

4 yearly review of modern awards – Horticulture Award

Matter No. AM2014/231

NATIONAL FARMERS' FEDERATION

**FURTHER SUBMISSIONS ON EXPOSURE DRAFT –
HORTICULTURE AWARD 2016**

Date: 24 November 2017

1. The National Farmers' Federation is the peak industry body representing Australian farmers and agribusiness across the supply chain, including all of Australia's major agricultural commodity groups.
2. This submission responds to Directions for further submissions on various issues as set out in the Decision of the Fair Work Commission Full Bench dated 30 October 2017 (the Decision).¹

Item 12 – Part-time employees

3. The NFF does not object to the proposal by the Commission set out in paragraphs [197] and [198] of the Decision.

Item 45 – Summary of hourly rates of pay

4. The NFF does not oppose the Commissions proposed cause of action.

Items 15 and 47 – Casuals

5. The NFF maintains that casual employees cannot be engaged as shift workers under the Horticulture Award and therefore, clause 22.2 of the current award should be co-located with clause 22.1 in the exposure draft. To achieve this, clause 14 in the exposure draft should be moved to clause 8.2.

Item 27 – Pieceworkers

6. The NFF notes that the Commission has asked AFEI to confirm its position in relation to this item and that it will be determined by a separately constituted Full Bench. We await further instructions in relation to this item.

Conclusion

7. We note that there are several items that have been referred to a separately constituted Full Bench. We await further instructions in relation to these items.

Ben Rogers

General Manager, Workplace Relations and Legal Affairs

¹ [2017] FWCFB 5536.