classification Structure Term ‘occupational health and safety’ does not reflect current legislation and should be amended. May seek to replace the wording in the current award with the term ‘work health and safety’.	p.6	

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Horticulture Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	Mitolo and others	Sub-02/03/15	4	Coverage May seek changes to the coverage clause depending upon Full Bench decision in C2014/7871 (also affects Storage Services).	p.1	See [2015] FWCFCB 2524 AIG to provide further information [TN87–100]
	AIG	Sub-02/03/15		Coverage May seek changes to the coverage clause depending upon Full Bench decision in C2014/7871.	para 5	
2.	NFF	Sub-13/03/15	4	Coverage Intends to propose change to give effect to the intention that the Award covers ‘agricultural production within the farm gate’.	para 5(a)	
3.	FWO	Corro-02/03/15	10.4(c); 22.1(d) and 22.2(h)	Overtime entitlement for casuals Has received enquires as to whether casual employees are entitled to overtime rates. Interaction of provisions may cause uncertainty amongst award users regarding whether overtime rates in 22.1 and 22.2 apply to casuals.	Item 18 p.6	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
	AWU	Sub-02/03/15		Overtime entitlement for casuals Intend to pursue a variation to clarify that casuals receive overtime when they work:	paras 3-5	

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				<ul style="list-style-type: none"> • In excess of the ordinary hours (clause 10.4(a)); • Outside the span of ordinary hours and maximum daily hours (clause 22.1); and • Outside the span of ordinary hours and maximum shift hours (clause 22.2) <p>Will seek to delete the words 'full-time and part-time' appearing in clause 22.1 and 22.1(d).</p>		
4.	FWO	Corro-02/03/15	10.4(c); 22.1 and 22.2	<p>Shiftwork provisions applying to casuals Unclear whether shiftwork provisions in clause 22.2 can apply to casual employees.</p> <p>May be unclear whether shiftwork provisions in clause 22.2, (which do not mention which types of employees it may cover), should be read in conjunction with clause 22.1 (ordinary hours of work and rostering for full-time and part-time employees).</p>	Item 19 p.6	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
5.	FWO	Corro-02/03/15	15	<p>Piecework rate of pay - casuals Have received enquiries about how to calculate piecework rate for casuals. May be unclear whether under clause 15.3 the piecework rate should be calculated:</p> <ul style="list-style-type: none"> • On a compound basis; or • On a cumulative basis. 	Item 21; p.6	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
6.			15.5, 22, 25 and 26	Pieceworkers rate of pay when on annual leave/personal leave Received enquiries about how to determine amount a pieceworker should be paid when they take annual leave or personal/carers leave under clauses 25.1 and 26. May be unclear how to determine the amount of leave payable and at what rate it should be paid.	Item 20; p.6	
7.	BusSA	Sub-02/03/15	19.3	Payment of wages on termination of employment Current award states wages must be paid on day of termination or forwarded by post next working day. Seek to insert alternative wording into this clause as per the <i>Vehicle Manufacturing Repair, Service and Retail Award 2010</i> . Issue affects multiple awards (see Correspondence from AIG of 25 Nov 2014)	p.6	Referred to separately constituted Full Bench
8.	NFF	Sub-13/03/15	Schedule B	Classification Structure and Definitions Intend to propose change to change the process for progression through classifications.	para 5(b)	
9.			New clause	Intends to insert an annual salaries provision.	para 5(c)	Referred to a separately constituted Full Bench

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Nursery Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	BusSA	Sub-02/03/15	4.2	Coverage Undergoing further consultation with members regarding coverage clause in respect of the inclusion of businesses that hire plants.	p.7	
2.	BusSA	Sub-02/03/15	10.3	Part-time employment - Rosters Proposes that sub-clause is varied to remove the required 48 hours' notice in emergency situations.	p.7	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
3.	FWO	Corro-02/03/15	24.2	Overtime entitlement for casuals Received enquires as to whether casual employees are entitled to overtime rates. Clause 24.2(f) provides that all time worked outside ordinary hours is overtime. May not be clear whether overtime rates can apply to casuals.	Item 28, p.8	Referred to Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

This table is a summary of proposed variations lodged for this award – updated 23 March 2016.

Pastoral Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	NFF	Sub-02/03/15	3	Definitions Amend the definition of ‘broadacre field crops’ to reflect generic crop descriptors rather than to specific crops.	para 4(a)	Determined by Full Bench in AM2015/23
1A.	AWU	Sub-10/12/15	31.4	Overtime Seeks deletion of TOIL provision as may have no effect due to s.326 of the <i>Fair Work Act 2009</i>	Paras 3–13	Pending outcome of AM2014/300
2.	FWO	Corro-02/03/15	35.3 and 35.9	Shiftwork definitions May be unclear under which circumstances an employee should be considered a shiftworker (as ‘shiftworker’ is not a defined term).	Item 29; p.8	
3.	NFF	Sub-02/03/15	42	Overtime Restore ‘milking’ as an activity akin to feeding and watering of stock for the purposes of overtime on Sundays.	para 4(e)	No longer pressed (transcript – 9 Oct15 at PN66).
4.	AWU	Sub-02/03/15	42.3	Overtime Currently no penalty rate for employees on poultry farms who work ordinary hours on a Saturday. Intend to seek a variation to clause 42.3 so that it reads: “The rate of pay for overtime will be time and a half, provided that time and a half will be paid for all work	para 6-10	No longer pressed (transcript – 9 Oct15 at PN66).

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				performed on Saturday and double time will be paid for all work performed on Sunday except in the case of feeding or watering the stock when such work will be paid for at the time rate of time and a half.”		
5.	AWU	Sub-13/03/15	44.4(b)	Insertion of employment conditions for learners.	para 2	Considered Determined by Full Bench in AM2015/23
5A	SCAA	Sub-04Mar16		Party concerned with practicalities of AWU’s proposal. Party in favour of initiatives to attract and retain labour to the shearing industry but does not regard award as appropriate instrument for what is essentially an ‘attraction’ and ‘retention’ strategy.	Para 6-13	Proposed wording in submission.
5A	NFF	Sub-04Mar16		Party submits the following proposed terms are about permitted parts: (a) term which define “learner shearer”; and (b) terms which provide a guaranteed minimum rate of pay for learner shearers. Terms which restrict the use of stands in a shed to learner shearers are not terms about permitted matters.	Para 11-45	Proposed wording in submission.
6.	NFF	Sub-02/03/15	45	Woolclassers’ formula Seeks to clarify the method for calculating the Woolclassers’ formula.	para 4(b)	Determined by Full Bench in AM2015/23

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
7.	NFF	Sub-02/03/15	45	Rate for crutching stud ewes Seek to clarify the method for calculating the rate for crutching stud ewes.	para 4(c)	Determined by Full Bench in AM2015/23
8.	AWU	Sub-13/03/15	45	Rate for crutching stud sheep and rams Seek insertion of higher rates for crutching stud sheep and rams.	para 2	Determined by Full Bench in AM2015/23
9.	NFF	Sub-02/03/15	New clause	Insert an annual salaries provision.	para 4(d)	Considered by Full Bench in AM2015/23

NOTE: This award has been the subject of a separately constituted Full Bench, see Decision [\[2015\] FWCFCB 8810](#)

This table is a summary of proposed variations lodged for this award – updated 24 February 2016.

Silviculture Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	NOTES
NO AWARD SPECIFIC SUBMISSIONS RECEIVED					

This table is a summary of proposed variations lodged for this award – updated 23 March 2016.

Sugar Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1A.	ASMC	Sub-10Mar16	3	<i>In response to: Parties are to consider whether the terminology in clauses 3.2(b)–(e), regarding the different sectors, should be consistent with the definitions in Schedule I—Definitions.</i> Party responds in the same way to Item 1 of summary.	Page 5	Schedule I of Exposure Draft
1B.	ASMC	Sub-10Mar16	4	<i>In response to: Parties are asked to confirm the currency of the terms “Cane Protection and Productivity Boards” and “Bureau of Sugar Experiment Stations”</i> Cane Protection and Productivity Boards are referred to Prod Services and Bureau of Sugar Experiment Stations is known as Sugar Research Australia.	Page 1	Clause 3.2(b) of Exposure Draft
1C.	ASMC	Sub-10Mar16	4	<i>In response to: Parties are asked to consider whether the terminology in clauses 3.2(b)-(e) should be consistent with the definitions in Schedule I—Definitions</i> Terminology in Schedule I should be consistent. Suggested terminology:	Page 1	Clause 3.2(b)-(e) of Exposure Draft

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				<p>Clause 3.2 (b) Sugar Milling Clause 3.2 (c) Sugar Refineries Clause 3.2 (d) Sugar Distilleries Clause 3.2 (e) Bulk Sugar Terminals</p>		
1D.	ASMC	Sub-10Mar16	9.6	<p><i>In response to: Clause 35.6 differs from the standard wording in that it says “safe and legal” instead of “safe and appropriate”. Parties are asked whether this different wording should be maintained.</i></p> <p>Recommend the wording “safe and legal” is maintained.</p> <p>Legal – authorised/lawful/permitted Appropriate – suitable/correct/fitting</p>	Page 4	Clause 35.5 of Exposure Draft
1E.	ASMC	Sub-10Mar16	10.3(e)	<p><i>In response to: Parties are asked whether a provision that limits the maximum number of hours of a part-time employee to less than 38 is permissible.</i></p> <p>For consistency recommend that the maximum number of ordinary hours of work permissible for a part-time employee is 38 hours per week.</p>	Page 1	Clause 6.2(e) of Exposure Draft

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1F.	ASMC	Sub-10Mar16	10.4	<i>Casual employment</i> Party submits that casual employees are required – i.e. casual watchmen, Technical Field department employees.	Page 1	Clause 6.3 of Exposure Draft
1G.	ASMC	Sub-10Mar16	15	<i>In response to: Parties are asked to clarify whether the award should provide an alternative to the employer supplied overtime meal for the field sector. As the award is currently drafted, the milling, distillery, refinery and maintenance and bulk sugar terminal operations sectors provide a meal allowance as an alternative to the provision of a meal.</i> Party has proposed new wording to be inserted “after their scheduled hours of work”	Page 3	Clause 11.5(c) of Exposure Draft
1H..	ASMC	Sub-10Mar16	22.18	<i>In response to: It is unclear what allowances are not payable when this allowance is paid. Parties are asked to specify the clauses that do not apply when this allowance applies.</i> Party has provided a list of allowances in their submission that are not payable when this allowance is paid.	Page 3	Clause 16.1(r)(iv) of Exposure Draft

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
II.	ASMC	Sub-10Mar16	22.20(c)	<i>In response to: Parties are asked whether the terms “spelling time” and “gang” should be defined or replaced with more contemporary terminology. Suggests that “spelling time” be replaced with “recovery time” and “gang” replaced with “crew”</i>	Page 3	Clause 16.1(r)(iii) of Exposure Draft
IJ.	ASMC	Sub-10Mar16	27.3(c)	<i>In response to: Parties are asked to clarify the effect of clauses 17.3(b) and (c) in respect of the hourly rates defined in Schedule D.2, which are based on a 38 hour week. The hourly pay rates defined in Schedule D.2 are calculated on a 38 hourly divisor hence are applicable to those employees deemed to be seasonal as in clause 17.3 (b) – 38 hour divisor. Pay rates for employees on 40 and 36 divisors are not accommodated.</i>	Page 4	Clause 17.3(c) of Exposure Draft
IK.	ASMC	Sub-10Mar16	27.4(c)	<i>In response to: Clause 17.4(c) is currently drafted “...will incur a proportion of the debit for the day, based upon the proportion of the working day that the employee was in attendance”. Should it be drafted, as below, where the proportion of the debit is based on the proportion of the</i>	Page 4	Clause 17.4(c) of Exposure Draft

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				<i>day the employee was NOT in attendance?</i> Party has provided amendment in submission.		
1L.	ASMC	Sub-10Mar16	29.2(b)	<i>In response to: Parties are asked to comment on how clause 25.2(b) interacts with clause 10.2(c), and what the correct rate is for field sector employees working on Sundays. Should clause 25.2(b) refer to “overtime work” rather than “all work”? – see Correspondence from the Fair Work Ombudsman</i> Clause 10.2 (c) references ordinary time worked on a Saturday or Sunday. For clarity, clause 25.2 (b) should refer to overtime work rather than all work. The heading of clause 25.2 should read “Payment for working overtime on Saturdays, Sundays or on Rostered Days Off” .	Page 4	Clause 25.2(b) of Exposure Draft
1M.	ASMC	Sub-10Mar16	29.2(c)	<i>In response to: Parties are asked to comment on how clause 10.2(c) interacts with clause 25.2(b) and what the correct rate is for field sector employees working on Sundays</i> Clause 10.2(c) states the payment when	Page 2	Clause 10.3(c) of Exposure Draft

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				<p>ordinary time is worked on a Saturday and Sunday – i.e. T1/2. Clause 25.2(b) states the payment when working on rosters days off being Saturday and Sunday – T1/2 and DT payment applies. Party submits clear difference between the two clauses however additional wording is required at 25.2(b) to clarify that all payment applies to overtime.</p>		
IN.	ASMC	Sub-10Mar16	40.4(d)	<p><i>In response to: Parties are asked to clarify if junior employees receive only the relevant percentage of wage and/or expense related allowances in clause 16.</i> Sugar pays according to the job actually being done. Junior wage or expense related allowances are not paid.</p>	Page 3	Clause 15.4(d) of Exposure Draft
IO.	ASMC	Sub-10Mar16	32.9	<p><i>In response to: Clause 26.9 provides that the roster system may be approved by the Fair Work Commission. Is there a legislative mechanism that provides for this?</i> There are recent changes to the FWA where if there is major change, employees who are impacted by the</p>	Page 4	Clause 26.9 of Exposure Draft

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				roster change are invited to give their views regarding the impact of the change (including any impact in relation to their family or caring responsibilities).		
1P.	ASMC	Sub-10Mar16	33.6(c)	<i>In response to: Parties are asked whether clause 27.6(c) requires clarification. This provision appears to have been taken from AN140048 - Bulk Terminals Award - State 2003. Further clarification is required around the option being offered to convert 5 travel days to an additional 2% employer's superannuation contribution for the term of their employment. Eg are the 5 days converted annually; timing of conversion;</i>	Page 4	Clause 27.6(c) of Exposure Draft
1Q.	ASMC	Sub-10Mar16	Schedule D.3.3	<i>In response to: Parties are asked to identify "any training program which applies to the same occupation and achieves essentially the same training outcome as an existing apprenticeship in an award as at 25 June 1997" that they consider should not be covered by this Schedule. No training programs identified.</i>	Page 5	Clause H.3.3

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1R.	ASMC	Sub-10Mar16	Schedule D1.1	<i>In response to: Parties are asked to review the packages listed to ensure the lists are complete and up-to-date</i> Reviewed and listed are complete and up-to-date.	Page 5	Clause H.7 of Exposure Draft
2.	AMWU	Sub-02/02/15	22.30 and/or 23.3	Tool Allowance Propose insertion of tool allowance for apprentices. This could be done by creating a separate entitlement for apprentices or by amending current entitlement to apply to apprentices.	Para 3	See also Transitional Review decision: [2013] FWC FB 9295 at paras 14–17
3.	FWO	Corro-02/03/15	11.3(a)	Piecework Rate Query whether the calculation of the minimum piece rate (clause 20.2) for casual employees should include the casual loading and, if so, how the casual loading and the additional 20% piecework loading interact.	Item 37 page 9	
4.	FWO	Corro-02/03/15	20.2(a)	Piecework Rate Query whether the calculation of the minimum piece rate for employees performing work during penalty hours should take into account penalty rates in the Award, and if so, how these and the additional 20% piecework loading interact.	Item 36 page 9	

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	FWO	Corro-02/03/15	29.2(c)	<p>Sunday Rate It may be difficult to determine the correct Sunday rate for field sector employees, given clause 28.2(c) provides that field sector employees receive time and a half for all ordinary time on Sunday, however clause 31.2(b) provides that all work done on Sunday must be paid at double time rate.</p>	Item 36 page 9	

This table is a summary of proposed variations lodged for this award – **updated 26 February 2016.**

Wine Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	SAWIA	Sub - 2/3/2015	13.3	Casual employment Seeks lower minimum engagement for casual employees.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
2	SAWIA	Sub - 2/3/2015	New clause 17	Annualised salaries Seeks inclusion of annualised salary to enable employer to pay a salary in satisfaction of certain provisions of the award.	p.1	Variation likely to be proposed Referred to separately constituted Full Bench
3	SAWIA	Sub - 2/3/2015	24.3	Meal allowance Enable employer to provide meal in lieu of paying meal allowance.	p.1	Referred to separately constituted Full Bench - AM2016/7
4.	SAWIA	Sub-12/11/2015	28.2	Ordinary hours of work and rostering Seeks to insert a new subclause to include a specific Sunday penalty rate for day workers in the Cellar Dollar Sales Stream at 150%.	Page 1	Referred to penalty rates Full Bench in AM2014/305
4A	SAWIA	Sub - 2/3/2015	28.2(d)(i)	Vintage ordinary hours Extend vintage ordinary hours to laboratory and cellar employees.	p.1	

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5	SAWIA	Sub - 2/3/2015		Vintage ordinary hours Include Sundays in vintage ordinary hours.	p.1	Referred to penalty rates Full Bench in AM2014/305
6	SAWIA	Sub - 2/3/2015	28.2(g)(i)	Penalty rates Reduce Sunday penalty rate.	p.1	
7	SAWIA	Sub - 2/3/2015	28.3(g)	Penalty rate Reduce Sunday penalty rate for shiftworkers.	p.2	
8	FWO	Corro - 2/3/2015	13.2 and 23.2	Piecework rate for Casuals Formula for calculating piecework rate does not refer to casual loading. Uncertainty whether a casual worker who is being paid the piecework rate continues to be entitled to the 25% casual loading in clause 13.2 and if so, how the casual loading and piecework loading interact.	p.10	Information based on common queries raised with FWO Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
9	United Voice	Sub - 2/3/2015	12	Part time employees Seeks variation to guarantee minimum of 15 hours per week to part-time workers.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
10	United Voice	Sub - 2/3/2015	12	Part time employees Introduce requirement for 2 weeks' notice of any agreed variation to a part time worker's established pattern of hours in addition to variation being agreed.	p.1	Being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197

See [Schedule 1](#) for a list of abbreviations

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
11	United Voice	Sub - 2/3/2015	24.1	Travel allowance Seeks payment of travel allowance on travel for training purposes.	p.1	Referred to separately constituted Full Bench - AM2016/7
12	United Voice	Sub - 2/3/2015	24.6(c)	Wine vat allowance Increase Wine Vat allowance from 4.2% to 20% of the standard rate per hour.	p.1	Referred to separately constituted Full Bench

NOTE: This award has been the subject of conferences before Commissioner Hampton - see [Report to the Full Bench](#)

Schedule 1 – List of abbreviations (in alphabetical order)

AAA	Accommodation Association of Australia
AAMRI	Association of Australian Medical Research Institutes
ABI and ors	Australian Business Industrial, New South Wales Business Chamber and the Pet Porpoise Pool Pty Ltd
ABI&NSWBC	Australian Business Industrial and the New South Wales Business Chamber Ltd.
ABL	Australian Business Lawyers
ACA Anors	Australian Childcare Alliance, Australian Business Industrial and New South Wales Business Chamber Ltd
ACE	Aged Care Employers
ACSAE	Australian Community Services Employers Association, Union of Employers
AEIA	Australian Entertainment Industry Association trading as Live Performance Australia
AFAP	Australian Federation of Air Pilots
AFEI	Australian Federation of Employers and Industries
Aged Care Employers	Aged and Community Services NSW & ACT, Leading Age Services Australia NSWACT, Aged and Community Services Australia, Leading Age Services Australia, Leading Age Services Australia VIC, Aged and Community Services Western Australia, Aged and Community Services SA & NT, Leading Age Services Australia – QLD, Leading Age Services Australia – SA, Leading Age Services Australia – TAS, Leading Age Services Australia – WA, Aged & Community Services Tasmania, Aged and Community Services Australia (Victoria), Aged and Community Services Australia (QLD)
AHA	Australian Hotels Association
AHEIA	Australian Higher Education Industrial Association
AIG	Australian Industry Group
AIMPE	Australian Institute of Marine and Power Engineers
ALAEA	Australian Licenced Aircraft Engineers Association
AMWU	“Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU)
APESMA	Association of Professional Engineers, Scientists and Managers, Australia
APSA	Australian Property Services Association
ASU	Australian Municipal, Administrative, Clerical and Services Union
ASMC	Australian Sugar Milling Council
AWU	The Australian Workers’ Union

BCC and ors	Birch Carroll & Coyle Limited, Greater Union Organisation Pty Ltd, Hoyts Corporations Pty Ltd and Village Roadshow Limited
BSA	Business SA
BUSA	Bond University Staff Association
CAI	Clubs Australia Industrial
CCF	Civil Contractors Federation
CCSA	Community Connections Solutions Australia
CEPU (ETU)	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allies Services Union
CFMEU	Construction, Forestry, Mining and Energy Union, Mining and Energy Division
CPSU	The Community and Public Sector Union
DSS	Department of Social Services
FA	Fitness Australia
FPAA	Fire Protection Association Australia
FWO	Fair Work Ombudsmen
G8E	G8 Education
GA	Gymnastics Australia
HABA	Hair & Beauty Australia Industry Association
HBG	Hall and Baum Group
HIA	Housing Industry Association Limited
HSU	Health Services Union
iCCC	iCabin Crew Connect
IEU	Independent Education Union of Australia
ISV	Independent Schools Victoria
IOLE	Institute of Legal Executives – Victoria
JA	Jobs Australia
JB	John Broomhead (Individual)
MBA	Master Builders' Association
MEA	Master Electricians Australia
MEAA	Media, Entertainment and Arts Alliance
MIL	Murray Irrigation Ltd
Mitolo and others	Mitolo Group Pty Ltd; Potatoes SA; Hortex Alliance Incorporated; AusVeg SA; Horticultural Coalition of South

	Australia admin; Apple & Pear Growers Association of SA Inc.
MPG	Master Plumbers Group
MPMCA	The Master Plumbers and Mechanical Contractors Association of NSW
NATSIHWA	National Aboriginal and Torres Strait Islanders Health Worker Association
NDS	National Disability Service
NECA	National Electrical and Communications Association
News Corp	News Corp, Bauer Media Ltd, Pacific Magazines Pty Ltd and GNM Australia Pty Ltd
News Corp and others	News Corp, Bauer Media Ltd, Pacific Magazines Pty Ltd, GNM Australia Pty Ltd, Seven Network (Operations) Limited and its related entities, Network Ten Pty Ltd and its related entities, Prime Media Group and its related entities operating in the broadcasting and publishing media industries
NFF	National Farmers Federation
NRA	National Retail Association
NSWBC & ABI	New South Wales Business Chamber and Australian Business Industrial
NTEU	National Tertiary Education Industry Union
OSHC	OSH Club
PGA	Professional Golfers Association
QFDA & FDANSW	Queensland Funeral Directors Association Limited & Funeral Directors Association of New South Wales Limited
RCI	Restaurant and Catering Industrial
REEF	Real Estate Employers' Federation
RRESSA	Registered Real Estate Salespersons Association of SA
Russell Kennedy and ors	Russell Kennedy, Norton Rose Fulbright, Arnold Bloch Leibler, Hall & Wilcox, Clayton Utz, Thomson Geer, Corrs Chambers Westgarth, Maddocks, DLA Piper, Allen & Overy, Piper Alderman, Dibbs Barker, Ashurst, Herbert Smith Freehills, Allens, Gilbert & Tobin, Lander & Rogers, King & Wood Mallesons, Davies Collison Cave, Gadens
SA & ASCTA	Swim Australia & Australian Swimming Coaches and Teachers Association
SAWIA	South Australian Wine Industry Association
SDA	Shop, Distributive & Allied Employees' Association
Seven and ors	Seven Network (Operations) Limited, Network Ten Pty Ltd, Nine Network Pty Limited and Prime Media Group
SG	Showmen's Guild
Skate Intl	Skate International Pty Ltd
SPA	Screen Producers Australia
TA	Tennis Australia

TWU	Transport Workers' Union of Australia
Universities	University of Melbourne, Monash University, University of Sydney, University of New South Wales, Australian National University, Adelaide University, and University of Western Australia.
USU	New South Wales Local Government, Clerical, Administrative, Energy, Airlines And Utilities Union, also known as United Services Union
UV	United Voice
VAPS & GSV	Victorian Association of Public Schools and Girls Sport Victoria