REVISED SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions 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 (<u>Transcript</u>). The summary has been further revised to include feedback from the Conference on 6 February 2017 (<u>Transcript</u>).

| ITEM | PARTY | DOCUMENT | CLAUSE (exposure draft) | SUMMARY OF ISSUE | THEIR REFERENCE | NOTES |
|------|-------|---------------------|-------------------------------|--|--------------------|--|
| 1 | FPAA | Sub-30/06/16 | 2 | Definitions - 'Fire Technician' Definition should include 'routine maintenance/inspection & testing activities as described under AS1851' | Para 38 | Not being pursued – email 08/08/16 Withdrawn. see Transcript– 6Dec16 [PN381] |
| | MPG | Reply 03/08/16 | | No comment due to application being withdrawn. | Paras 130-132 | |
| 2 | BusSA | Sub-30/06/16 | 2 | Definitions – 'fire sprinkler fitting' Amend to direct the reader to the definition in clause 4.2(b). Where a definition is repeated in an award there is risk of inconsistency. | Para 5.1.2 | AIG does not oppose BusSA sub, see <u>Transcript</u> 6Dec16 [PN381] |
| | | | | | | Withdrawn. See <u>Transcript-6Feb17</u> [PN26] |
| 3 | BusSA | <u>Sub-30/06/16</u> | 2 | Definitions - 'Plumbing' Amend to direct the reader to the definition in clause 4.2(a). Where a definition is repeated in an award there is risk of inconsistency. | Para 5.1.1 | AIG does not oppose BusSA sub, see <u>Transcript</u> 6Dec16 [PN381] |
| | | | | | | Withdrawn. See <u>Transcript-6Feb17</u> [PN26] |

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| 4 | ABI & NSWBC | <u>Sub-1/07/16</u> | 7.2 | Facilitative provisions Submit that clauses 15.5(c), 15.5(e) and 15.5(f) should be referenced in the table – see submission for suggested wording. | Para 12.1 | Agreed to update references in table. See <u>Transcript-6Feb17</u> [PN280] |
| | BusSA MPG | Reply-21/7/16 Reply-3/08/16 | | Agree with ABI & NSWBC above submission. Agree with submission of ABI & NSWBC however, slightly different wording suggested. | Para 6.2 Paras 150-153 | See <u>Transcript-6Feb17</u> [PN260-263] Clause 7.1 would now read: 'A |
| | AIG | Reply-3/08/16 | | Do not agree with ABI, AWU and MPG that proposed amendment be made. Such a change would change effect of provision in current award. Allows for agreement to be reached with a small group as well as the majority of employees. BusSA and CEPU support such retention. | Paras 3-6 | facilitative provision provides that the standard approach in an award provision may be departed from in certain circumstances.' |
| | AWU | Reply-8/08/16 | | Agree with ABI submission that table be amended. | Para 18 | 7.2 would read: 'Facilitative provisions in this award are contained in the following clauses:' |
| | | | | | | (Table below in clause would remain. Last column in table would be deleted in entirety). |
| 5 | BusSA | Sub-30/06/16 | 8.1 | Types of employment Categories of employment are unclear regarding full-time and part-time weekly hire employees. Submits clause 11 be made a subclause of clause 10. | Para 5.1.3 | Withdrawn. See <u>Transcript</u> —6Dec16 [PN388-389] |
| | MPG | Reply 3/08/16 | | Disagree with BusSA submission. No 'fourth | Paras 137-141 | |

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| | | | | eategory' of employment. Reflective of current award. No change necessary. | | |
| | AIG | Reply-3/08/16 | | Disagree with BusSA submission. Clause as drafted reflects current award and is not unclear. | Para 7 | |
| | AWU | Reply-8/08/16 | | Submits it is not unclear however understands BusSA submission structure could be improved. | Para 20 | |
| 6 | BusSA | Sub-30/06/16 | 9 | Daily hire employees — minimum hourly wage Method for calculating daily hire employee's minimum wage is unclear and should be clarified. | Para 5.1.4 | Withdrawn. See <u>Transcript-6Feb17</u> [PN69] |
| | MPG | Reply-3/08/16 | | Accepts BusSA submission. Proposes the following: "9.4 A daily hire employee must be paid no less than the: (a) minimum rate for the relevant classification provided in Clause 18.1; and (b) the lost time loading—daily hire employees provided in Clause 20.3(j)." | Paras 142-145 | |
| | AIG | Reply 3/08/16 | | Do not agree with BusSA submission. Clause in ED reflects current award and is not unclear. | Para 8 | |
| 7 | AWU | Sub-06/07/16 | 11.3(b) | Part time employment Current clause only refers to 'commencing' times. Should also include 'finishing' times. | Para 7 | AWU continue to press this matter. See <u>Transcript-6Feb17 [PN88]</u> |
| | AIG | Transcript- 6Feb17 | | Opposes AWU claim | [PN80] | |
| | MPMCA | Transcript- 6Feb17 | | Opposes AWU claim | [PN84] | |
| 8A | AWU | Sub-06/07/16 | 12.1 | Casual employment | Para 8 | |

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| | | | | Span of hours for casuals is not specified. Suggest wording at clause 15.2(c) be inserted after 12.1 to rectify issue. | | AWU is revising and/or considering whether to continue pressing item. See <u>Transcript-6Feb17</u> [PN93] (Received. See <u>sub-09/02/17</u>) |
| 8B | AIG | Sub-08/07/16 | 12.1 | Definition of 'casual employee' – words 'as such' have been removed. The absence of these words substantially alters definition. Words have been relevant to the determination of disputes as to whether employee is a casual employee. Words should be re-inserted into definition, after 'engaged'. | Paras 245-247 | Agreed, see <u>Transcript</u> _ <u>6Dec16</u> [PN381] |
| | AWU | Reply-8/08/16 | | Do not oppose AIG submission. | Para 21 | |
| | BusSA | Reply-21/7/16 | | Agree with AIG submission. | Para 6.4 | |
| | MPG | Reply-3/08/16 | | The issues raised by the AIG may be resolved in casual employment Full Bench proceedings AM2014/197. | Paras 155-157 | |
| 9 | AIG | Sub-08/07/16 | 12.2 | Casual employment Substantive change from current award term that should not be made. Clause 12.2 of ED cannot be read in a manner the enables any allowance to be taken into account in the calculation of a casual employee's rate of pay. Adopting wording in ED would increase the monetary obligations imposed upon employers by the award. | Paras 248-255 | Agreed, see <u>Transcript-6Feb17</u> [PN128] |
| | BusSA | Reply-21/7/16 | 1 | Agree with AIG submission. | Para 6.5 | 1 |
| | AWU | Reply-8/08/16 | = | Understands this is being dealt with as part of | Para 22 | |

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| | | | | AM2014/197 | | |
| 10 | AWU | Sub-06/07/16 | 13.8 | Apprenticeship - Hours | Para 9 | Withdrawn. See <u>Transcript</u> |
| | | | | Beyond a working week of 38 hours, no further guidance is provided. Given apprentices may | | <u>6Feb17</u> [PN144] |
| | | | | work part time or full time, suggest a cross- | | |
| | | | | reference to clauses 11 and 15. | | |
| 11 | AIG | Reply-3/08/16 | 11.3(b), 12 | Part-time employment, casual employment | Paras 9-11 | 13.8 withdrawn. Pursuing |
| | | | and 13.8 | and apprentices | | 11.3(b), 12 and added |
| | | | added | Do not agree with AWU submissions on these | | clause 9. See <u>Transcript-</u> |
| | | | clause 9 | clauses. Clauses are clear as drafted. | | <u>6Feb17</u> [PN308, 310-311] |
| 12 | MPMCA | Sub-30/06/16 | 13.14(d)(ii) | Adult apprentices | Paras 4-6 | Item being pursued. See |
| | | | | In response to question posed by Commission: | | Transcript-6Feb17 [PN180] |
| | | | | Clause does not contravene s.136 and satisfies | | |
| | | | | s.139 thus is permitted. Provision has already | | |
| | | | | been considered by AIRC during award modernisation. | | |
| | FPAA | Sub-30/06/16 | - | Provision should be retained. | Paras 19-20 | - |
| | BusSA | Sub-30/06/16 | - | Term not permitted in award- modern awards | Para 5.2.2 | - |
| | Bussii | <u> </u> | | must not include a discriminatory term – term | 1 414 3.2.2 | |
| | | | | discriminatory for reasons of age. | | |
| | BusSA | Reply-21/7/16 | | Disagree with FPAA, agree with MPG. | Paras 6.6, 6.7 | |
| | | | | | and 6.14 | |
| | NFIA | Sub-05/07/16 | | Clause is allowable but does not assist users as it | Pg 1 | |
| | | | | commences 'where possible' and does not | | |
| | | | | provide any guidance on what is deemed 'possible'. | | |
| | MPG | Sub-05/07/16 | + | Clause is allowable. However clauses | Paras 18-24 | - |
| | MIFU | <u>540-05/07/10</u> | | 13.14(d)(i) and (ii) should not be included in | 1 a1 a5 10-24 | |
| | | | | Award as they are not enforceable. | | |

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| | MPG | Reply-3/08/16 | | Maintains earlier position. Clause 13.4(d) should be deleted. | Paras 17-28 | |
| | AWU | <u>Sub-06/07/16</u> | | Terms are allowable however given the ambiguous and aspirational nature of clause 13.4(d), if no disadvantage can be identified clause 13.4(d) should be deleted. | Paras 10-13 | |
| | AWU | Reply-8/08/16 | | Agree with CEPU. Clause is allowable but would not oppose deletion of clause. | Paras 9-10 | |
| | AIG | Sub-08/07/16 | | This term could lead to discriminatory practices and should be deleted. | Paras 256-257 | |
| | CEPU | Sub-11/07/16 | | Clause is allowable. Even though wording, 'where possible', does not force an entitlement, it brings people's attention to structuring a career path for workers without qualifications. | Pg 2 | |
| | AIG | Reply-3/08/16 | | Maintain position in earlier submission. BusSA submission aligns with this position. Do not agree with submissions of FPAA, CEPU, MPN and NFIA. Do not agree with proposals to delete clause by AWU and MPG. This would change conditions found in current award. | Paras 12-14 | |
| | ABI & NSWBC | Reply-4/08/16 | | Oppose submission of CEPU. Agree with submissions of BusSA and AIG | Para 1 | |
| 13 | MPMCA | Sub-30/06/16 | 15.3 | Early start Early start should be by agreement with the individual employee. Each employee may have personal circumstances that have to be taken into consideration on case by case basis. | Paras 1-3 | Refer to item 4. Last column deleted in entirety therefore issue resolved. See <u>Transcript-6Feb17</u> [PN262] |
| | FPAA | Sub-30/06/16 | | Various circumstances can arise such as single employee jobs, more than 3 employee jobs, | Paras 10-18 | - |

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| | | | | emergency situations as well as each | | |
| | | | | individual's circumstances. Award should be | | |
| | | | | varied to reflect a mix of circumstances. | | |
| | BusSA | Sub 30/06/16 | | No change necessary. Wording reflects current | Para 5.2.1 | |
| | D. CA | D 1 01/7/16 | _ | Award. | D 62 | - |
| | BusSA | Reply 21/7/16 | | Agree with MPG submission. | Para 6.2 | - |
| | ABI & | Sub-1/07/16 | | As clause refers to 'employees', reasonable to | Para 12.2 | |
| | NSWBC | | | assume it means a majority of employees as | | |
| | | | | opposed to an individual employee. This is also | | |
| | | | | consistent with clause 15.4 | | |
| | MPG | Sub-05/07/16 | | Clause should read 'the majority of affected | Paras 11-15 | |
| | | | | employees' (not 'majority of employees' as this | | |
| | | | | may lead to confusion where groups of | | |
| | | | | employees are working on various sites). These | | |
| | | | | words accurately reflect nature of industry. | | |
| | | | | Suggest these words be inserted into clauses | | |
| | | | | 15.4, 16.2 and 26.2 as well. | | |
| | MPG | Reply 3/08/16 | | Maintains earlier position. Decision as to | Paras 11-16 | |
| | | | | whether facilitative provision should be utilised | | |
| | | | | should only be made by those employees | | |
| | | | | affected. | | |
| | AWU | Sub-06/07/16 | | Wording is plural 'employees'. Table should | Paras 4-5 | |
| | | | | refer to 'majority of employees'. Suggest change | | |
| | | | | to 'majority of affected employees' to improve | | |
| | | | | clause. | | |
| | AWU | Reply-8/08/16 | | Agree with submissions of MPG and ABI. Note | Paras 5-8 |] |
| | | | | BusSA submit change is unnecessary but given | | |
| | | | | divergent views of parties, some clarity would | | |
| | | | | be beneficial. Unsure if FPAA position is to | | |

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| | | | | change or retain current clause. Acknowledge risks to individual employees cited by CEPU but consider word 'employees' ambiguous and may not refer to agreement with individual employees. | | |
| | CEPU | <u>Sub-11/07/16</u> | | Clause should be left how it is in current award. To change the wording to 'majority' of employees could substantially impact on an individual employee with commitments such as child care. No parties have raised this issue before. | Pg 1 | |
| 14 | MPMCA | Sub-30/06/16 | 16.5 and 16.6 | Overtime In response to question posed by Commission: Easier and more accessible to read all overtime provisions in one location. | Paras 7-8 | Agreed. See <u>Transcript-6Feb17</u> [PN322] |
| | FPAA | Sub-30/06/16 | 1 | May be appropriate to move clauses 16.5 and 16.6 to clause 21-Overtime. | Paras 21-24 | |
| | BusSA | <u>Sub-30/06/16</u> | | Supports returning overtime meal break clauses, and moving overtime-rest break clause, to general overtime clause. | Para 5.2.3 | |
| | MPG | Sub-05/07/16 | | Submit clauses should be inserted into clause 21 – Overtime. | Para 25 | |
| | MPG | Reply-3/08/16 | | Clauses should be inserted into clause 21. Overtime as clause 21.6 – Overtime Meal Breaks and clause 21.7 – Overtime Rest Breaks (suggested wording in submission) | Paras 29-41 | |
| | BusSA | Reply-21/7/16 | | Agree with MPMCA, FPAA and CEPU | Para 6.8 | |

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| | ABI & NSWBC | <u>Sub-1/07/16</u> | | Appropriate that 16.5 and 16.6 are placed within the same clause. Most appropriate place to put them is clause 16; however, not opposed to them being placed in clause 21, provided they are kept together. | Para 12.3 | |
| | AWU | Sub-06/07/16 | | No strong opinion about where clauses are placed. Slight preference for clauses being moved back to clause 21. | Para 14 | |
| | CEPU | <u>Sub-11/07/16</u> | | Clauses would be better situated in clause 21. To avoid confusion, the clauses should be mentioned in clause 16. | Pg 2 | |
| | AWU | Reply-8/08/16 | | Support CEPU's suggestion that clause be referenced at clause 16. | Para 11 | |
| | AIG | Reply-3/08/16 | | No objection to current placement or placement in overtime clause. Slight preference for placement in overtime clause for ease of reading. | Paras 12-13 | |
| 15 | BusSA | <u>Sub-30/06/16</u> | 18.1 | Daily hire employees minimum hourly wage and Minimum wages-General Method for calculating daily hire employee's minimum wage is unclear and should be clarified. Clause should be amended to indicate minimum weekly rate is payable only to full time weekly | Paras 5.1.4 and 5.1.5 | No longer being pressed. See <u>Transcript–6Dec16</u> [PN397] |
| | MPG | Reply 3/08/16 | | hire employee. Disagree with BusSA. Part time and casual provisions deal with this issue and clarify the obligations established in Clause 18.1 of ED. | Paras 146-148 | |

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| | AWU | Reply-8/08/16 | | Disagree with BusSA. Part time and casual provisions make it clear wages are paid on prorata and hourly basis. | Para 19 | |
| 16 | MPMCA | Sub-30/06/16 | 18.8 | Payment of wages In response to question posed by Commission: Clause already specifies 'bank or similar transfer' which means payment by electronic means. | Paras 9-12 | Agreed that reference to electronic funds transfer should be included and no other method should be removed. See <u>Transcript-6Feb17</u> [PN341] |
| | FPAA | Sub-30/06/16 | | Clause should specify payment by electronic means is acceptable method. Suggested wording in submission. | Paras 25-27 | |
| | BusSA | Sub-30/06/16 | | Supports specifying 'payment by electronic means' | Para 5.2.4 | |
| | BusSA | Reply-21/7/16 | | Partially agree with FPAA. Proposed wording of FPAA acceptable but submits the draft's reference to 'any combination of these' be retained. | Pages 18-19, paras 6.9, 6.16 | |
| | ABI & NSWBC | Sub-1/07/16 | | Submit that current wording, 'bank or similar transfer' allows for payment of wages by electronic means. Express reference to 'electronic transfer' could be included to avoid ambiguity. | Para 12.4 | |
| | MPG | Sub-05/07/16 | | Proposed new clause (wording in submission) which includes express reference to 'electronic funds transfer' | Paras 26-32 | |
| | MPG | Reply-03/08/16 | | Maintains earlier submission. Decision on this clause may have to wait until after AM2016/8-Payment of wages decision issued. | Paras 42-57 | |
| | NFIA | Sub-05/07/16 | | Electronic payment of wages is an acceptable method of payment. Support s MPG submission. | Pg 1 | |
| | AWU | Sub-06/07/16 | | Clause should be updated by removing words, | Para 15 | |

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| | | | | 'bank cheque, bank or similar transfer' and adding 'electronic fund transfer'. | | |
| | AWU | Reply-8/08/16 | | Amended position is that reference to 'electronic funds transfer' be included but no payment method is removed. | Paras 12-13 | |
| | CEPU | <u>Sub-11/07/16</u> | | Payment by electronic means is acceptable and words to that effect should be inserted into the award. Suggested wording in submission. | Pg 2 | |
| | AIG | Reply-3/08/16 | | Agree that term 'electronic funds transfer' should be included. Do not agree that term 'bank cheque' be removed. Better to retain all possible means of payment. Do not agree with MPG submission to rewrite payment of wages clause. | Paras 14-17 | |
| 17 | FPAA | Sub-30/06/16 | 20.3(f) | Allowances - In response to question posed by Commission: Allowance is only payable to adults. For clarity, ED should define 'sprinkler fitter employee' and 'adult sprinkler fitter employee' (suggested definitions in submission) | Paras 28-31 | Agreed that word "adult" be deleted and clause commence with word "Fire". See <u>Transcript-6Feb17</u> [PN371] |
| | BusSA | Sub-30/06/16 | | Apprentices are also entitled to this allowance (refers to clauses 18.2(b)(iii), 18.2(c)(iii)). | Para 5.2.5 | Delete words: "adult fire" and replace with "sprinkler |
| | ABI & NSWBC | <u>Sub-1/07/16</u> | | Allowance is only payable to adults. This reflects provision at 21.1(g) of the current award. | Para 12.5 | fitter tradesperson" See Transcript-6Feb17 [PN457] |
| | MPG | Sub-05/07/16 | - | No, Clause 20.3(f) is payable to an apprentice, | Para 30 | <u> </u> |

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| | | | | but only at the applicable apprentice | | (Parties to confer re |
| | | | | "percentage" | | inconsistencies throughout |
| | MPG | Reply-3/08/16 | | Maintains earlier submission. | Paras 58-69 | award and report back to |
| | AWU | Sub-06/07/16 | | Submit both allowances are also payable to | Para 16 | the Commission within 14 |
| | | | | junior employees. | | days). See <u>Transcript-</u> |
| | AWU | Reply-8/08/16 | | Agree with CEPU and MPG that all apprentices | Paras 14-15 | <u>6Feb17</u> [PN455] |
| | | | | receive allowance. | | |
| | CEPU | Sub-11/07/16 | | Apprentices, whether adult or not, receive this | Pg 3 | |
| | | | | allowance. | | |
| | AIG | Reply-3/08/16 | | Agree with ABI and FPAA that clause is only | Paras 18-21 | |
| | | | | payable to adults. No necessity to create | | |
| | | | | definition as proposed by FPAA. Do not agree | | |
| | | | | with submissions of AWU, CEPU and MPG as | | |
| | | | | their proposals depart from conditions of current | | |
| | | | | award. | | |
| 17A | AIG | Sub-16/01/16 | 21.6(c) | Overtime | Para 94 | AMOD: Error-ED amended |
| | | | | References to 'Schedule X' should be replaced | | |
| | | | | with 'Schedule N'. | | |
| 18 | AWU | <u>Sub 06/07/16</u> | 21.1 and | Overtime | Paras 17-20 | Withdrawn. See corro- |
| | | | 22.1 | Inconsistency or ambiguity between the penalty | | 05/12/16 and Transcript— |
| | | | | and overtime rates for plumbing and mechanical | | 6Dec16 [PN409]. |
| | | | | services employees. Suggest the rate at clause 21.1 | | |
| | | | | be amended to 200% at column 3, row 5. | | |
| | BusSA | Reply-21/7/16 | | Disagree with AWU sub. Unclear how | Paras 6.10 and | |
| | | | | inconsistency arises based on the AWU's | 6.17 | |
| | | | | submission. Opposed to increasing penalty rate | | |
| | | | | from 150% to 200% of the ordinary hourly rate. | | |
| | 1600 | D 1 0/00/4 5 | 4 | This would amount to a substantive variation. | D 440.425 | |
| | MPG | Reply-3/08/16 | | Does not agree with AWU submission. | Paras 118-122 | |

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| | AIG | Reply 3/08/16 | | Does not agree with AWU submission. Terms of ED replicate terms of current award. AWU's proposed changes should not be adopted. | Para 18 | |
| | ABI & NSWBC | Reply 4/08/16 | | Oppose submission of AWU. Proposed increase to Saturday night penalty would amount to substantive variation of current award. Agree with reply submission of BusSA. | Para 2 | |
| 19 | AIG | Sub-8/07/16 | 22.1 | Weekend work Table needs to be amended to reflect that the penalty payable is on the minimum hourly rate of pay and not the ordinary hourly rate, consistent with the current award. | Para 258 | Agreed. See <u>Transcript-6Feb17</u> [PN416] |
| | BusSA | Reply-21/7/16 | | Agree with AIG sub. | Para 6.11 | |
| 20 | ABI & NSWBC | Reply-4/08/16 | 22.2 | Shiftwork Agree with submission of AIG. Current drafting in ED will lead to substantive change. Submit wording in current award should be retained. | Para 3 | Agree to retain current award wording and penalties to be expressed as payable on minimum |
| 21 | AWU | <u>Sub – 06/07/16</u> | 22.2(a) | Terms of engagement for shiftworkers is insufficient and missing vital information provided in the schedules to the award. Wording suggested in submission. | Paras 21-24 | hourly rate not ordinary hourly rate. See <u>Transcript-</u> <u>6Feb17</u> [PN510] |
| | AIG | Sub - 08/07/16 | | This clause substantially changes entitlements from those in current award and propose that current provisions be retained. Wording "midnight on Sunday and midnight on Friday" should not be replaced with "Monday to Friday". Retain existing wording. Paragraph (a)(ii) of the ED provides a higher penalty than in current award. This needs to be | Paras 259-263 | AIG to get back to parties and Commission. See Transcript-6Feb17 [PN487] (Received. See sub- 09/02/17) |

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| | | | | corrected. Penalties should be paid on minimum hourly rate and not ordinary hourly rate in accordance with current award. | | |
| | BusSA | Reply-21/7/16 | | Agree with AIG submission. | Para 6.12 | |
| | MPG | Reply-3/08/16 | | MPG have previously submitted a proposal for variation of Clause 22 – Penalty Rates of ED. Issues raised by the AWU and AIG should be dealt with at the same time as the Master Plumbers Group application. | Paras 123-125, 158-161 | |
| | AIG | Reply-3/08/16 | | Maintains position in earlier submission. This is not an issue related to drafting and technical matters in ED. | Paras 28-29 | |
| | ABI & NSWBC | Reply-4/08/16 | | Oppose submission of AWU. Proposed amendments amount to substantive change. | Para 4 | |
| 22 | FPAA | <u>Sub 30/06/16</u> | Schedule B.3 | All purpose rates of pay – fire sprinkler fitting - In response to question posed by the Commission: Allowance is entitled 'trade'. Apprentices are not 'tradesman'. Allowance not payable to apprentices and adult apprentices. | Paras 35-37 | Withdrawn. See <u>Transcript-6Feb17</u> [PN513] |
| | BusSA | <u>Sub 30/06/16</u> | | References to the fire sprinkler fitting trade allowance in the table for apprentices and adult apprentices are appropriate, however more accurate reference must be made. | Para 5.2.6 | |
| | NFIA | <u>Sub 05/07/16</u> | | Allowance applies to fire sprinkler fitting | Pg 1 | |

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| | | | | tradespersons only. | | |
| | MPG | <u>Sub 05/07/16</u> | | Allowance is not payable to a fire sprinkler fitter apprentice. | Para 33 | |
| | MPG | Reply 3/08/16 | | Maintains earlier submission. | Paras 70-80 | |
| | CEPU | <u>Sub 11/07/16</u> | | This is an allowance for trades persons only. | Page 3 | |
| | AIG | Reply 3/08/16 | | Allowance should not be included in table for apprentices and adult apprentices. Aligns with submissions of FPAA, MPG, CEPU and NFIA. | Paras 31-33 | |
| | | | | Do not agree with BusSA. | | |
| | AWU | Reply-8/08/16 | | AWU agree with the majority that the allowance is not payable to apprentices and adult apprentices. Understand allowance not paid in accordance with reasoning provided by FPAA. | Para 16 | |
| 23 | AIG | <u>Sub – 08/07/16</u> | Schedule C | Summary of hourly rates – plumbing and mechanical services employees and irrigation installer employees The tables at C.1.6, C.1.7, D.1.6 and D.1.7 should reflect that the casual loading is calculated on the minimum hourly rate and not the ordinary rate. In tables C.1.6, C.1.7, D.1.6 and D.1.7 the penalty rates and shiftwork rates are calculated by adding them to the assemblies ding. | Paras 264-265 | Agreed. Tables need to reflect earlier agreements in relation to calculation of various rates. See Transcript-6Feb17 [PN518] |
| | MPG | Reply-3/08/16 | | by adding them to the casual loading. Supportive of AIG contention, however no necessity for making the change proposed by AIG, as the words provided in ED do no more or less than current award. | Paras 162-176 | |

| ITEM | PARTY | DOCUMENT | CLAUSE (exposure draft) | SUMMARY OF ISSUE | THEIR REFERENCE | NOTES |
|------|-------|-----------------------|-------------------------------|---|--------------------|--|
| | | | | Disagrees with AIG second submission on this clause regarding calculations in Tables C.1.6, C.1.7, D.1.6 and D.1.7. | | |
| 24 | AWU | Sub 06/07/16 | Schedule E | Summary of hourly rates of pay - apprentices Shift work rates are missing from this schedule for apprentice hourly rates and should be included. | Para 25 | Withdrawn. See <u>Transcript-6Feb17</u> [PN525, 538] |
| | AIG | Reply 3/08/16 | | Does not support inclusion of shift work rates for apprentices as proposed by AWU on basis it is not necessary. | Para 30 | |
| | MPG | Reply-3/08/16 | | Agree with AWU submission. | Paras 126-127 | |
| 25 | MPMCA | Sub – 30/06/16 | Sched H.2 | Peak Sports Apprenticeships In response to question posed by the Commission: List is current and meets the intent of the original proposal to establish the category of such an apprenticeship. | Paras 13-14 | Agreed. See <u>Transcript-6Feb17</u> [PN542] |
| | MPG | <u>Sub - 05/07/16</u> | | The list of Peak Sports Bodies would accord with types of organisations that could be considered to be a Peak Sports Body. | Para 34 | |
| | MPG | Reply-3/08/16 | | List is accurate and should not be changed. | Paras 81-91 | |
| | CEPU | <u>Sub – 11/07/16</u> | | Believes this list to be up to date. | Page 3 | |
| 26 | MPG | <u>Sub – 05/07/16</u> | Sched I | Coverage (Training programs) Training for a plumber remains fundamentally the same as it was in 1997 in that the only way to become a registered plumber is through an apprenticeship. | Para 35 | Agreed. See <u>Transcript-6Feb17</u> [PN550] |
| | MPG | Reply-3/08/16 | | Schedule is accurate and up to date and should not be changed. | Paras 92-102 | |

| ITEM | PARTY | DOCUMENT | CLAUSE (exposure draft) | SUMMARY OF ISSUE | THEIR REFERENCE | NOTES |
|------|--------|-----------------------|-------------------------------|---|--------------------|---|
| | CEPU | <u>Sub – 11/07/16</u> | | The only training to become a registered plumber is that of an apprenticeship. This has not changed since 1997. | Page 3 | |
| 27 | MPG | <u>Sub – 05/07/16</u> | Sched I | National Training Wage – allocation of traineeships to wage levels The only applicable training package is the 'Construction, Plumbing and Services Integrated Framework'. However, current training package is titled, 'Construction, Plumbing and Services Training Package'. All other references could be deleted from table. | Para 36 | Leave as is. See <u>Transcript-6Feb17</u> [PN555] |
| | MPG | Reply-3/08/16 | | Support submissions of CEPU however maintain that the remaining packages be deleted as they do no work in this award. Acknowledge that a standard NTW clause may be inserted into all awards. | Paras 103-113 | |
| | CEPU | <u>Sub – 11/07/16</u> | | The packages listed in Schedule I generally do not apply to Plumbing or Fire Sprinkler Work. "Construction, Plumbing and Services Integrated Framework" is applicable although the Training package might be worded a bit differently. | Page 4 | |
| 28 | FPAA | Sub-30/06/16 | N/A | Proposed Clause - Shiftwork | Paras 32-34 | FPAA to circulate a |
| | DanaCA | Domler 01/7/16 | | Propose putting 'shift work' clause into Award. | Damas 6.1 am J | document within the next |
| | BusSA | Reply-21/7/16 | | This would be a substantive change. Opposed by BusSA. | Paras 6.1 and 6.13 | fortnight and parties to indicate whether they're |
| | AIG | Reply-3/08/16 | | Does not agree with FPAA submission. Separate clause not necessary. | | prepared to have a discussion or not. See |
| | AWU | Reply-8/08/16 | | Agree with FPAA. | Para 17 | Transcript-6Feb17 [PN572] |

List of abbreviations (in alphabetical order)

ABI&NSWBC Australian Business Industrial and NSW Business Chamber Ltd

AIG Australian Industry Group AWU The Australian Workers' Union

BusSA Business SA, the Chamber of Commerce and Industry South Australia

CEPU Plumbing Trades Employees Union

ED Exposure draft

FPAA Fire Protection Association Australia

HBG Hall and Baum Group MPG Master Plumbers Group

MPMCA The Master Plumbers and Mechanical Contractors Association of NSW

NFIA National Fire Industry Association