

22 March 2016

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Your reference: **Our reference:**
2808338

Your Honour

**4 yearly review of modern awards
Broadcasting and Recorded Entertainment Award 2010
AM2014/259**

In this matter we act for:

- (1) Birch Carroll & Coyle Limited;
- (2) The Hoyts Corporation Pty Ltd;
- (3) The Greater Union Organisation Pty Ltd; and
- (4) Village Cinemas Limited,

as well as Independent Cinemas Association of Australia and its members.

1 Report

This report is provided in response to the Direction at paragraph 14 of the Statement dated 24 February 2016 requiring a report to the Commission on the status of issues affecting cinemas covered by the BRE Award, and in particular:

- (1) Calculation of junior rates of pay;
- (2) Part time employment;
- (3) A new "team leader" classification.

APAC-#30038319-v1

2 Issues

An outline of the employers' issues has been filed in the Commission and provided to the Media Entertainment and Arts Alliance (MEAA).

3 Further Mention of 14 December 2015

At the Further Mention it was stated by the President (PN594), in respect of cinema specific matters in the BRE Award:

"Well can we deal with it this way, that after the conference in February, if you can put in a written report as to where the matter's up to and identify precisely what the variations as sought at that stage and the level of opposition. I'd deal with the request for a separately constituted Full Bench at that point, Mr Murdoch. I just wanted to see how far the parties can get between them and if I can get an estimate of the likely timeframe of such a hearing, that will assist in constituting the Bench.

What I had in mind was that Hamberger SDP would on the – the conference that would be proposed in relation to this award wouldn't take place until probably March in any event, but he would have concluded the Cinema specific matters and would then start the conferencing in relation to the balance of the matters."

4 Meeting with MEAA on 3 February 2016

A meeting was held on 3 February 2016 with representatives of MEAA. At that meeting, the following were considered:

- (1) Junior rates. MEAA stated that there was no utility in further discussions.
- (2) Part time employment. MEAA invited an amended proposal for its consideration.
- (3) Team leader classification. MEAA invited an amended proposal for its consideration.

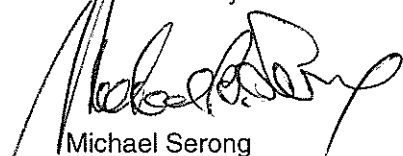
5 Subsequent developments

Proposed wording, in light of MEAA's comments, has been circulated to all the employers we represent. Some responses have already been received. We expect that instructions on the proposed wording and all further discussions with MEAA that are necessary will be completed within 1 month.

6 Other representations

It is noted that Live Performance Australia (LPA) is involved in the award modernisation process and, in particular, in proceedings affecting the *BRE Award 2010* through David Hamilton, its Director, Workplace Relations. LPA was not involved in the meeting with MEAA on 3 February 2016. Members of LPA may or may not be members of ICAA. LPA represents the interests of its members in these proceedings.

Yours faithfully



Michael Serong
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