

### SUMMARY OF SUBMISSIONS ON FURTHER REVISED EXPOSURE DRAFT – OUTSTANDING ISSUES

This table has been revised to include submissions received in response to para [125] of Full Bench Decision [\[2017\] FWCFCB 3177](#) re outstanding issues and the exposure draft. The summary includes submissions received on or before 11 July 2017.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE (paragraph)	NOTES
1	AWU	<a href="#">Sub 20-11-15</a>	6.3(b)	10.2(b)	<b>Part time employees</b> – Current provisions should be retained.	12–14	<b>REMAINS OUTSTANDING</b>
	AIG	<a href="#">Reply 7-12-15</a>			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	
	AIG	<a href="#">Sub-11/07/17</a>			Maintains position. Content for matter to be determined on the papers based on what has been filed.	412	
2	AWU	<a href="#">Sub 20-11-15</a>	6.3(d) 14.1(b)	10.2(d) 25.1	<b>Part time employees</b> – 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	<b>REMAINS OUTSTANDING</b> Parties appear to agree to delete cl 14.1(b), however reference to part-time overtime should be retained in overtime clause. Alternative drafting marked in blue of ED.
	AIG	<a href="#">Reply 7-12-15</a>			Not opposed to deleting clause.	297	
	AIG	<a href="#">Sub-11/07/17</a>			Not opposed to deleting clause.	417	
3	AWU	<a href="#">Sub 20-11-15</a>	6.4(d)	10.3(c)	<b>Casual employees</b> – ED does not include the term ‘provided in this award’. This is in the current award. Should be retained by adding to ED.	15	<b>REMAINS OUTSTANDING</b>
	AIG	<a href="#">Reply 7-12-15</a>			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	

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3A	AIG	<a href="#">Sub-11/07/17</a>	10.1	13.1	<b>Adult employee minimum wages</b> – Preamble is not confined to full-time employees. Appears to require payment of minimum weekly rate to all adult employees, including part-time and casual employees. Suggest including ‘(full-time employees)’ below heading of second column of table.	413-415	<b>REFERRED</b> Referred to the Plain Language Full Bench (AM2016/15), see <a href="#">[2018] FWC 1544</a> .
4	AIG	<a href="#">Sub 20-11-15</a>	14.1(a)	22.4(c), 25.1, 25.3	<b>Overtime</b> –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	<b>REMAINS OUTSTANDING</b>
	AWU	<a href="#">Sub 20-11-15</a>			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	<a href="#">Reply 7-12-15</a>			Opposed to AWU’s amendment. Would not address identified issues with the references to ‘rostered hours’	297	

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					and 'total ordinary hours in the work cycle'. Maintain suggested amendment above.		
	AIG	<a href="#">Sub-11/07/17</a>			Content for issues to be determined on the papers based on what has been filed.	416	
5	AIG	<a href="#">Sub 20-11-15</a>	14.2		<b>Overtime</b> – Drafting error. First row, second column of table – the word 'time' should be deleted.	451	<b>RESOLVED</b> Error – ED amended
	AWU	<a href="#">Reply 4-12-15</a>			Agree with AIG.	57	
6	AWU	<a href="#">Reply 4-12-15</a>	14.4	25	<b>Overtime</b> – 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	<b>REMAINS OUTSTANDING</b>
7	AIG	<a href="#">Sub 20-11-15</a>	20.2		<b>Termination</b> – Drafting error. Second sentence should be amended to, '... the employer may withhold <u>from</u> any money due ...'	452	<b>RESOLVED</b> Error – ED amended.
	AWU	<a href="#">Reply 4-12-15</a>			Agree with AIG.	58	
8	AIG	<a href="#">Reply 4-12-15</a>	Sch A		<b>Classifications</b> – 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.	453–454	<b>RESOLVED</b> Error – ED amended.
	AWU	<a href="#">Reply 4-12-15</a>			Agree with AIG.	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>