



22 March 2017

Re: AM2016/23 – Construction group – Payment of wages

Dear Parties,

Having regard to the correspondence of the CFMEU dated [21 March 2017](#), the payment of wages issues was identified at item 4 of the common claims in the draft Issues Summary Document (attached).

The consideration of these issues will be deferred until the Payment of Wages Full Bench has issued its decision arising from its hearing commencing tomorrow, i.e. they will not be dealt with at the hearing before the Construction Group Full Bench commencing on 3 April 2016.

Kind regards,

Katrine Huynh

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Substantive Common Claims

1. Industry Specific Redundancy Scheme claims – Building award, Plumbing Award, possibly Joinery Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
HIA	Sub – 2Dec16	17	<p>Industry specific redundancy scheme Primary position is ISRS should be removed and redundancy provisions of NES should apply.</p> <p>Secondary position is clause should be varied to amend definition of redundancy; insert a small business exemption; and insert incapacity to pay provision.</p>	Paras 4 – 4.4.28		Rick Sasson Huan Do Kristen Lewis (results of HIA members survey)
MBA	Sub – 12Dec16	17	<p>Industry Specific Redundancy Scheme Seeks to vary the amount of redundancy pay for which employers are liable by: adoption of more conventional definition of ‘redundancy’; amending the eligibility criteria triggering severance payments to when employer has 5 or more employees and affected employee has completed 2 or more years’ continuous service with employer; and change of existing consequential provisions.</p>	Paras 6 – 6.28, pages 30 – 32	Submission contains some inconsistency regarding eligibility criteria sought (see paras 6.2, 6.11, 6.21, 6.27 and page 31) - have based variation sought on paras 6.11, 6.27 and page 31.	Peter Glover
CCF	Sub – 9Dec16	17.2	<p>Industry specific redundancy scheme – Definition Seeks variation to disallow payment of redundancy benefits to non-redundancy employees who terminate employment relationship of their own accord.</p> <p>Three options proposed:</p> <ol style="list-style-type: none"> 1. Vary definition of ‘redundancy’ in clause 17.2 2. Vary amount payable to non-redundant employees terminating the employment relationship of their own accord, per s.141(3)(a) FW Act. 3. Replace ISRS with NES redundancy provisions in s.119 FW Act. 	Pages 3 – 21		David Castledine David O’Connor John Hovey Peter Middleton

MBA		17.4(a) and 17.4(b)	Redundancy See notes		MBA did not include variation to this clause in its submission – 2 December 2016 , but witness statement of Peter Glover attached to submission refers to ‘Master Builders’ claim to change both the On-Site and Joinery awards’ at para 24]. Note: clarification may need to be sought from MBA as to whether it is being pressed in both awards.	Peter Glover
MPMCA	Sub – 9Dec16	18	Industry specific redundancy scheme Does not intend to run claim but supports MBA’s submissions in support of application to vary identical clause in Building Award (clause 17). Seeks to reserve right to appear and respond.	Paras 2 – 5	Claim outlined in submission – 30June16 represents party’s substantive view.	
MPG	Sub – 20Dec16	18	Industry specific redundancy scheme Seeks variation to ISRS. Submits there are four options: 1. Delete ISRS and rely on NES redundancy provisions. 2. <u>Preferred option</u> : Limit application/ operation of ISRS to a plumbing and mechanical services employee employed on daily hire basis, sprinkler fitter and/or a sprinkler fitter’s assistant. Plumbing and mechanical services employee on weekly hire to be reliant on NES redundancy provisions.	Paras 11 – 35		

			3. Alter definition of “redundancy” to exclude employee who resigns from entitlement to redundancy pay. 4. No action – submits not viable.			
BG	Sub – 3Feb17	18.2	Industry specific redundancy scheme – Definition Seeks variation so that voluntary resignation is excluded under definition of redundancy.	Pages 3 – 4		

2. Travel and living away from home claims – Building Award, Joinery Award and Mobile Crane Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
CFMEU C&G	Sub – 9Dec16	24	Living away from home—distant work Proposes clause to make entitlements clearer; ensure that allowances payable reflect current costs of accommodation and meals; better reflect modern means of transport; and improved rest and recreation entitlements	Paras 8, 13-150	Referred to in submission as the “living away from home” common claim with respect to Building, Joinery and Mobile Crane Awards.	Jeffrey Allan Sharp Frank O’Grady David Kelly Graham Pallot Michael Buchan (NO WITNESS STATEMENT PROVIDED) Josh Burling Dally Callaghan Roland Cummins Paul Ferreira Dean Reilly Kris Woodward
MBA	Sub – 12Dec16	24.3(a)	Living away from—distant work – Entitlement Seeks variation to clarify the definition of “board and lodging”.	Paras 10 – 10.10, page 33		Peter Glover
CCF	Sub – 9Dec16	24.3(a)(i)	Living away from home—distant work – Entitlement Seeks variation to specify the value of the meals included in the allowance to provide clarity about the entitlement.	Pages 46 – 49		

MBA	Sub – 12Dec16	24.7(d)	Living away from—distant work – Travelling expenses – Daily fares allowance Seeks variation so that cl.25 would only have application to those residing other than on site or adjacent to it <u>or</u> who are not provided with transport.	Paras 11 – 11.12, page 34		Peter Glover
HIA	Sub – 2Dec16	25	Fares and travel patterns allowance Seeks variation in relation to use of ‘radial areas’ and circumstances where the allowance is not payable.	Paras 6 – 6.5.12		Kristie Burt Kristen Lewis (results of HIA members survey) Brendan Holl (CFMEU witness)
MBA	Sub – 12Dec16	25.2	Fares and travel patterns allowance – metropolitan radial areas Seeks variation to clarify type of employees to whom allowance applies, by returning clause to historical position and setting out the entitlement to the allowance, then separately noting the specific circumstances in which it does not apply.	Paras 12 – 12.11, page 34		Peter Glover Brendan Holl (CFMEU witness)
MBA	Sub – 12Dec16	25.2, 25.3, 25.4	Fares and travel patterns allowance – Metropolitan and Country radial areas Seeks variation to change the operation of the radial areas provisions from 50 km to 75 km.	Paras 13 – 13.4, page 34		Peter Glover Brendan Holl (CFMEU witness)
CCF	Sub – 9Dec16	25.8(b)	Fares and travel patterns allowance – Provision of transport Seeks deletion of clause so that employees who are issued with a company vehicle free of charge are excluded from receiving the travel allowance in cl.25.2.	Pages 57 – 59		
MBA	Sub – 12Dec16	25.8(b)	Fares and travel patterns allowance – Provision of transport Seeks insertion of “and for no other private use” at end of clause to clarify that provision of a vehicle by the employer to the employee does not entitle the employee to use that vehicle for any other private use.	Paras 14 – 14.8, page 35		Peter Glover

CCF	Sub – 9Dec16	New clause 25.10(a)(ii) i)	Fares and travel patterns allowance – Daily entitlement Seeks insertion of clause to specifically exclude from receiving the travel allowance in cl. 25.2 employees not required to work on a building site as part of their normal duties	Pages 50 – 56		
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3. Overtime - TOIL claims – Building Award and Joinery Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
HIA	Sub – 2Dec16	New clause 36.17	Overtime Seeks insertion of the model TOIL term.	Paras 3 – 3.3.21		Kristen Lewis (results of HIA members survey)
MBA	Sub – 12Dec16	New clause 36.17	Overtime Seeks insertion of the model TOIL term.	Paras 4 –4.8, page 30 Paras 24 – 24.2, Page 40		Cameron Spence

4. Payment of wages claims – Building Award and Joinery Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MBA	Sub – 12Dec16	31	<p>Payment of wages Subject to outcome in AM2016/8, seeks insertion of provisional model term (with amendments per submissions in AM2016/8) and deletion of remaining substantive provision.</p> <p>Not included in Memorandum – 22 August 2016.</p> <p>Appears Payment of wages Full Bench referred matter to the Award stage of review – see Decision [2016] FWCFB 8463 at para 141.</p> <p>Party states in submission that claim is ‘largely the subject of proceedings before a separate Full Bench’ in AM2016/8 – Payment of wages.</p>	Paras 16 – 16.7, Page 36	Note: Does it require a formal referral from the President/ amendment to Memorandum or is reference in the above decision sufficient?	Cameron Spence
CCF	Sub – 9Dec16	31.3	<p>Payment of wages Seeks variation to allow for fortnightly payment of wages.</p> <p>Not included in Memorandum – 22 August 2016.</p> <p>See CCF’s correspondence – 31 August 2016 and transcript - 1 September 2016 at PN35 – PN41.</p>	Pages 39 – 42	Note: Status slightly unclear after Mention of 1 September 2016. Is/ should this be dealt with by Payment of wages Full Bench? If not, does it require a formal referral from the President/ amendment to Memorandum?	
HIA	Sub – 2Dec16	31.3	<p>Payment of wages Seeks variation to allow payment of wages on weekly or fortnightly basis and, if by mutual agreement, on a monthly basis.</p> <p>Not included in Memorandum – 22 August 2016.</p> <p>Party filed submissions in Payment of wages common</p>	Paras 7 – 7.4.20	To be dealt with in AM2016/8 – Payment of wages as has not been referred to this Full Bench.	Kristen Lewis (results of HIA members survey)

			issue in which it referred to AM2016/23 –2 December submission. See Submission – 2 February 2017 [para 2.1.8].			
ABI & NSWBC	Sub – 20Sep16 Corr and party's draft determination – 19July16	26.3	<p>Payment of wags Submission made in 2016/8 seeks insertion of new clause to replace cl.26.3 in relation to late payment of wages.</p> <p>No submission received in response to AM2016/23 – Directions issued 26 October 2016. Not included in Memorandum – 22 August 2016.</p> <p>Appears that Payment of wages Full Bench referred claim to Award stage – see Decision [2016] FWCFB 8463 of 1 December 2016 at para 143.</p>	Paras 8 – 12.2	<p>At the Mention on 1 September 2016, Hatcher VP indicated ABI to be contacted – see transcript - 1 September 2016 at PN19 – PN34</p> <p>Note: Would the Full Bench like the Member Support Research Team to follow up with ABI & NSWBC?</p>	

5. Coverage claims – Building Award and Joinery Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
CFMEU C&G	Sub – 9Dec16	4.2	<p>Coverage Proposes variation to ensure primacy of Award applying to employers and employees engaged in the on-site building, engineering and civil construction industry.</p>	Paras 9, 162–172, 198, 214		
CCF	Sub – 9Dec16	4.10(b)(ii)	<p>Coverage – definition of civil construction Seeks deletion of clause to allow the <i>Asphalt Industry Award 2010</i> to regain exclusive coverage of the asphalt industry.</p>	Pages 60 – 67		
MBA	Sub – 12Dec16	3.1	<p>Definitions and interpretation Seeks insertion of a new definition of joinery work that allows Award to remain applicable to employees who do off-site joinery work but sometimes work on construction sites to install materials prepared off-site.</p>	Paras 25 – 25.3, page 40		Peter Glover

AWU	Sub – 2Dec16	Schedule B.2.2(d)	Classifications Seeks variation to clarify that employees covered by Award are classified at CW2 level when engaged to perform testing work on soil, concrete and aggregate.	Pages 1 – 18		Jeff Buhler Anthony Callinan Geoff Muller
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Industry Specific Claims

Building Award

1.Changes to minimum wage clauses

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MBA	Sub – 12Dec16	New clause 19.1A	Minimum wages – Junior employees Seeks insertion of a new clause to provide for minimum rates of pay for junior employees who are not otherwise undertaking training.	Paras 7 – 7.9, page 32		Robert Wilson Peter Glover Liam O’Hearn (CFMEU witness) Robert Cameron (CFMEU witness)
CFMEU C&G	Sub – 9Dec16	19.3(a) and (b)	Minimum wages – daily hire employees and weekly hire employees Propose variation to include all of the relevant allowances in the hourly rate calculations to reflect that all tradespersons and labourers can be engaged on a daily hire or weekly hire basis.	Paras 9, 173–179, 198, 214		
MBA	Sub – 12Dec16	19.5	Mobile cranes capacity adjustment formula Seeks a technical change to clarify the way in which the formula is calculated and applies, by directing users to cl.13.2.	Paras 8 – 8.5, page 33		
MBA	Sub – 12Dec16	19.6(b)	Piece rates Seeks deletion of cl.19.6(b) which states ‘agreement must made without coercion or duress.’	Paras 9 – 9.8, page 33		
CCF	Sub – 9Dec16	New clause 19.7(c)	Introduction of junior rates Seeks inclusion of junior rates.	Pages 22 – 38		David Castledine David O’Connor John Hovey Liam O’Hearn

						(CFMEU witness) Robert Cameron (CFMEU witness)
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2.Allowances

- Potential relevance of 2012 Review Full Bench – see [here](#).

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
HIA	Sub – 2Dec16	20.1	Tool and employee protection allowance Seeks variation to place positive obligation on employee to provide and maintain tools and protective equipment to receive allowance; and to state that allowance not payable if employer provides all tools and protective boots.	Paras 5 – 5.5.10		Kristen Lewis (results of HIA members survey)
CFMEU C&G	Sub – 9Dec16	New clause 20.5	Expense related allowances Proposes insertion of communications equipment allowance.	Paras 9, 176—179, 198		
CFMEU C&G	Sub – 9Dec16	22.1	Conditions in respect of special rates Proposes insertion of consolidated special rates allowance providing for payment (by individual agreement) of a consolidated allowance in place of majority of individual special rates allowances.	Paras 9, 180 – 182, 198, 214		
CCF	Sub – 9Dec16	22.2(h)	Special rates applicable to all sectors – Dirty work Seeks insertion of a definition of ‘unusually dirty work’ to identify situations where allowance is payable. In the alternative, seeks removal of allowance in its entirety.	Pages 43 – 45		

MBA	Sub – 12Dec16; Sub – 16Dec16	20.1(a), 20.1(b), 20.1(b)(iv), 20.1(b)(vii), 20.1(b)(viii), 20.1(c), 20.1(d), 20.1(d)(iii) [SPV 39]; 20.3 [SPV 43]; 20.3(d) [SPV 44]; 21.2; 21.3; 21.3(a); 21.4; 21.4(d); 21.4(g); 21.5; 21.6; 21.7; 21.8; 21.9; 21.9(a), 21.9(b) [SPV 47 – 58]; 21.11 [SPV 60]; 22.2(a) [SPV 68]; 22.2(d) – 22.2(d)(ii); 22.2(e); 22.2(e)(i), 22.2(e)(ii); 22.2(f) [SPV 71 – SPV 74]; 22.2(i), 22.2(i)(i) [SPV 78]; 22.2(j) [SPV 79]; 22.2(k); 22.2(l); 22.2(m); 22.2(n); 22.2(o) – 22.2(o)(iii); 22.2(p) [SPV81 – 86]; 22.2(q); 22.2(r) – 22.2(r)(ii); 22.2(s) [SPV 88 – 90]; 22.3(a) – 22.3(a)(ii); 22.3(b); 22.3(c); 22.3(d) [SPV 94 – 97]; item 22.3(f) [SPV 99]; 22.3(g) [SPV 100]; 22.3(i) – 22.3(i)(ii) [SPV 102]; 22.3(l) – 22.3(l)(ii) [SPV 105]; 22.3(n); 22.3(o); 22.3(p); 22.3(q); 22.3(r); 22.4(a); 22.4(b) – 22.4(b)(v); 22.4(c); 22.4(d); 22.4(e); 22.4(f); 22.4(g); 22.4(h) [SPV 108– 120]; 33.1(d) [SPV 159]; 25.4 [SPV 167]	Various allowances and clauses – Workplace health and safety Primary position: seeks deletion of an allowance or clause if it deals with a matter that would otherwise be covered by relevant WHS laws. Secondary position: allowance or clause should be amended to remove references to WHS matters and any other words that are not necessary for provision to operate appropriately. If primary or secondary position not adopted, proposes that clauses that cause an inconsistency with WHS laws should be altered to replace specific references with generic references.	Paras 2.4 – 2.6 [12 Dec 16 submission]; Paras 2.3 – 2.6; 3.9 –5.60; 7 – 9.7 [16 Dec 16 submission]		
MBA	Sub – 12Dec16	20.1(a), 20.1(b), 20.1(b)(vi), 20.1(b)(vii), 20.1(b)(viii), 20.1(c), 20.1(d), 20.1(d)(iii) [SPV 39]; 22.3(e) [SPV 98]; 22.4(f) [SPV 118]	Various allowances and clauses – Outmoded, irrelevant or no longer applicable Seeks deletion of allowances or award clauses party submits are outmoded, irrelevant or no longer applicable.	Paras 2.4, 2.7 – 2.9 [12 Dec 16 submission]; Paras 2.3, 5.32 – 5.35		

MBA	Sub – 12Dec16; Sub – 16Dec16	19.2 [SPV 26]; 19.2(a) [SPV 27]; 19.5 [SPV 30]; [SPV 36]; 20.1(a), 20.1(b), 20.1(b)(iv), 20.1(b)(vi), 20.1(b)(viii) [SPV 39]; 20.2 [SPV 40]; 20.2(c) [SPV 42]; 21 [SPV 45]; 21.1 [SPV 46]; 21.10, 21.10(a)(vi), 21.10(a)(viii) [SPV 59]; 21.12; 21.13; 21.13(b), 22 [SPV 61 – 64]; 22.1 [SPV 66]; 22.1(c) – (e) [SPV 67]; 22.2(t); 22.2(u); 22.2(v) [SPV 91 – 93]; 22.3(h) [SPV 101]; 22.3(j) [SPV 103]; 22.3(k) [SPV 104]; 22.3(m) [SPV 106]; 22.3(m)(i), 22.3(m)(ii) [SPV 107]; 24.3(a) – 24.3(a)(iii); 24.3(a)(ii); 24.3(b); 24.5; 24.7(a) – 24.7(a)(ii); 24.7(b) – 24.7(b)(ii) [SPV 123 – 128]; 24.7(e) – 24.7(e)(iii) [SPV 130]; 25 [SPV 132]; 25.2(a) [SPV 135]; 25.2(b) [SPV 136]; 25.3 [SPV 137]; 25.4 [SPV 138]; 25.4(a) [SPV 139]; 25.5 – 25.5(b)(ii) [SPV 140]; 25.7 [SPV 141]; 25.9 – 25.9(b) [SPV 144]	Allowances <i>[In relation to allowances or award clauses that deal with matter not otherwise covered by WHS laws or not outmoded, irrelevant or no longer applicable; and in relation to allowances with WHS element, subject to WHS claim above]</i> Seeks rationalisation of provisions to: (a) group allowances into categories of skill, disability and expense related; and (b) further group disability related allowances into composite and cumulative.	Paras 2.4, 2.7 – 2.9 [12 Dec 16 submission]; Paras 2.3; 10 – 10.7 [16 Dec submission]		David Solomon Dr Gerard Ayers (CFMEU witness)
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3. [National Training Wage - status of claims after Mention of 1 September 2016 slightly unclear.]

- Not included in [Memorandum](#)
- Appears should be dealt with by National Training Wage Full Bench
 - Should this be acknowledged in the decision or is an amendment to Memorandum necessary to clarify by implication that matters are not before this Full Bench?]

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MBA	Sub – 12Dec16	28.1 and Schedule C	<p>National training wage Supports proposal to delete the schedule from awards and incorporate terms of Schedule E of <i>Miscellaneous Award 2010</i>.</p> <p>Not included in Memorandum – 22 August 2016.</p> <p>Subject to AM2016/17—National Training Wage</p>	Paras 15 – 15.3, page 35	Submission notes that ‘this...claim is subject of proceedings before a separate Full Bench’ in AM2016/17—National Training Wage common issue. No submission filed in AM2016/17 matter.	Peter Glover
CFMEU C&G	Sub – 9Dec16	28.2	<p>National Training Wage Seeks variation to provide for competency based wage progression with default time served arrangement.</p>	Paras 9, 183 – 190, 199	<p>Not included in Memorandum – 22 August 2016.</p> <p>Status after Mention of 1 September 2016 slightly unclear. As matter relates to National Training Wage, subject to AM2016/17—National Training Wage.</p>	

AIG	Sub – 2Dec16	28.3(a)	National Training Wage Seeks variation to replace “Skill level” in table with “Wage level”, for clarity and consistency with cl.C.5.	Paras 2 – 6	Not included in Memorandum – 22 August 2016 . Status after Mention of 1 September 2016 slightly unclear. As matter relates to National Training Wage, subject to AM2016/17—National Training Wage .	
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4. Ordinary hours of work

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
HIA	Sub – 2Dec16	33.1	Ordinary hours of work Proposes varying the current provision to allow for the implementation of a system for averaging hours; for an employer to choose to fix one day as the RDO or to roster employees on different days; and to allow the banking of RDOs on agreement.	Paras 8 – 8.4.20		Laura Marantz Kristen Lewis (results of HIA members survey)
CFMEU C&G	Sub – 9Dec16	New clause 33.1(f)	Ordinary hours of work Seeks insertion of a new provision so that the daily ordinary hours of work of casual employees are specified.	Paras 9, 191 – 196, 198, 211, 214		
MBA	Sub – 12Dec16	33.1(a)(ii)	Ordinary hours of work – Agreement on alternate RDOs Seeks that ‘nominated industry rostered day off’ be replaced with ‘rostered days off as prescribed in cl.33.1(a)(i)’.	Paras 17 – 17.4, page 37		Cameron Spence
MBA	Sub – 12Dec16	33.1(a)(iii)	Ordinary hours of work – agreement on banking of RDOs Proposes to replace existing clause with more flexible provision allowing an employer and majority of employees at a site or enterprise an option to agree to accrue RDOs into a bank that can	Paras 18 – 18.4, Page 37		Cameron Spence

			be drawn upon at times agreed with employer.			
MBA	Sub – 12Dec16	33.1(a)(vi)	Ordinary hours of work – Agreement on banking of RDOs Seeks variation to clarify that employees required to work in the defined circumstances on a (substitute) RDO will receive either the ordinary rate of pay with a penalty; or the ordinary rate and the option of either cashing out (substitute) RDO or banking (substitute) RDO to be taken at a later date as agreed.	Paras 19 – 19.5, Page 38		Cameron Spence
MBA	Sub – 16Dec16	33.1(d)	Ordinary hours of work—Work in compressed air Seeks deletion of clause due to withdrawal of Standards and burden on employers.	Paras 6.1; 6.8 – 6.10	Party submits WHS related but subject of claim for different reason	David Solomon Peter Glover Dr Gerard Ayers (CFMEU witness)
MBA	Sub – 16Dec16	33.1(e)(i)(ii) i)	Ordinary hours of work —underground work Submits reference to <u>30</u> ordinary hours of work is a drafting error and seeks variation to 38.	Paras 6.1 – 6.7	Party submits WHS related but subject of claim for different reason	David Solomon Peter Glover Dr Gerard Ayers (CFMEU witness)

5.Other

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MBA	Sub – 12Dec16	34.1(a) and 34.1(b)(i)	Shiftwork – General building and construction and metal and engineering construction sectors Seeks inclusion of definition of “early morning shift” that covers work starting between 11pm and 4.30am, with corresponding rate being the ordinary time hourly rate plus 50%.	Paras 20 – 20.4, Page 39, Attachment B		Peter Glover
MBA	Sub – 12Dec16	36.7	Overtime Proposes that cl.15.3(b) and 15(c) regarding apprentices and cl.36.7 regarding trainees be consolidated in one clause, by inserting “or apprentice” after “trainee” in cl.36.7.	Paras 21 – 21.4, page 39		

MBA	Sub – 12Dec16	38.1	Annual leave – Leave entitlement Seeks variation to include reference to the definition of continuous service in cl.3.1.	Paras 22 – 22.5, page 40.		Peter Glover
HIA	Sub – 2Dec16	38.2	Annual leave – Payment for annual leave Seeks removal of the Fares and travel patterns allowance (cl. 25) from the calculation of annual leave loading.	Paras 9 – 9.4.11		Laura Marantz Kristen Lewis (results of HIA members survey)
AMWU	Sub – 9Dec16	43.2(b)	Forepersons and supervisors – Wages Seeks changes to the restrictions on penalties and other allowances to align with original restriction in pre-reform awards; and insertion of a note to clarify the interaction with cl.43.5 and to confirm the application of the entitlements.	Pages 1 – 9		

Joinery Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MBA	Sub – 12Dec16	31.1	Alternative working arrangement Seeks variation to replace requirement of agreement by 60% of affected employees with agreement by majority of affected employees.	Paras 28 – 28.2, page 42		

Plumbing Award

PARTY	DOCUMENT	CLAUSE	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES	Witnesses
MPG	Sub – 20Dec16	32	Penalty rates Proposes clause to replace existing clause, to make more user friendly.	Paras 42 – 49	Submits variation supported by CEPU/ PTEU [para 48]	
MPG	Sub – 20Dec16	33	Overtime Seeks insertion of words “Each day’s overtime stands alone” as a preamble to clause.	Paras 50 – 55	Submits variation supported by CEPU/ PTEU [para 54]	