

## Information note—Junior rates in the *Hospitality Industry (General) Award 2020*

*This is a background document only and does not purport to be a comprehensive discussion of the issues involved. It does not represent the view of the Commission on any issue.*

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### 1 Introduction

This information note provides a history of the junior rates clause in the *Hospitality (General) Award 2020*, (the Hospitality Award), specifically in relation to the two streams of juniors contained in the award.

On 9 December 2020, the Fair Work Commission (the Commission) received a letter<sup>1</sup> from the Minister for Industrial Relations expressing the Government’s view that:

‘...in the extraordinary circumstances that have been caused by the COVID pandemic that it would be in Australia’s economic best interest for the Fair Work Commission to use its powers under s.157(3)(a) of the Fair Work Act 2009 (the Act) to undertake a process to ensure several priority modern awards in sectors hardest hit by the pandemic be amended. The process would be envisaged, if you considered it appropriate, to maintain a focus on key changes that could potentially support Australia’s economic recovery. The Government would obviously provide every available assistance to ensure the timely and comprehensive conduct of this process.’

The *Hospitality Industry (General) Award 2020* (Hospitality Award) was one of the awards identified in the Minister’s letter as a priority modern award.

The Minister’s letter identified a number of award related flexibility measures that ‘could prove critically important for providing businesses in the most distressed part of the economy with the confidence to increase hiring during the recovery’. One of those measures was the further

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<sup>1</sup> [Letter from The Hon Christian Porter MP](#), 9 Dec 2020

streamlining of present classification structures so that they are clearer, easier to understand and simpler to apply.

In a Statement<sup>2</sup> issued 1 December 2020, the Commission commenced a process on its own motion under s.157 of the *Fair Work Act 2009* in relation to the Hospitality Award. The Statement indicated that the process would consider the inclusion of loaded rates and exemption rates clauses in the priority modern awards and would also consider whether any changes can be made to simplify the classification structures in the priority modern awards and any other changes proposed by any interested party.<sup>3</sup> Initial conferences were held on 17 and 18 December 2020.

In a Statement<sup>4</sup> issued 21 December 2020, the Commission indicated that at the conference held in relation to the Hospitality Award, the *Restaurant Industry Award 2020* and the *Registered and Licenced Clubs Award 2020* the following award specific point was raised:

“The Hospitality Award contains two different streams for junior employees (‘junior office employees’ and ‘other than junior office employees’) which may be able to be consolidated.”<sup>5</sup>

This Information Note has been prepared to facilitate discussion regarding the Hospitality Award and the two streams for junior employees.

## 2 Current Hospitality Award provisions

Clause 2 of the Hospitality Award defines a junior employee as ‘an employee who is less than 21 years of age and who is not undertaking a nationally recognised traineeship or apprenticeship.’<sup>6</sup>

Rates of pay for junior employees are outlined at clause 18.4 of the Hospitality Award. Clause 18.4 provides for two different streams of junior employees, one applying to junior office employees and one for other than junior office employees. The current clause 18.4 appears as follows:

### 18.4 Junior rates

NOTE: Junior employee is defined in clause 2—Definitions.

#### (a) Junior employees (other than junior office employees)

An employer must pay a junior employee, who is not a junior office employee, aged as specified in column 1 of **Table 5—Junior employees (other than junior office employees)** the minimum percentage specified in column 2 of the minimum rate that would otherwise be applicable under **Table 3—Minimum rates**.

**Table 5—Junior employees (other than junior office employees)**

Column 1	Column 2
Age	% of minimum rate
16 years of age and under	50%
17 years of age	60%

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<sup>2</sup> [\[2020\] FWC 6636](#)

<sup>3</sup> [\[2020\] FWC 6636](#) at [11]

<sup>4</sup> [\[2020\] FWC 6931](#)

<sup>5</sup> [\[2020\] FWC 6931](#) at [10]

<sup>6</sup> See [clause 2](#)

Column 1	Column 2
Age	% of minimum rate
18 years of age	70%
19 years of age	85%
20 years of age	100%

**(b) Junior office employees**

An employer must pay a junior office employee aged as specified in column 1 of **Table 6—Junior office employees** the minimum percentage specified in column 2 of the minimum rate that would otherwise be applicable under **Table 3—Minimum rates**.

Table 6—Junior office employees

Column 1	Column 2
Age	% of minimum rate
15 years of age and under	45%
16 years of age	55%
17 years of age	65%
18 years of age	75%
19 years of age	90%
20 years of age	100%

There are no specific classification descriptions for junior employees in Schedule A to the Hospitality Award (which sets out the Award's classification structure and definitions), nor is there any discussion of the distinction between the two types of junior employees in clause 13—Junior employees.

The Hospitality Award permits deductions from employee wages (including junior rates) for accommodation and meals. The Hospitality Award provides for only one deduction rate for **all junior employees**, regardless of which stream they are employed and paid under.

### 3 History of junior rates in the Hospitality Award — Award Modernisation

The [Hospitality Industry \(General\) Award 2010](#) (the Hospitality Award) was created on 19 December 2008 by the Australian Industrial Relations Commission (AIRC) acting pursuant to the

award modernisation request made by the Minister for Employment and Workplace Relations under the *Workplace Relations Act 1996*. The Hospitality Award commenced operation on 1 January 2010.

The Award Modernisation process was conducted by a Full Bench of the Australian Industrial Relations Commission (AIRC) in response to a request from the Minister for Employment and Workplace Relations pursuant to s.576C(1) of the *Workplace Relations Act 1996*.

The Catering industry, Liquor & accommodation industry and the Restaurant industry (which included the Clubs industry) were considered together in the priority industry stage of the Award Modernisation process.

During consideration of this group of awards, several interested parties made submissions (see Attachment 1), with some parties also providing their own drafts of the proposed Hospitality Award.

## 4 Publication of exposure draft

In a Statement<sup>7</sup> issued on 12 September 2008, regarding the making of the first 14 modern awards, the Award Modernisation Full Bench announced its decision to draft a single award for the hospitality industry, but noted that it had deferred consideration of whether licensed and registered clubs and off-shore island resorts should be included within the scope of that award.<sup>8</sup> In deciding to make a single award for this industry, the Full Bench expressed the provisional view that:

... the nature of work in the hospitality industry and the terms and conditions of employment in federal awards and NAPSAs do not provide any insurmountable obstacle to the making of a single modern award, being a safety net, in the hospitality industry. There are some differences in the relevant awards' terms and conditions, but they are not so great as to require the making of a series of separate modern awards for the various sectors of the industry.<sup>9</sup>

Additionally, the Full Bench made particular mention of clerical classifications in the Hospitality Award, stating that:

[52] We have included the clerical structure from The Hospitality Industry – Accommodation, Hotels, Resorts and Gaming Award 1998 in the draft notwithstanding proposals by the Australian Municipal, Administrative, Clerical and Services Union (ASU) and the Liquor, Hospitality and Miscellaneous Union (LHMU) that we should incorporate the full private sector clerical classification structure from the Clerical and Administrative Employees (Victoria) Award 1999. The expansion of the clerical classifications, which apply in most current hospitality industry awards, would need to be the subject of further consideration, with appropriate information as to the practical requirement, if any, for higher clerical classification levels in the hospitality industry. It may be that a transitional provision would be required in respect of some employees currently classified at a higher level, as might arise under Queensland NAPSAs.<sup>10</sup> (footnotes omitted)

An [exposure draft](#) of the *Hospitality Industry (General) Award 2010* was published with that Statement. The Exposure Draft included rates of pay for junior employees in the two streams that appear in the current award, though the percentage rates for each age group differed. Clause 19.5 of the Exposure Draft provided as follows:

### 19.5 Juniors

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<sup>7</sup> [\[2008\] AIRCFB 717](#).

<sup>8</sup> [\[2008\] AIRCFB 717](#) at [46].

<sup>9</sup> [\[2008\] AIRCFB 717](#) at [46].

<sup>10</sup> [\[2008\] AIRCFB 717](#) at [52].

## Junior employees (other than office juniors)

The minimum rates of wages for junior employees are the undermentioned percentages of the rates prescribed for the appropriate adult classification for the work performed for the area in which such junior is working:

<b>Age</b>	<b>%</b>
17 years and under	70
18 years	80
19 years	90
20 years	Full adult rate

## Junior office employees

The minimum rates of wages for junior office employees are the undermentioned percentages of rates prescribed for the grade in which they are working:

<b>Age</b>	<b>%</b>
Under 16 years:	50
16 years	60
17 years	70
18 years	80
19 years	90
20 years	Full adult rate

This appears broadly consistent with that which appears in Liquor, Hospitality and Miscellaneous Union (LHMU, as it then was) draft [Hospitality Industry Modern Award](#) dated 1 August 2008, see clauses 4.5.1 and 4.5.2.

## 5 Making of the Modern Award

Several parties made submissions relating to the Exposure Draft after its publication (see Attachment 2).

Transcript of the hearing held on [31 October 2008](#) deals with the hospitality industry, but there is minimal discussion of junior rates, primarily that of the representative for the Australian Hotel, Motel and Accommodation Association and Restaurant & Catering Australia. The representative said (at PN263):

'... compared to other industries what we're proposing here are reasonable junior rates and that the junior rates that have been set in hotels are not appropriate because they're designed for different settings and probably, if any effect, deter the employment of juniors.'

The provisional view regarding the making of one modern award for the hospitality industry was confirmed by the Full Bench in its Decision of 19 December 2008<sup>11</sup>, in which the [Hospitality Industry \(General\) Award 2010](#) was made. This decision also confirmed the adoption of the clerical structure from *The Hospitality Industry—Accommodation, Hotels, Resorts and Gaming Award 1998* into the Hospitality Award.<sup>12</sup>

Importantly, the December 2008 Decision included discussion concerning junior rates that would be set in the Hospitality Award, which identifies the origins of the rates for junior employees:

**[136]** These rates, for juniors other than office employees, are based on those in the Motels, Accommodation and Resorts Award 1998 (the Motels award) and the Liquor and Accommodation Industry - Restaurants - Victoria - Award 1998. They better reflect the junior rates in NAPSAs and will avoid cost increases which most employers in the industry would otherwise face. We have added a junior rate for employees 16 years and under at the rate of 50 per cent of the relevant classification rate, reflecting additional junior rates at lower ages in a number of NAPSAs. The rates for junior office employees are more reflective of existing hospitality awards generally.<sup>13</sup> (footnotes omitted)

The Full Bench added that the effect of these rates could be addressed in the finalisation of transitional arrangements.<sup>14</sup>

The rates contained in the Hospitality Award, as originally published on 19 December 2008, are consistent with the current percentages.

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<sup>11</sup> [\[2008\] AIRCFB 1000](#) at [117].

<sup>12</sup> [\[2008\] AIRCFB 1000](#) at [127].

<sup>13</sup> [\[2008\] AIRCFB 1000](#) at [136].

<sup>14</sup> [\[2008\] AIRCFB 1000](#) at [137].

## ATTACHMENT A – submissions received prior to publication of exposure draft on 12 September 2008

Organisation	Submission	Date	Snapshot
Restaurant and Catering Australia	<a href="#">Restaurant and Catering - further submission</a>	25 August 2008	Submission relates to origin of evening allowance in pre-reform award
Australian Hotels Association	<a href="#">AHA - comparison of parties' draft awards</a>	22 August 2008	Includes comparison of junior rates proposed in party draft awards at 1.4 on pp.8-9 of submission
ACCI	<a href="#">Australian Chamber of Commerce and Industry - submission in reply</a>	19 August 2008	No submission specific to junior employees or the hospitality industry
Financial Planning Association of Australia	<a href="#">Financial Planning Association</a>	19 August 2008	Submission relates to default superannuation funds
AWU	<a href="#">AWU - submission in reply to Catering industry consultation</a>	18 August 2008	Does not relate to junior employees
LHMU	<a href="#">LHMU - supplementary submission</a>	14 August 2008	No mention of junior employees
CEPU	<a href="#">CEPU</a>	1 August 2008	Submission relevant to hospitality industry requests for proposed hospitality award to not contain electrical trades classifications; no mention of junior employees in this industry
Local Government Association of NSW	<a href="#">Local Government Association of NSW</a>	1 August 2008	Submission relevant to catering/hospitality industry seeks to exclude local government employees from coverage under any hospitality award
Victorian Employers' Chamber of Commerce and Industry	<a href="#">Victorian Employers' Chamber of Commerce and Industry</a>	1 August 2008	General submission; not specifically relevant to hospitality industry or junior rates

Organisation	Submission	Date	Snapshot
LHMU	<a href="#">LHMU - Hospitality industry</a>	1 August 2008	Draft modern award based on the <i>Hospitality Industry – Accommodation, Hotels, Resorts and Gaming - Award 1998</i> [AP783479CRV] (see paras 7-10 of sub). Clause 4.5—Juniors is taken from this award and contains two streams of rates (see last row of table on page 4 of sub and full clause at cl.4.5 of related <a href="#">LHMU draft award</a> ); submission also discusses coverage for clerical employees (see para 17 and notes related to clause 5.2—Classification definitions in page 6 of sub)
AFEI	<a href="#">Australian Federation of Employers and Industries</a>	1 August 2008	Submission does not mention junior employees
Ai Group	<a href="#">Australian Industry Group</a>	1 August 2008	Submission relevant to hospitality industry does not mention junior employees
LHMU	<a href="#">LHMU - Registered and Licensed Clubs</a>	1 August 2008	Submission relates to proposed Registered and Licensed Clubs Award; junior provisions in that proposed award are adopted from existing provisions in Licensed Clubs (Victoria) Award
Australian Business Industrial	<a href="#">Australian Business Industrial</a>	1 August 2008	Submission does not mention junior employees
AWU	<a href="#">Australian Workers Union</a>	1 August 2008	Submission does not mention junior employees
Industry Super Network	<a href="#">Industry Super Network</a>	1 August 2008	Submission relates to superannuation provisions
NSW Government	<a href="#">New South Wales Government</a>	1 August 2008	No discussion of junior rates in body of submission; comparative table of NSW awards shows majority contained Junior wages (tables at p.21-27)
Restaurant and Catering Australia	<a href="#">Restaurant and Catering Industry Association of Australia</a>	1 August 2008	Submission relates to proposal that there be a separate restaurant and catering industry modern award; proposed restaurant & catering award contains one stream of junior rates (at cl. 8.2 of Annexure A); Annexure D provides comparative table of junior rates in a range of related NAPSAs/pre-reform awards
Clubs Australia	<a href="#">Clubs Australia</a>	1 August 2008	Submission relates to proposal for a separate clubs award; no mention of junior employees
Investment and Financial Services Association	<a href="#">Investment and Financial Service Association</a>	1 August 2008	Submission relates to superannuation provisions

Organisation	Submission	Date	Snapshot
Commerce Queensland	<a href="#">Commerce Queensland</a>	1 August 2008	Submits it would seek to include junior rates in the industry award (para 4.4) also that including clerical employees would avoid overlay of different awards applying to one enterprise (para 4.1.4) though this relates to clerical employees generally rather than juniors specifically
CFMEU	<a href="#">Construction Forestry Mining and Energy Union</a>	1 August 2008	Submission relevant to hospitality industry only concerns inclusion of maintenance trade classifications in proposed modern award; no mention of juniors
AMWU	<a href="#">Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union - AMWU</a>	1 August 2008	Submission relates to proposal to include maintenance trades classifications in Hospitality modern award; no mention of junior rates
Off Shore Island Resort Operators	<a href="#">Off Shore Island Resort Operators</a>	1 August 2008	Seek to have classification structure and other non-standard working conditions from <i>Off Shore Island Resorts Award 2005</i> NAPSA inserted into Hospitality modern award; NAPSA does not appear to contain separate junior rates
Hotel Motel & Accommodation Association	<a href="#">Hotel Motel &amp; Accommodation Association</a>	1 August 2008	Submission relates to proposal to make separate accommodation industry award – junior rates included in proposed accommodation industry award adopts Federal Motels Award ( <i>Motels, Accommodation and Resorts Award 1998</i> ) wage scale - one stream of rates, but juniors engaged in 'sale of liquor' paid appropriate adult rate (Attachment A, p.4)
LHMU	<a href="#">Liquor hospitality and Miscellaneous Union</a>	1 August 2008	Submission primarily relates to proposal to make a separate award for licensed clubs industry; does not mention junior employees
ASU	<a href="#">Australian Services Union</a>	1 August 2008	Nothing in submission relates to junior employees
ACCI	<a href="#">Australian Chamber of Commerce and Industry</a>	1 August 2008	No submissions specific to hospitality industry/award
Chamber of Commerce & Industry	<a href="#">Chamber of Commerce and Industry WA</a>	1 August 2008	Sought saving of junior rates in Clause 22(2) of the <i>Restaurant</i> ,

Organisation	Submission	Date	Snapshot
WA			<i>Tearoom and Catering Workers' Award 1979</i> (WA NAPSA) for transitional period for state-based differences (see Appendix B paras 69-70)
Motor Trades Association of Australia	<a href="#">Motor Trades Association of Australia</a>	1 August 2008	Hospitality award/s should exclude businesses whose principle concern is the sale of petroleum, or mixed functions which involve the sale of petroleum (at para 8 on p.2 of sub)
ACTU	<a href="#">Australian Council of Trade Unions</a>	1 August 2008	No submissions specific to hospitality industry/award
Australian Hotels Association	<a href="#">Australian Hotels Association - National Office</a>	1 August 2008	Proposed one junior rates of pay scale based on (presumably federal) Hospitality Award clerical scale, with juniors working as 'liquor service employees' to be paid adult rate (see page 5); sought that certain junior rates in QLD, SA & WA awards be saved (see attachments A, B, C)
Australian Hotels Association - WA	<a href="#">Australian Hotels Association - WA</a>	1 August 2008	Noted distinction between WA NAPSA's and Federal Hospitality award that juniors aged 18-20 are paid junior rates where fed award requires adult rates for those serving/selling liquor; seek to retain junior rates in 3 WA NAPSA's in transitional arrangement considerations at Attachment A; seek for liquor service employee junior rates to be based on Monday-Friday introductory level rate in Proposed Additional Exclusion Transitional Clauses at Attachment B
Victorian Automobile Chamber of Commerce	<a href="#">Victorian Automobile Chamber of Commerce</a>	1 August 2008	Do not want ancillary duties in RS&R industry that might be captured in hospitality industry (e.g. roadhouse attendant) to be covered by Hospitality MA
Motor Trades Association of Queensland	<a href="#">Motor Trades Association of Queensland</a>	31 July 2008	Do not want food handling/sales functions ancillary to vehicle industry to be covered by Hospitality MA
Business SA	<a href="#">Business SA</a>	31 July 2008	No discussion of junior rates in hospitality award
Club Managers' Association Australia	<a href="#">Club Managers Association, Australia</a>	31 July 2008	Submission proposes a National Modernised Licensed Club Industry Award separate to the General Hospitality Award proposed by LHMU; proposed award does not contain junior rates
Central West Group Apprentices	<a href="#">Central West Group Apprentices</a>	30 July 2008	Submission primarily concerned with appropriate rates for apprentices

Organisation	Submission	Date	Snapshot
			and trainees
Group Training Australia	<a href="#">Group Training Australia</a>	29 July 2008	Submission primarily concerned with appropriate rates for apprentices and trainees; mentions junior rates in this context
Victorian Caravan Parks Association	<a href="#">Victorian Caravan Parks</a>	25 July 2008	Does not mention juniors; relates to hours of work and rostering, weekend and public holiday arrangements and rates, accommodation (incl. providing on-site accommodation) and after hours callouts, training wages
Maria's Italian Restaurant	<a href="#">Restaurants - Maria's</a>	24 July 2008	Does not mention juniors; relates to small business concerns such as business closures when owner/chef unable to work, equipment breakdown, hours, time in lieu, allowances, traineeship provisions and public holidays.
Minister for Superannuation and Corporate Law (Cth)	<a href="#">Default Superannuation Funds</a>	18 July 2008	Submission relates to default superannuation funds

Attachment B Submissions received between publication of exposure draft and making of the modern award

Organisation	Submission	Date	Snapshot
Australian Hotels Association	<a href="#">AHA - Transitional Arrangements</a>	3 December 2008	Proposed transitional rates for junior employees in SA (see p.2-4 & 9 of Transitional Schedule 1 – South Australia)
C. Biddle	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	3 November 2008	Relates to superannuation provisions
Restaurant and Catering Australia	<a href="#">further submission</a>	30 October 2008	Identified 'significant increase in the junior rates in most jurisdictions' as one of the most significant impacts on the industry (at para 2(e))
Australian Hotels Association - WA	<a href="#">further submission</a>	29 October 2008	Costs analysis – only reference to junior rates relates to junior liquor service employees being paid adult rates (separate issue)

Organisation	Submission	Date	Snapshot
Hotel Motel & Accommodation Association and Others	<a href="#">regarding Exposure Draft</a>	29 October 2008	Submitted junior rates clause (then clause 19.5) 'should be simplified so that all juniors receive the same percentage of the adult rate depending on their age' (at p.20). Also submitted deductions clause (then clause 38) was 'overregulated' and proposed alternative clause taken from AP787952. Proposed alternative does not include separate deduction rates for juniors 'as the cost of providing accommodation does not change depending on the age of the employee' (at pp.38-39)
LHMU	<a href="#">regarding Exposure Draft - further submission</a>	28 October 2008	No mention of junior employees/rates
Chamber of Commerce Northern Territory	<a href="#">regarding Indigenous organisations in remote areas</a>	23 October 2008	No mention of junior employees/rates
Restaurant and Catering Australia	<a href="#">Witness Statement - Summers</a>	23 October 2008	No mention of junior employees/rates
New South Wales Electrical Superannuation Scheme	<a href="#">regarding Exposure Draft</a>	20 October 2008	Relates to superannuation provisions
LHMU	<a href="#">Supplementary Submission regarding Exposure Draft</a>	20 October 2008	No mention of junior employees/rates
Restaurant and Catering Australia	<a href="#">Witness Statement - Butson</a>	17 October 2008	No mention of junior employees/rates
Restaurant and Catering Australia	<a href="#">Witness Statements - Doyle and Anecchini</a>	17 October 2008	No discussion of junior rates
RACQ Operations Pty Ltd	<a href="#">regarding Exposure Draft</a>	15 October 2008	Relates to superannuation provisions
Uniting Church Superannuation	<a href="#">regarding Exposure Drafts - Superannuation Clauses</a>	15 October 2008	Relates to superannuation provisions
Asian Women at Work	<a href="#">regarding Exposure Draft</a>	15 October 2008	No mention of junior employees/rates
CEPU	<a href="#">regarding Exposure Draft - General Submission</a>	12 October 2008	Relates to inclusion of maintenance trades classifications; no mention of junior rates/employees
AMWU	<a href="#">regarding Exposure Draft</a>	11 October	Relates to inclusion of maintenance trades classifications; no mention of

Organisation	Submission	Date	Snapshot
		2008	junior rates/employees
Queensland Government	<a href="#">regarding Exposure Draft - Superannuation clause</a>	10 October 2008	Relates to superannuation provisions
Sommeliers Australia - Victorian chapter	<a href="#">regarding Exposure Draft</a>	10 October 2008	Relates to inclusion of Sommelier classification; no mention of junior rates/employees
Australian Business Industrial	<a href="#">regarding Exposure Drafts</a>	10 October 2008	No mention of junior rates/employees; Hospitality Award only specifically mentioned in relation to superannuation provisions
AFEI	<a href="#">regarding Exposure Draft – Hospitality Industry (General) Award 2010</a>	10 October 2008	No mention of junior rates/employees
AFEI	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees; appears to be duplicate of above submission
Restaurant and Catering Australia	<a href="#">regarding Exposure draft - amended</a>	10 October 2008	Submission seeking a separate modern industry award for the restaurant and catering industry (p.1, para 3); sets out matters that are distinct to restaurant and catering industry, including junior rates (at p.9). R&CA submits that 'there is no reason for the rates for junior employees to be so substantially increased to Hotel levels as proposed in HIGA ... The junior percentages of the adult rate we propose are the same as the percentages contained in the Retail Industry draft award which are closer to those prevailing in the NAPSAs applying to this industry than the junior rates in the Hotels Award/HIGA.' Rates proposed for junior employees are located at clause 15 of proposed award attached to the submission (p.39 of document). Some of the witness statements attached include discussion of employment of juniors
Restaurant and Catering Australia	<a href="#">Attachments 1 to 11</a>	10 October 2008	No discussion of junior rates

Organisation	Submission	Date	Snapshot
Statewide Superannuation	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
Motor Trades Association of Queensland	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees or hospitality industry/award
The Association for Payroll Specialists	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees in body of submission; some example old awards are attached, and they include junior rates, but these are not specifically discussed in the submission itself
ING Australia	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
CFMEU - Construction & General Division	<a href="#">regarding Exposure Draft</a>	10 October 2008	Discussion of hospitality award relates only to inclusion of maintenance trades classifications
Commerce Queensland	<a href="#">regarding Exposure Draft</a>	10 October 2008	Compared junior rates in draft modern award with equivalent rates in main QLD NAPSAs – see pp.22, 23, 25 of submission
ACCI	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees
Colonial First State	<a href="#">regarding Exposure Draft</a>	10 October 2008	Relates to superannuation provisions
S Bakewell	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees
Connect	<a href="#">regarding Exposure Draft</a>	10 October 2008	Relates to superannuation provisions
Australian Government	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees
Australian Hotels Association	<a href="#">regarding Exposure Draft</a>	10 October 2008	Proposed changes marked up in comments on copy of exposure draft. Only proposed change to junior rates clause (then 24) was to change expression of rate for 20-year-old employees from '100%' to 'full adult rate'. No change to substance of deductions for provision of employee accommodation and meals (then clause 43). Some transitional rates for junior employees in SA (proposed Schedule E), transitional juniors provisions also in proposed Schedule F relating to Western Australian transitional arrangements. Regarding transitional arrangements

Organisation	Submission	Date	Snapshot
			<p>for SA, submits that, in relation to AN150066:</p> <ul style="list-style-type: none"> <li>• ‘The rates of pay for juniors are higher in the HIMA and will result in a substantial cost increase for hotels in SA.</li> <li>• Transitional arrangements allow the cost to be gradually increased over a period of 5 years.’ (p.88 of PDF/19 of submission)</li> </ul> <p>In relation to AN150037:</p> <ul style="list-style-type: none"> <li>• ‘The rates of pay for juniors are higher in the HIMA and differentiate between office and other clerical staff, resulting in an inconsistency with the SA classification structure and increased cost.’ (p.89 of PDF/20 of submission)</li> </ul> <p>Transitional arrangements also proposed for WA – two options put forward, each including different provisions based on different NAPSAAs.</p> <p>See:</p> <ul style="list-style-type: none"> <li>• ‘Proposed Western Australian Transitional Arrangements’</li> <li>• ‘Explanation of Why Western Australian Transitional Arrangements are Sought’</li> <li>• ‘Transitional Schedule WA Secondary Option – Based on AIRC draft Award’</li> <li>• ‘Transitional Schedule – WA Secondary Option Based on AHA draft Award’</li> </ul> <p>sections of submission for details of proposed rates and justifications.</p>
Ai Group	<a href="#">regarding Exposure Draft</a>	10 October 2008	No discussion of junior rates/employees in section of submission specific to Hospitality Award nor any discussion relevant to hospitality junior rates in general submission
Chamber of Commerce & Industry WA	<a href="#">regarding Exposure Draft</a>	10 October 2008	Specific submission for Hospitality Award contained in Appendix B of submission. Para references below

Organisation	Submission	Date	Snapshot
			<p>are relevant to <b>Appendix B</b>.</p> <p>Submits wage rates increase in almost every area under proposed modern award compared to rates then applying in WA (para 6). Requests transitional provisions for WA (para 8). Noted 'greatest increases in costs for employers can be seen in junior, apprentice and casual rates of pay' and that incentive to engage juniors will be removed (para 11). Also submitted headings for rates tables not consistent with classification schedule in that it is unclear whether 'office juniors' refers to employees engaged under guest services stream classification of 'front office' or admin stream classification of 'clerical' (para 34). See further detailed discussion of junior rates at paras 29-34, Tables 2 and 3 and modelling at Annexure A of Appendix B to submission</p>
Australian Business Industrial	<a href="#">regarding Exposure Draft – Hospitality Industry (General) Award 2010</a>	10 October 2008	No discussion of junior rates in hospitality award
Queensland Department of Education, Training and the Arts	<a href="#">regarding Exposure Draft</a>	10 October 2008	Submission relates to model provisions regarding employees to whom training arrangements apply
Victorian Automobile Chamber of Commerce	<a href="#">regarding Exposure Draft</a>	10 October 2008	No discussion of junior rates in hospitality award
Hotel Motel & Accommodation Association	<a href="#">regarding Exposure Draft</a>	10 October 2008	<p>Continues to press for separate accommodation award; regarding the exposure draft however, HMAA submitted that, to reflect a truly modern award for the accommodation sector:</p> <ul style="list-style-type: none"> <li>• 'junior rates should be the same across the classification structure with no discrimination between back of house and front of house employees (HIGA Clause 19.5)</li> <li>• Board &amp; Lodging (HIGA Clause 38) should be simplified to specify one deduction for adults and another for juniors. The amount of deduction should be alterable by mutual agreement having regard to the cost of similar accommodation in the particular area'</li> </ul>

Organisation	Submission	Date	Snapshot
			(para 3.10; comments at cl.19.5 and cl.38 in marked-up copy of ED attached to submission)
Watson Wyatt Australia	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
Joint submission - Investment & Financial Services Association; Financial Planning Association	<a href="#">regarding Exposure Draft</a>	10 October 2008	Relates to superannuation provisions
Association of Superannuation Funds of Australia	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
The Australian Workers' Union of Employees, Queensland	<a href="#">regarding Exposure Draft</a>	10 October 2008	No discussion of junior rates
Hunter Valley Restaurant Management Services Pty Ltd	<a href="#">regarding Exposure Draft</a>	10 October 2008	General concern about exposure draft resulting in increased costs; mentions the fact that 20-year-old employees receive adult rates as one of its concerns
Asset Super	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
Local Government Association of NSW and Shires Association of NSW	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees
Business SA	<a href="#">regarding Exposure Draft</a>	10 October 2008	Submitted increased junior rates will add significantly to labour costs of SA hospitality industry employers (para 3.4) and proposed transitional provisions to minimise cost impact (para 3.5)
Australian Hotels Association - WA	<a href="#">regarding Exposure Draft</a>	10 October 2008	Submits junior rates are 'substantially increased' under proposed modern award, when compared to WA NAPSAAs (para 3(c)), p.5; item 3 Sched 1); proposes transitional schedules for WA hospitality industry (see Scheds 4 & 5 of submission)

Organisation	Submission	Date	Snapshot
ACTU	<a href="#">regarding Exposure Draft</a>	10 October 2008	No discussion of junior rates/employees in hospitality award
Australian Ski Areas Association	<a href="#">regarding Exposure Draft</a>	10 October 2008	Submission seeks a separate ski award and a 'carve-out' from other awards such as the, Hospitality Award, that potentially cover that work
LHMU	<a href="#">regarding Exposure Draft</a>	10 October 2008	Submission does not appear to discuss different streams of junior rates or deductions
Queensland Council of Unions	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior rates/employees
Mercer	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	10 October 2008	Relates to superannuation provisions
ASU	<a href="#">regarding Exposure Draft</a>	10 October 2008	No discussion of junior employees/rates. Only mention of junior rates is in Attachment 1 table comparing clerical awards to <i>The Hospitality Industry – Accommodation, Hotels, Resorts and Gaming Award 1998</i> (AP783479CRV) which states what the rates are in the AP award
NSW Government	<a href="#">regarding Exposure Draft</a>	10 October 2008	No mention of junior employees/rates relevant to Hospitality industry/award in general submission nor section of Appendix A related to Hospitality Modern Award
Master Builders Association	<a href="#">regarding Exposure Draft</a>	10 October 2008	Only mentions hospitality in the context of defining 'industries' generally; no mention of junior rates
Intrust Super	<a href="#">regarding Exposure Draft</a>	9 October 2008	Relates to superannuation provisions
AMP	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	9 October 2008	Relates to superannuation provisions
Sunsuper Pty Ltd	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	9 October 2008	Relates to superannuation provisions
Tasmanian Chamber of Commerce and Industry	<a href="#">regarding Exposure Draft</a>	9 October 2008	No mention of junior employees/rates
AXA	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	8 October 2008	Relates to superannuation provisions

<b>Organisation</b>	<b>Submission</b>	<b>Date</b>	<b>Snapshot</b>
Tasplan	<a href="#">regarding Exposure Draft - Superannuation Clause</a>	1 October 2008	Relates to superannuation provisions
Westscheme Superannuation Fund	<a href="#">regarding Exposure Draft - Superannuation Clause - amended submission</a>	26 September 2008	Relates to superannuation provisions