

IN THE FAIR WORK COMMISSION

Matter No.: AM2014/254

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



Submission 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. On 19 April 2018 the Australian Manufacturing Workers' Union (**AMWU**) filed a submission (**the April 19 Submission**)¹ in relation to the updated Exposure Draft of the Airline Operations Ground Staff Award and the Group 4 technical and drafting Decision.²
2. The AMWU now makes this brief supplementary submission to correct one element of the 19 April Submission in relation clause 11.2 of the Exposure Draft (items 10 and 11 of the summary of submissions).

Items 10 and 11 – Casual Employment

3. Whilst the AMWU maintains the position expressed at paragraphs [5]-[12] of the April 19 Submission, the AMWU would like to make a slight amendment to the drafting proposed by the AMWU at paragraph [12].
4. In the April 19 Submission the AMWU proposed the following amendment to the Exposure Draft:

“For working ordinary time, a casual employee must be paid:

(a) the ordinary hourly rate for the work being performed; plus

(b) A loading of 25% of the ordinary hourly rate,

for the classification in which they are employed.”

5. The AMWU withdraws that part of the April 19 submission and instead proposes the following:

11.2 “A casual employee must be paid:

(a) the ordinary hourly rate for the work being performed; plus

(b) A loading of 25% of the ordinary hourly rate,

for the classification in which they are employed. This loading is instead of entitlements to leave and other matters from which casuals are excluded by the terms of this award and the NES.

6. The reason for the amendment is that the previous drafting was erroneous in that it incorrectly limited payment of the casual loading to instances when a casual employee is “*working ordinary time.*” This was not the intention of the proposed drafting put forward by the AMWU.

¹ [Submission of the Australian Manufacturing Workers' Union 19 April 2018.](#)

² [2018] FWCFB 1548.

7. Clearly casual employees covered by the *Airline Operations Ground Staff Award 2010* are entitled to receive a casual loading for all hours worked, as is correctly identified in the wage rate tables in schedule B of the Exposure Draft.

End

14 May 2018