



**In the Fair Work Commission**

**s 156 - Four Yearly Review of Modern Awards  
AM2016/3 Proposed Helicopter Aircrew Award**

**Submissions  
25 January 2018**

1. The Health Services Union (HSU) make these brief submissions in response to the AMWU’s proposal for a new *Helicopter Aircrew Award* (‘the proposed award’).
2. The HSU has reviewed the submissions and draft award provided by the AMWU, and is concerned that there is an overlap in coverage between the proposed *Helicopter Aircrew Award* (‘the proposed Award’) and the *Ambulance and Patient Transport Industry Award* (‘APTI Award’).
3. We therefore object to the coverage clause provided by the AMWU, to the extent that the APTI Award is not included the list of excluded awards in clause 4.2 of the AMWU’s 20 September 2017 draft.
4. The APTI Award covers ambulance officers and paramedics who are listed in the classifications defined in Schedule B and listed in clause 14.1, including those who work on helicopters.
5. Such paramedics working on helicopters perform the tasks included in the ‘*Qualified Aircrewperson*’ definition in clause 17 of the AMWU’s draft award dated 20 September 2017, including ‘*search and rescue, emergency medical, rapelling, sling loading*’, and hold aviation qualifications including Certificates III or IV in Aviation (Rescue Crewperson), which they are required to hold in order fly. In addition to these skills and qualifications, these paramedics also have high level paramedic qualifications, far beyond the basic medical training requirements under the proposed Helicopter Award, and are required to perform complex medical procedures once they reach the patient.

<b>Filed on behalf of:</b>	<b>Health Services Union</b>		
<b>Filed by:</b>	Rachel Liebhaber, National Industrial Officer	<b>Mobile:</b>	0429 217 234
<b>Address:</b>	PO Box 98 Carlton South Vic 3053		
<b>Phone:</b>		<b>Email:</b>	<a href="mailto:rachel@hsu.net.au">rachel@hsu.net.au</a>

6. We do not believe it is the intent of the AMWU's proposed award to capture these employees, or other employees in the APTI award, but we submit that it should be made clear in the coverage clause of the proposed award that it does not cover employees who are covered by classifications in the APTI Award.
7. It is our view that this change is required in order for the proposed award to be consistent with the modern awards objective, per ss 138 and 134 of the *Fair Work Act*.<sup>1</sup>
8. The modern awards objective requires the FWC to ensure that modern awards, together with the NES, provide a fair and relevant minimum safety net of terms and conditions, taking into account a range of considerations. The most relevant in relation to this submission is the need to ensure a simple, easy to understand, stable and sustainable modern award system for Australia that avoids unnecessary overlap of modern awards.<sup>2</sup>
9. We submit that it is important to avoid confusion about which employees the proposed award is intended to cover. The consequences of misclassifying paramedic employees who also work as helicopter aircrew as being covered by this proposed award would be detrimental to the employees concerned, as the minimum base rates of pay for paramedics are far greater than that the rates proposed under the *Helicopter Aircrew Award*.
10. The minimum weekly rate in the proposed award for an Aircrewperson in clause 18 is \$882.80, and for a Qualified Rescue Crewperson is \$834.40. By comparison, under clause 14.1 of the Ambulance Award, the minimum weekly wages for Ambulance Officer/ Paramedic are \$946.50 for Year 1, \$953.80 for Year 2, and \$959.20 for Year 3, before taking into account any allowances and other payments under the award.
11. We note that the AMWU's submissions of 20 September 2017 make no mention of the APTI Award, and do not indicate an intention to cover employees covered by that award. We also note that the coverage clause in the proposed award excludes the *Medical Practitioners Award 2010*, as well as the *Airline Operations – Ground Staff Award 2010* and the *Air Pilots Award 2010*. We therefore see no reason why the *Ambulance and Patient Transport Industry Award* should not be excluded from coverage.

Rachel Liebhaber  
National Industrial Officer

---

<sup>1</sup> *Fair Work Act 2009*, 134, 138

<sup>2</sup> *Fair Work Act 2009*, s 134

