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*Fair Work Act 2009*

FAIR WORK COMMISSION

**IN THE MATTER OF:        4 yearly review of modern Awards**

**AM2014/256 – Amusement, Events and Recreation Award 2010**

Submissions in Reply of the Australian Entertainment Industry Association (trading as Live Performance Australia) on the Exposure Draft Award.

22 February 2017

**Live Performance Australia**

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1. This Submission in reply is filed in accordance with the Statement and Directions of the President issued on 26 August 2016<sup>1</sup> and the Amended Directions issued on 21 December 2016, with regard to Group 4 awards. Live Performance Australia (LPA) has an interest in the Amusement, Events and Recreation Award 2010<sup>2</sup> (the Award) and this submission in reply concerns the technical and drafting issues related to the exposure draft of the Award, published on 22 November 2016.

2. This submission addresses the issues raised by other parties on the technical and drafting matters.

3. **Clause 1.1 Title and commencement.**

LPA agrees with the submissions of the AFEI and AWU to correct the title of the Award.

4. **Clause 14.3 Special provisions for exhibition employees.**

It is submitted that clause 14.3(a) and (b) should form part of **clause 13 Ordinary hours of work** and not **clause 14 Rostering arrangements**. Clause 14.3(c) should remain in clause 14.

5. **Clause 17.2 Wage-related allowances.**

It is submitted that the table in clause 17.2(b) Special all purpose allowances for exhibition employees should not contain the “per hour” column. These allowances only apply to employees engaged by the week and the inclusion of such “hourly” rates make the clause ambiguous.

6. **Schedule C – Summary of hourly rates of Pay – Exhibition employees.**

LPA confirms that exhibition employees are employed at Grades 2, 4 or 5 only.

LPA disagrees strongly with the proposal to provide hourly rates of pay and no weekly rates for exhibition employees engaged by the week. As noted in clause 17.2, the all purpose allowances are expressed as a weekly amount and hourly amount, and it is LPA’s submission that it should be expressed as a weekly allowance only.

Likewise, the wage rates set out for exhibition employees should be weekly rates with the only hourly rates set for casual employees.

MAY IT PLEASE THE COMMISSION

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<sup>1</sup> [2016] FWC 6062

<sup>2</sup> MA000080