

IN THE FAIR WORK COMMISSION

Four Yearly Review of Modern Awards
Group 1 Awards – Exposure Drafts
Technical/Drafting issues
(AM2014/64 & Ors)

Submission in response to
Decision [2018] FWCFB 3802 (28 June 2018)

**CONSTRUCTION, FORESTRY, MARITIME, MINING & ENERGY
UNION – MANUFACTURING DIVISION
SUBMISSION**

(19 July 2018)

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(AM2014/64 and Ors)
Group 1 Awards – Exposure Drafts
(Technical/Drafting Issues)

Submission of the
Construction, Forestry, Maritime, Mining and Energy Union
(Manufacturing Division)

1. On 28 June 2018, the Group 1 Award Stage Full Bench issued a further decision regarding outstanding issues with respect to technical and drafting issues in Exposure Drafts (*July 2018 Decision*).¹
2. The Full Bench invited further submissions from interested parties regarding a small number of outstanding issues or provisional views.
3. The CFMEU – Manufacturing Division has an interest in the following awards in the Group 1 Award Stage:
 - *Textile, Clothing, Footwear and Associated Industries Award 2010* ('TCF Award')
 - *Timber Industry Award 2010* ('Timber Award').
4. In relation to the TCF Award, the Full Bench determined all award specific, outstanding issues in its *July 2018 Decision*.²
5. In relation to the Timber Award, the Full Bench determined all award specific, outstanding issues in its *July 2018 Decision*,³ other than one issue for which it held a

¹ 4 yearly review of modern awards – Award stage – Group 1; [2018] FWCFB 3801 (28 June 2018)

² Ibid; at [401] – [422]

³ Ibid; at [423], [428] – [429]

provisional view.⁴

6. With respect to clause 7.4(c) and (d) of the Exposure Draft for the Timber Award, we agree with the Full Bench's provisional view that the word 'ordinary' should be deleted from the phrase 'for each ordinary hour worked'.⁵

7. It is clear from the terms of clause 12.2(a) & (b) of the Timber Award, that the inclusion of the word 'ordinary' in the Exposure Draft has been inadvertently added, and that its retention would constitute a substantive change to current conditions for casual employees.

Filed by the:
Construction, Forestry, Maritime, Mining and Energy Union
Manufacturing Division

(19 July 2018)

⁴ Ibid; at [424]

⁵ Ibid; at [427]