



AUSTRALIAN MARITIME OFFICERS UNION

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Ms Joanna Richardson
Associate to
Justice Ross
President
Fair Work Commission

By email:

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Dear Associate

RE: AM2014/243 SEAGOING INDUSTRY AWARD

Submission concerning minimum hours of rest

We refer to the Conference conducted by His Honour on 4 August 2016.

During the course of the Conference, at Item 9 of the Summary of Submissions, the parties discussed section 14 the Minimum hours of rest provision contained in *Marine Order 28 (Operations standards and procedures)*.

Section 14 provides as follows:

14.1 *The minimum hours of rest for a seafarer must be:*

- (a) *10 hours rest in any 24 hours; and*
- (b) *77 hours in any 7 days.*

14.2 *The minimum hours of rest may be divided into 2 periods, of which one period must be at least 6 hours.*

14.3 *The interval between consecutive periods of rest must not exceed 14 hours.*

At the Conference there seemed to be a consensus that the language of the Award and the language of the legislative provision should be the same.

This being the case, could I also draw your attention to Schedule A – Vessels Granted a Temporary Licence, particularly at A.3.2.

We would request the Commission give consideration to deleting the words contained in each of A.3.2 (a), (b) and (c); and in their place insert the words contained in 14.1, 14.2 and 14.3 above; in the revised Exposure Draft to be published shortly.

In our respectful submission, the existing clause 29.2 and the proposed A.3.2 (b) are clearly incorrect.

Yours faithfully

Australian Maritime Officers' Union