SUMMARY OF SUBMISSIONS

This summary of submissions has been updated to include a summary of submissions received in accordance with the <u>Directions</u> issued by Deputy President Clancy on 14 December 2016.

It includes submissions lodged on or before 5.00 pm on 16 February 2017 and was revised on 10 October 2017.

Fitness Industry Award 2010

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1.	GA	Sub-12/11/2015	3	3	Coverage Seeks to vary clause to include "gymnastic services, activities or classes" in the definition of the fitness industry.	Para 9-10	AGREED - Clause to be varied to include "gymnastic services, activities or classes" in the definition of the fitness
	AA	<u>Sub – 16May16</u>			Does not oppose proposed amendments.	Para 1.3	industry, see Report to Full Bench.
2.	TA	Sub-11Feb15	3	4, 13.5	Coverage Coverage of tennis coaches should be more explicit. Also propose inclusion of tennis coaches in Schedules in various classification levels.	Attachment pages 1-2	AGREED - Clause to be varied as per submissions regarding tennis coaches filed by Tennis Australia on 11 February 2015, see
	FA	Sub-02Mar15			The variations proposed by Tennis Australia not opposed.	Para 3	Report to Full Bench.
	AA	<u>Sub – 16May16</u>			The variations proposed by Tennis Australia not opposed.	Para 1.1	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
2A.	AA	Sub-4Aug16	3.4		Coverage 'Outside of fitness centres' should be removed or expended to cover the activities listed in subclauses (b)-(k) in cl.3.2. This would reflect custom and practice in the industry.	Pages 1-2	OUTSTANDING
	GA	Sub-10Jan17			GA notes it has suggested in discussion with interested parties that proposed wording may be unclear in relation to how it applies to providers of gymnastics services.	Para 5	
2B.	AA	Sub-22Dec16	3.4		Coverage Suggests clause be replaced with 'This award does not cover an employee who is employed by the employer to provide administrative and other operational support outside of fitness centres, group fitness organisations, weight loss/control centres, aquatic centres, indoor sports centres, golf driving ranges, dance centres, martial arts centres, recreational camps, tennis clubs and centres.'	Pg 2	AGREED – FA, BusSA and AWU not opposed to this wording, see Report back to FWC.
	AA AA	Sub-22Dec16 Sub-20Jan17			Continues to press claim. Provides further justification and evidence in support of submission.	Pg 2 Para 8.2	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
3.	AWU	Sub-19Apr16	6	16	Classifications Amend clause to require changes to employee's classification level to be in writing, and that changes will occur at a later date, not commencement of employment.	Para 4	AGREED - Clause to be varied, see Report to Full Bench for proposed wording.
	BusSA	Reply sub – 6May16			Disagrees with AWU proposal, but agrees the current wording is too broad. Prepared to collaborate in redrafting clause.	Paras 6.0 and 6.10	
	AA	<u>Sub – 16May16</u>			Does not oppose AWU's proposed amendment.	Para 2.1	
4.	SA & ASCTA	Sub-26Feb15	7.1	10.1	Types of employment A reference to 'weekly seasonal or fixed-term employment' should be included with facilitative provisions being incorporated within context of clauses 11 and 12 (current award). Would provide for employees engaged for swim school 'terms'.	Page 1	WITHDRAWN - This does not appear to be pressed by SA & ASCTA, see Summary of Positions See Report to Full Bench

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5.	AA	Sub-07Mar16	7.3(a)(iii), 11.1	12.1(c), 18	Part-time employees and allowances Tension between clauses 7.3(a)(iii) and 11.1 may cause confusion. Opening sentence in 11.1 should be qualified to enable pro rated payment of all allowances relating to work and wages on an hourly basis for other than full-time employees.	Para A.1-A.2	AGREED - Agreement for word to be inserted in subclause 11.1 and to amend wording of clause 11.2(b), see Report to Full Bench
	BusSA	Reply sub – 6May16			Agrees with submissions of AA	Para 6.2	
	ABI&NS WBC	Reply sub – 6May2016			Agrees with submissions of AA	Para 8.5	
	FA	Sub-26May16			Agrees with submissions of AA	Para 2.10	
6.	AWU	<u>Sub-19Apr16</u>	7.4(a)		Casual employees Propose to add: "and works less than 38 ordinary hours per week".	Paras 5-6	OUTSTANDING - The positions of the parties remain as set out in the
	GA	Reply sub – 5May16			AWU proposed variation would be substantive. If award does not meet requirements in s.147 of Act, party proposes to insert wording similar to that in s.20(2)(b)(ii) of Act.	Paras 5-7	Summary of Submissions published 20 May 2016, save that BusSA has withdrawn its support for the AWU's proposal, see
	AWU	Reply sub – 5May16			Proposal will assist in rectifying the inconsistency identified in clauses 8.3 and 14.1.	Para 13(c)	Report to Full Bench
	BusSA	Reply sub – 6May16			Agrees with AWU submission.	Paras 6.3 and 6.11	
	ABI&NS	Reply sub –	7		Opposes AWU proposal as the ED is	Para 8.1	1

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	WBC	<u>6May2016</u>			consistent with s.147 of the Act given		
					the operation of clauses 7.4(b), 8.1 and		
					8.2. Variation is unnecessary.		
	AA	Sub-16May16			Supports amendment proposed by GA.	Paras 1.3 and	
					Does not agree with AWU that s.147	2.2	
					of Act automatically provides		
					entitlement to overtime to casuals.		
	TA	Sub-10Jan17			Opposes AWU's proposal.	Para 15	
	GA	Sub-10Jan17			Maintains opposition to AWU's	Para 1	
					proposal.		
	GA	Sub-20Jan17			Opposes AWU's proposal.	Para 15	
	TA	Sub-20Jan17			Still opposes AWU's proposal.	Paras 4-30	
					Provides ground for opposition.		
	AWU	Sub-27Jan17			Still pursuing claim. Provides grounds	Paras 21-24	
					for claim.		
	BusSA	Sub-31Jan17			Opposes AWU's proposal.	Pg 1	
	TA&GA	Sub-7Feb17			Still opposed to AWU's proposal.	Paras 22-69	
	ABI&NS	Sub-7Feb17			Still opposed to AWU's proposal.	Para 2	
	WBC				Repeat and rely upon previous		
					submissions.		
	AFEI	Sub-7Feb17]		Opposes AWU's proposal. It would	Paras 8-9	
					introduce a substantial and		
					unwarranted change to current award.		
	AWU	Replysub-			Rejects TA's arguments per 20Jan17	Paras 20-26	
		13Feb17			submissions.		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure	CLAUSE (current	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
			draft)	award)			
7.	ABI&NS	<u>Sub-14Apr16</u>	7.4(b)(i)	13.2	Casual employees – Casual loading	Para 8-8.1	AGREED - 'Minimum
	WBC				Insertion of clause reference to clause		hourly rate' to be inserted
					10 ED appropriate. Or insert definition		into Schedule G, see
					of minimum hourly rate in Sched G.		Report to Full Bench
	GA	Reply sub –			Support ABI proposal to insert	Paras 12-13	
		<u>5May16</u>			minimum hourly rate definition.		Refer to <u>FA's submissions</u>
	AWU	Reply sub –			Not opposed to either of ABI's	Para 4	dated 26 May 2016 at 2.9.
		<u>5May16</u>			proposals. Notes reference to		
					'minimum hourly rate' at cl.9.1(b)		
					does not account for 250% public		
					holiday loading when employee works		
					through their meal break on a public		
					holiday.		
	BusSA	Reply sub –			Agree with ABI&NSWBC.	Para 6.4	
		<u>6May16</u>					
	AA	Sub – 16May16			Does not oppose GA's proposal.	Para 1.3	
	ABI&NS	Sub-7Feb17			Still pressing claim. Repeat and rely	Para 2	
	WBC				upon previous submissions.		
8.	AA	Sub-07Mar16	7.4	13	Casual employees	Para B.1	AGREED - Clause to be
					Suggests words "in accordance with		varied after the words "for
					Schedule B – Summary of Hourly		the work being
					Rates of Pay (B.2) Casual employees"		performed", see Report to
					be added to clause.		Full Bench

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	ABI&NS WBC	Reply sub – 6May2016			Not opposed, though not strictly necessary as current drafting does not create ambiguity.	Para 8.2	
9.	FWO	Corro-02Mar15	7.4(b)(ii), 18.3	13.3, 26.3(e)	Casual employees Rates payable to casuals on public holidays are unclear.	Para 17	OUTSTANDING - Parties do not see an ambiguity, save for if overtime is
	FA	Sub-26May16			Wording not ambiguous as casuals don't receive overtime – agrees with submission of AA.	Para 2.1-2.9	worked by a casual on a public holiday. To the extent this related to casual entitlement to overtime, this remains an area of dispute on which it is unlikely the parties will come to agreement, see Report to Full Bench FA's position is set out at 2.8 of its submissions dated 26 May 2016
9A	GA	<u>Sub-12Nov15</u>	7.4(c)(ii)	13.5	Casual employment Seeks to vary clause with the effect that casual employees classified at Level 5 may be engaged for a minimum period of one hour's work.	Para 18-19	AGREED - Clause to be varied with the effect that casual employees classified at Level 5 may be engaged for a minimum
	AA	<u>Sub – 16May16</u>			Does not oppose proposed amendments.	Para 1.3	of one hour's work, see Report to Full Bench.
10.	AA	<u>Sub-07Mar16</u>	8.1	24.1	Ordinary hours of work and rostering: application of overtime	Para C-C.3	OUSTANDING - The positions of the parties

AM2014/227

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	AWU	Reply sub – 5May16	_		provisions to casuals Clause deviates from current award which appears to limit the hours that do not apply to casuals. New wording has universal application. Agrees wording has universal application, consistent with the current award. Does not accept AA's argument regarding payment of overtime for casuals on weekends. Casual employees are worse off on weekends and public holidays, and are precluded from favourable penalty rates afforded to full time and part time employees.	Paras 5–8	remain as set out in the Summary of Submissions published 20 May 2016, save that FA's position is set out at 2.1-2.7 and 2.9 of its submissions dated 26 May 2016, see Report to Full Bench
	ABI&NS WBC	Reply sub – 6May2016			Agrees with AA's submissions However submits that proposed amendment to cl.14.2 not strictly necessary as the current drafting does not give rise to ambiguity.	Para 8.3	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	FA	<u>Sub-26May16</u>			Wording not ambiguous as casuals	Para 2.1-2.9	
					don't receive overtime – agrees with		
					submission of AA and ABI&NSWBC.		
	GA	Sub-10Jan17			Clause has a different legal effect from	Paras 2, 7-19	
					the current award. Provides basis for		
					claim.		
	TA	Sub-10Jan17			Clause has a different legal effect from	Paras 16, 18	
					current award. Adopts GA's		
					comments on the basis for this.		
	GA	Sub-20Jan17			Still submits ED clause has a different	Paras 15-40	
					legal effect. Drafting of clause 8		
					should be changed to the wording of		
					current award cl 24. Provides		
					justification for claim.		
	TA	Sub-20Jan17			Opposes variation arising from	Paras 4-30	
					drafting of clause. Drafting of clause 8		
					should be changed to the wording of		
					current award cl 24. Provides		
					suggested wording and justification		
					for claim.		
	ABI&NS	Sub-7Jan17			Agrees with GA and TA's	Paras 1-2	
	WBC				submissions dated 10 and 20 Jan 17.		
					Repeat and rely on previous		
			_		submissions.		
	AFEI	Sub-7Feb17			References to full-time and part-time	Para 7	
					employees in cl 8.1 and 8.2 have been		
					removed. This would have the effect		
					of extending overtime to casual		
					employees working outside the span of		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
					hours and/or in excess of 38 hours per week. Opposed to this substantive change.		
	AWU	Replysub- 13Feb17			Rejects specific evidence and submissions from TA and GA relating to payment of overtime to casuals.	Paras 20-51	
11.	GA ABI&NS WBC	<u>Sub-14Apr16</u> <u>Sub-14Apr16</u>	8.3	24.2	Ordinary hours of work and rostering If overtime is payable to casual employees, should clause 8.3 be amended to include casuals Unclear whether casuals are entitled to overtime when working outside ordinary hours and ED should be amended to clarify this. Party submits casual employees are not entitled to overtime if they work in	Para 1-2 Para 8.2	OUSTANDING - The positions of the parties remain as set out in the Summary of Submissions published 20 May 2016, save that FA's position is set out at 2.1-2.7 and 2.9 of its submissions dated 26 May 2016. Parties remain in dispute regarding the Commission's question. See Report back to the FWC dated 29 August 2016.
	BusSA AWU	<u>Sub-15Apr16</u> <u>Sub-19Apr16</u>	_		excess of ten hours on any one day. Party submits casual employees are not entitled to overtime and only full-time and part time employees are. Party submits casuals are to be paid overtime. Clause 14.1 does not exclude casuals and applies to all employees. Proposed wording for	Para 6.2.1 Para 7-9	
	GA	Reply sub – 5May16	-		clause 8.3 in submission. AWU has not provided support for its assertions and fails to address Award's intent to exclude casuals from ordinary	Paras 2-4	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
					hours of work. Variation to hours of		
					work clause would be a substantial		
					change.		
	AWU	Reply sub –			Opposes submissions of ABI and and	Paras 9–14	
		<u>5May16</u>			BusSA, noting inconsistency between		
					clauses 8.3 and 14.1. Proposes words		
					'for a full-time or part-time employee'		
					be removed. Rejects GA's argument		
					that casual employees not governed by		
					ordinary hours, consistent with s62(1)		
					of the Act.		
	BusSA	Reply sub –			Agrees with GA, disagrees with	Paras 6.5, 6.6	
		<u>6May16</u>			AWU. Relies on its earlier submission.	and 6.12	
	ABI&NS	Reply sub –			Opposes AWU's proposed	Para 8.4	
	WBC	6May2016			amendment. Rely on para. 8.2 of		
					submissions of 15 April 2016. Agrees		
					with submissions of BusSA and GA.		
	AFEI	Reply sub –			Agrees with BusSA and AiG that	Para 32	
		9May2016			extending clause to casual employees		
					would involve a substantial change.		
	AA	<u>Sub – 16May16</u>			Does not oppose amendment proposed	Para 1.3	
					by GA.		
	FA	Sub-26May16			Wording not ambiguous as casuals	Para 2.1-2.9	
					don't receive overtime – agrees with		
					submission of AA, ABI&NSWBC and		
					BusSA.		
	AA	Sub-22Dec16			Clause should be incorporated as it	Pg 2	
					appears in the ED published 29 July		
					2016, without reference to casuals.		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	GA	Sub-10Jan17			Maintains position that overtime is not currently and should not become payable to casual employees. Provides basis for this.	Paras 3, 7-19	
	TA	Sub-10Jan17			Overtime is not currently payable to casual employees.	Para 17	
	AWU	<u>Sub-27</u> <u>Jan17</u>			Still pursuing claim that casuals are entitled to overtime. Provides grounds for claim.	Paras 16-20, 28-41	
	TA&GA	Sub-7Feb17			Still pursuing claim that casuals are not entitled to overtime. Provides justification for claim.	Paras 22-69	
	ABI&NS WBC	Sub-7Feb17			Still opposed to claim. Repeat and rely upon previous submissions.	Para 2	
	AFEI	Sub-7Feb17			Notes and agrees with submissions from TA and GA dated 10 Jan 17. Submits overtime does not apply to casual employees.	Para 6	
11A.	AA	Sub-22Dec16	11.1		Allowances Insert the following in the first sentence prior to the full stop: ', provided that employees engaged under sub-clause 7.3 (as part-time), shall be paid all allowances on a prorata, hourly, basis.'	Pg 2-3	OUTSTANDING
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
11B.	TA	Sub-20Jan17	14		Overtime Seeks clause be varied to clarify casual employees are not entitled to overtime.	Para 4	OUTSTANDING
11C.	GA	Sub-20Jan17	14.1(a)		Overtime – Definition of overtime Delete, substitute with: 'Overtime work is any work performed outside of ordinary hours, on any day or shift, as defined by clause 8—Ordinary hours of work and rostering.'	Para 23	OUTSTANDING
	TA				Clause should be deleted and substituted. Suggests same wording as GA.	Paras 13-30	
12.	BusSA	Sub-02Mar15	11.2(b)	18.4	Broken shift allowance The term 'excess fares' is used but not defined and no explanation of the application of the allowance is provided.	Page 6	WITHDRAWN – see Report to Full Bench BusSA has withdrawn its proposal, see Summary of Positions. In Corr-31/01/17, BusSA note summary not updated to reflect submission re item 11 withdrawn on 30 June 2016, PN [727]. BusSA refer to Sporting Orgs Award in corr-31/01/17. However, no item 11 in summary for

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
							this award. PN [727] appears to be referring to Fitness Award.
13.	GA	Sub-14Apr16	14.3	26.2	Overtime – Break between shifts Parties are asked to clarify whether the 10 hour break is between the end of overtime on one day/shift and the beginning of ordinary hours on the next day/shift Party submits appropriate for employees in gymnastics clubs as unpredictable length of gymnastics competitions means that instructors may be required to work unrostered overtime.	Para 9-16	AGREED - Clause to be varied, see Report to Full Bench for wording. See proposed wording in attachment (note ABI&NSWBC have proposed slightly varied wording that has not been considered by the parties).
	BusSA	<u>Sub-15Apr16</u>			Whilst a shift is not defined in the fitness industry, it is commonly seen as a regular system of work.	Para 6.2.2	
	AWU	Sub-19Apr16			10 hour break is between the end of work one shift and the beginning of ordinary hours on the next shift. Proposed clause amendment in submission.	Para 10-11	
	GA	Reply sub – 5May16			AWU's submission does not account for the word "rostered" in current Award and proposed variation would result in further ambiguity. Party adopts BusSA's submissions.	Paras 8-11	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	AWU	Reply sub – 5May16 Reply sub – 6May16			Rejects BSA and GA reasoning about operation of 'rostered'. Proper construction is a 10 hour break between the end of overtime on one shift and the beginning of ordinary hours on next shift, or a 200% loading is applicable. Relies on previously proposed clause amendment. Agrees with GA, disagrees with AWU. Clause clearly states the break operates between 'rostered shirts' – nothing in clause suggests the 10 hour	Paras 15–21 Paras 6.7, 6.8 and 6.13	
	ABI&NS WBC AA	Reply sub – 6May2016 Sub – 16May16			break begins at the end of overtime. Opposes AWU submissions, agrees with BusSA and GA. 10 consecutive hours must be measured from time of cessation of work in one work period and commencement of work in next, regardless of nature of work involved.	Para 8.6 Paras 2.3 and 2.4	
					Operation of clause should be limited to circumstances wherein the employee has worked for a period in excess of 3 consecutive hours, in first instance, prior to any additional premium being applied to work commencing without a 10 consecutive hour break.		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
14.	GA	<u>Sub-14Apr16</u>	Proposed new clause 15.X	New clause	Annual leave – close down Propose insertion of the annual leave close-down provision.	Para 1-22	AGREED - Clause to be varied, see Report to Full Bench for proposed
	ABI&NS WBC	Reply sub – 6May2016	13.A		Supports GA's proposal	Para 8.7	wording.
	AA	Sub – 16May16			Support GA's submissions and proposed variation	Para 1.3	Proposal amended to provide for only one period per year.
							See proposed amended wording.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
14A.	AA	Sub-4Aug16	18.3		Payment for working on a public holiday Submits 'at the rate of 250% of the minimum hourly rate' at the end of the second sentence should be deleted.	Pg 2	<u>OUTSTANDING</u>
14B.	AA	Sub-4Aug16	19.3		Job search entitlement Asks whether clause applies to casual employees. Submits if the clause does not apply to casuals, it should be amended to make this clear.	Pg 2	OUTSTANDING
15.	TA	Sub-11Feb15	Schedule A	B.1.1(e), B.2.2(b), B.4.1, B.6.1, B.7.1	Classification definitions Award should be more explicit in specifying coverage for tennis coaches. They also propose additional text in the classifications schedule to include tennis coaching in a number of classification levels.	Attachment pages 1-2	AGREED - Clause to be varied as per TA's submission filed on 11 February 2015, see Report to Full Bench
	FA	Sub-02Mar15			The variations proposed by Tennis Australia not opposed.	Para 3	
	AA	<u>Sub–16May16</u>			Does not oppose TA's proposed amendments.	Para 1.1	
16A.	SA & ASCTA	Sub-26Feb15	Schedule A	Schedule B	Classification definitions Classifications relating to Swim Teachers, Coaches and Support Staff engaged in swim schools should be amended.	Page 1	AGREED - Proposed wording is in AA submission of 7 March 2016, They are not opposed and AA seeks
	AA	<u>Sub – 16May16</u>			Does not oppose GA's proposed amendments	Para 1.3	their incorporation into the ED, see Report to Full Bench

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	AA	Sub-07Mar16			Party proposes to remove redundant references to elements of relevant training package, remove references to specific competencies and rely upon more accurate descriptions. Proposes to remove corporate branding of training products and redraft some aspects of the current wording to clarify the cross-over points between Levels 1, 2 and 3. Proposed Schedule A in submission.	Para D-D.3	
	BusSA	Reply sub – 6May16			Disagrees with proposed additions of AA. Proposal would result in substantive change.	Paras 6.9 and 6.14	BusSA's previously notified objection is withdrawn, see <u>Summary of Positions</u> .
	ABI&NS WBC	Reply sub – 6May2016			Does not oppose AA's proposed amendment.	Para 8.8	
	AWU	Sub-11Jan17			Opposed to SA & ASCTA's submission.	Pages 1-2	
16B.	GA	Sub-12/11/2015			Seeks to vary classifications to better reflect the nature of work performed by gymnastics coaches.	Paras 11-17	AGREED - GA detailed proposed amendments in its submission. These have been agreed by interested parties/are not opposed and GA seeks their incorporation into ED, see Report to Full Bench.
	GA	Sub-20Jan17	-		Provides justification and evidence in	Paras 5-40	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
					support of submission.		
17.	AA	Sub-22Dec16	Sched A1.1(a)		Classification Definitions – Level 1 Add 'and assisting with swimming and water safety teaching'.	Pg 3	<u>OUTSTANDING</u>
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.	Para 8.4	
18.	AA	Sub-22Dec16	Sched A1.1(a)		Add new subclause: '(x) swimming and water safety teaching'.	Pg 3	<u>OUTSTANDING</u>
	ASCTA	Sub-10Jan17			Add new subclause: '(x) Trainee Swimming Instructor working under direct supervision'.	Pg 3	
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.	Para 8.4	
19.	AA	Sub-22Dec16	Sched A.2.1(a)		Classification Definitions – Level 2 Delete and replace clause. Suggests replacement wording.	Pg 3	OUTSTANDING
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.	Para 8.4	
20.	AA	Sub-22Dec16	Sched		Add the words 'pool plant operating'.	Pg 4	OUTSTANDING
	ASCTA	Sub-10Jan17	A.2.2(b) (ii)		Add the words 'and Pool Plant operations' at the end of sentence.	Pg 3	
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.	Para 8.4	
21.	AA	Sub-22Dec16	Sched A.2.2(b)		Delete and replace subclause (xiii). Suggests substitute wording.	Pg 4	<u>OUTSTANDING</u>
	AA	Sub-20Jan17	(ii)		Provides further justification and evidence in support of submission.	Para 8.4	
22.	AA	Sub-22Dec16	Sched		Classification Definitions – Level 3	Pg 4	OUTSTANDING

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
			A.3.3		Delete and replace clause. Suggests		
					substitute wording.		
	AA	<u>Sub-20Jan17</u>			Provides further justification and	Para 8.4	
					evidence in support of submission.		
23.	ASCTA	Sub-10Jan17	Sched		Replace 'performed' with 'attended'	Pg 4	<u>OUTSTANDING</u>
			A.3.3(a)(i)		and insert 'at Level 2' after 'teaching.		
24.	ASCTA	Sub-10Jan17	Sched		Insert 'at level 2' following 'teaching'.	Pg 4	OUTSTANDING
			A.3.3(a)(ii)				
25.	AA	Sub-22Dec16	Sched		Classification Definitions – Level 4	Pg 4	OUTSTANDING
			A.5.3		Delete and replace clause. Suggests		
					substitute wording.		
	AA	<u>Sub-20Jan17</u>			Provides further justification and	Para 8.4	
					evidence in support of submission.		
26.	ASCTA	<u>Sub-10Jan17</u>	Sched		Replace 'performed' with 'attended'	Pg 4	OUTSTANDING
			A.5.3(a)(i)		and insert 'at Level 3' after 'teaching.		
27.	ASCTA	Sub-10Jan17	Sched		Insert 'at level 2' following 'teaching'.	Pg 4	OUTSTANDING
			A.5.3(a)(ii)				
28.	ASCTA	<u>Sub-10Jan17</u>	Sched		Replace 'performed' with 'attended'.	Pg 4	<u>OUTSTANDING</u>
			A.5.3(b)(i)				
29.	AA	Sub-22Dec16	Sched		Summary of Hourly Rates of Pay –	Pg 5	OUTSTANDING
			B.2.1		Casual employees		
					In the absence of any further changes		
					to cl 8, table should not contain		
					overtime rates for casual employees.		
	AA	Sub-20Jan17			Provides further justification and	Para 8.4	
					evidence in support of submission.		
30.	AA	Sub-22Dec16	Sched C.1		Summary of Monetary Allowances	Pg 5	OUTSTANDING
					Notes clause may need redrafting,		
					consistent with views in relation to		

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
			urur)	u wara)	clause 11.		
31.	AA	Sub-22Dec16	Sched F		2016 Part-day Public Holidays Asks if this provision is now redundant.	Pg 6	OUTSTANDING
32.	AA	Sub-22Dec16	Sched G		Definitions Add additional definition: 'centres'. Proposes wording in submission.	Pg 6	OUTSTANDING
	AA	Sub-20Jan17			Provides further justification and evidence in support of submission.	Para 8.2	

List of abbreviations (in alphabetical order)

AA Aussie Aquatics/Australian Swim Schools Association

ABI&NSWBC Australian Business Industrial & New South Wales Business Chamber

AFEI Australian Federation of Employers and Industries

ASCTA Australian Swimming Coaches and Teachers Association

AWU The Australian Workers' Union

BusSA Business South Australia

ED Exposure draft FA Fitness Australia

FWO Fair Work Ombudsman GA Gymnastics Australia

SA & ASCTA Swim Australia and Australian Swimming Coaches and Teachers Association

TA Tennis Australia