

FAIR WORK COMMISSION

4 Yearly Review of Modern Awards

Matter No: AM2014/255

Airport Employees Award 2010

Submission by the Association of Professional Engineers, Scientists and Managers, Australia in response to the Exposure Draft

INTRODUCTION

1. This submission by the Association of Professional Engineers, Scientists and Managers Australia (APESMA) is made in response to the exposure draft released by the Fair Work Commission (FWC) for the *Airport Employees Award 2010* (“the Award”), and in accordance with the Statement issued by Justice Ross on 8 December 2014¹.
2. We note that in this Statement Justice Ross indicates that these exposure drafts are not intended to incorporate any substantive changes or to amend any entitlements under the current modern awards nor that they represent the concluded view of the Commission.
3. In correspondence forwarded to the Fair Work Commission on Friday 29th July 2016 the Association advised that it had been unable to meet the 21st July 2016 deadline for the filing submissions in respect of a number of exposure drafts and sought an extension of time in order to do so. The Airport Employees Award wasn’t in the list of the awards nominated by the Association but there is one issue raised in the exposure draft for this award in respect of which the Association may be of some assistance.

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¹ [2014] FWC 8837

4. Wage Rates for the various classification streams are set out in Clause 19 and for Professional Engineers in sub-clause 19.1(d). The specific query as outlined on page 14 of the exposure draft relates to the rates for Professional Engineer Level 1 which has three pay points. The award does not prescribe the manner by which employees progress through these Pay points.
5. The relevant pre-reform award was the Airport Employees Award 1999 [A3557 Con S Print R5018]. This award at Clause 11.4 contained a provision set out as follows:

“11.4 Incremental progression

11.4.1 The job description for each position shall identify the abilities and/or training needed to progress to the next salary point within the specified range.

11.4.2 Progression through the incremental scale shall be subject to the employee meeting the criteria identified for his/her position.

11.4.3 Subject to 11.4.2, progression through the incremental scale may be initiated at the discretion of the employer or on application by the employee.

11.4.4 Such progression may occur at any time, but assessment would be normally be conducted annually.”

For reasons which are not clear the above provision was not included in the current award. This may be because the only classification which has multiple Pay points is Professional Engineer Level 1.

6. A more updated version of an incremental progression clause is contained in the Professional Employees Award in Schedule B – Classification Structure and Definitions at B.1.2 which is titled “Graduate professional – appointment and progression. It is the Association’s submission that to provide clarity it would be useful to vary the Airport Employees Award to include such a provision.

Submitted by:

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Date: 15th August 2016