

23rd of February 2020

DEPUTY PRESIDENT SAMS.
FAIRWORK COMMISSION.

Dear Deputy President Sams,

We are writing in support of the application by Mr. Trevor Warner (AM2019/23)

We the National Road Freighters Association support the above application in its entirety. A copy of which will be attached to the email accompanying this submission.

We would also like to make the following statements as to how this application meets the modern award objectives.

(e) the principle of equal remuneration for work of equal or comparable value.

Currently long-distance drivers are not paid by the hour for work performed before and after their long-distance trip. This can equate to many hours waiting at Distribution centers, driving between pick-ups, doing pick-ups and other duties related to the job such as weighing, maintenance, cleaning etc.

When these same duties are performed by a local driver covered by the Road Transport and Distribution Award 2010 MA000038. The Drivers are paid an hourly rate for all hours.

The unpaid hours done by the Long-distance driver are required to be entered as work hours into their work diary by the National Heavy Vehicle Law. This reduces the paid work hours the driver can do for the day encouraging them to not record this time in the work diary. This creates tired unsafe drivers heading down the highway trying to stay awake to make enough money for the day to feed their families. In preparation for the introduction of electronic work diaries we strongly encourage the changes in the application be made.

We also suggest that after making these changes to the award drivers will be more likely to remain in the industry. We have inserted a post from Facebook which was put up today on a Drivers Job Page.



We are aware that Industry Employer Groups will make the argument that this extra work is included in the Industry Disability Allowance. We have included it here and are yet to work out which part of it allows for the endless hours of slave labor required by Long Distance Drivers.

(a) Industry disability allowance

The rates per kilometre are inclusive of an industry disability allowance of 1.3 times the ordinary rate, which compensates for the following:

- (i) shiftwork and related conditions;
- (ii) necessity to work during weekends;
- (iii) lack of normal depot facilities, e.g. lunch room, wash rooms, toilets, tea making facilities;
- (iv) necessity to eat at roadside fast food outlets;
- (v) absence of normal resting facilities and normal bed at night;
- (vi) additional hazards arising from driving long distances at night and alone;
- (vii) handling dirty material;
- (viii) handling money;
- (ix) extra responsibility associated with arranging loads, purchasing spare parts, tyres, etc;
- (x) irregular starting and finishing times; and
- (xi) work in rain.

We would also like to make the argument that Many companies manage to pay their workers for all work completed by using their long-distance drivers for long distance only and using local drivers to do the other duties. The argument that they cannot afford to pay their drivers is only creating an industry where the drivers slave labor is going to profits of a few.

The National Road Freighters Association is a diverse group comprising of Drivers, Owner Drivers, Small Fleet Owners, Larger Fleet Owners and others with business interest in the Transport Industry. It is our belief that our Members will only Benefit from your acceptance of Trevor Warner's Application.

If you need to discuss this submission further, you may contact:

Glyn Castanelli, National Secretary NRFA on 0430 503 580

Gordan Mackinlay, National President NRFA on 0407 494 582

SINCERELY,



GLYN CASTANELLI
NATIONAL SECRETARY NRFA

