

REVISED SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions on technical and drafting issues including submissions filed at or before 5.00 pm 14 November 2017

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	UV	Sub-16/12/16	7.2	Facilitative provisions Misnumbered as 5.2.	Para 3	RESOLVED – numbering should be corrected: 5.2 should be 7.2, see Transcript–29Mar17 [PN9-11] (ED amended) – see Report of Gostencnik DP of 24 April 2017
2	UV	Sub-16/12/16	7.2	Facilitative provisions Table incorrectly references cl.15.2. Should be cl.15.3.	Para 4	RESOLVED – reference should be to 15.3, see Transcript–29Mar17 [PN9-11] – see Report of Gostencnik DP of 24 April 2017
3	UV	Sub-16/12/16	11.6	Casual employment <i>In response to question raised by Commission</i> Minimum engagement applies to each start per day.	Paras 5-8	RESOLVED – ED wording to remain, see Transcript–29Mar17 [PN19-21] – see Report of Gostencnik DP of 24 April 2017
	AFEI	Sub-18/01/17		Minimum payment applies per day.	Para 23	
	UV	ReplySub-22/02/17		Opposes AFEI’s submission. Rely on previous submissions.	Para 3	
	AFEI	ReplySub-22/02/17		Does not support submissions of UV.	Para 22	
4	UV	Sub-16/12/16	18.3(d)	Accommodation allowance Current award cl.15.5(a) wording should remain. Change may be used to deny entitlement.	Paras 9-12	RESOLVED – retain words of clause 15.5 of current award, see Transcript–29Mar17 [PN29-31] – see Report of Gostencnik DP

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	AFEI	ReplySub-22/02/17		Considers changes proposed in ED would make no material difference.	Para 23	of 24 April 2017
5	UV	Sub-16/12/16	18.3(d)	Accommodation allowance <i>In response to question raised by Commission</i> Agrees with Commission. Would also apply to part-time employees absent working outside of ordinary hours or day workers working outside of span of hours.	Para 13	RESOLVED – retain words of clause 15.5 of current award, see Transcript–29Mar17 [PN43-45] – see Report of Gostencnik DP of 24 April 2017
6	UV	Sub-16/12/16	21.1	Shift allowances – definitions <i>In response to question raised by Commission</i> Loadings are paid for full shifts.	Paras 14-15	RESOLVED – no change to drafting, see Transcript–29Mar17 [PN52-54] – see Report of Gostencnik DP of 24 April 2017
	AFEI	ReplySub-22/02/17		Opposes UV’s submissions.	Para 24	
7	UV	Sub-16/12/16	21.2	Shift allowances <i>In response to question raised by Commission</i> Employees who work shiftwork under cl.21.2 are shiftworkers for the purpose of cl.14.3. Wording should remain.	Paras 14-16	RESOLVED – no change to drafting, see TTranscript–29Mar17 [PN52-54] – see Report of Gostencnik DP of 24 April 2017
8	UV	Sub-16/12/16	23.3	Leave and Public Holidays–Payment and loading <i>In response to question raised by Commission</i> The loading is 17.5% of (wage + first aid allowance).	Paras 17-25	RESOLVED – no change to drafting, see Transcript–29Mar17 [PN75-77] – see Report of Gostencnik DP of 24 April 2017

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9	UV	Sub-16/12/16	23.3	Leave and Public Holidays–Payment and loading (first aid allowance) <i>In response to question raised by Commission</i> Yes, shiftworkers are entitled to the first aid allowance while on annual leave.	Paras 17-25	RESOLVED – no change to drafting, see Transcript–29Mar17 [PN78-82] – see Report of Gostencnik DP of 24 April 2017
	AFEI	ReplySub-22/02/17		Does not support UV’s interpretation.	Para 25	
10	UV	Sub-16/12/16	23.3	Leave and Public Holidays–Payment and loading <i>In response to question raised by the FWO</i> The two entitlements are to be compared over entire period of annual leave.	Para 26	RESOLVED – Agreement in conference to amend clause, however on reflection no change required, see Directions dated 29 March 17 and Correspondence dated 29 March 17 – see Report of Gostencnik DP of 24 April 2017

List of abbreviations (in alphabetical order)

AFEI	Australian Federation of Employers and Industries
ED	Exposure Draft
UV	United Voice