

The Shop, Distributive and Allied Employees' Association

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**NATIONAL PRESIDENT**

Joe de Bruyn

**NATIONAL SECRETARY**

Gerard Dwyer

Vice President Hatcher  
Fair Work Commission  
Level 4, 8 Exhibition Street  
MELBOURNE 3000

22 March 2017

Dear Vice President,

**Re: AM 2014/93 : Vehicle Manufacturing Repair, Services and Retail Award**

This is an update on the progress parties have made in relation to the SDA draft determination.

At the hearing in December the parties undertook to have further discussion and consideration of the decision of the Full Bench concerning the issue casual console operators.

The parties have had several discussions over the issue. The attached determination reflects the outcome of the discussions.

The SDA, AMWU and the Motor Trades Organisations are the key parties that have participated in these discussions. The AiG have participated in the broader discussions but not the intricate discussion on the casual console rate. They are aware of the position reached between the parties and also this letter and draft determination.

The settlement of this issue and the issuing of a determination will assist in the parties progressing through the drafting issues in the exposure draft.

Given the proceedings in December 2016 where all parties were present, and this issue identified, the SDA and other parties would suggest that either a very brief hearing be conducted or alternatively further directions be issued which would provide that any party objecting to the draft determination be given seven days to provide a written submission.

If there are any questions arising from this letter, please contact Sue-Anne Burnley, National Industrial Officer.

Yours Sincerely



GERARD DWYER

National Secretary-Treasurer

# DRAFT DETERMINATION

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

## **Vehicle Manufacturing, Repair, Services and Retail Award 2010**

(ODN AM2008/62) MA000089

Vehicle industry

MELBOURNE xx March 2017

*Review of modern awards to be conducted.*

A Further to the Decision XXXXXXXX in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Vehicle Manufacturing, Repair, Services and Retail Award 2010* be varied as follows.

[1] Remove current clause 36.3 and insert the following:

**36.3** A person employed on a casual basis principally to perform duties of a console operator, or roadhouse attendant if engaged to primarily cook other than takeaway meals will be paid as follows:

	<b>20 years &amp; over (adult rate)</b>	<b>19 years (75%)</b>	<b>18 years (62.5%)</b>	<b>17 years (50%)</b>	<b>16 years &amp; under (47.5%)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Monday to Friday	25.77	19.33	16.11	12.89	12.24
Saturdays, Sundays and public holidays	33.62	25.22	21.01	16.81	15.97
Overtime for any hours worked in excess of 10 hours per day or an average of 38 hours per week will be paid in addition	14.36	10.77	8.98	7.18	6.82

**B** The determination shall operate on and from the first full pay period on or from 1st July 2017

VICE PRESIDENT