

**From:** Bill Chesterman [mailto:bchesterman@vacc.com.au]  
**Sent:** Friday, 10 May 2019 2:10 PM  
**To:** Chambers - Bissett C  
**Cc:** Paris Lettau; Sue-Anne Burnley; Hamish Harrington  
**Subject:** FW: 4 year review letter to Commissioner Bissett award variation 10 May 19.pdf

Dear Commissioner,

I have attached a [letter](#) regarding two matters which are outstanding from the award review of the Vehicle Manufacturing, Repair Services and Retail Award 2010 by a Full Bench decision of the Commission on 16 August 2016.

The two matters relate to the following clauses which have been inserted in the most recent Exposure Draft of the Vehicle, Repair, Services and Retail Award, dated 13 February 2019 :

- a. Maximum ordinary hours, twelve hour shifts and shifts in excess of 10 hours (clause 19 – ordinary hours of work and rostering; - clauses 19.3 to 19.5 at page 40)
- b. Minimum remuneration and calculation of wages for vehicle salespersons (clause 25 – Special provisions – persons employed principally to sell vehicles: clause 25.4 at page 54)

In its 16 August 2016 decision, the Full Bench finalised the outstanding issues relating to these award issues. The 4 March 2016 Exposure Draft subsequently issued by the Commission was varied to give effect to the Full Bench's 16 August 2016 decision, including the two clauses set out above. However, the two award variations were not inserted in the Vehicle Manufacturing Repair, Services and Retail Award 2010.

The Motor Trades Organisations have consulted with the other major parties to the award about seeking operative dates for these two matters due to the time that has elapsed since the original decision. The SDA, AMWU and the Australian Industry Group do not oppose this approach. Given the agreement to advance these matters by all parties, the Motor Trades Organisations would appreciate the opportunity of attending a conference before you in Melbourne to discuss the operative date issue.

**Kind Regards,**

**Bill Chesterman**

**William Chesterman**  
**Industrial Relations Manager**  
Industrial Relations OHSE Department

**VACC**

Level 7 | 464 St Kilda Road | Melbourne Vic 3004  
P: 03 9829 1123 / 03 9829 1122 | F: 03 9866 1168 W: [vacc.com.au](http://vacc.com.au)