



Ground Floor, 133 Parramatta Rd  
Granville NSW 2142

## IN THE FAIR WORK COMMISSION

### s.157 – Variation of Modern Awards

**Matter no: AM2019/5259**

**Party:** “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Union (AMWU)

### REVIEW OF CERTAIN C14 RATES IN MODERN AWARDS

### SUBMISSIONS IN REPLY OF THE AUSTRALIAN MANUFACTURING WORKERS UNION (AMWU)

#### Introduction

1. On 22 September 2023 the Full Bench issued a Statement in this matter (“**September 2023 Statement**”)<sup>1</sup>, and invited submissions by interested parties on its provisional views. These submissions are in response to the issues raised by other parties filed in this matter. The AMWU continues to rely on its earlier submission of 10 November 2023<sup>2</sup>.

#### AiG Submission

2. The Australian Industry Group (**AI Group**) assertion that employees can indefinitely remain at the C14 level, performing unskilled tasks, is fundamentally at odds with the ethos and intent of the *Manufacturing and Associated Industries and Occupations Award 2022* (**Manufacturing Award**) to provide for workers to progress to higher levels of pay through acquisition of skills and knowledge. Mr. Baxter witness statement (at paragraph [6])<sup>3</sup> highlights that both C13 and C14 classifications are for those with limited skills and knowledge, but these classifications are stepping stones to higher levels as skills and knowledge increase, not permanent placements.

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<sup>1</sup> September 2023 Statement at [8]

<sup>2</sup> [AMWU submission](#) and Statement of Paul Baxter dated 10 November 2023

<sup>3</sup> [Witness Statement of Paul Baxter](#) dated 10 November 2023 (“Baxter Statement”) at paragraph [6]

3. Contrary to the AI Group interpretation<sup>4</sup>, Mr. Baxter witness statement (at paragraphs [4] and [5])<sup>5</sup> reinforces our assertion that the classification system is skill and knowledge-based. It is not, and should not be, a mechanism for indefinitely employing workers at the lowest possible wage scale without regard to skill acquisition or knowledge enhancement.
4. The AI Group interpretation of **Proposed Principle 1 and 2**<sup>6</sup> lacks clarity and fails to consider the practical application within the workplace. the AMWU presses its submission that, is that progression from C14 to C13 does not necessitate formal training or certification but is based on the acquisition of skills and knowledge relevant to the workplace<sup>7</sup>.
5. The AMWU supports the view the Construction, Forestry, Maritime, Mining and Energy Union (Manufacturing Division) (**CFMMEU**) proposed in their submission<sup>8</sup> filed on 8 November 2023 in regard to the C14 classification in the Manufacturing Award . Our view is also that the C14 rate, if the Commission's view is to retain it, it should be limited in scope to a maximum of 38 hours induction only and that on completion of such induction an employee will transition automatically to the next level C13.
6. The AMWU also believe that the interpretation of AIG Group of the Vehicle, Repair Services and Retail Award 2020 (**Vehicle Award**) according to which an employee may be classified indefinitely at the C14 level under the Vehicle Award, it is not correct and should not be supported as explained in our previous submission of 10 November 2023<sup>9</sup>.

## Conclusion

7. The AMWU maintains its position that the C14 classification, as currently utilised in the Manufacturing Award does not warrant inclusion as a long-term or ongoing employment rate. It serves, at most, as an induction classification, as evidenced in Mr. Baxter witness statement (Paragraph 7), which clearly outlines that the C14 classification might cover an

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<sup>4</sup> AIG submission dated 6 November 2023 at [13], [14] and [15].

<sup>5</sup> Mr. Baxter statement at paragraph [4] and [5]

<sup>6</sup> September 2023 Statement at [8], AIG submission dated 6 November 2023 at [9], [10], [11], [12], [13], [14], [15], [16] and [17].

<sup>7</sup> [AMWU submission](#) and Statement of Paul Baxter dated 10 November 2023 at paragraph [6],[7], and [8]

<sup>8</sup> Construction, Forestry, Maritime, Mining and Energy Union (Manufacturing Division) (**CFMMEU**) submission dated 8 November 2023 at paragraph [17]

<sup>9</sup> [AMWU submission](#) dated 10 November 2023 at paragraph [18] and [19]

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induction process, especially for inexperienced workers. This aligns with our view that the C14 classification is a transitional phase, not a sustainable employment level.

8. Mr. Baxter witness statement (Paragraph 9)<sup>10</sup> indicates that ongoing employment at the C13 level is rare, reinforcing our position that the C13 classification should not be seen as an ongoing minimum rate but a stepping stone to a higher classification as employees acquire more skills and knowledge.



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1 December 2023

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<sup>10</sup> Witness Statement of Paul Baxter dated 10 November 2023

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