

From: Crilly, Stephen [mailto:SCrilly@seyfarth.com]
Sent: Monday, 26 June 2017 5:07 PM
To: AMOD
Cc: Dudley, Ben
Subject: AM2014/90: Review of the Stevedoring Industry Award 2010

Dear Modern Awards Team

We act for Qube Ports Pty Ltd, Qube Bulk Pty Ltd, and the employing entities in the DP World group of companies in relation to the review of the *Stevedoring Industry Award 2010 (SI Award)*. We refer to the decision of the Commission in *4 yearly review of modern awards – Award stage – Group 1 [2017] FWCFB 3177*, and particularly the directions of the Full Bench at paragraph [125].

In relation to the revised summary of submissions on the Exposure Draft of the SI Award published on 13 June 2017 (**Summary**), we note the Commission's position on each of the matters in items 1-13 which were raised by our clients in our letter of 24 November 2015 (**2015 Letter**). Regarding item 14 of the Summary, we note that the issue identified by our client and the Australian Industry Group was that the same definition of a "Maintenance Tradesperson" was duplicated in both clause A.4.2 of the Exposure Draft and in what is now Schedule G. While the Summary states that the relevant provision has been deleted from Schedule A, what has been deleted is the definition of a "Maintenance Tradesperson Special Class" in clause A.6.2 of the Exposure Draft.

While our clients do not press for the reinstatement of clause A.6.2 (as the definition it contained is also duplicated in Schedule G, and could also have been referred to in our 2015 Letter for completeness), it submits that:

- clause A.4.2 of the Exposure Draft should also be deleted; and
- consistent with clause B.8 of the current SI Award, and both the definition of a "maintenance tradesperson" in Schedule G and the deleted clause A.6.2 of the previous Exposure Drafts, the definition of "maintenance tradesperson special class" in Schedule G should be amended by adding the words shown in blue below:

maintenance tradesperson special class means an employee who is a maintenance tradesperson who has completed additional training to the level of an engineering tradesperson – special class level II as defined in the *Manufacturing and Associated Industries and Occupations Award [year]*, and who exercises the skills and knowledge required of an engineering tradesperson –special class level II.

Please contact the writer if we can be of any further assistance to the Commission in relation to this matter.

Yours sincerely

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