

**From:** Kristin Barlow [mailto:Kristin.Barlow@cpsu.org.au]  
**Sent:** Friday, 29 March 2019 3:13 PM  
**To:** AMOD  
**Subject:** CPSU submissions in stage 3 EDs and plain language drafting

Dear AMOD team.

Please find attached submissions for the stage 3 Exposure Drafts, pursuant to the Statement of 13 February [2019] FWC 932.

Also attached are CPSU submissions in the plain language redrafting common matter, pursuant to the Statement of 28 February 2019 [2019] FWC 1255.

The CPSU seeks leave to file this submission outside the Directions which had a due date of 22 March 2019. The CPSU notes according to those Directions reply submissions are due 19 April 2019 and we submit there will be no prejudice to other parties from the late receipt of CPSU submissions.

Regards,

K.B

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**IN THE FAIR WORK COMMISSION**

**2014 Modern Award Review**

(AM2014/222, AM2014/232, AM2014/237, AM2014/248, AM2014/237)

**Community and Public Sector Union (CPSU) (PSU Group)**

**Submissions regarding Stage 3 Exposure Drafts**

1. These submissions are made pursuant to the President Ross's Statement of 13 February 2019 regarding Stage 3 award Exposure Drafts released on 1 March 2019.

***Contract Call Centres Award Exposure Draft 1 March 2019***

2. The CPSU has not identified any issues in this Exposure Draft. We note Schedule B2.3 deals with overtime for casual employees and we believe this to be accurate.

***Labour Market Assistance Award Exposure Draft 1 March 2019***

3. There is an error in clause 8.4(b)(ix) of the Exposure Draft where (ix) has been created and it should be a continuation of part of clause 8.4(b)(xviii).
4. Regarding Schedule B of the award, there is no table in the Schedule outlining the pay rates for overtime for casuals. Other awards contain such a provision and including it in the Exposure Draft would be consistent with the decision in [2017] FWCFB 3433 at [351]. Regarding the rate of pay for casuals performing overtime, the CPSU refers to the submissions of Australia Business Industrial and the NSW Business Chamber of 19 January 2019 at [110] in the Overtime for Casuals common matter (AM2017/51).

***Telecommunications Services Award Exposure Draft 1 March 2019***

5. Schedule B.2.4 contains a table providing for overtime rates titled 'Full-time and Part-time employees – overtime rates'. The CPSU believes this table should be headed 'Full-time and Part-time employees – Shiftworkers - overtime rates' to avoid ambiguity with other pay tables. For example, the table at B2.3 is headed 'Full-time and Part-time employees -Shiftworkers – ordinary and penalty rates'. The table at B2.2 is headed 'Full-time and Part-time employees other than Shiftworkers - overtime rates'.
6. The Schedule B33 which deals with casual employees' overtime and we believe to be accurate.

***Miscellaneous Award Exposure Draft 1 March 2019***

7. The CPSU has not identified any issues with this Exposure Draft.

**CPSU – SYDNEY**

**29 March 2019**