

# McNALLY JONES STAFF

LAWYERS



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4 August 2017

Our Ref: NK:TM:1403007

**Associate to the Hon Justice Ross AO**

Fair Work Commission  
11 Exhibition Street  
MELBOURNE VIC 3000

**By email:** [chambers.ross.j@fwc.gov.au](mailto:chambers.ross.j@fwc.gov.au); [amod@fwc.gov.au](mailto:amod@fwc.gov.au)

Dear Associate,

**RE:    AM 2014/243 – SEAGOING INDUSTRY AWARD 2010**

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We are the solicitors for the Maritime Union of Australia.

We make the following submissions in relation to matters raised in that revised exposure draft issued 18 July 2017.

Clause 23.6

We support the reference to “occupational health and safety legislation” being amended to read “work health and safety legislation.”

Clause A4.1

This clause should clarify the interaction of this entitlement with the NES. We propose that to give effect to the agreed understanding of award participants that the clause be amended to read:

Notwithstanding the NES, each employee will be entitled to payment of leave of eight days for each completed month of service and pro rata for any shorter period. This entitlement is not in addition to the NES entitlement, but rather incorporates the NES entitlement.

Yours faithfully,

**McNALLY JONES STAFF**

**NATHAN KEATS**

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