

**From:** AMOD  
**Sent:** Monday, 12 June 2017 2:46 PM  
**To:** SCAA Secretary  
**Cc:** AMOD  
**Subject:** AM2014/239 - Pastoral Award 2010 - 4 yearly review [SEC=UNCLASSIFIED]

Dear Mr Letchford

Justice Ross has asked me to contact you to clarify the Shearing Contractors Association of Australia's (SCAA) position in relation to the additional claims to vary the *Pastoral Award 2010* made in your [submission in reply](#) filed on 20 October 2016 namely:

**Additional Item SCAA1 – Clause 40.2 Shearers providing their own stud combs.**

**Details:** Currently the Award states that where a shearer provides their own stud combs, 25% needs to be 'added to the rate for each class of sheep'.

**Additional Item SCAA2 – Clause 40.2 Quoting of Additional rates**

**Details:** 40.2 Additional Rates has six additional applicable rates, with five of them being specified and one being as agreed. Of the five specified rates, three (Rams, Stud Ewes and Lambs, Double Fleeced) are quoted as a % multiplied by the prescribed rate and two of them (Hand Shearing, Stud Combs) and are quoted as 'additional rates'

**Additional item SCAA3 – Clause 40.4 - Quoting of Shed Hand's 'Weekly Rate'**

**Details:** Amending Clause 40.4 regarding quoting of Shed Hand rate as a '*Weekly Rate*' and a '*Per Run Rate*'.

**Additional item SCAA4 - Clause 46.1 Sleeping Quarters Allowance**

**Details:** Clause 46.1 The ambiguity of when a Sleeping Quarters Allowance is payable in Suburban Work

On [2 November 2015](#) the Full Bench provided a final opportunity (additional to that provided in the directions contained in the [Statement](#) of 23 January 2015) for parties with an interest in Group 3 awards to file submissions in relation to additional substantive claims by **12 November 2015**.

The Directions issued on 5 October 2016 (in response to which the SCAA filed the above claims) called for submissions on the "outstanding claims", being the claims that had been identified as outstanding in the revised summary of submissions referred to item 1 of those directions (see Attachment 2 to [\[2016\] FWC 5837](#)). The directions were not seeking additional claims.

As the AWU submitted in their [submission in reply](#) on 23 November 2016:

[the filing of additional claims] is regrettable given the AWU and other interested parties including the SCAA and the NFF spent a considerable amount of time discussing substantive variations to the Award and ultimately arrived at an agreed position. The SCAA endorsed the agreed position.

Given the directions outlined above, the Full Bench seeks submissions as to why the above claims (SCAA1–4) should be considered at this stage of the review of the *Pastoral Award 2010*. If the SCAA wish to pursue such claims and the Full Bench consents to them so doing, it should be noted that extensive evidence will need to be provided to show why such variations to the modern award are necessary to ensure the award meets the modern awards objective.

Submissions should be made in writing to [amod@fwc.gov.au](mailto:amod@fwc.gov.au) by **4.00pm on Wednesday 21 June 2017**.

(The Australian Workers' Union will also be provided an opportunity to make a submission on this matter.)

Regards

**CATHERINE LUBY**

Member Support

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