

## BEFORE THE FAIR WORK COMMISSION

S.157 – FWC may vary etc. modern awards if necessary to achieve modern awards objective

**MATTER NO: C2019/5259 – Review of certain C14 rates in modern awards – Joinery and Building Trades Award 2020.**

### REPLY SUBMISSIONS OF MASTER BUILDERS AUSTRALIA

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#### INTRODUCTION

1. This submission is filed by Master Builders Australia ('Master Builders') with reference to the above matter and the Statement of 22 September 2023<sup>1</sup> ('the September Statement'), in particular its application to the *Joinery and Building Trades Award 2020* ('Joinery Award').
2. We make these submissions in reply in accordance with paragraph [27] of the September Statement and in response to the submissions of the Construction, Forestry, Maritime, Mining and Energy Union (Construction & General Division) ('CFMMEU') of 3<sup>rd</sup> November 2023.
3. We continue to rely on our submissions made in this matter of 3<sup>rd</sup> November 2023 and our position outlined therein.<sup>2</sup>

#### MASTER BUILDERS' RESPONSE TO THE CFMMEU'S SUBMISSION

4. At paragraph [14] and [15] of its submission, the CFMMEU disputes the Commission's commentary within **Attachment D** of the September Statement and its reference to the industry allowance payable under the Joinery Award.<sup>3</sup>
5. Master Builders maintains its position in response to the Commission's *provisional* analysis, with respect to the Joinery Award, that the ordinary hourly rate for a Level 1 employee exceeds both the C14 and C13 rates taking into account payment of the industry allowance.
6. In response to paragraph [15] of the CFMMEU's submission, we are not aware of any occupations covered by the Joinery Award that are not entitled to the industry allowance as prescribed under clause 21.3(b) and note that the CFMMEU has neglected to identify or provide any evidence of same.
7. Master Builders submits that the changes proposed by the CFMMEU at paragraph [16] of its submission are redundant in light of the Commission's analysis of the operation of the Joinery Award, taking into account the industry allowance and its application to Level 1 employees.
8. Master Builders therefore maintains the position that no amendments to the Joinery Award are necessary to give effect to the Commission's Annual Wage Review Decision with respect to C14 rates as referenced therein.<sup>4</sup>

**MASTER BUILDERS AUSTRALIA**  
**1 DECEMBER 2023**

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<sup>1</sup> [\[2023\] FWCFB 168](#)

<sup>2</sup> [Submissions of Master Builders Australia - Review of certain C14 rates in modern awards - Joinery and Building Trades Award 2020 - 3 November 2023](#)

<sup>3</sup> [Submission of the Construction, Forestry, Maritime, Mining and Energy Union \(Construction & General Division\) 3 November 2023](#)

<sup>4</sup> [Annual Wage Review Decision 2022-23 - 2 June 2023](#)