



28 December 2018

Associate to Vice-President Hatcher
Fair Work Commission
Level 10, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

By email: *chambers.hatcher.vp@fwc.gov.au*

Dear Associate

AM 2016/3 – Helicopter Aircrew Award

We note that this matter is currently being heard.

In particular, we note the proposal by some parties to include classifications and entitlements for helicopter aircrew in the *Air Pilots Award 2010*, and the submissions filed on this issue.

We consider that the *Air Pilots Award 2010* should only cover pilots. We request the opportunity to be heard and make submissions before any proposed amendments to the *Air Pilots Award 2010* are implemented.

By way of background, I am also attaching correspondence from our office to the Australian Manufacturing Workers' Union dated 15 May 2017, seeking that any proposed *Helicopter Aircrew Award* specifically exclude any reference to pilots.

Thank you for your consideration. Please contact Simon Miller, Industrial Advisor, at smiller@afap.org.au or on (03) 9928 5737 or should you have any queries or wish to discuss these matters further.

Yours sincerely

Simon Lutton
Executive Director

Enc.



15 May 2017

Mr Michael Nguyen
Research Officer
Australian Manufacturing Workers' Union
Level 3, 133 Parramatta Road
GRANVILLE NSW 2142

By email: michael.nguyen@amwu.org.au

Dear Mr Nguyen

AM 2016/3 – Helicopter Aircrew Award

We refer to your telephone conversation with Simon Miller of this office on 15 May 2017, and your email to him of the same date.

We note the application by the AMWU for a new Modern Award for Helicopter Aircrew, and the draft “Without Prejudice – Revised Draft Coverage Clause and Definitions” (dated 30 January 2017) contained in the *Helicopter Aircrew Award 2017* (“**draft Award**”) currently being considered by the Fair Work Commission as part of its Four Yearly Award Review process.

In particular, we note that clause 4.1 of the draft Award states as follows:

This award covers employees who are engaged to work in the occupation of Aircrewperson to the exclusion of any other modern award.

We also note that whilst the definitions of “Qualified Rescue Crewperson” and “Qualified Aircrewperson” in clause 3.1 of the Award specifically exclude pilots, the definitions of “Aircrewperson”, “Senior Aircrewperson” and “Training Aircrewperson” do not.

To ensure that that the draft Award cannot be construed in any way to cover pilots, we request that the AMWU make a further submission to the Fair Work Commission seeking that the definitions of “Aircrewperson”, “Senior Aircrewperson” and “Training Aircrewperson” in clause 3.1 be amended to specifically exclude pilots, and that clause 4.1 be amended to read as follows:

This award covers employees who are engaged to work as aircrew of helicopters to the exclusion of any other modern award, but excludes pilots.

Thank you for your assistance. Please contact Simon Miller, Industrial Advisor, at smiller@afap.org.au or on (03) 9928 5737 or should you have any queries or wish to discuss these matters further.

Yours sincerely

A handwritten signature in black ink, appearing to read "Simon Lutton", is enclosed in a light grey rectangular box.

Simon Lutton
Executive Director