

Australian Industry Group

# 4 YEARLY REVIEW OF MODERN AWARDS

## **Further Submission**

Exposure Draft  
– Pharmaceutical Industry Award  
(AM2019/17)

**23 October 2019**

**Ai**  
GROUP

## 4 YEARLY REVIEW OF MODERN AWARDS

### EXPOSURE DRAFT – PHARMACEUTICAL INDUSTRY AWARD

1. The Australian Industry Group (**Ai Group**) files this submission in relation to the exposure draft of the *Pharmaceutical Industry Award* (dated 13 February 2019) (**Exposure Draft**) further to paragraph [53] of the Fair Work Commission’s decision<sup>1</sup> of 14 October 2019.
2. Ai Group, the Australian Workers’ Union (**AWU**) and Australian Business Industrial and the NSW Business Chamber (**ABI**) jointly propose that clauses 8.2 and 8.3 of the Exposure Draft be amended as follows:

#### 8.2 Ordinary hours—day workers

- (a) The ordinary hours of work for a full time day worker are an average of 38 hours per week but not exceeding 152 hours in 28 consecutive days.
- (b) Ordinary hours are worked continuously, except for meal breaks and rest pauses, between 7.45 am and 5.15 pm, Monday to Friday.
- (c) Where the employer and the majority of employees in the affected plant, work section or sections agree, the spread of hours may be altered by up to one hour at either end of the spread.
- (d) The ordinary hours of work for a part-time employee will be in accordance with clause 6—Types of employment.
- (e) The ordinary hours of work for a casual day worker are an average of up to 38 hours per week but not exceeding 152 hours in 28 consecutive days.

#### 8.3 Ordinary hours—shiftworkers

- (a) The ordinary hours of work for a full-time shiftworkers are an average of 38 hours per week but not exceeding 152 hours in 28 consecutive days.
- (b) Ordinary hours must not exceed eight hours in any one day.
- (c) At the discretion of the employer, ordinary hours must be worked continuously on Monday to Friday, except for meal breaks.
- (d) Except at changeover of shifts, an employee must not be required to work more than one shift in each 24 hours.

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<sup>1</sup> 4 yearly review of modern awards – award stage [2019] FWCFB 6935.

**(e)** The ordinary hours of work for a part-time employee will be in accordance with clause 6—Types of employment.

**(f)** The ordinary hours of work for a casual shiftworker are an average of up to 38 hours per week but not exceeding 152 hours in 28 consecutive days.

3. Ai Group submits that the proposed variations address the matters raised by:

(a) ABI in its [submission](#) of 13 March 2019;

(b) Ai Group in its [reply submission](#) of 23 September 2019; and

(c) The AWU [during the proceedings](#) on 9 October 2019<sup>2</sup>.

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<sup>2</sup> Transcript of proceedings on 9 October 2019 at PN112 – PN115.