

From: Chambers - Cirkovic C
Sent: Thursday, 29 June 2017 5:07 PM
To: Kate Thomson
Cc: 'Roushan Walsh'; 'Vivienne Wiles'; 'Michael Robson'; 'Kieran Jack'; 'Jakov Miljak'
Subject: RE: AM2014/264 Dry Cleaning and Laundry Industry Award [ABLAW-ImanageDocs.FID142139]

Dear Parties,

Re: AM2014/264 Dry Cleaning and Laundry Industry Award

Thank you for the below correspondence.

Due to a scheduling issue for the Commission, Commissioner Cirkovic has had to adjourn next week's conference to Thursday 20 July 2017 at 10:00. Please find attached notice of listing.

If the parties believe there is limited utility in a further conference and wish for the conference to be vacated please advise chambers.

Yours sincerely

Elizabeth O'Brien

Associate to Commissioner Cirkovic

Fair Work Commission

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From: Kate Thomson [<mailto:Kate.Thomson@Ablawyers.com.au>]
Sent: Thursday, 29 June 2017 4:55 PM
To: Chambers - Cirkovic C
Cc: 'Roushan Walsh'; 'Vivienne Wiles'; 'Michael Robson'; 'Kieran Jack'; 'Jakov Miljak'
Subject: AM2014/264 Dry Cleaning and Laundry Industry Award [ABLAW-ImanageDocs.FID142139]

Dear Associate

AM2014/264 Dry Cleaning and Laundry Industry Award

We write on behalf our clients ABI & NSWBC, as well as all interested parties, with respect to the above proceedings.

The parties have conferred since the last conference before the Commissioner and have made some progress in relation to the outstanding technical and drafting issues.

We **attach** a draft report with amendments which reflect the parties' discussions, though note there remain some outstanding issues.

In the circumstances, the parties share the view that there may be limited utility in proceeding with the conference which is listed for 4 July. However, we are of course in the Commission's hands as to whether this listing should be vacated.

Should the conference proceed, we note that Ms Walsh from the AWU will be unavailable.

Please let us know if we can provide further information or assistance.

Thank you.

Yours sincerely

Kate Thomson

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DRAFT REPORT

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards

DRY CLEANING AND LAUNDRY INDUSTRY AWARD 2010

(AM2014/264)

COMMISSIONER CIRKOVIC

MELBOURNE, 21 JUNE 2017

4 yearly review of modern awards – Dry Cleaning and Laundry Industry Award 2010.

[1] On 27 March 2017, 28 April 2017 and 31 May 2017 conferences were held to discuss the Summary of Submissions – Technical and Drafting (the summary) in relation to the review of the *Dry Cleaning and Laundry Industry Award 2010*.

[2] The following items in the summary were discussed at the conference:

- Item 1: ~~-The proposal of the TCFUA is not opposed.~~ Agreed, as per TCFUA proposal.
- Item 2: ~~The proposal of the AWU is not opposed.~~ Agreed, as per AWU proposal.
- Item 3: Agreed that definition of ‘dry cleaning and laundry industry’ should appear only once and only in clause 4.
- Item 4: Submission no longer pressed by ABI & NSWBC.
- Item 5: Withdrawn by TCFUA.
- Item 6: The proposal of TCFUA is not opposed.
- Item 7 and Item 8: Parties agree that the word ‘ordinary’ should be removed from clause 11.4. Actions: AMOD to clarify what is being referred to as an ‘ambiguity’ in background paper. ABI to consider proposals of TCFUA and AWU.
- Item 9: ~~—AWU and United Voice to consider their proposal prior to the next conference.~~ Withdrawn by AWU.
- Item 10: Agreed, as per the proposal of TCFUA.
- Item 11: Withdrawn by AFEI.
- Item 12: Withdrawn by AWU.
- Item 13: Parties agree that clause 18.1 of the ED should be replaced with the wording at clause 14.1 of the current award.
- Item 14: Parties agree that the column headings should read ‘% of minimum weekly rate of pay’.
- Item 15: Withdrawn by AWU.
- Item 16: The proposal of TCFUA is not opposed.
- Item 17: ~~and Item 21: United Voice to provide a without prejudice draft TOIL clause, within a fortnight.~~ Withdrawn.
- Item 18: ~~—TCFUA no longer opposes AWU’s proposed wording. AFEI and ABI are to consider the AWU’s proposed wording, if providing alternative wording~~

~~they will do so within a fortnight. AFEI and ABI & NSWBC to consider whether to propose alternate wording and if they do to provide the alternative wording to all parties.:~~
Agreed, as per AWU proposal.

- Item 19: The AWU continues to press its proposal. AFEI, ABI & NSWBC oppose the AWU's proposal. TCFUA supports the AWU's proposal. Cannot be resolved between the parties.

- ~~Item 20: AFEI and ABI to consider the AWU's proposed wording, if providing alternative wording they should do so within a fortnight. AFEI to consider whether to propose alternate wording and if they do to provide the alternative wording to all parties. Agreed, as per AWU proposal.~~
- ~~Item 21: Parties to discuss United Voice's proposal further prior to the next conference. United Voice continues to press its proposal, supported by AWU and TCFUA. Proposal opposed by ABI & NSWBC and AFEI. Cannot be resolved between the parties.~~
- ~~Item 22: AWU to provide a specific proposal within a fortnight. AWU to provide proposed alternative wording to parties. Parties agree in principle regarding need to change but have been unable to agree on wording.~~
- Item 23: Agreed between the parties that clause 24.8 is retained.
- Item 24: The proposal of the TCFUA is not opposed.
- ~~Items 25 and 26: AFEI, ABI & NSWBC to consider, if providing alternative wording they should do so within a fortnight. Parties to discuss further prior to the next conference. Parties agree that clauses 33, 34, 35, 36 and 37 of the ED should be replaced with the wording at clauses 11 and 12 of the current award.~~
- ~~Item 26: Parties are to consider the TCFUA's draft proposal and provide comment within a fortnight. Parties to discuss further prior to the next conference.~~
- ~~Item 27: Withdrawn by the TCFUA.~~
- ~~Item 28: AWU, TCFUA and United Voice to provide a further proposal within a fortnight. Agreed as per United Voice proposal, subject to amending the numbering error identified by TCFUA.~~
- Item 29: TCFUA concur with AFEI's and AMOD's calculation for the skill level 3 rate applying on public holidays.
- Item 30: Substantive matter, no longer a technical and drafting issue.
- ~~Item 31: The AWU continues to press its proposal. AFEI has provided feedback with respect to some aspects of the proposal which is supported by ABI & NSWBC. Parties have been unable to resolve the issue. AWU to provide a specific proposal within a fortnight. Parties to discuss further prior to the next conference.~~

[3] The matter is listed for further conference at **10:00am Tuesday, 4 July 2017** in Sydney. Any comments on the accuracy of the draft record are to be filed no later than **close of business Wednesday 28 June 2017**.

COMMISSIONER

