

IN THE FAIR WORK COMMISSION

Matter No: AM2014/69

Section 156 - Four Yearly Review of Modern Awards – *Security Services Award 2010*

SUBMISSION OF UNITED VOICE

1. On 9 June 2017, in the decision *4 yearly review of modern awards – award state - group 1* [2017] FWCFB 3177, the Commission released various group 1 exposure drafts of modern awards and sought comments by 30 June 2017. This submission concerns the exposure draft of the *Security Services Award 2010* ('Award') released on 30 June 2017.

Clause 9.4(a) – Long Breaks

2. There is an error in the last row of the table at clause 9.4(a). There is an additional space between the number '9' and the word '*breaks*'.

Clause 12.5 – Absence from work

3. Clause 12.5(a) includes a number of incorrect references. The references to clauses 20.2, 20.3(a) and 20.3(b) should be replaced with the correct reference to clause 12.2, 12.3(a) and 12.3(b).

Clause 15 – Annual leave

4. Clause 24.11 includes the following definition of 'ordinary pay':

24.11 In relation to any employee ordinary pay means:

(a) remuneration for the employee's normal weekly number of hours of work calculated at the ordinary time rate of pay; and

(b) where the employee is provided with board or lodging by the employer, ordinary pay includes the cash value of that board or lodging.

5. This definition was not included in the exposure draft. It should be inserted at clause 15.8 of the exposure draft.

Clause 15.10 – Payment of accrued annual leave on termination

6. The words 'unless the employee has been dismissed for misconduct' should be deleted from the Award. These words make the provision contravene s 90(2) of the *Fair Work Act 2009* (Cth) ('the Act') and thus may not be included in a modern award under s 55 of the Act.

Schedule B.4 – Casual employees – overtime rates

7. The table describing the rates payable to casual employees when working overtime has been deleted from the Award. It should be reinserted. We note that clause 14.3 refers to a table of casual overtime rates in Schedule 4.

UNITED VOICE
30 June 2017