

IN THE FAIR WORK COMMISSION

Matter No.: AM2014/223

Re Application by: "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)



Submissions of the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)

4 Yearly Review of Modern Awards

COVER SHEET

About the Australian Manufacturing Workers' Union

The Australian Manufacturing Workers' Union (AMWU) is registered as the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union". The AMWU represents members working across major sectors of the Australian economy, including in the manufacturing sectors of vehicle building and parts supply, engineering, printing and paper products and food manufacture. Our members are engaged in maintenance services work across all industry sectors. We cover many employees throughout the resources sector, mining, aviation, aerospace and building and construction industries. We also cover members in the technical and supervisory occupations across diverse industries including food technology and construction. The AMWU has members at all skills and classifications from entry level to Professionals holding degrees.

The AMWU's purpose is to improve member's entitlements and conditions at work, including supporting wage increases, reasonable and social hours of work and protecting minimum award standards. In its history the union has campaigned for many employee entitlements that are now a feature of Australian workplaces, including occupational health and safety protections, annual leave, long service leave, paid public holidays, parental leave, penalty and overtime rates and loadings, and superannuation.

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Introduction

1. The Australian Manufacturing Workers' Union (AMWU) makes the following Submissions to the Fair Work Commission in response to the directions in the Decision of the Full Bench 13 March 2018 [2017] FWCFB 1405
2. These submissions relate to the *AM 2014/247 Sugar Award 2010*.

Item 23 Hours of Work

3. The AMWU notes that the Full Bench has determined to maintain the provisional view that 11.3 c and 11.3(d) as redrafted will be retained in the Award.
4. As noted by the Full bench the issue of the ambiguity in clause 11.3 will be dealt with at the conclusion of the Award stage of the review. This is in accordance with the decision of the Full bench in [2015] FWCFB 7236 at [159].¹
5. As stated in previous submissions made in the Award stage of various Awards where this issue has arisen, the AMWU presses its view the intention of the clause was not to provide for a longer span of ordinary hours but to provide flexibility for when the span of hours would begin and finish.

Item 11 Facilitative Provisions

6. The parties to this review have arrived at a consensus position on the facilitative provisions. This position is set out in the submissions of the AWU made on 5 April 2018 at paragraph 11 and 12.²
7. The proposed table to facilitative provisions proposed in the submission should be included in the Award.

Item 21 Overtime and Penalty rates

8. The AMWU supports the submissions of the AWU to date.

END

10 April 2018

¹ <https://www.fwc.gov.au/documents/decisionssigned/html/2015fwcfb7236.htm>

<https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014247-corr-awu-050418.pdf>

²

