



Flight Attendants' Association of Australia

FAIR WORK COMMISSION

Matter No:C2021/54 casual terms award review 2021

Submissions of the Flight Attendants' Association of Australia (FAAA)

1. The Commission's discussion paper¹ posed a series of general and specific questions regarding the interaction between modern awards and the casual amendments to the *Fair Work Act 2009*. The ACTU has made comprehensive submissions addressing each of the questions raised in the discussion paper. The FAAA supports and adopts the ACTU's submissions and makes the following additional submissions.

Question 3

2. The Commission has correctly categorised in Attachment 1 to the discussion paper the casual definition in the *Aircraft Cabin Crew Award 2020* (the Award) as being in the 'engaged as casual' group.

¹Discussion paper *Interaction between modern awards and the casual amendments to the Fair Work Act 2009* ;19 April 2021

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Question 18

3. The ACTU's submission identifies² that the Act does not require the components of the casual loading to be identified as attributable amounts for the purpose of s.545A. The ACTU also identifies³ problems associated with identifying quantifiable amounts to the standardised 25% casual loading. An example of the issues identified by the ACTU is illustrated at Clause 21.5 of the Award which provides that:

21.5 URTI leave

A cabin crew member will be granted up to 6 working days' leave per annum, not cumulative, for sickness associated with upper respiratory tract infection (URTI). If required by the employer a medical certificate must be produced.

4. Casual cabin crew are excluded from this provision by Clause 21.2 of the Award. URTI leave is not a component of the standard 25% casual loading. The ACTU's submission at paragraph 86 identifies the required action if the Commission ultimately determines to apportion value to components of the casual loading.

² ACTU submission, paragraphs 77-80

³ Ibid, paragraph s81-86

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