

IN THE FAIR WORK COMMISSION

2014 Award Review

(AM2014/300)

Community and Public Sector Union (CPSU) (PSU Group)

Submissions regarding Decision in [2018] FWCFB 3085 re Award Flexibility issues in *Broadcasting, Recorded Entertainment and Cinema Award*

1. The CPSU makes these submissions in accordance with the Decision [2018] FWCFB 3085 of 1 June 2018 and the Directions therein inviting comment from interested parties on a revised draft determination. The CPSU makes these submissions in accordance with those Directions.
2. The CPSU agrees with the preliminary view at [13] and [14] of that Decision that the draft determination of 22 February 2018 at clause 22A.3 would effect a change to the entitlements of radio broadcasting technical staff currently provided under the award.
3. Currently, clause 40.4 of the *Broadcasting, Recorded Entertainment and Cinema Award* provides entitlements to radio broadcasting technical staff for time off instead of overtime. These entitlements include that the time off is agreed, that the employee can request payment at over time rates and the agreement is in writing. The original draft determination of 22 February 2018 at clause 22A.3 contained an exclusion of such employees from similar entitlements.
4. The revised draft determination of 1 June 2018 sought to correct this error in the draft determination of 22 February 2018 at 22A.3. It omits the exclusion of radio broadcasting technical staff from the provisions of clause 22A.3.
5. The CPSU supports the revised draft determination of 1 June 2018. The revised draft determination has the effect of ensuring relevant employees retain their current entitlements regarding time off instead of overtime.

26 June 2018

CPSU - SYDNEY