

From: Chambers - Ross J
Sent: Friday, 5 January 2018 4:31 PM
To: Gabriel Miller
Subject: Casual Conversion Clauses in Exposure Drafts

Dear Ms Miller,

I write to you on behalf of the President, Justice Ross, regarding your correspondence of 2 August 2017 in respect to the casual conversion clause in various awards and groups (attached). I apologise for the delay in responding to your request.

The President, Justice Ross, has granted leave for the AMWU and **any other interested party** to file written submissions regarding the casual conversion clause in the Exposure Drafts for the following awards by **4.00 pm on Friday 19 January 2017**:

Matter no.	Award
AM2014/75	Manufacturing and Associated Industries and Occupations Award 2010
AM2014/203	Graphic Arts, Printing and Publishing Award 2010
AM2014/268	Food, Beverage and Tobacco Manufacturing Award 2010
AM2014/92	Timber Industry Award 2010
AM2014/216	Waste Management Award 2010

The parties attention is drawn to the decision in the Casual and Part-time Employment matters (AM2014/196 and AM2014/197) – [\[2017\] FWCFB 3541](#).

Kind regards,

Mirella Franceschini
Associate to The Hon. Justice IJK Ross
President

Fair Work Commission
Tel: +61 3 8656 4520
Fax: +61 3 9655 0401
mirella.franceschini@fwc.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001



2 August 2017

Associate to the President
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000
By email: chambers.ross.j@fwc.gov.au

Dear Associate,

I write advising that the AMWU seeks an opportunity to make submissions regarding casual conversion clauses in the exposure drafts of several awards in which we have an interest.

In previous submissions the AMWU has refrained from commenting on the casual conversion clauses and instead noted that these were the subject of proceedings in AM2014/197. ¹This view is consistent with the statement of the Full Bench that *the review of each award will not be complete until all the common issues proceedings are finalised.*²

The Exposure Drafts also contained notes referring parties to the potential impact of the common issue.

Now that the Full Bench decision in the Casual's common issue case has been handed down, we would consider it an appropriate time to comment on the clauses.

Although the decision refrained from affecting awards already containing a casual conversion clause, the wording of said clauses has changed in the Exposure Draft drafting process. The AiG in their submission dated 11/07/2017 have commented on the Exposure draft redrafted clauses and we would respectfully request the opportunity to do the same.

The awards that the AMWU intends to make further submissions in regard to the casual conversion clause are listed in the summary table on the following page.

¹ AMWU Submissions dated 24/10/2014 in AM2014/75 [28].
² [2014] FWCFB 5537 [12].

Award Stage Matter Number	Award Name	Exposure Draft Casual Conversion clause
AM2014/75	Manufacturing and Associated Industries and Occupations Award	6.5
AM2014/203	Graphic Arts, Printing and Publishing Award	6.5
AM2014/268	Food, Beverage and Tobacco Manufacturing Award	10.6
AM2014/92	Timber Industry Award	7.5
AM2014/216	Waste Management Award 2010	6.6

Please do not hesitate to contact me should you have any questions regarding this correspondence.

Kind Regards,

Gabriel Miller
Assistant Research Officer
Email: Gabriel.miller@amwu.org.au
Telephone: 02 8868 1546