

IN THE FAIR WORK COMMISSION

Matter No: AM2016/3

Section 156 - Four Yearly Review of Modern Awards – *Proposed Helicopter Aircrew Award*

SUBMISSION OF UNITED VOICE

14 February 2018

1. This submission concerns the coverage of the proposed Helicopter Aircrew Award.
2. United Voice has coverage of ambulance employees in Victoria, Western Australia, the Northern Territory and Queensland, including coverage of Ambulance Officers/Paramedics and Ambulance Attendants who work on helicopters in air ambulance services.
3. On 25 January 2018, the Health Services Union (HSU) made a submission within these proceedings regarding a potential overlap in coverage between the proposed Helicopter Aircrew Award ('Helicopter Award') and the Ambulance and Patient Transport Industry Award 2010 ('Ambulance Award').
4. United Voice supports the submission of the HSU, and shares similar concerns regarding the coverage clause of the proposed Helicopter Award.
5. In Clause 17 - Classifications of the AMWU's draft proposed Helicopter Award dated 20 September 2017, it is stated that an Aircrewperson is: '*A member of the Helicopter flight crew, other than a pilot, who is qualified and proficient in the techniques necessary to perform any of the following: Search and Rescue, Emergency Medical, Rappelling, Sling loading, Surveillance Missions, Passenger Transport, or Winching Operations.*'
6. Ambulance Officers/Paramedics and Ambulance Attendants within air ambulance services routinely perform the following tasks: *Search and Rescue, Emergency Medical, Rappelling, Sling loading, Passenger Transport, Winching Operations.*
7. Crucially, Clause 17 states that an Aircrewperson is qualified and proficient in the techniques necessary to perform '*emergency medical.*' This indicates potential overlap in the work performed by Ambulance Officers/Paramedics and Ambulance Attendants in air ambulance services and the work performed by Aircrewpersons under the proposed Helicopter Award.
8. This is potential source of confusion for employers and employees within the industry, which could have significant negative impacts upon the wages of employees working within air ambulance services.

9. Under the proposed Helicopter Award, the minimum weekly rate of pay for an Aircrewperson is \$882.80 and the minimum weekly rate of pay for a Qualified Rescue Crewperson is \$834.40.
10. Under the Ambulance Award, the minimum weekly rates of pay for an Ambulance Officer/Paramedic are \$946.50 at Year 1, \$953.80 at Year 2 and \$959.20 at Year 3. The minimum weekly rates of pay for an Ambulance Attendant are \$939.70 at Year 1, \$947.10 at Year 2 and \$952.40 at Year 3.
11. The application of the proposed Helicopter Award to employees who should be classified as Ambulance Officer/Paramedics or Ambulance Attendants under the Ambulance Award would lead to a significant reduction in wage rates.
12. The modern awards objective within section 134 of the *Fair Work Act 2009* ('the Act') requires that the Fair Work Commission ('FWC') must ensure that modern awards, together with the National Employment Standards, provide a fair and relevant minimum safety net of terms and conditions, taking into account a number of considerations. Section 134(1)(g) states that one of the considerations 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'*.
13. As it currently stands, the coverage of the proposed Helicopter Award could be considered to overlap with the coverage of the Ambulance Award.
14. Potential overlap between modern awards is not uncommon, and for the purposes of clarity, many modern awards contain exclusions within coverage clauses.
15. To ensure consistency with the modern awards objective, it is our position that the coverage clause within the proposed Helicopter Award should be amended to exclude employees who are covered by classifications in the Ambulance Award.
16. United Voice proposes that Clause 4.2 of the proposed draft Helicopter Award is amended in the following terms:

'Clause 4.2 This award does not cover employees who are covered by classifications in:

- (a) the Medical Practitioners Award 2010;*
- (b) the Airline Operations – Ground Staff Award 2010;*
- (c) the Air Pilots Award 2010.*
- (d) the Ambulance and Patient Transport Industry Award 2010.'*

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