

SUMMARY OF SUBMISSIONS ON FURTHER REVISED EXPOSURE DRAFT

This table is a summary of reply submissions lodged for this award after the 23 October 2015 decision [\[2015\] FWC FB 7236](#) and in response to the Further Revised Exposure Draft published on [30 October 2015](#). The summary includes submissions received before 23 September 2016.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE (paragraph)	NOTES
1	AWU	Sub 20-11-15	6.3(b)	10.2(b)	Part time employees – Current provisions should be retained.	12–14	
	AIG	Reply 7-12-15			No material difference between the effect of these provisions in the current award and the ED. Wording in ED is clearer and should be retained.	289–292	
2	AWU	Sub 20-11-15	6.3(d) 14.1(b)	10.2(d) 25.1	Part time employees – Overtime for part-time employees appears twice in ED – clauses 6.3(d) and 14.1(b). Clause 14.1(b) should be deleted from ED because it is not in the current award but 6.3(d) is.	16–21	Parties appear to agree to delete clause 14.1(b), however reference to part-time overtime should be retained in overtime clause. Alternative drafting marked in blue of ED – parties at liberty to comment.
	AIG	Reply 7-12-15			Not opposed to deleting clause.	297	
3	AWU	Sub 20-11-15	6.4(d)	10.3(c)	Casual employees – ED does not include the term ‘provided in this award’. This is in the current award. Should be retained by adding to ED.	15	Amendment appears to be agreed by parties, made in red text of ED.
	AIG	Reply 7-12-15			Clause is not necessary and should be deleted. If provision is retained, do not oppose retention of current clause, including the words ‘provided in this award’ as sought by AWU.	294–295	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE (paragraph)	NOTES
4	AIG	Sub 20-11-15	14.1(a)	22.4(c), 25.1, 25.3	Overtime –The ED clause has introduced notions of ‘rostered hours on any shift’ and ‘the total ordinary hours in the work cycle’, which may amount to substantive change to the provision as a result of a change in the eligibility circumstances. Clause should be amended – proposed wording in submission.	441–450	
	AWU	Sub 20-11-15			Clause 25.1 in current award explicitly states overtime applies to all employees (except continuous shiftworkers). The words ‘for a full-time or casual employee’ should be deleted from the ED to maintain the effect of the current award which is overtime clause applies to casual, part-time and full-time employees.	16–21	
	AIG	Reply 7-12-15			Opposed to AWU’s amendment. Would not address identified issues with the references to ‘rostered hours’ and ‘total ordinary hours in the work cycle’. Maintain suggested amendment above.	297	
5	AIG	Sub 20-11-15	14.2		Overtime – Drafting error. First row, second column of table – the word ‘time’ should be deleted.	451	Error – ED amended
	AWU	Reply 4-12-15			Agree with AIG.	57	

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6	AWU	Reply 4-12-15	14.4	25	Overtime – A number of issues have been raised by AWU and AIG relating to clause 14.4. To resolve this, propose to retain current clause.	56	
7	AIG	Sub 20-11-15	20.2		Termination – Drafting error. Second sentence should be amended to, ‘... the employer may withhold <u>from</u> any money due ...’ Agree with AIG.	452	Error – ED amended.
	AWU	Reply 4-12-15				58	
8	AIG	Reply 4-12-15	Sch A		Classifications – Formatting error. The dot points should be removed from the words ‘the following tasks are indicative of the tasks which an employee at this level may be required to perform:’ in the following sections: A.3.5; A.3.13; and A.3.15. Agree with AIG.	453–454	Error – ED amended.
	AWU	Reply 4-12-15				59	

List of abbreviations (in alphabetical order)

AIG	Australian Industry Group
AWU	The Australian Workers’ Union
ED	Exposure draft of <i>Wool Storage, Sampling and Testing Award 2010</i>