



Business SA Submission

4 yearly review of modern awards

Regarding [2017] FWCFB 3433

4 August 2017

Introduction

Business SA is pleased to provide these submissions in response to the Fair Work Commission Full Bench's decision [2017] FWCFB 3433 (**the Decision**). These submissions are filed by Business SA in accordance with directions issued on 6 July within the Decision.¹ Comments are provided regarding the all-purpose allowance, *Pastoral Award 2010* and the adoption of consistent language for reference to work health and safety.

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¹ [AM2014/217 – Decision](#).

All purpose allowances

1. Hourly rates of pay schedule – minimum hourly rate and percentage of ordinary hourly rate

1.1. Business SA provides this submission in response to directions at [362] of the Decision. We also note Attachment B of the decision. Regarding this issue, we have an interest in the following awards:

- *Aged Care Award 2010*;
- *Children’s Services Award 2010*;
- *Electrical, Electronic and Communications Contracting Award 2010*;
- *Food, Beverage and Tobacco Manufacturing Award 2010*;
- *Hospitality Industry (General) Award 2010*;
- *Joinery and Building Trades Award 2010*;
- *Manufacturing and Associated Industries and Occupations Award 2010*;
- *Pastoral Award 2010*;
- *Road Transport and Distribution Award 2010*; and
- *Timber Industry Award 2010*.

1.2. Business SA has no comments to make regarding the awards listed in Attachment B and we do not object to the course proposed by the Full Bench at [360] and [361].

Pastoral Award 2010

2. First aid allowance

2.1. Business SA provides this submission in response to directions at [113] and [389] of the Decision. Further, we note the submission of the National Farmers’ Federation on this matter.²

2.2. We agree with the NFF at [4] that there is no evidence demonstrating the clause does not operate as intended at present. However, we maintain our initial submission on this matter³ as the AWU’s proposed wording, in our view, does not alter the current application of the first aid allowance.

2.3. For these reasons, we do not oppose the Full Bench’s provisional view expressed at [178] of the Decision.

References to occupational health and safety

3. Adoption of consistent language

3.1. Business SA provides this submission in response to directions at [382] and [383] of the Decision. Regarding Attachment C, we have an interest in the following awards:

- *Building and Construction General On-site Award 2010*;
- *Children’s Services Award 2010*;
- *Food, Beverage and Tobacco Manufacturing Award 2010*;
- *Joinery and Building Trades Award 2010*;
- *Manufacturing and Associated Industries and Occupations Award 2010*;
- *Pastoral Award 2010*;
- *Road Transport and Distribution Award 2010*;
- *Social, Community, Home Care and Disability Services Industry Award 2010*;
- *Timber Industry Award 2010*; and

² National Farmers’ Federation, [First Aid Allowance – Pastoral Award 2010](#), 4 August 2017.

³ Business SA, [Submissions in Reply Group 3 Exposure Drafts](#), 6 May 2016, [11.11].

- *Vehicle Manufacturing, Repair, Services and Retail Award 2010.*
- 3.2. As South Australia is a jurisdiction which has adopted the uniform work health and safety laws, we do not oppose the Commission's view, as expressed at [380], that modern awards be amended to reflect the current terminology.