

**From:** Joanne Knight [<mailto:jknight@asu.asn.au>]  
**Sent:** Tuesday, 12 December 2017 4:12 PM  
**To:** AMOD  
**Cc:** Chambers - Kovacic DP; David Scaife; John Nucifora  
**Subject:** AM2014/190 - 4 yearly review of modern awards - Common issue - Transitional provisions  
– District Allowances

Dear AMOD,

I refer to the directions of the Deputy President made in hearing by teleconference on 4 December 2017, in the above matter.

In accordance with those directions, please see attached, for filing, the ASU's amended Application and Draft Determinations. The summary amendments and updates are, as follows:

- i. Application withdrawn for the following modern awards:
  - Business Equipment Award 2010 [MA000021]
  - Contract Call Centres Award 2010 [MA000023]
  - Labour Market Assistance Industry Award 2010 [MA000099]
  - Water Industry Award 2010 [MA000113]
- ii. Block Draft Determinations listing Town/locations that referenced the Australian Defence Force (ADF) District Allowance applicable in 2014, have been amended to list Local Government areas that would cover the Town/locations currently eligible for an ADF District Allowance in 2017. There are three exceptions. Our amended application includes three additional Western Australia Local Government areas: Shire of Shark Bay; Shire of Halls Creek; and Shire of Upper Gascoyne.
- iii. The words “in accordance with the movement of the schedule of ADF district allowances published by the Federal Government”, have been withdrawn from the final subclause in each award specific Draft Determination.

Please confirm receipt and contact me with any queries.

Kind regards,

Joanne Knight  
National Industrial Officer  
Australian Services Union  
E: [jknight@asu.asn.au](mailto:jknight@asu.asn.au)  
P: (03) 9342-1400

## Form F46 Application to vary a modern award

Fair Work Act 2009, ss.157–160

This is an *amended and updated* application to the Fair Work Commission to make a determination varying specified modern awards, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

### The Applicant

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address	116 Queensberry Street		
Suburb	Carlton South		
State or territory	VIC	Postcode	3053
Phone number	(03) 9342-1400	Fax number	(03) 9342-1499
Email address	<a href="mailto:info@asu.asn.au">info@asu.asn.au</a>		

If the Applicant is a company or organisation please also provide the following details

Legal name of business	Australian Municipal, Administrative, Clerical and Services Union
Trading name of business	Australian Services Union (or ASU)
ABN/ACN	28 519 971 998
Contact person	Joanne Knight

Does the Applicant need an interpreter?

Yes—Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes— Please specify the assistance required

No

Does the Applicant have a representative?

Yes—Provide representative's details below

No

## Applicant's representative

Name of person	Joanne Knight		
Organisation	Australian Services Union		
Postal address	116 Queensberry Street		
Suburb	Carlton South		
State or territory	VIC	Postcode	3053
Phone number	(03) 9342-1400	Fax number	(03) 9342-1499
Email address	jknight@asu.asn.au		

## 1. Coverage

1.1 What is the name of the modern award to which the application relates?

- Airline Operations - Ground Staff Award 2010 [MA000048]
- Clerks – Private Sector Award 2010 [MA000002]
- Legal Services Award 2010 [MA000116]
- Local Government Industry 2010 [MA000112]
- Rail Industry Award 2010 [MA000015]
- Social, Community, Home Care and Disability Services Industry Award 2010 [MA000100]
- Electrical Power Industry Award 2010 [MA000088]

1.2 What industry is the employer in?

Various

## 2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

- a determination varying a modern award
- a modern award
- a determination revoking a modern award

2.2 What are the details of your application?

See Schedule A attached for amended and updated Draft Determinations in relation to the District Allowances award provisions.

2.3 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.

2.3.1 There is a long and varied history of District Allowance entitlements for award reliant employees covered by the modern awards identified in this application.

2.3.2 The ASU relies on our earlier submissions re: District Allowances; and will lodge supplementary submissions in support of proposed variations to the modern awards included in this amended and updated application; within the required timetable for submissions, as per Fair Work Commission Directions.

2.3.3 Award reliant employees covered by the modern awards identified in this amended and updated application lost their transitional entitlements to district allowances from 31 December 2014, otherwise formally recognised as allowable award provisions.

2.3.4 The proposed variations are consistent with s134(1) of the *Fair Work Act 2009* which states the objectives of the modern awards system. In particular they are consistent with s134(1)(a) which is to take into account the relative living standards and needs of the low paid.

2.3.5 Any other grounds which the Fair Work Commission considers relevant.

**Signature**

Signature	David Smith
Name	David Smith, National Secretary
Date	11 December 2017
Capacity/Position	Robert Potter, Acting National Secretary

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

## **SCHEDULE A**

FAIR WORK COMMISSION

### **DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Airline Operations – Ground Staff Award 2010**

**[MA000048]**

Airline Operations

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 22 – District Allowances and replacing it with the following:

#### **22 – District Allowances**

**22.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**22.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 15 – Minimum wages of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**22.3** Except as provided in 22.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 22.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 22.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

**22.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 21.10 – Travelling time and board allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 22.2 hereof.

**22.5** Subject to 22.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**22.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**22.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**22.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**22.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 22.2 hereof.

**22.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT

FAIR WORK COMMISSION

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Clerks – Private Sector Award 2010**

**[MA000002]**

Clerical Industry

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 19.8 – District Allowances and replacing it with the following:

**19.8 – District Allowances**

- (a) Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.
- (b) Subject to the provisions of this clause, in addition to the wages prescribed in clause 16 – Minimum wages of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35



State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**(c)** Except as provided in 19.8(d) hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 19.8(b) hereof, or
- a partial dependent shall be paid the allowance prescribed in 19.8(b) hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

- (d) Where an employee:
- is provided with board and lodging by the employer, free of charge; or
  - is provided with a living away from home allowance in accordance with clause 19.5 – Living away from home allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 22.2 hereof.
- (e) Subject to 19.8(c) hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.
- (f) Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.
- (g) Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.
- (h) **Dependent** shall mean:
- a spouse or de facto spouse; or
  - a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..
- (i) **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 19.8(b) hereof.
- (j) Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT

**FAIR WORK COMMISSION**

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Legal Services Award 2010**

**[MA000116]**

Clerical Industry

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 20 – District Allowances and replacing it with the following:

**20 – District Allowances**

**20.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**20.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 14 – Minimum wages of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**20.3** Except as provided in 20.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 20.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 20.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

**20.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 19.5 – Living away from home allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 20.2 hereof.

**20.5** Subject to 20.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**20.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**20.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**20.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**20.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 20.2 hereof.

**20.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT

FAIR WORK COMMISSION

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Local Government Industry Award 2010**

**[MA000112]**

Local government administration

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 16 – District Allowances and replacing it with the following:

**16 – District Allowances**

**16.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**16.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 14 – Minimum wages of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**16.3** Except as provided in 16.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 16.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 16.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

**16.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 15.5 – Reimbursement of expenses allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 16.2 hereof.

**16.5** Subject to 16.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**16.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**16.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**16.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**16.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 16.2 hereof.

**16.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT



**FAIR WORK COMMISSION**

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Rail Industry Award 2010**

**[MA000015]**

Rail Industry

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 16 – District Allowances and replacing it with the following:

**16 – District Allowances**

**16.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**16.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 14 – Classifications and minimum wage rates of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**16.3** Except as provided in 16.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 16.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 16.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

**16.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 15.1(d) – Travel and incidentals allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 16.2 hereof.

**16.5** Subject to 16.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**16.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**16.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**16.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**16.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 16.2 hereof.

**16.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT

**FAIR WORK COMMISSION**

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Social, Community, Home Care and Disability Services Industry Award 2010**

**[MA000100]**

SACS Industry

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 21 – District Allowances and replacing it with the following:

**21 – District Allowances**

**21.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**21.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 15 – Minimum weekly wages for social and community services employees and crisis accommodation employees of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**21.3** Except as provided in 21.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 21.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 21.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.

**21.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 20.8 – Board and lodging allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 21.2 hereof.

**21.5** Subject to 21.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**21.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**21.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**21.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**21.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 21.2 hereof.

**21.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT

FAIR WORK COMMISSION

**DRAFT DETERMINATION**

*Fair Work Act 2009*

Part 2-3, Div 4 – 4 Yearly reviews of modern awards

**(AM2014/190)**

**Electrical Power Industry Award 2010**

**[MA000088]**

Electricity Industry

DEPUTY PRESIDENT KOVACIC

CANBERRA, [DATE]

*Review of modern awards to be conducted.*

[1] Further to the Decision and Reasons for Decision <<Decision Ref>> in <<FileNo>>, it is determined pursuant to section 156(2)(b)(i) of the *Fair Work Act 2009*, that the *Airline Operations – Ground Staff Award 2010* be varied as follows.

[2] By deleting clause 19 – District Allowances and replacing it with the following:

**19 – District Allowances**

**19.1** Employees required to work in remote locations shall be paid a district allowance in compensation of the general disadvantages associated with living in such locations including climate, isolation and cost of living.

**19.2** Subject to the provisions of this clause, in addition to the wages prescribed in clause 17 – Minimum wages of this award, an employee shall be paid the following allowances when employed in the towns/locations listed below:

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$
NSW	Yancowinna County	A	920	17.69
	Parkes Shire	A	920	17.69
Northern Territory	Alice Springs Town Council	C	3,290	63.27
	Barkly Regional Council	E	5,270	101.35
	City of Darwin	B	2,630	50.58
	Jabiru Town Council	E	5,270	101.35
	Katherine Town Council	D	4,610	88.65
	Nhulunbuy Corporation	E	5,270	101.35

State/Territory	Local Government Area	Grade	Annual rate \$	Weekly rate \$	
Queensland	Burdekin Shire Council	A	920	17.69	
	Cairns Regional Council	A	920	17.69	
	Cassowary Coast Regional Council	A	920	17.69	
	Charters Towers Regional Council	A	920	17.69	
	Hinchinbrook Shire Council	A	920	17.69	
	Maranoa Regional Council	A	920	17.69	
	Mount Isa City Council	C	3,290	63.27	
	Palm Island Shire Council	E	5,270	101.35	
	Shire of Bowen	A	920	17.69	
	Tablelands Regional Council	A	920	17.69	
	Torres Shire Council	E	5,270	101.35	
	Townsville City Council	A	920	17.69	
	Weipa Town Council	E	5,270	101.35	
	Western Australia	City of Kalgoorlie-Boulder	A	920	17.69
		City of Karratha	E	5,270	101.35
Shire of Ashburton		E	5,270	101.35	
Shire of Broome		E	5,270	101.35	
Shire of Carnarvon		E	5,270	101.35	
Shire of Derby-West Kimberley		E	5,270	101.35	
Shire of East Pilbara		E	5,270	101.35	
Shire of Wyndham-East Kimberley		E	5,270	101.35	
Town of Port Hedland		E	5,270	101.35	
Shire of Shark Bay		E	5,270	101.35	
Shire of Halls Creek	E	5,270	101.35		
Shire of Upper Gascoyne	E	5,270	101.35		

**19.3** Except as provided in 19.4 hereof, an employee who has:

- a dependent shall be paid double the allowances prescribed in 19.2 hereof, or
- a partial dependent shall be paid the allowance prescribed in 19.2 hereof plus the difference between that rate and the amount such partial dependent is receiving by way of a district or location allowance.



**19.4** Where an employee:

- is provided with board and lodging by the employer, free of charge; or
- is provided with a living away from home allowance in accordance with clause 18.11 – Travel allowance of the award; such employee shall be paid sixty six and two thirds percent of the allowances prescribed in 19.2 hereof.

**19.5** Subject to 19.3 hereof, casual employees, part-time employees, and apprentices shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the ordinary time weekly rate for the work performed.

**19.6** Where an employee is on annual leave or receives payment in lieu of annual leave the employee shall be paid for the period of such leave the location allowance to which the employee would ordinary be entitled.

**19.7** Where an employee is on long service leave or other approved leave with pay (other than annual leave) the employee shall only be paid location allowance for the period of such leave the employee remains in the district in which the employee is employed.

**19.8** **Dependent** shall mean:

- a spouse or de facto spouse; or
- a child where there is no spouse or de facto spouse; who does not receive a district or location allowance..

**19.9** **Partial dependent** shall mean a **dependent** as prescribed in this subclause who receives a district or location allowance which is less than the district allowance prescribed in 19.2 hereof.

**19.10** Each location allowance shall be varied from the beginning of the first pay period commencing on or after the 1st day of July of each year.

[3] This determination shall operate on and from [DATE].

DEPUTY PRESIDENT