

24 December 2019

Commissioner Bissett  
Fair Work Commission  
11 Exhibition Street  
Melbourne Vic 3000

Sent by email –[chambers.bissett.c@fwc.gov.au](mailto:chambers.bissett.c@fwc.gov.au)

Dear Commissioner

Re: **AM2019 /17 – Finalisation of Tranche 2 Exposure Drafts = Vehicle, Repair, Services and Retail Award – outstanding matters**

We refer to the summary table forwarded to the major parties by the Commission on Friday 20 December. The Motor Trades Organisations have had discussions with the AiGroup and agreed to a number of minor amendments set out in the table. The AiGroup will be forwarding separate correspondence confirming their position on the proposed amendments set out below:

**1. Item 3 – Clause 7.2 Facilitative provisions**

The Motor Trades Organisations accepts the view that '*clause 11.6 (j)*' should be removed from '*clause 7.2*' as it is more appropriate that the clause is located in '*clause 7.4*'.

**2. Item 6 – clause 16.6 (b) Driver of a courtesy vehicle**

- There appears to be 2 replacement clauses erroneously proposed to be inserted. The first should be deleted.
- In the current exposure draft '*clause 16.6 (b)*' refers to:

*'driver – courtesy vehicle in relation to sales or sales promotion or in the course of registration or collection from or delivery to customer.'*

The Adult classification definition which the un-apprenticed junior rates refers to in the Skills Level Definitions in Appendix A on page 78 states:

*'driver – courtesy vehicle in relation to sales or sales promotion or in the course of registration or collection from or delivery to customer – **vehicles with the maker's capacity up to and including 3 tonnes**'*

The definition in '*clause 16.6 (b)*' in the un-apprenticed junior clause should include the highlighted words above to be consistent with the adult classification.

**3. Item 7 – clause 16.9 (b) – Junior apprentices – calculation of wage rates**

The reference to '*clause 19.6 (b)*' in the first dot point should read '*clause 16.9 (b)*'.

**4. Item 9 – Overtime rates – new clause 24.3 (c) (iv)**


The Motor Trades Organisations have discussed the location of this new clause with the AiGroup and agree the clause should be included in the award as a new '*clause 24.3 (e)*' to avoid any uncertainty as to the application of the clause to overtime worked on all days, including Sundays and Public holidays.

**5. Item 15 – Schedule B tables**

The words '*Monday to Friday, Saturday before midday*' should be added to column 2 of clauses *B.3.1 and B.3.6(a)* to ensure consistency in all the wage tables.

We would like to thank the Commission for preparing the tables which have been very helpful in finalising changes to the Exposure Draft.

Yours Sincerely



W.J. Chesterman  
Industrial Relations Manager, VACC

Ms. S Burnley – SDA  
Mr. P. Lettau - AMWU  
Mr. H. Harrington – AI Group  
MTA-SA, MTA-NSW, MTA-WA, MTA- Q'ld