

**Fair Work Commission**

**Award Review 2014**

**General Retail Industry Award 2010**

**AM2014/270**

**Shop Distributive and Allied Employees' Association**

**Variations**

**December 2017**

1. The SDA provides to the FWC the following submissions indicating the claims it seeks to pursue.
2. The submission uses the item number the Commission has adopted in the table of variations lodged which has a publication date of 22 November 2017.
3. The SDA makes comments on the items that had not been withdrawn or referred to other Full Bench proceedings.

**Item 1**

4. The SDA is seeking to vary clause 11 Full-time employees, to include the requirement for *agreement in writing at the time of engagement* on a regular pattern of work and the requirements for variation to the pattern of work, which is contained in the Award for part-time employees at clause 12.2, 12.3 and 12.4.

This claim might be being addressed in the PLED. If it is then the claim should be settled.

**Item 2**

5. The SDA also seeks to vary clause 11 of the Award to include a minimum shift of 4 hours for full-time employees.

The SDA is not pursuing this claim

**Item 4**

6. The SDA seeks to vary Clause 18 to provide for the payment of junior rates to Level 1 employees only.

The SDA presses this claim.

**Item 6**

7. The SDA proposes 10pm for the finish time on Monday to Friday. Currently either a 9pm or 11pm finish applies.

The SDA presses this claim.

**Item 7**

8. The SDA seeks to clarify the applicability of rostering provisions to all employees by rearranging current provisions already within the award

This issue might be addressed in the PLED. If it is then the claim should be settled.

**Item 10**

9. The SDA seeks the following variations to the Overtime clause to provide payment of double time after two hours worked.

The SDA withdraws this claim

**Item 11**

10. The SDA is seeking the full casual loading for such employees at all times which incur penalty rates.

This matter is before the Penalty Rate Full Bench, not the Casual Full Bench.

**Item 13**

11. The SDA seeks to vary the compassionate leave clause

The SDA withdraws this claim

**Item 14**

12. The SDA seeks two changes to the Public Holiday clause:
- a. work on a Public Holiday to be at the election of the employee.
  - b. insertion of a provision which would allow an employee who works on a public holiday to elect to be paid time and a half and receive an equivalent day or time off in lieu of penalty rate.

The SDA presses this claim.

**Item 15**

13. The SDA seeks to insert into the Classification structure for all employees (Retail Employee Level 1 – 8) wording to ensure that employees cannot be required to exhibit clothes or other fashion articles/accessories of a revealing or indecent manner, as this is not part of retail duties and functions.

The SDA presses this claim