

**IN THE FAIR WORK COMMISSION**

**Matter No: AM2016/15**

**Section 156 - Four Yearly Review of Modern Awards – Group 4 awards –Substantive Issues**

**SUBMISSION OF UNITED VOICE**

**15 October 2018**

1. This submission is responsive to the Statement<sup>1</sup> of the Full Bench of the Fair Work Commission dated 1 October 2018 ('Statement') concerning the substantive review of the Group 4 awards. In the Statement, parties were asked to confirm the accuracy of the substantive claims listed in Attachment A.
2. United Voice can confirm that our claims listed are accurate in respect of the following awards:
  - *Aboriginal Community Controlled Health Services Award 2010*
  - *Aged Care Award 2010*
  - *Children's Services Award 2010*
  - *Dry Cleaning and Laundry Industry Award 2010*
  - *Educational Services (Teachers) Award 2010*
  - *Food, Beverage and Tobacco Manufacturing Award 2010*
  - *Funeral Industry Award 2010*
  - *Water Industry Award 2010*
3. In the list of variations to the *Social, Community, Home Care and Disability Services Industry Award 2010* it is stated that United Voice seeks to vary the award by 'replacing references to terms such as 'appropriate rate' and 'ordinary rate of pay' within the award to 'minimum hourly rate''. This is incorrect. We have not made such a claim and we oppose such a claim.
4. In the Decision dated 21 March 2018 regarding technical and drafting matters in Group 4 awards<sup>2</sup>, the Commission expressed a provisional view that references to 'appropriate rate' and 'ordinary rate of pay' within the award should be replaced with 'minimum rate' or 'minimum hourly rate' (see paragraphs [664] to [667]). In our submission of 18 April 2018, we objected to the provisional view (see paragraphs [41]-[42]).
5. Attachment A should be amended to delete this item from our claims.

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<sup>1</sup> [2018] FWC 6107

<sup>2</sup> [2018] FWCFB 1548

6. The remaining claims listed are accurate.
7. However, it should be noted that substantial work has been conducted on this award during conferences before Deputy President Booth. As a result of those conferences, the parties were able to reach a consent position on a number of matters. The consent position was outlined in a Joint Report dated 8 May 2017.
8. United Voice (and a number of other parties) withdrew claims on the basis of having reached a consent position (see Annexure B of the Joint Report).
9. The Commission has yet to make a decision on the consent position. If the consent position is rejected, United Voice may seek to pursue those claims in the substantive review.

**UNITED VOICE**  
**15 October 2018**