

### REVISED SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions on technical and drafting issues lodged for this award on or before 5.00pm on 29 November 2016. The summary has been revised to include feedback from the hearing on 6 December 2016 ([Transcript](#)). The summary has been further revised to include feedback from the conference on 23 January 2017 ([Transcript](#)) and correspondence (report back) from parties.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	NECA	<a href="#">Sub 30/06/16</a>	2.2	<b>Definitions – all purposes</b> Seeks to have ‘shift work’ inserted after ‘overtime’ in the definition of “all purposes”	Para 40	Withdrawn. See <a href="#">Transcript–6Dec16</a> [PN344].
	NECA SA	<a href="#">Sub 30/06/16</a>		Seeks to have ‘shift work’ inserted after ‘overtime’ in the definition of “all purposes”	Para 37	
	MEA	<a href="#">Reply 21/07/16</a>		Supports submission of NECA	Para 2	
	AIG	<a href="#">Reply 22/07/16</a>		Does not support submission NECA’s and believes issue has previously been determined by FWC	Para 142	
2	NECA	<a href="#">Sub 30/06/16</a>	2.2	<b>Definitions – default fund employee</b> Wants the definition of ‘default fund employee’ to be included in definitions	Para 41	Withdrawn. See <a href="#">Transcript–6Dec16</a> [PN344].
	AIG	<a href="#">Reply 22/07/16</a>		Does not agree with NECA. The term ‘default fund employee is not used in the EDs’.	Para 144	
3	NECA	<a href="#">Sub 30/06/16</a>	2.2	<b>Definitions – over award payments</b> Wishes to retain provision regarding absorption into over award payments that appears in the current award	Para 38	Withdrawn. See <a href="#">Transcript–6Dec16</a> [PN344].
	MEA	<a href="#">Reply 21/07/16</a>		Supports NECA’s submission	Para 2	

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4	FPAAA	<a href="#">Sub-30/06/16</a>	2.2	<b>Definition – Continuous shiftworker</b> Vary definition by adding a reference to part-time and casual employees	Para 16.5	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN344].
	AIG	<a href="#">Reply 22/07/16</a>		Do not agree with FPAA submission	Para 143	
5	MEA	<a href="#">Sub-30/06/16</a>	7	<b>Facilitative provisions</b> Seeking clarification regarding facilitative provision, including cl 13.3	Pg 6	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN344].
	ABI & NSWBC	<a href="#">Reply 22/07/16</a>		Disagree with MEA	Para 7.2	
6	BusSA	<a href="#">Sub-30/06/16</a>	7.2	<b>Facilitative provisions table</b> Seeks amendment to refer to 16.6(b)(i) instead of 16.6(a)(ii)	Para 3.1.1	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN31].
	AIG	<a href="#">Sub-08/07/16</a>		Submits that BusSA's suggested amendment is unnecessary	Para 153	
7	AIG	<a href="#">Sub-08/07/16</a>	7.2	<b>Facilitative provisions table</b> Seeking amendment to include the words "an individual or" before "the majority of employees" in the final column	Paras 85-86	Agreed. See <a href="#">Transcript-6Dec16</a> [PN346].
	BusSA	<a href="#">Reply-21/07/16</a>		Agree with AIG submission	Item 4.2	
	AIG	<a href="#">Sub-16/01/17</a>		Change as agreed was not implemented properly. Requests amendment.	Paras 89-92	
8	BusSA	<a href="#">Sub-30/06/16</a>	10.3	<b>Part-time employment</b> Submit that this clause could be clarified by changing "the relevant classification" to "their relevant classification"	Para 3.1.2	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN346].
	AIG	<a href="#">Reply 22/07/16</a>		Submit that BusSA's proposed amendment should not be made.	Paras 154-155	

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9	CEPU	<a href="#">Sub-23/06/16</a>	10.5	<b>Part-time employment–public holidays</b> <i>In response to a question by the Commission:</i> Support alternative reference to clause 13.5 and 19.4(b)	Para 3	Agreed, clause reference should be 13.5 and 19.4(b). See <a href="#">Transcript–6Dec16</a> [PN346].
	NECA	<a href="#">Sub-30/06/16</a>		<i>In response to a question by the Commission:</i> Believes reference to clause 13.15(b)(ii) is not correct, suggests inserting the words “250% of the employee’s ordinary hourly rate” or alternatively a reference to 19.4(b)	Paras 11-12	
	BusSA	<a href="#">Reply-21/07/16</a>		Disagree with the submissions of NECA and believes CEPU erred in referring to 13.5 rather than 13.15	Items 4.25 and 4.26	
	NECA SA	<a href="#">Sub-30/06/16</a>		Supports alternative reference to 13.15 and 19.4(b)	Pg 2	
	BusSA	<a href="#">Sub-30/06/16</a>		Supports alternative reference to 13.15 and 19.4(b)	Pg 10	
	MEA	<a href="#">Sub-30/06/16</a>		Supports reference to clause 13.15 and clause 19.4(b)	Pg 1	
	AIG	<a href="#">Sub-08/07/16</a>		Supports alternative reference to 13.15 and 19.4(b)	Pg 23	
10	FPAA	<a href="#">Sub-30/06/16</a>	10.5 10.5	<b>Part-time employment–public holidays</b> Seeks to include two new clauses and to vary clauses 10.5, 13.15(b) and 2.2.	<del>Paras 16.1–16.6</del>	Withdrawn. See <a href="#">Transcript–6Dec16</a> [PN362-365].
	AIG	<a href="#">Sub-08/07/16</a>		Submit that the FPAA proposal is unnecessary	Para 144 and 157	

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11	CEPU	<a href="#">Sub-23/06/16</a>	11.4	<b>Casual employment</b> <i>In response to a question by the Commission:</i> Believe cl 11.4 should refer to the whole of cl 13	Pg 2	Agreed, clause reference should be cl.13.13. See <a href="#">Transcript-6Dec16</a> [PN346].
	AIG	<a href="#">Sub-08/07/16</a>		Opposes the CEPU submission, this would extend the entitlements of casuals	Para 158	
	BusSA	<a href="#">Reply-21/07/16</a>		Oppose CEPU submission	Item 4.27	
	NECA	<a href="#">Sub-30/06/16</a>		Believes clause 11.4 should be retained with the addition of referencing clause 13.16	Para 14	
	FPAA	<a href="#">Sub-30/06/16</a>		Seeks to amend clause and suggests new wording "apply to casual employees" or alternatively seeks to add a new shift work clause	Para 20	
	NECA SA	<a href="#">Sub-30/06/16</a>		Seeks to retain clause and refer to 13.16	Para 11	
	BusSA	<a href="#">Sub-27/07/16</a>		Believes submission by NECA and NECA SA would result in a substantive change to award and do not support proposals	Item 4.28	
	MEA	<a href="#">Sub-30/06/16</a>		Believes clause is clear in its application to 13.13 and supports additional wording to provide more clarity	Para 3-4	
	BusSA	<a href="#">Sub-30/06/16</a>		Provides clarity and believes inconsistency appears within ED	Para 3.2.2	
12	CEPU	<a href="#">Sub-23/06/16</a>	12.10	<b>Apprentices</b> <i>In response to a question by the Commission:</i> Supports FWC corrections for clause to refer to 16.4	Para 7	Agreed, cross reference should be cl.16.4. See <a href="#">Transcript-6Dec16</a> [PN348].
	NECA	<a href="#">Sub-30/06/16</a>		Supports FWC correction	Para 16	
	FPAA	<a href="#">Sub-30/06/16</a>		Supports FWC correction	Para 24	
	NECA SA	<a href="#">Sub-30/06/16</a>		Supports FWC correction	Para 13	
	MEA	<a href="#">Sub-30/06/16</a>		Supports FWC corrections	Para 5	

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	BusSA	<a href="#">Sub-30/06/16</a>		Supports FWC corrections	Para 3.2.3	
	AIG	<a href="#">Sub-08/07/16</a>		Supports FWC corrections.	Para 88	
13	AIG	<a href="#">Sub-08/07/16</a>	12.14	<b>Employment of juniors</b> Object to change in wording as it believes it significantly alters effect of Award	Para 91	Agreed. See <a href="#">Transcript-6Dec16</a> [PN348].
	MEA	<a href="#">Reply-21/07/16</a>		MEA does not support proposal due to the nature of award, clause has no effect	Para 8	
14	FPAA	<a href="#">Sub-30/06/16</a>	13	<b>Hours of work</b> <del>Suggests alteration to clause to include reference to 38 hours</del>	Para 25	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN348].
15	FPAA	<a href="#">Sub-30/06/16</a>	13.4, 13.7	<b>Hours of work</b> <del>Seeks to alter clause to clearly describe 38 hours at the start of clause 13</del>	Para 26	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN53].  See email received from FPAA <a href="#">03/02/17</a> .  AIG opposes claim from FPAA and proposes that this is a substantive issue. See email- <a href="#">09/02/17</a>  ABI & NSW BC opposes claim from FPAA and proposes that this is a substantive issue. See email

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						<a href="#">10/02/17</a>
16	CEPU	<a href="#">Sub-23/06/16</a>	13.6	<b>Late comers</b> <i>In response to a question by the Commission:</i> Supports deleting or amending clause to reflect late comers or early finishers to not be paid for not performing their duties	Para 16	Agreed, provision should not be varied. See <a href="#">Transcript-6Dec16</a> [PN348]
	BusSA	<a href="#">Reply-21/07/16</a>		Supports CEPU submission in principle	Item 4.8	
	NECA	<a href="#">Sub-30/06/16</a>		Suggests edits to clause wording to make intent of clause clearer	Para 18	
	FPAA	<a href="#">Sub-30/06/16</a>		Suggest an example may be given	Para 32	
	NECA SA	<a href="#">Sub-30/06/16</a>		Further clarity could be provided by some minor edits	Para 15	
	MEA	<a href="#">Sub-30/06/16</a>		Cannot comment, consulting with members	Para 6	
	AIG	<a href="#">Reply-25/07/16</a>		Oppose CEPU submission. Do not agree with NECA and NECA SA	Paras 166 and 169	
17	AIG	<a href="#">Sub-08/07/16</a>	13.8(d)(ii)	<b>Substitution of rostered day off</b> Seeks to insert 'of the ordinary hourly rate' after '200%'	Para 92	Agreed. See <a href="#">Transcript-6Dec16</a> [PN348].
	BusSA	<a href="#">Reply-21/07/16</a>		Support the submission of AIG	Item 4.9	
18	CEPU	<a href="#">Sub-23/06/16</a>	13.9	<b>Rest Break</b> <i>In response to a question by the Commission:</i> Believes clause does not only apply to day workers	Para 18	Although parties disagree with what it means, there should be no change. Can deal with it another day if it arises at all. See <a href="#">Transcript-23Jan17</a>
	BusSA	<a href="#">Reply-21/07/16</a>		Opposes the CEPU submission	Item 4.29	
	NECA	<a href="#">Sub-30/06/16</a>		Suggests moving clauses referring to day workers to be relocated to immediately before	Para 21	

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				13.10.		[PN73, 76].
	AIG	<a href="#">Reply-25/07/16</a>		Agree with NECA and NECA SA submission about retaining the clause. Do not agree with the proposal to move the clause	Paras 172 and 173	
	FPAA	<a href="#">Sub-30/06/16</a>		Submit that splitting the ordinary hours of work clause with a separate clause for shift work would resolve the issue	Para 35	
	BusSA	<a href="#">Reply-21/07/16</a>		Support the submission of FPAA	Item 4.11	
	NECA SA			Suggests moving clauses referring to day workers to be relocated to immediately before 13.10. Also supports the inclusion of a new 'shift work' clause	Para 19	FPAA supports MEA and EEECA [sic] submission See <a href="#">Transcript-6Dec16</a>
	MEA	<a href="#">Sub-30/06/16</a>		Submits provision applies to both day and shift workers	Para 7	[PN360].
	BusSA	<a href="#">Sub-30/06/16</a>		Cannot comment is consulting with members	Para 3.2.4	
19	CEPU	<a href="#">Sub-23/06/16</a>	13.10	<b>Ordinary hours of work—continuous shiftwork</b> <i>In response to a question by the Commission:</i> Does not support replacing 'crib time' with 'rest break'.	Para 20	Agreed, term should be retained. See <a href="#">Transcript-6Dec16</a> [PN348].
	BusSA	<a href="#">Reply-21/07/16</a>		Agrees that 'crib break' should not be replaced with 'rest break' but should be replaced with 'paid meal break' instead	Item 4.30	
	NECA	<a href="#">Sub-30/06/16</a>		Does not support replacing 'crib time' wording	Para 24	
	FPAA	<a href="#">Sub-30/06/16</a>		Seeks to keep term 'crib time' in award	Para 45	
	NECA SA	<a href="#">Sub-30/06/16</a>		Seeks to change reference from 'crib time' to 'crib break' and explain the term is commonly understood in the industry	Para 24	

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	MEA	<a href="#">Sub-30/06/16</a>		Seeks to leave wording as replacing with 'rest break' does not accurately describe this type of break	Para 10	
	BusSA	<a href="#">Sub-30/06/16</a>		Does not agree with FWC correction, suggests 'paid meal break' be inserted instead	Para 3.2.5	
20	NECA	<a href="#">Sub-30/06/16</a>	13.10	<b>Ordinary hours</b> Seeks to amend heading 'Ordinary hours of work—continuous shift work' to 'shift work'	Para 50	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN81-85].
	NECA SA	<a href="#">Sub-30/06/16</a>		Seeks to amend 'ordinary hours of work—continuous shiftwork' to 'ordinary hours of work—other than continuous shiftwork'	Para 38	
	AIG	<a href="#">Reply-27/07/16</a>		Do not agree with the submissions of NECA and NECA SA. Support the submission of BusSA	Paras 175 and 176	
21	NECA SA	<a href="#">Sub-30/06/16</a>	13.10, 13.11	Proposed amendments to two clauses.	Para 39	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN89, 92].
22	CEPU	<a href="#">Sub-23/06/16</a>	13.11(c)(ii)	<b>Ordinary hours of work—other than continuous shiftwork</b> <i>In response to a question by the Commission:</i> Supports proposed amendment	Para 22	Agreed proposal be adopted. See <a href="#">Transcript-6Dec16</a> [PN350].
	BusSA	<a href="#">Reply-21/07/16</a>		Support the submission of CEPU and NECA	Items 4.13 and 4.14	
	NECA	<a href="#">Sub-30/06/16</a>		Supports proposed amendment	Para 26	
	FPAA	<a href="#">Sub-30/06/16</a>		Supports proposed amendment	Para 41	
	MEA	<a href="#">Sub-30/06/16</a>		Supports proposed amendment	Para 13	
	BusSA	<a href="#">Sub-30/06/16</a>		Supports FWC amendment	Para 3.2.6	



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23	AIG	<a href="#">Sub-08/07/16</a>	13.13(a)	<b>Shift allowances</b> Seek to delete word ‘employee’s’	Para 95	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN350].
24	AIG	<a href="#">Sub-08/07/16</a>	13.13(b)	Seeks to insert wording	Para 96	Agreed. See <a href="#">Transcript-6Dec16</a> [PN350].
	BusSA	<a href="#">Reply-21/07/16</a>		Agree with the submission of AIG	Item 4.15	
25	AIG	<a href="#">Sub-08/07/16</a>	13.13(d)	Seeks to delete word ‘employee’s’	Para 97	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN350].
26	NECA	<a href="#">Sub-30/06/16</a>	13.15(e)	<b>Rate for working on a Sunday and public holiday shifts</b> Seeks to amend ‘and after 11.00 pm’ to be inserted between ‘before midnight’ and ‘on the day preceding a Sunday or public holiday’.	Paras 51-53	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN94, 98].
	BusSA	<a href="#">Reply-21/07/16</a>		Agree with the submission of NECA	Item 4.16	
27	AIG	<a href="#">Sub-08/07/16</a>	13.16(a)(ii)	<b>Overtime - shiftwork</b> Insert words “of the ordinary hourly rate” after “200% consistent with July decision	Pg 25	Agreed. See <a href="#">Transcript-6Dec16</a> [PN350].
	BusSA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 14	
	MEA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
28	AIG	<a href="#">Sub-31/08/16</a>	Terminology in 13.13-13.16, 20.4(b)	<b>Shift allowance – inconsistent terminology</b> Inconsistent use of shift allowances, shift rates, shift premiums and shift loadings	Pg 9	Agreed to use ‘shift loading’ throughout. See <a href="#">Transcript-23Jan17</a> [PN126-129]

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29	CEPU	<a href="#">Sub-23/06/16</a>	14.1	<b>Meal breaks</b> Supports proposed amendment	Pg 7	Item 27 [sic] Agreed. See <a href="#">Transcript-6Dec16</a> [PN351-355]. ED to be updated with: <i>The timing of meal breaks will be at the discretion of the employer. Provided that the employee (other than a shift worker) must not be compelled to work</i>
	BusSA	<a href="#">Reply-21/07/16</a>		Oppose CEPU submission	Pg 8	
	NECA	<a href="#">Sub-30/06/16</a>		Supports proposed amendment	Pg 3	
	FPAA	<a href="#">Sub-30/06/16</a>		Supports amendment. Proposed wording should also be added to cl 14.1(c) for consistency.	Pg 6	
	NECA SA	<a href="#">Sub-30/06/16</a>		Supports proposed amendment	Pg 3	
	MEA	<a href="#">Sub-30/06/16</a>		Suggests amendment to clause, believes there is no inconsistency between 13.11(c)(iii) and 14.1(c)	Pg 3	
	BusSA	<a href="#">Sub-30/06/16</a>		Supports proposed amendments	Pg 11	
	AIG	<a href="#">Reply-22/07/16</a>		Supports FWC amendment	Pg 35	
30	CEPU	<a href="#">Sub-23/06/16</a>	14.1, 13.11(c)(iii)	<b>Meal breaks – question re inconsistency</b> Supports proposed clause. Does not believe there is an inconsistency.	Pg 7	
	NECA	<a href="#">Sub-30/06/16</a>		Did not comment on this part of question	Pg 3	
	FPAA	<a href="#">Sub-30/06/16</a>		Sufficient distinction between day workers and shitworkers (cl. 14.1 and 13.10). Retain current wording.	Pg 6	
	MEA	<a href="#">Sub-30/06/16</a>		Does not believe there is an inconsistency between clauses, seeks to insert new definition for ‘rest break’ and ‘meal break’ in cl 2.2 for clarity.	Pg 3	
	BusSA	<a href="#">Sub-30/06/16</a>		Notes inconsistency and suggests amendment to provide clarity regarding which elements do not	Pg 11	

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				apply to shiftworkers. Suggested wording in submission.		
	AIG	<a href="#">Reply-22/07/16</a>		Disagrees with inconsistency	Pg 35	
31	CEPU	<a href="#">Sub-23/06/16</a>	15	<b>Inclement weather</b> Clause is clear and scope should not be narrowed to clause 15.2 alone.	Pg 8	Agreed clause should remain as is. See <a href="#">Transcript-6Dec16</a> [PN356].
	NECA	<a href="#">Sub-30/06/16</a>		Scope extends beyond clause 15.2.	Pg 3 - 4	
	FPAA	<a href="#">Sub-30/06/16</a>		Seeks amendment to include mention of clauses 15.2 and 15.3	Pg 6	
	NECA SA	<a href="#">Sub-30/06/16</a>		Does not support amendment, seeks to retain current wording. Scope extends beyond clause 15.2.	Pg 3	
	MEA	<a href="#">Sub-30/06/16</a>		Submits can refer specifically to clause 15.2. Plain meaning of 'this clause' suggests term only refers to clause 15.2.	Pg 4	
	BusSA	<a href="#">Sub-30/06/16</a>		Supports FWC amendment	Pg 12	
32	CEPU	<a href="#">Sub-23/06/16</a>	16.4(a)(iii), 16(a)(iv)	<b>Apprentice minimum wages – interaction of clauses</b> 16.4(a)(iii) directs reader to additional allowance and 16.4(iv) informs reader of how weekly all-purpose rate is calculated.	Pg 8	Agreed to variation proposed by AIG group dated 22/07/16. Also add additional sentence immediately before the words, "Any other special allowances," in cl.16.4(a)(iii) and delete cl.(iv). See <a href="#">Transcript-23Jan17</a> [PN178]
	NECA	<a href="#">Reply-21/07/16</a>		Agrees with CEPU submissions	Pg 1 – 2	
	NECA SA	<a href="#">Reply-21/07/16</a>		NECA SA agrees with interpretation, however favours their re-wording in their own submission	Pg 2	
	NECA	<a href="#">Sub-30/06/16</a>		Paragraphs say the same thing. Proposes to delete clause 16.4(a)(iii), retain 16.4(a)(iv) with additional wording added.	Pg 4	
	AIG	<a href="#">Reply-25/07/16</a>		Does not support NECA submission	Pg 36	

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	FPAA	<a href="#">Sub-30/06/16</a>		Seeks to leave wording unless definitions of the two clauses are improved	Pg 6	
	NECA SA	<a href="#">Sub-30/06/16</a>		Paragraphs say the same thing. Proposes to delete clause 16.4(a)(iii), retain 16.4(a)(iv) with additional wording added.	Pg 4	
	AIG	<a href="#">Reply-25/07/16</a>		Does not support NECA SA submission	Pg 36	
	MEA	<a href="#">Sub-30/06/16</a>		Provides explanation of clauses and provided suggested re-wording.	Pg 4	
	BusSA	<a href="#">Sub-30/06/16</a>		Seeking member feedback	Pg 12	
	AIG	<a href="#">Reply-22/07/16</a>		16.54(a)(iii) directs reader to additional allowance and 16.4(iv) informs reader of how weekly all-purpose rate is calculated. Alternative wording proposed.	Pg 36	
33	NECA	<a href="#">Sub-30/06/16</a>	16.4	<del>Apprentice minimum wages</del> Notes table at 16.4(b)(ii) only applies to adult apprentices in Queensland, submits paragraph should refer to this.	Pg 5	Withdrawn. See <a href="#">Transcript-23Jan17</a> [PN179, 181, 188].
	AIG	<a href="#">Reply-25/07/16</a>		<del>Does not support NECA submission</del>	<del>Pg 36</del>	
	MEA	<a href="#">Reply-21/07/16</a>		Supports NECA submission	Pg 1	
34	CEPU	<a href="#">Sub-23/06/16</a>	17.1(b)	<b>Allowances – identification of cumulative allowances</b> Special allowances which are not cumulative are those provided for disability purposes. First aid is not a disability allowance.	Pg 9	Agreed to proper interpretation of provision, no change to clause advanced. See <a href="#">Transcript-6Dec16</a> [PN356].
	NECA	<a href="#">Sub-30/06/16</a>		Skill and disability allowances are not cumulative. However, one skill allowance and one disability allowance can accumulate.	Pg 4	
	AIG	<a href="#">Reply-25/07/16</a>		Supports NECA proposal	Pg 37	

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	FPAA	<a href="#">Sub-30/06/16</a>		Need to identify relationship between allowances. Where allowances are similar or inter-related, all the allowances are not payable.	Pg 7	
	NECA SA	<a href="#">Sub-30/06/16</a>		Seeks to move first aid allowance in separate part to wage related special allowances to improve clarity.	Pg 4	
	AIG	<a href="#">Reply-25/07/16</a>		Support NECA SA submission	Pg 37	
	MEA	<a href="#">Sub-30/06/16</a>		Provides explanation of when allowances would be cumulative. I.e. some allowances compensate for the same thing and therefore not cumulative. Employee not entitled to more than one allowance for the same ability, responsibility or disability.	Pg 5	
	BusSA	<a href="#">Sub-30/06/16</a>		Seeking member feedback	Pg 12	
35	BusSA	<a href="#">Sub-30/06/16</a>	17.2(f)(ii)	<del>Allowances – ordering materials</del> Word ‘only’ should be inserted into first bullet point to reflect language of current award.	Pg 9	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN356]
	AIG	<a href="#">Reply-25/07/16</a>		No objection to BusSA submission		
	AIG	<a href="#">Sub-08/07/16</a>	17.2(f)(ii)	Cross reference should be to clause 17.2(f)(iii)	Pg 25	Agreed. See <a href="#">Transcript-6Dec16</a> [PN356].
	BusSA	<a href="#">Reply-21/07/16</a>		Supports submission	Pg 14	
	MEA	<a href="#">Reply-21/07/16</a>		Supports AIG Submission	Pg 2	
36	BusSA	<a href="#">Sub-30/06/16</a>	17.3(b)(ii)	<b>Allowances – towers allowance</b> Reference to this clause should appear in table of facilitative provisions.	Pg 9	Agreed. See <a href="#">Transcript-6Dec16</a> [PN356].
	AIG	<a href="#">Reply-25/07/16</a>		Does not agree that provision is facilitative	Pg 38	No longer pressed. See <a href="#">Transcript-6Dec16</a> [PN356].
37	NECA	<a href="#">Sub-30/06/16</a>	17.4	<b>Allowances – special allowances – expense</b>	Pg 5	Agreed to keep current

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				<b>related</b> ED wording less clear than current wording. Current wording should be retained.		wording in 17.3(a)(iii) of the modern award as 17.4(a)(iv) of the ED.
	AIG	<a href="#">Reply-25/07/16</a>		Amendment not required	Pg 38	See <a href="#">Transcript-23Jan17</a> [PN215].
38	MEA	<a href="#">Sub-30/06/16</a>	17.5(d)(ii)	<b>Allowances – payment for travelling time</b> Seeking additional wording to confirm payment for travelling is at ordinary rates – “at the ordinary rate”	Pg 6	Agreed. See <a href="#">Transcript-23Jan17</a> [PN227].
	AIG	<a href="#">Reply-25/07/16</a>		Support proposed amendment	Pg 38	
39	MEA	<a href="#">Sub-30/06/16</a>	17.5(d)(iii)	<b>Allowances – employer provided transport</b> Propose change to clarify when allowances payable. Wording contained in submission.	Pg 7	Agreed, however instead of \$18.80, insert “instead of the amount in cl.17.5(d)(i). See
	AIG	<a href="#">Reply-25/07/16</a>		Support MEA proposal	Pg 36	<a href="#">Transcript-23Jan17</a> [PN236-237].
	BusSA	<a href="#">Reply-21/07/16</a>		Support MEA proposal	Pg 14	
40	CEPU	<a href="#">Sub-23/06/16</a>	17.5(e)	<b>Allowances – travel &amp; expenses</b> Explains allowances that are not applicable under clause 17.5(e). Party clarifies 17.5(b), (c) and (d) do not apply.	Pg 9	Agreed, proper interpretation of the provision. See <a href="#">Transcript-6Dec16</a> [PN356].
	NECA	<a href="#">Reply-21/07/16</a>		Agrees with CEPU submission	Pg 2	
	AIG	<a href="#">Reply-25/07/16</a>		Support CEPU submission	Pg 38	
	NECA	<a href="#">Sub-30/06/16</a>		Employee not entitled to clarifies 17.5(b), (c) and (d).	Pg 4	
	FPAA	<a href="#">Sub-30/06/16</a>		Employee not entitled to clarifies 17.5(b), (c) and (d).	Pg 7	
	MEA	<a href="#">Sub-30/06/16</a>		Employee not entitled to clarifies 17.5(b), (c) and	Pg 5	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				(d). Also suggests amendments to clause to improve clarity.		
	BusSA	<a href="#">Reply-21/07/16</a>		Support MEA submission	Pg 14	
	AIG	<a href="#">Reply-25/07/16</a>		AIG does not support MEA proposal	Pg 38	
41	BusSA	<a href="#">Sub-30/06/16</a>	17.6(b)(i)	<b>Allowances – regular return home</b> Seeks inclusion of the wording “except as provided in clause 17.6(b)(ii)” to maintain current meaning.	Pg 9	Agreed. See <a href="#">Transcript-6Dec16</a> [PN356].
	AIG	<a href="#">Reply-25/07/16</a>		AIG supports proposal	Pg 39	
42	FPAA	<a href="#">Sub-30/06/16</a>	Part 3	<b>Proposed new shiftwork clause</b> Proposes new ‘shift work’ clause. Would make award more user friendly.	Pg 7	Parties to discuss. See <a href="#">Transcript-23Jan17</a> [PN262].
	NECA SA	<a href="#">Reply-21/07/16</a>		NECA SA notes FPAA’s submission however believe inadequacies exist in party’s proposal to amend the award	Pg 2	
	MEA	<a href="#">Sub-30/06/16</a>		Proposes new ‘shift work’ clause including individual subclauses for ordinary hours, breaks, overtime, shift allowances, minimum breaks between shifts and Sunday and public holiday work.	Pg 6	
	NECA SA	<a href="#">Reply-21/07/16</a>		Supports MEA submission	Pg 2	
	AIG	<a href="#">Reply-25/07/16</a>		Does not support submission on basis it is unnecessary	Pg 33	
43	AIG	<a href="#">Sub-08/07/16</a>	19.1(a)	<b>Payment for working overtime</b> Seeks to amend wording to insert words “of the ordinary hourly rate” after “200%”	Pg 26	Agreed. See <a href="#">Transcript-6Dec16</a> [PN356].
	BusSA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 14	
	MEA	<a href="#">Reply-21/07/16</a>		Supports AIG submission	Pg 2	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
44	MEA	<a href="#">Sub-30/06/16</a>	21	<b>Personal/carers leave</b> Do not agree with amendment in clause from “all purpose rate” to “ordinary hourly rate”. Retain current wording.	Pg 7	Withdrawn. See <a href="#">Transcript-6Dec16</a> [PN356].
	AIG	<a href="#">Reply-25/07/16</a>		Do not support MEA submission	Pg 39	
	ABI & NSWBC	Submission in reply		Oppose MEA submission	Pg 6	
45	AIG	<a href="#">Sub-08/07/16</a>	30	<b>Transfer to lower paid job on redundancy</b> Seeks to amend heading to ‘transfer to lower paid duties by reason of redundancy’.	Pg 26	Might be dealt with by plain language drafting Full Bench. See <a href="#">Transcript-6Dec16</a> [PN356]
	BusSA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 14	
46	AIG	<a href="#">Sub-08/07/16</a>	31	<b>Employee leaving during redundancy notice period</b> Seeks to have cross-reference to 29 and 30 rather than to clause 31.		Might be dealt with by plain language drafting Full Bench. See <a href="#">Transcript-6Dec16</a> [PN356]
47	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.1.1	<b>Definition of ordinary hourly rate</b> Definition of ordinary hourly rate inconsistent with clause 2, suggest amendments.	Pg 27	AIG to prepare proposed note on amendments and circulate it to parties within one week. Parties to indicate positions. See <a href="#">Transcript-23Jan17</a> [PN328-330, 336, 350, 352, 356]. Draft determination
	AIG	<a href="#">Sub-08/07/16</a>		Description is misleading and gives reasons for this as indicates that rates set out in schedule include tool allowance wherever payable but this is not the case.	Pg 27	
	BusSA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 14	
	MEA	<a href="#">Sub-27/02/17</a>		Proposes that Sched B be removed completely.	Pg 1	



ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	received from AIG. See <a href="#">Corr-14/02/17</a>
48	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.2.1	<b>Full-time and part-time ordinary and penalty rates</b> Clause inconsistent with terms of current award. Submits award does not contain a penalty for ordinary hours on public holiday.	Para 116	NECA SA raised concerns however not provided further response.  MEA has concerns about removal of public holiday tables.
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
	MEA	<a href="#">Sub-27/02/17</a>		If Sched B is not completely removed then propose the following: Replace “Other than shiftworkers” from title with “Day workers” Replace “penalty rates” from title with “public holiday rates”	Para 1-4	FPAA not provided response – however supports a consensus approach to matter. See <a href="#">Corr-15/02/17</a>
49	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.2.2	<b>Full-time and part-time SW ordinary overtime</b> Believes explanation of how rates are derived is necessary for clarity	Pg 28	NECA agrees that concerns of parties can be best resolved in conference. See <a href="#">corr-15/02/17</a>
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
	MEA	<a href="#">Sub-27/02/17</a>		If Sched B is not completely removed then propose the following: Replace “Other than continuous shiftworkers” from title with “Day workers” Remove “public holiday” column	Para 5-7	
50	AIG	<a href="#">Sub-08/07/16</a>	Schedule	<b>Full-time and part-time SW ordinary and</b>	Pg 29	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
			B.2.3	<b>penalty rates</b> No explanation how rates derived. Inclusion of tool allowance of classifications above grade 5 may cause confusion.		
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
51	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.2.4	<b>Full-time and part-time SW overtime</b> Sunday rates in table are incorrect	Pg 29	
	AIG	<a href="#">Sub-08/07/16</a>		Row containing ‘% of ordinary hourly rate’ is missing from table.	Pg 29	
	AIG	<a href="#">Sub-08/07/16</a>		Unclear how rates are derived	Pg 29	
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
52	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.3.1	<b>Casual rates</b> Believes clause is confusing as no explanation for how rates derived.	Pg 30	
	AIG	<a href="#">Sub-08/07/16</a>		Clause inconsistent with terms of current award. Award does not contain a penalty to work ordinary hours on a public holiday.	Pg 30	
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
	MEA	<a href="#">Sub-27/02/17</a>		If Sched B is not completely removed then propose the following: Replace “Other than shiftworkers” in title with “day workers” Replace “penalty rates” with “public holiday rates” in the title	Para 10-11	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
53	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.3.2	<b>Casual SW rates</b> Column with the heading ‘day’ should be deleted as its purpose is unclear.	Pg 30	
	AIG	<a href="#">Sub-08/07/16</a>		No explanation how rates derived. Inclusion of tool allowance of classifications above grade 5 may cause confusion.	Pg 30	
	NECA SA	<a href="#">Reply-21/07/16</a>		Support AIG submission	Pg 2	
	MEA	<a href="#">Sub-27/02/17</a>		If Sched B is not completely removed then propose the following: Change title to read: “Casual shiftworkers—ordinary, penalty and public holiday rates” Remove “day” column	Par 12-13	
54	AIG	<a href="#">Sub-08/07/16</a>	Schedule B.4	<b>Apprentice rates</b> Rates have not been calculated accurately, unable to identify basis of calculation for rates in B.4.9.	Pg 30-31	
	NECA SA	<a href="#">Reply-sub-21/07/16</a>		Support AIG submission	Pg 2	
55	MEA	<a href="#">Sub-27/02/17</a>	Sched B.4.1	If Sched B is not completely removed then propose the following: Replace “other than shiftworkers” in title with “ordinary “day workers” Replace “penalty rates” in title with “public holidays rates”	Para 3-4	
56			B.4.2	If Sched B is not completely removed then propose the following: Replace “other than continuous shiftworkers” from title and replace with “day workers” Remove public holiday column	Para 7-8 page 3	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
57			B.4.3	If Sched B is not completely removed then propose the following: Change title to read “Adult apprentice—shiftworkers—ordinary, penalty and public holiday rates”	Para 10	
58			B.4.5	If Sched B is not completely removed then propose the following: Remove “other than shiftworkers” from title and replace with “day workers” Replace “penalty rates” with “public holiday rates” in table	Para 13-14	
59			B.4.6	If Sched B is not completely removed then propose the following: Remove “other than shiftworkers” from title and replace with “day workers” Remove public holiday column	Para 17-18	
60			B.4.7	If Sched B is not completely removed then propose the following: Change title to read: “Junior apprentice—shiftworkers—commencing on or after 1 January 2014—ordinary, penalty and public holiday rates”	Para 20	
61			B.4.9	If Sched B is not completely removed then propose the following: Remove “other than shiftworkers” from title and replace with “day workers” Replace “penalty rates” with “public holiday rates” in title	Para 23-24	
62			B.4.10	If Sched B is not completely removed then	Para 27-28	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
				propose the following: Remove “other than shiftworkers: from title and replace with “day workers” Remove public holiday column		
63			B.4.11	If Sched B is not completely removed then propose the following: Change title to read “Junior apprentice— shiftworkers—commencing before 1 January 2014—ordinary, penalty and public holiday rates”	Para 30	
64	MEA	<a href="#">Sub-27/02/17</a>	B.2.1, B.2.2, B.2.3, B.2.4, B.3.1, B.3.2, B.4.1, B.4.2, B.4.3, B.4.4, B.4.5, B.4.6, B.4.7, B.4.8, B.4.9, B.4.10, B.4.11, B.4.12	If Sched B is not completely removed then propose the following: Insert note at the bottom of table: “These amounts do not include the allowances in cl.17.2(b), 17.2(c), 17.2(d), 17.2(e), and 17.2(f)”	Various	

**List of abbreviations (in alphabetical order)**

ABI & NSWBC	Australian Business Industrial and the NSW Business Chamber
AIG	Australian Industry Group
BusSA	Business SA, the Chamber of Commerce and Industry South Australia
CEPU	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia
ED	Exposure draft
FPAA	Fire Protection Association Australia

MEA  
NECA

Master Electricians Australia  
The National Electrical Contractors Association