

REVISED SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions on technical and drafting issues which has been revised to include feedback from the conference on 28 March 2017 ([Transcript](#)).

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	AWU	Sub-20/01/17	2	Definitions Include definition of ‘shop day’ currently in clause 12.6 in clause 2.	Para 3	Withdrawn, see Transcript – 28/03/17 PN9-PN19.
	AFEI	ReplySub-22/02/17		Does not consider inclusion of definition necessary.	Para 15	
2	AFEI	Sub-18/01/17	4.1	Coverage First reference to ‘and their employees’ should be removed.	Para 14	Agreed, first appearing ‘and their employees’ to be deleted, see Transcript – 28/03/17 PN20-PN22.
	AWU	ReplySub-22/02/17		Agrees with AFEI’s submission.	Para 7	
3	AWU	Sub-20/01/17	13.4	Classifications – Grade 3 Racecourse Attendant Change ‘hare driver’ to ‘lure driver’.	Para 4	Agreed, ‘hare driver’ to be changed to ‘lure driver’, see Transcript – 28/03/17 PN22-PN26.
	AFEI	ReplySub-22/02/17		Does not oppose AWU’s proposed change.	Para 16	
	ABI & NSWBC	ReplySub-22/02/17		Agrees with AWU’s submission.	Para 5.1	
4	AFEI	Sub-18/01/17	17.2	Minimum wages – Junior employees Amend to refer to the ‘percentage of the minimum wage’.	Para 15	Agreed, amend 17.2 to ‘% of Introductory employee level rate’ in table heading and first sentence, see Transcript – 28/03/17 PN27-PN59.
	AWU	ReplySub-22/02/17		Disagrees with AFEI’s submission.	Para 8	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
5	AFEI	Sub-18/01/17	17.4	Minimum wages – School-based apprentices <i>In response to question raised by Commission</i> Schedule D—School-based Apprentices is not required.	Para 16	Agreed, clause 17.4 and Sched D to be deleted. Renumber clause 17.5 to to 17.4 and Sched E to Sched D. See Transcript – 28/03/17 PN59-PN63.
	AWU	ReplySub-22/02/17		Agrees with AFEI’s submission.	Para 9	
6	AWU	Sub-20/01/17	19	Payment of wages Proposes inserting a new subclause (19.1) providing for when full-time and part-time employees must be paid. Proposes to renumber current clause 19 as 19.2. Suggests wording of new subclause.	Para 5	Agreed, item to be withdrawn from technical and drafting issues, see Transcript – 28/03/17 PN64-PN66.
	ABI & NSWBC	ReplySub-22/02/17		AWU’s submission is a substantive claim.	Para 5.2	
7	AWU	Sub-20/01/17	20	Allowances Payment of allowances unclear. Proposes new wording of clause 20.	Para 6	Withdrawn, see Transcript – 28/03/17 PN67-PN75.
	ABI & NSWBC	ReplySub-22/02/17		Does not consider proposed amendments necessary.	Para 5.3	
	AFEI	ReplySub-22/02/17		Considers AWU proposal unnecessary	Para 17	
8	AWU	Sub-20/01/17	20	Allowances Allowances require correct numbering.	Para 7	Agreed, amend clause 20 by deleting the (i) in subclause (c), see Transcript – 28/03/17 PN67-PN91.
	ABI & NSWBC	ReplySub-22/02/17		Agrees with AWU’s submission.	Para 5.4	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
9	AFEI	Sub-18/01/17	20.1(b)	Allowances – Loss of clothing <i>In response to question raised by Commission</i> Allowance would be more appropriately treated as an expense-related allowance.	Para 17	Agreed, loss of clothing to become subclause of clause 20.2 and 20.1(c) to become 20.1(b), see Transcript – 28/03/17 PN91-93.
	AWU	ReplySub-22/02/17		Agrees with AFEI's submission.	Para 10	
10	AWU	Sub-20/01/17	20.2(d)	Expense-related allowances – Meal allowance \$10.74 is less than the current award provision of \$10.98.	Para 8	Agreed, meal allowance to be updated to \$10.98, see Transcript – 28/03/17 PN93-PN95.
	AFEI	ReplySub-22/02/17		Does not oppose AWU's proposal.	Para 18	
	ABI & NSWBC	ReplySub-22/02/17		Agrees the figure needs to be updated to \$10.98.	Para 5.5	
11	AFEI	Sub-18/01/17	Sched A.2.4	Summary of Hourly Rates of Pay – Method of adjustment <i>In response to question raised by Commission</i> ED does not require further clarification.	Para 18	Agreed, amend clause 11.5 by deleting full stop after 'classification' and inserting a comma followed by 'which is expressed in the tables in clause 12 as the minimum payment' and amend clauses 12.4, 12.5 by inserting 'see clause 11.5' to 'minimum payment' heading, see Transcript – 28/03/17 PN95-PN111.
	ABI & NSWBC	Sub-18/01/17		It is not necessary for the award to specify how the minimum payments in clauses 12.5 and 12.5 are calculated.	Para 6.1	
	AWU	ReplySub-22/02/17		Disagrees with AFEI and ABI & NSWBC.	Paras 4-6	

List of abbreviations (in alphabetical order)

ABI & NSWBC	Australian Business Industrial & New South Wales Business Chamber
AFEI	Australian Federation of Employers and Industries
AWU	Australian Workers Union
ED	Exposure draft