

# AMENDMENT



## Notice of Listing

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**Title of Matter:** Four yearly review of modern awards

**Section:** s.156 - 4 yearly review of modern awards

**Subject:**

**Matter Number:** AM2014/208 - *Passenger Vehicle Transport Award 2010*  
AM2014/211 - *Road Transport (Long Distance Operation) Award 2010*  
AM2014/212 - *Road Transport and Distribution Award 2010*  
AM2014/216 - *Waste Management Award 2010*

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### Listing Details:

The above matters are listed for **telephone mention and directions**, before Senior Deputy President Hamberger on behalf of the Full Bench at:

**5:00pm**  
**Wednesday, 16 November 2016**  
**Fair Work Commission**

The listing has been amended. It was previously listed at

**9:00 am**  
**Tuesday, 15 November 2016**  
**Fair Work Commission**

*All parties wishing to participate in the telephone mention are to email the chambers of Senior Deputy President Hamberger at [chambers.hamberger.sdp@fwc.gov.au](mailto:chambers.hamberger.sdp@fwc.gov.au) by close of business on Tuesday 15 November 2016 to advise their telephone number*

The mention and direction is to program a hearing before the Full Bench to determine the following issues in the above matters:

### Passenger Vehicle Transport Award

Party	Clause	Issue / variation sought	Decision reference
Australian Public Transport Industrial Association (APTIA)	cl. 4.1	Award flexibility clause – varied to specify that it applies to ‘hours of work’ and ‘breaks’	[152] [2016] FWCFB 7254
Transport Workers’ Union (TWU)	New clause	Span of hours provision to be introduced	[152]
Various	cl. 13.2	Provisions relating to two-driver operations	[152]

## Road Transport (Long Distance Operation) Award

Party	Clause	Issue / variation sought	Decision reference [2016] FWCFB 7254
TWU	cl. 3.2 & Sch F	Definition of 'long distance operation'	[162]
TWU	New provision 11.5(a)(iii)	To state fatigue management plan to be provided to the employee	[162]
TWU	New provision 12.1(c)(i)	To specify minimum payment and that employee to perform work under one award per day	[162]
TWU	New clause	To allow payment where an employee is required to travel as a passenger	[162]
TWU	New clause	To specify rates for employees engage in 'two up' driving	[162]
TWU	New clause	To provide payment for drivers spending excessive amounts of time waiting during loading or unloading	[162]

## Road Transport and Distribution Award

Party	Clause	Issue / variation sought	Decision reference [2016] FWCFB 7254
AIG	cl. 12.2	Hourly rate for oil distribution workers issue whether rate calculated on 35 or 38 hour week	[174]
AIG	New provision	Introduction of 'early morning shift'	[174]
AIG	Meal allowance	To limit circumstances when meal allowance paid	[174]
AIG	cl. 12.6	To introduce limitation to application of higher duties provision	[174]
TWU	Classification definition	To recognise advances in heavy vehicle development and manufacturing	[174]
TWU	3.2(h) & Sch H	Amend definition of 'road transport and distribution industry'	[174]
TWU	New definition	Addition of 'driver' definition – coverage issue	[174]
AIG	Meal break	Additional limitation on circumstances which employee is entitled to meal break	[174]

## Waste Management Award

Party	Clause	Issue / variation sought	Decision reference [2016] FWCFB 7254
TWU		Requirement to notify employees of their classification at the time of engagement	[222]
TWU	New provision	To allow for paid meal breaks when employee is working overtime	[222]
TWU	New provision	New meal time provision	[222]
TWU	New provision	Paid meal break of 20 minutes for shiftworkers	[222]
AWU	cl. 16.4	Current clause 30.4 – identify that employees recalled to work overtime must be paid at overtime rates	[222]
TWU	New provision	Defining 'shiftworker' to entitle them to an additional week's annual leave	[222]

### Inquiries:

All inquiries relating to this notice are to be directed to associate to Senior Deputy President Hamberger Phone: (02) 9308 1813, email: [chambers.hamberger.sdp@fwc.gov.au](mailto:chambers.hamberger.sdp@fwc.gov.au).

Fair Work Commission, 9 November 2016 03:28 pm