

**From:** Craig Buckley <craig@amieuqld.asn.au>

**Sent:** Wednesday, 19 October 2022 4:31 PM

**To:** AMOD <AMOD@fwc.gov.au>

**Subject:** C2019 5259 Review of certain C14 rates in modern awards – AMIEU Proposal

The Fair Work Commission

PO Box 1994,

Melbourne, Vic. 3001

Dear Sir or Madam,

**Re: C2019 5259 Review of certain C14 rates in modern awards – AMIEU Proposal**

I refer to the above matter, and the direction issued by the Full Bench on 7 October 2022.

In accordance with those directions, I attach an outline of the AMIEU's proposed changes to the Meat Industry Award 2020.

Regards,

Craig Buckley

Industrial Officer

Australasian Meat Industry Employees' Union

## IN THE FAIR WORK COMMISSION

s. 157 – FWC may vary etc. modern awards if necessary to achieve modern awards objective –  
Review of certain C14 rates in modern awards (C2019/5259)

## MEAT INDUSTRY AWARD 2020

[MA000059]

### OUTLINE OF PROPOSAL OF THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION

#### Background

1. In a Statement issued on 6 October 2022<sup>1</sup>, the Full Bench of the Fair Work Commission issued directions in relation to progressing the review of certain C14 rates in some modern awards, including the Meat Industry Award 2020.
2. Those directions included a direction that *“Those parties seeking a change to one or more of the relevant modern awards should file details of the proposal with the Commission by 4pm (AEDT) on 19 October 2022.”*
3. The AMIEU has an interest in the Meat Industry Award 2020, and has previously outlined its position in relation to the relevant C14 rate; i.e. the Level MI1 classification in that Award.<sup>2</sup>
4. The AMIEU notes that the comments of the Commission in relation to ABS data regarding C14 rates. While the AMIEU does not make comment as to whether or not it may be possible to extract useful data in relation to particular industries or occupations, the AMIEU notes that such an exercise is unnecessary in the case of the Meat Industry Award 2020. In relation to the meat industry, the AMIEU is aware that extensive use is made of the Level MI1 classification.

#### Level MI1 Classification

5. The AMIEU notes that the Level MI1 classification in the Meat Industry Award 2020 provides as follows: *“An employee at this level will be a person with no experience in the industry undergoing on-the-job training for an initial period of at least 3 months.”*
6. On its face, the classification is only applicable to those who undergo on-the-job training that will last for a period of three months or more. In other words, the classification should not be available unless an employee is to be provided with at least three months of on-the-job training.

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<sup>1</sup> [2022] FWCFB 183

<sup>2</sup> <https://www.fwc.gov.au/documents/sites/rates-c14-review/c20195259-sub-amieu-180822.pdf>

7. The AMIEU does not believe that any employer would provide such extensive on-the-job training to employees in the Level MI1 classification, and that the classification is, therefore, being widely misused or misapplied in the industry.
8. Employees in the Level MI1 classification are new employees to the workplace who are being trained for basic labouring and packing roles in the industry. The classification is not used for employees being trained into skilled roles. After standard workplace inductions, employees in the Level MI1 classification are assigned work tasks that are covered by higher classifications in the Award, typically Level MI3 work (or possibly Level MI2, but Level MI2 only applies to a rather narrow range of jobs).
9. On-the-job training usually consists of providing brief instruction in the physical task required, after which the Level MI1 employee performs the task, initially assisted by a supervisor or co-worker. After this, employees are simply left to perform the task and expected to work at the pace normally required of trained employees in the higher classification. The amount of actual on-the-job training might be as little as a few hours.

#### **AMIEU Proposal for Changes to the Meat Industry Award 2020**

10. The AMIEU considers that, given the short periods of on-the-job training provided to most employees new to the industry, the Level MI1 classification can be considered to be unnecessary, and ought to be deleted from the Award.
11. In the alternative, the Award classification should be amended to ensure that, rather than remain open-ended, the definition of the Level MI1 classification should be amended to insert a maximum duration for the classification before transition occurs to the usual classifications. That maximum duration should be in the order of one week, reflecting the amount of on-the-job training that new employees typically receive.

Craig Buckley  
Industrial Officer  
Australasian Meat Industry Employees' Union  
18 October 2022