

Submission withdrawn by Accommodation Association of Australia on 29 March 2016 - see related [correspondence](#)



**OUTLINE OF SUBMISSIONS  
PENALTY RATES  
HOSPITALITY INDUSTRY (GENERAL) AWARD AM2014/272**

**4 DECEMBER 2014**

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## **INTRODUCTION**

1. The Accommodation Association of Australia and the Motor Inn, Motel and Accommodation Association (Aus) (AAA) provide the following outline of submissions in respect to penalty rates in the 4 year review of the Hospitality Industry (General) Award 2010.

## **ABOUT THE ACCOMMODATION ASSOCIATION OF AUSTRALIA AND THE MOTOR INN, MOTEL AND ACCOMMODATION ASSOCIATION**

2. Both the Accommodation Association of Australia and the Motor Inn, Motel and Accommodation Association represent the Australian accommodation industry.
3. Members of the Associations include major hotels, resorts, motels, motor inns, serviced and holiday apartments, bed and breakfasts, guesthouses, backpackers and timeshare establishments in metropolitan, regional and rural Australia across all states and territories.
4. The Associations are the only organisation representing this full range of accommodation types and interests nationally, in rural and regional Australia, as well as the major cities.
5. Over 80 per cent of these businesses are SMEs and they all are part of Australia's dominant services sector, which represents over 80 per cent of our national economy.

## **OUTLINE OF SUBMISSIONS**

6. Further to the Directions set out by the President Justice Ross on 28 November 2014 the Association provides the following particulars in respect to the claims to be pursued in respect to penalty rates for the Hospitality Industry (General) Award 2010.

7. The penalty rate claim is to further extend the changes flagged by the Association in respect to the 2 year review of the Hospitality Industry (General) Award..
8. The scope of the claim is as follows in respect to the penalty rate clause in the Hospitality Industry (General) Award:

| <b>Type of employment</b>                             | <b>Monday to Friday</b> | <b>Saturday</b> | <b>Sunday</b> |
|---|-------------------------|-----------------|---------------|
|   | %                       | %               | %             |
| Full-time and part-time                               | 100                     | 125             | 125           |
| Casual employees<br>(inclusive of 25% casual loading) | 125                     | 150             | 150           |

9. We shall also seek relief for members covered by the Hospitality Industry (General) Award by removal of late night penalties that currently operate from 7PM to Midnight (10%) and Midnight to 7AM (15%).
10. AAA envisages that it will file circa 15-20 witness statements from affected business owners and will file other supporting evidence including Survey and Case Law evidence supporting its claims.
11. AAA considers that 2/3 days of hearings should be allocated before the Full Bench to address these matters.