

**From:** Roushan Walsh [mailto:rouschan.walsh@nat.awu.net.au]  
**Sent:** Thursday, 29 June 2017 2:16 PM  
**To:** Chambers - Cirkovic C; AMOD  
**Cc:** 'Michael Robson'; 'Vivienne Wiles'; 'Jakov Miljak'; 'Kieran Jack'  
**Subject:** Re: AM2014/264 - Dry Cleaning and Laundry Industry Award

Dear all,

Please see email below.

I apologise, I did not attach any document to my previous email, nor did I include the AMOD address.

Please see attached — proposal recorded as item 31.

Kind regards,

**ROUSHAN WALSH | NATIONAL LEGAL OFFICER**

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**From:** Roushan Walsh <[rouschan.walsh@nat.awu.net.au](mailto:rouschan.walsh@nat.awu.net.au)>  
**Date:** Thursday, 29 June 2017 2:07 PM  
**To:** Chambers - Cirkovic C <[Chambers.Cirkovic.C@fwc.gov.au](mailto:Chambers.Cirkovic.C@fwc.gov.au)>  
**Cc:** 'Michael Robson' <[Michael.Robson@unitedvoice.org.au](mailto:Michael.Robson@unitedvoice.org.au)>, 'Vivienne Wiles' <[vwiles@tcfvic.org.au](mailto:vwiles@tcfvic.org.au)>, 'Jakov Miljak' <[Jakov.Miljak@afei.org.au](mailto:Jakov.Miljak@afei.org.au)>, 'Kieran Jack' <[Kieran.Jack@afei.org.au](mailto:Kieran.Jack@afei.org.au)>  
**Subject:** AM2014/264 - Dry Cleaning and Laundry Industry Award

Dear Associate to Commissioner Cirkovic and award modernisation team,

Items 22 and 31 on the Summary of Submissions (AWU drafting and technical claims) remain outstanding in spite of ongoing discussions between the parties. As the parties were not able to reach an agreement, the attached proposal (item 31) and below (item 22) should be recorded as contested by ABI&NSWBC and AFEI.

The AWU understand both the TCFUA and United Voice are supportive of these proposals.

**Item 22: Definition of morning and night shift — laundry workers**

The AWU submitted on 20 January 2017 at paragraph [21] as follows: In relation to the morning shift for laundry workers, the prescribing of only a commencing time trigger but not a finishing time trigger is

unusual in awards and could create uncertainty. For example, a shift commencing at 6pm the previous evening is arguably a shift which commences before 6:00am but this would not normally be considered morning shift.

The AWU circulated the draft wording to parties below which was not agreed. No alternative proposal was provided.

The AWU propose to insert a new **night shift** definition for laundry shiftworkers to work with the proposed **morning shift** definition for laundry shiftworkers. The whole clause would appear as follows (all changes in red and strikethrough):

## 24.1 Definitions

**(a) Morning shift—dry cleaning** means a shift commencing before 7.00am and finishing after midday

**(b) Morning shift—laundry** means a shift commencing ~~before~~ **between 4.00am and 6.00am.**

**(c) Afternoon shift** means a shift finishing after 6.00pm and at or before midnight.

**(d) Night shift—dry cleaning** means a a shift finishing after midnight and at or before 8.00am.

**(e) Night shift — laundry** means a shift finishing after midnight and at or before 8.00am; or a shift commencing before 4.00am.

Kind regards,

**ROUSHAN WALSH | NATIONAL LEGAL OFFICER**

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EXPOSURE DRAFT – Schedule C – Union proposed amendments to correct errors regarding the calculation of rates payable to laundry workers

(Changes marked up in RED and strikethrough)

**EXPOSURE DRAFT C.2.1 AND C.2.2**

**C.2.1 Full-time and part-time employees other than shiftworkers—ordinary and penalty rates**

	<b>Ordinary hours</b>	<b>Saturday – ordinary hours worked before midday</b>	<b>Saturday – ordinary hours worked after midday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>100%</b>	<b>125%</b>	<b>150%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Laundry employee Level 1	17.95	22.44	26.93	44.88
Laundry employee Level 2	18.59	23.24	27.89	46.48
Laundry employee Level 3	19.38	24.23	29.07	48.45
Laundry employee Level 4	19.89	24.86	29.84	49.73

**C.2.2 Full-time and part-time employees including shiftworkers—overtime rates**

	<b>Monday to Saturday – first 3 hours</b>	<b>Monday to Saturday – after 3 hours</b>	<b>Sunday – all day</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Laundry employee Level 1	26.93	35.90	35.90	44.88
Laundry employee Level 2	27.89	37.18	37.18	46.48
Laundry employee Level 3	29.07	38.76	38.76	48.45
Laundry employee Level 4	29.84	39.78	39.78	49.73

**UNION PROPOSAL C.2.1 AND C.2.2**

**C.2.1 Full-time and part-time employees other than shiftworkers—ordinary and ~~penalty~~ overtime rates**

	Ordinary hours	Monday to Saturday – first 3 hours of overtime	Monday to Saturday – after 3 hours of overtime
	% of minimum hourly rate		
	<b>100%</b>	<b>150%</b>	<b>200%</b>
	\$	\$	\$
Laundry employee Level 1	17.95	26.93	35.90
Laundry employee Level 2	18.59	27.89	37.18
Laundry employee Level 3	19.38	29.07	38.76
Laundry employee Level 4	19.89	29.84	39.78

**C.2.2 Full-time and part-time employees including shiftworkers—overtime and penalty rates**

	Shiftworkers				All laundry employees	
	Saturday – ordinary hours worked before midday	Saturday – ordinary hours worked after midday	Monday to Saturday – first 3 hours of overtime (excluding shift rate)	Monday to Saturday – after 3 hours of overtime (excluding shift rate)	Sunday – all day	Public holiday <sup>1</sup>
	% of minimum hourly rate					
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	\$	\$	\$	\$	\$	\$
Laundry employee Level 1	22.44	26.93	26.93*	35.90*	35.90	44.88
Laundry employee Level 2	23.24	27.89	27.89*	37.18*	37.18	46.48
Laundry employee Level 3	24.23	29.07	29.07*	38.76*	38.76	48.45
Laundry employee Level 4	24.86	29.86	29.84*	39.78*	39.78	49.73

\*Add applicable shiftwork rate to overtime rate.

<sup>1</sup> An employee who works on a public holiday will be paid for a minimum of four hours' work in accordance with clause 23.3(b).

**EXPOSURE DRAFT C.3.2 and C.3.4****C.3.2 Casual employees other than shiftworkers—ordinary and penalty rates—  
Laundry employees**

	<b>Ordinary hours</b>	<b>Saturday – ordinary hours worked before midday</b>	<b>Saturday – ordinary hours worked after midday</b>	<b>Public holiday</b>
	<b>% of minimum hourly rate</b>			
	<b>125%</b>	<b>150%</b>	<b>175%</b>	<b>275%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Laundry employee Level 1	22.44	26.93	31.41	49.36
Laundry employee Level 2	23.24	27.89	32.53	51.12
Laundry employee Level 3	24.23	29.07	33.92	53.30
Laundry employee Level 4	24.86	29.84	34.81	54.70

**C.3.4 Casual shiftworkers—ordinary and penalty rates—Laundry employees**

	<b>Ordinary hours</b>	<b>Morning, afternoon or night shift</b>	<b>Permanent night shift</b>	<b>Saturday – ordinary hours worked before midday</b>	<b>Saturday – ordinary hours worked after midday</b>	<b>Sunday – all day</b>	<b>Public holiday</b>	<b>Non-rotating shifts</b>	
								<b>First 3 hours</b>	<b>After 3 hours</b>
	<b>% of minimum hourly rate</b>								
	<b>125%</b>	<b>140%</b>	<b>155%</b>	<b>150%</b>	<b>175%</b>	<b>225%</b>	<b>275%</b>	<b>175%</b>	<b>225%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Laundry employee Level 1	22.44	25.13	27.82	26.93	31.41	40.39	49.36	30.98	39.83
Laundry employee Level 2	23.24	26.03	28.81	27.89	32.53	41.83	51.12	31.87	40.97
Laundry employee Level 3	24.23	27.13	30.04	29.07	33.92	43.61	53.30	32.32	41.56
Laundry employee Level 4	24.86	27.85	30.83	29.84	34.81	44.75	54.70	34.23	44.01

**UNION PROPOSAL C.3.2 and C.3.4 and C.3.X**

**C.2.4 – Delete this table.**

**C.3.2 Casual employees other than shiftworkers—ordinary and ~~penalty~~ overtime rates – Laundry employees**

	Ordinary hours	Monday to Saturday – first 3 hours of overtime	Monday to Saturday – after 3 hours of overtime
	% of minimum hourly rate	% of <u>ordinary</u> hourly rate	
	125%	150%	200%
	\$	\$	\$
Laundry employee Level 1	22.44	33.66	44.80
Laundry employee Level 2	23.24	34.86	46.48
Laundry employee Level 3	24.23	36.35	48.46
Laundry employee Level 4	24.86	37.29	49.72

**C.3.4 Casual shiftworkers – ~~ordinary and penalty rates~~ shiftwork rates – Laundry employees**

	Morning, afternoon or night shift	Permanent night shift	Non-successive morning, afternoon or night shift - laundry <sup>2</sup>	
			First 3 hours	After 3 hours
	% of <u>ordinary</u> hourly rate			
	115%	130%	150%	200%
	\$	\$	\$	\$
Laundry employee Level 1	25.81	29.17	33.66	44.88
Laundry employee Level 2	26.73	30.21	34.86	46.48
Laundry employee Level 3	27.86	31.50	36.35	48.46
Laundry employee Level 4	28.59	32.32	37.29	49.72

<sup>2</sup> **Non-successive morning, afternoon or night shift - laundry** means an employee in a laundry workplace who works on any morning, afternoon or night shift which does not continue for at least five successive mornings, afternoons or nights in a five day workshop, or for at least six successive mornings, afternoons or nights in a six day workshop (see clause 24.5)

**C.3.5 Casual employees including shiftworkers — overtime and penalty rates — Laundry employees**

	<b>Shiftworkers</b>				<b>All laundry employees</b>	
	<b>Saturday – ordinary hours worked before midday</b>	<b>Saturday – ordinary hours worked after midday</b>	<b>Monday to Saturday – first 3 hours of overtime (excluding shift rate)</b>	<b>Monday to Saturday – after 3 hours of overtime (excluding shift rate)</b>	<b>Sunday – all day</b>	<b>Public holiday<sup>3</sup></b>
	<b>% of ordinary hourly rate</b>					
	<b>125%</b>	<b>150%</b>	<b>150%</b>	<b>200%</b>	<b>200%</b>	<b>250%</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Laundry employee Level 1	28.05	33.66	33.66*	44.88*	44.88	56.10
Laundry employee Level 2	29.05	34.86	34.86*	46.48*	46.48	58.10
Laundry employee Level 3	30.29	36.35	36.35*	48.46*	48.46	60.58
Laundry employee Level 4	31.08	37.29	37.29*	49.72*	49.72	62.15

\* Add applicable shiftwork rate to overtime rate.

<sup>3</sup> An employee who works on a public holiday will be paid for a minimum of four hours' work in accordance with clause 23.3(b).