

7 June 2023

Chambers of President Hatcher
Level 11 Terrace Tower
80 William Street
East Sydney NSW 2011

Via email: Chambers.Hatcher.J@fwc.gov.au

C2019/5259 – Review of C14 Rates in modern awards

Dear Associate

We refer to the above matter and the directions of his Honour made in transcript on 26 April 2023. We are instructed to seek the following variations to clauses 12.2 and 12.3 of the *Travelling Shows Award 2020*.

12.2 Grade 1

An employee at this level is a new entrant to the travelling shows industry and is employed as a ride attendant and includes employees not otherwise classified. An employee at this level:

(a) has less than 3 months experience in the travelling shows industry;

~~(a)~~(b) is responsible for the quality of their own work, subject to routine supervision;

~~(b)~~(c) works under routine supervision either individually or in a team environment;

~~(c)~~(d) performs tasks under general supervision, exercising limited discretion within defined procedures;

~~(d)~~(e) performs work which is subject to final checking and, as required, progress checking;

~~(e)~~(f) is trained in, and applies, basic quality/service requirements relating to their own work and may be required to give general inquiry assistance to the customer;

~~(f)~~(g) has a good working knowledge of health and safety procedures;

~~(g)~~(h) may require basic technical skills to perform the work;

~~(h)~~(i) is engaged in the operation of rides, amusements, games, stalls or general labouring duties as directed; and

~~(i)~~(j) may carry out all work incidental, peripheral or necessary for the proper conduct of the business including driving a motor vehicle, painting and digging.

12.3 Grade 2

An employee at this level is employed as an assistant to a Grade 3 employee and includes an employee performing ticket selling duties for rides and amusements or an employee who is a counter attendant, program seller or cashier. An employee at this level:

~~(a)~~ (a) has at least 3 months experience in the travelling shows industry;

~~(a)~~~~(b)~~ (b) works from simple instructions and procedures;

~~(b)~~~~(c)~~ (c) assists in the provision of on-the-job training;

~~(e)~~~~(d)~~ (d) can perform a variety of tasks competently in accordance with the established procedures within their work classification;

~~(d)~~~~(e)~~ (e) can provide assistance for problem solving and work direction;

~~(e)~~~~(f)~~ (f) performs work which is the subject of final checking and, as required, progress checking;

~~(f)~~~~(g)~~ (g) has a good working knowledge of health and safety procedures;

~~(g)~~~~(h)~~ (h) works individually under general supervision while having the ability to coordinate work within a small team environment;

~~(h)~~~~(i)~~ (i) communicates effectively with other workers;

~~(i)~~~~(j)~~ (j) performs duties such as food preparation, attending counter, handling cash, cleaning, animal care, ordering stock, hosting duties, operating rides, EFTPOS transactions, maintenance of records, telephone operations, feeding animals, presentations, operating a cash register, beer reticulation, processing invoices, forklift driving, stock control, bar-tending, waiting, attending snack bar, non-specialised cooking and operating games and amusements;

~~(j)~~~~(k)~~ (k) assists Grade 3 employees in the erection and dismantling of any temporary or permanent structure, non-trade cooking, operating a food outlet, bookings and reservations; and

~~(k)~~~~(l)~~ (l) may carry out all work incidental, peripheral or necessary for the proper conduct of the business including driving a motor vehicle, painting and digging.

We confirm that there have been no discussions with any union party in relation to this matter.

We note that the only union that has expressed any interest in this modern award was the Shop and Distributive Allied Employees Association (SDA) during the modern award making process in 2009.

Yours Sincerely,



Daniel Houlihan
First IR Law Pty Ltd