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**Sent:** Monday, 30 November 2020 2:58 PM  
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**Subject:** Re: AM2020/25 - Four yearly review of modern awards - finalisation of exposure drafts -  
Black Coal Mining Industry Award 2010

Dear Associate

I refer to the above matter and to the Commission's correspondence received on Friday, 27 November 2020.

The proposal referred to in the Full Bench decision ([2020] FWCFB 5908) was in reference to that which is set out at paragraphs [23] – [25] of the CFMMEU's submissions of [20 April 2020](#). It is submitted that the identified issue is capable of being resolved by the following proposed draft variation:

**C.1.3 Full-time and part-time production and engineering employees other than ~~6 day roster and 7 day roster employees~~ shiftworkers as described in clause 21.2(b) —overtime rates**

...

**C.1.4 Full-time and part-time production and engineering employees—~~6 day roster and 7 day roster employees~~ shiftworkers as described in clause 21.2(b) —overtime**

...

**D.1.3 Full-time and part-time staff employees other than ~~6 day roster and 7 day roster employees~~ shiftworkers as described in clause 21.2(b) —overtime rates**

...

**D.1.4 Full-time and part-time staff employees— ~~6 day roster and 7 day roster employees~~ shiftworkers as described in clause 21.2(b) —overtime**

...

Please let me know if the Commission requires any further assistance in relation to this matter.

Kind regards

Eliza Sarlos

National Legal Officer

CFMEU Mining and Energy Division