

Australian Industry Group

# 4 YEARLY REVIEW OF MODERN AWARDS

## **Submission**

*Fast Food Industry Award 2010*  
(AM2017/49)

16 January 2018

**Ai**  
GROUP

## 4 YEARLY REVIEW OF MODERN AWARDS –

### *FAST FOOD INDUSTRY AWARD 2010*

(AM2017/49)

#### **Ai GROUP SUBSTANTIVE CLAIMS**

1. The Australian Industry Group (**Ai Group**) refers to the Directions made by Commissioner Lee on 1 December 2017 and the Submissions of Ai Group dated 21 December 2017.
2. This submission identifies variations that will be pursued by Ai Group in relation to the *Fast Food Industry Award 2010* (**Award**) in the Four Yearly Review of Modern Awards (Group 4F).

#### **Variations Pursued by Ai Group**

3. In the Four Yearly Review, Ai Group pursues four variations to the Award:
  - a. The first (claim S9A) relates to the deletion of the current laundry allowance (see clause 19.2(b) of the Award) and the insertion of a new clause decreasing the laundry allowance on the basis of whether the uniform requires ironing or not;
  - b. The second (claim S16) relates to the insertion of a facilitative provision into clause 25.5 of the Award to permit a variation, by agreement of the fast food employer and the majority of employees concerned, of the current end time (6.00am) of the evening work penalty Monday to Friday (see clause 25.5(a)(ii) of the Award); and
  - c. The third (a new claim) relates to the deletion of the current part-time clause (see clause 12 of the Award) and the insertion of a new flexible part-time provision largely modelled on the clauses determined through the *Part-time and Casual Decision* [2017] FWCFB 3541 for the *Hospitality Industry (General) Award 2010*, the *Registered and*

*Licensed Clubs Award 2010, and the Restaurant Industry Award 2010.*

4. Attached to this submission are proposed variations in relation to S9A and S16.

# DRAFT DETERMINATION

*Fair Work Act 2009*  
s.156 - 4 yearly review of modern awards



## **4 yearly review of modern awards – Fast Food Award 2010 (MA000003)** (AM2017/49)

JUSTICE ROSS, PRESIDENT

SYDNEY, XX

XXXX 2018

*4 yearly review of modern awards – Fast Food Award 2010 (MA000003).*

A. Further to the decision issued on [insert date]<sup>1</sup> it is ordered that, pursuant to s.156(2)(b)(i) of the *Fair Work Act 2009*, the *Fast Food Industry Award 2010*<sup>2</sup> be varied by:

1. Deleting clause 19.2(b).

2. Inserting in clause 19.2(b):

(b) Where an employee is required to launder any special uniform, dress or other clothing, the employee will be paid the following applicable allowance:

(i) Where the employer requires the employee to iron one or more pieces of the special clothing:

- a. For a full-time employee—\$2.50 per week;
- b. For a part-time or casual employee—\$0.50 per shift.

(ii) Where the employer does not require the employee to iron any item of special clothing:

- a. For a full-time employee—\$1.25 per week;
- b. For a part-time or casual employee—\$0.25 per shift.

3. In sub-clause 25.5(a)(ii), inserting after the words “25% causal loading.” of clause 25.5(a)(ii):

The evening penalty end time (6.00 am) may be altered by up to one hour at the end of the spread (up to 5.00am), by agreement between an employer and the majority of employees concerned.

B. This determination comes into effect on [insert date].

PRESIDENT

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<sup>1</sup> [insert citation].

<sup>2</sup> MA000003.