

FAIR WORK COMMISSION

VARIATION OF AWARDS ON THE INITIATIVE OF THE COMMISSION

Matter No: AM2020/20

Various industries

OUTLINE OF SUBMISSIONS



**ASSOCIATION OF PROFESSIONAL ENGINEERS, SCIENTISTS AND
MANAGERS,
AUSTRALIA (“APESMA”)**

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Lodged by: APESMA

Address: 152 Miller Street West Melbourne, VIC 3003

Tel: (03) 9695 8838

Email: mbutler@professionalsaustralia.org.org.au

INTRODUCTION

1. Further to the Statement ¹of the Full Bench of the Fair Work Commission of 1 April 2020. The Statement was issued in the context of the current COVID – 19 pandemic and sets out provisional views regarding the proposed variation of 103 Modern Awards. The proposed variations are to be set out in a Schedule “X” and pertain to the inclusion of Unpaid pandemic leave ² and Annual leave at half pay³.
2. In summary the proposed variations will provide all employees (including full-time, part-time and casual employees) with a new entitlement of up to 2 weeks’ unpaid pandemic leave and in addition provide for employees by agreement with their employer to take twice the amount of their accrued annual leave at half pay.
3. APESMA supports the variations in the terms proposed by the Commission and supports the view that such variations are in accordance with s.134 of the Fair Work Act 2009 in respect of the Modern Awards Objective.

PHASE 1 MODERN AWARDS

4. At Paragraph 108 there is a list of “Phase 1 modern awards” which are proposed to be varied. The modern awards in respect of which APESMA has an interest are as follows;
 - *Airport Employees Award 2020*
 - *Ambulance and Patient Transport Industry Award 2020*
 - *Animal Care and Veterinary Services Award 2020*
 - *Architects Award 2020*
 - *Electrical Power Industry Award 2020*
 - *Health Professionals and Support Services Award 2020*
 - *Local Government Industry Award 2020*
 - *Pharmacy Industry Award 2020*
 - *State Government Agencies Award 2020*
 - *Water Industry Award 2020*

ACTU SUBMISSION

5. APESMA supports the submission which has been made on behalf of affiliated unions by the ACTU.

¹ [2020] FWCFB 1760

² Ibid Paragraph 59

³ Ibid Paragraph 73

PHARMACY INDUSTRY AWARD

6. APESMA in common with other registered organisations with members in the health industry are particularly mindful of the risks faced by front line health workers. These concerns range from the higher than usual risk of infection; the potential threat to physical safety; the risk of infection to the families of health workers and the availability of sufficient personal protective clothing. Pharmacists are one such group in the “*front line*” of dealing with the current crisis. They are working under considerable pressure with a high degree of work intensification. In addition, they not only run the higher than usual risk of being exposed to the virus but also having to provide a vital service to customers some of whom are highly agitated.

6. APESMA, similar to other unions which represent health workers, whilst supporting the Commission’s proposed variations the Association believes that special consideration should be given to the needs of health workers who may need to self-isolate on more than one occasion. In this regard APESMA believes that workers employed under the Pharmacy Award and other health awards should be entitled to paid leave for multiple occasions. Further, APESMA would the consideration of this issue to be part of a separate process and therefore not delay the variations that are under current consideration by the Commission.

MICHAEL BUTLER

DIRECTOR INDUSTRIAL RELATIONS