

This table is a summary of proposed variations lodged for this award – updated 8 March 2017.

Hair and Beauty Industry Award 2010

Some of the items contained in this summary may be determined by the Group 4 Award Stage—Technical and Drafting Full Bench while others may be referred to a separately constituted Full Bench (to be discussed at a conference before an individual Member of the Commission).

ITEM	PARTY	DOCUMENT	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
S1.	NRA & HBIA	Sub-2Mar15	8.1	Consultation regarding major workplace change Seeks to vary clause to reflect historical award provisions.	Point 6	
S2.	SDA	Sub-2Mar15	11	Full-time employees Seeks to vary clause to include ‘the requirement for agreement in writing at the time of engagement on a regular pattern of work’.	Point 4	
		Sub-3-Oct-16			Paras 5-6	
S2A.	SDA	Sub-3-Oct-16	11	Full-time employees Seeks to include a minimum shift of 4 hours for full-time employees.	Paras 7-9	
S3.	NRA & HBIA	Sub-2Mar15	12	Part-time employees Seeks to vary clause to introduce flexibility in rostering part-time employees.	Point 6	Referred to Part-time and Casual Full Bench in AM2014/196 and AM2014/197
S3A.	HABA	Sub-13-Oct-16	12.8	Rosters Seeks to delete this clause.	Draft determination Para 1	
S4.	BSA	Sub-2Mar15	19.3	Minimum rates for pre-apprentices No definition of a ‘pre-apprentice’; but	Page 10	Suggest that this may be a technical and drafting

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				there are minimum rates for a pre-apprentice. Party consulting further with members, may pursue a proposal to vary.		issue Sub-29-Sep-16 , para 6
S5.	HABA	Sub-2Mar15	19.5	Apprentice conditions of employment Seeks variations to the apprentice structure as it relates to pay generally, entry level pay and adult apprentices.	Para 2.9	Not being pursued, Sub-13-Oct-16
S6.	FWO	Sub-2Mar15	19.6, 19.7 & Schedule D	Apprentices and trainees No definitions for “trainee” and “graduate” – unclear how clause 19.6 interacts with the trainee provisions separately set out under Schedule D and how to identify which employees should be regarded as a “graduate” under clauses 19.6 and 19.7.	Point 22	
S7.	SDA	Sub-2Mar15	21	Allowances—airport employees allowance Seeks to insert new clause which will provide all retail employees working at airports with an allowance of \$6.52 per day or shift or with parking at the employer’s expense.	Point 22	Not being pursued, Sub-3-Oct-16 , point 28
S8.	SDA	Sub-2Mar15	25	Payment of wages Seeks to vary clause so that all wages shall be paid on a regular pay day within 4 days of the end of the pay period.	Point 6	Further submission Sub-3-Oct-16 , being dealt with as part of common issue AM2016/8
S9.	SDA	Sub-2Mar15	29	Notification of rosters Party seeks to amend this clause.	Point 13	

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		Sub-3-Oct-16		Proposes wording in submission.	Paras 11-13	
S9A.	HABA	Sub-13-Oct-16	29	Notification of rosters Seeks to delete existing clause 29.2, renumber existing clause 29.3, insert new clauses 29.3 and 29.4, renumber existing clauses 29.4 and 29.5. Proposes wording.	Draft determination Paras 3-6	
S10.	SDA	Sub-2Mar15	29.4	Casual rate for evening/weekend work Seeks to vary clause so the full casual loading for casual employees working weekends as it is currently absorbed by the weekend rates.	Point 17	Sub-3-Oct-16 noted this is being dealt with by Part-time and Casuals Full Bench in AM2014/196 and AM2014/197
S11.	SDA	Sub-2Mar15	30	Rostering principles Seeks to insert a provision for employees regularly working Sundays, to ensure that those employees are entitled to have three consecutive days off each four weeks which includes a Saturday or Sunday. Proposes wording of clause.	Point 15	
		Sub-3-Oct-16			Paras 14-18	
S12.	NRA & HBIA	Sub-2Mar15	30	Rostering principles Seeks to vary clause to address ambiguity and uncertainty around its application.	Point 6	
S13. S14.	HABA	Sub-2Mar15	30.3	Rostering principles - Consecutive days off Seeks to vary provision to allow employers and employees to mutually agree to a pattern of work in which the employee is not provided with two consecutive days each week or three	Paras 2.4 & 2.6	Items S13 and S14 in the summary of proposed variations published 24 February 2016 have been combined into one item, as they relate to the same clause.

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		Sub-13-Oct-16		consecutive days off in a two week period. Rostering principles Substitute existing clauses 30.3(b) and (c). Proposed wording in submission.	Draft determination Paras 8-9	
S15.	SDA	Sub-2Mar15	31	Overtime Seeks to insert wording to ensure there is no ambiguity as to the payment of overtime for all permanent and casual employees performing work beyond ordinary hours. Seeks to also vary clause so double time is paid after 2 hours worked.	Point 16 Paras 19-20	
		Sub-3-Oct-16				
S16.	SDA	Sub-2Mar15 Sub-3-Oct-16	33	Annual leave—blood and bone marrow donor leave Seeks to include a Blood and Bone Marrow Donor leave clause.	Point 23 Paras 29-37	Being dealt with as part of AM2016/36
S17.	SDA	Sub-2Mar15	34	Personal/carer's leave and compassionate leave Party seeks to vary compassionate leave clause. Proposed wording in submission.	Point 19 Paras 22-24	
		Sub-3-Oct-16				
S19.	SDA	Sub-2Mar15	35	Public holidays Seeks to vary clause so work on a public holiday is to be at the election of the employee and the insertion of a provision which would allow an employee who works on a public holiday to elect to be paid time and a half and receive equivalent day or time off in lieu.	Point 20	

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S20.	SDA	Sub-2Mar15	Schedule B	Classifications Seeks to insert into the Classification structure for all employees (Retail Employee Level 1 – 8) wording to ensure that employees cannot be required to exhibit clothes or other fashion articles/accessories of a revealing or indecent manner, as this is not part of retail duties and functions.	Point 21	
		Sub-3-Oct-16			Paras 25-27	

List of abbreviations (in alphabetical order)

BSA	Business SA
FWO	Fair Work Ombudsman
HABA	Hair and Beauty Australia Industry Association
HBIA	Hair and Beauty Industry Association
NRA	National Retail Association
SDA	Shop, Distributive and Allied Employees Association