

**20 January 2017**

Award Modernisation Team  
Fair Work Commission  
Level 10, Terrace Tower, 80 William Street  
EAST SYDNEY NSW 2011  
By email: [amod@fwc.gov.au](mailto:amod@fwc.gov.au)

**Re: AM2014/282 – Submissions by the Australian Workers Union on the Exposure Draft for the *Racing Clubs Events Award 2010***

## **Background**

1. These submissions of the Australian Workers' Union (AWU) are made pursuant to the Amended Directions of Justice Ross, President of the Fair Work Commission, issued on 21 December 2016 in AM2014/250 and others.
2. Parties are directed to file submissions on drafting and technical issues in the exposure drafts for Group 4D, 4E and 4F awards by 18 January 2017. The submissions that follow refer to the exposure draft for the *Racing Clubs Events Award* ('the Exposure Draft') as published on 18 November 2016.

## **Drafting and Technical Issues**

3. Clause 2 There is currently a definition of 'Shop Day' in clause 12.6 of the exposure draft. To improve accessibility, we propose the inclusion of the definition of 'Shop Day' at clause 2 to appear as follows:

***Shop Day*** "That is preparing for a function on the day before such function or cleaning up on the day after the function"

4. Clause 13.4 Grade 3 Racecourse Attendant in the Exposure Draft. Change the words 'hare driver' to "lure driver". The word 'Hare' is no longer used in the industry.
5. Clause 19 Payment of wages clause in the Exposure Draft is silent on when full-time or part-time employees must be paid. The payment of wages for casuals is dealt with in clause 11.4 of the exposure draft and it may also be more appropriately dealt with in clause 19.

Although there is a provision contained in section 323 of the Fair Work Act 2010. We propose the following for full-time or part-time employees:

### **19.1 Period of payment**

- (a) Except as provided in clause 19.1(b), wages must be paid weekly or fortnightly, either:
- (i) according to the actual ordinary hours worked each week or fortnight; or

- (ii) according to the average number of ordinary hours worked each week or fortnight.
- (b) By agreement between the employer and the majority of employees in the relevant enterprise, wages may be paid three weekly, four weekly or monthly. Agreement in this respect may also be reached between the employer and an individual employee.

**19.2 Method of payment**

Wages must be paid by cash, cheque or electronic funds transfer into the employee's bank or other recognised financial institution account.

6. Clause 20 The payment of allowances in the Exposure Draft is unclear. We propose the following changes: "Employers must pay to an employee, including full time, part time or casual employees the allowances the employee is entitled to under this clause. See Schedule B for a summary of monetary allowances and method of adjustment".
7. Clause 20 Allowances in the Exposure Draft requires correct numbering.
8. Clause 20.2 (d) Meal Allowance. The amount of \$10.74 in the Exposure Draft is less than the current award provision of \$10.98.

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**The Australian Workers' Union**  
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