



Brief Outline of Submissions

AM2014/301 – Public holidays

13 February 2015

Summary of weekend public holiday claim

1. We refer to the statement issued by the Commission on 17 December 2014 in relation to the public holiday common claim, which asks parties to outline the scope of their case, the number of witnesses they are likely to call and the anticipated duration of proceedings.
2. The AMWU made preliminary submissions dated 13 November 2014, in relation to our claim relating to loading for Christmas Day where it is substituted for another day. Following discussion with the other union parties and the ACTU, we have amended our proposed clause to reflect a common application between the unions, as such the claim now reflects any public holiday that falls on a weekend.
3. We seek to vary the following awards:
 - a) Food, Beverage and Tobacco Manufacturing Award 2010 (MA000073)
 - b) Graphic Arts, Printing and Publishing Award 2010 (MA000026)
 - c) Manufacturing and Associated Industries and Occupations Award 2010 (MA000010)
 - d) Vehicle Manufacturing, Repair, Services and Retail Award 2010 (MA000089)

4. The proposed draft clause is as follows:

X.1 Where any public holiday falls on a Saturday or a Sunday and the public holiday is substituted for another day, an employee working on the public holiday shall receive a loading of [150%] of the employee's ordinary rate for the hours worked on the public holiday.

X.2 Where any public holiday falls on a Saturday or a Sunday and the public holiday is substituted for another day, an employee working on the substituted day shall receive a loading of [50%] of the employee's ordinary rate for the hours worked on the substituted day.

Proposed evidence and duration

5. The AMWU supports the submissions of the ACTU in regard to the commonality of the public holiday claims.
6. As we only propose to address the weekend public holidays matter, should we be able to file further comprehensive written submissions, we would not anticipate a proposed hearing to take longer than one day.
7. The AMWU will primarily rely on merit arguments, and previous decisions of the commission. At this stage we would not anticipate calling any witnesses.