

IN THE FAIR WORK COMMISSION

Matter No: AM2026/10

Applicant: The Australian Workers' Union

Application to Vary Modern Awards – Vehicle Allowances

WITNESS STATEMENT – STEVEN BONICA

I, **Steven Bonica**, Union Organiser, of 685 Spencer Street, West Melbourne VIC 3003, state:

Introduction

1. I make this statement for the purposes of the Fair Work Commission determining, pursuant to section 157(1) of the *Fair Work Act 2009 (Cth)* (“**Act**”), whether to vary the *Cemetery Industry Award 2020* (“**Cemetery Award**”) and *Funeral Industry Award 2020* (“**Funerals Award**”) regarding vehicle allowances.
2. I make this statement from my own knowledge.
3. I am employed as an Organiser with the Australian Workers' Union – Victorian Branch (**AWU**).

My duties

4. My duties as an Organiser involve:
 - (a) Developing, maintaining and strengthening existing AWU membership levels;
 - (b) Identifying potential new membership and growth areas;
 - (c) Developing and implementing workplace plans to grow union membership and activism;
 - (d) Negotiating enterprise agreements to ensure improved wages and conditions for members;
 - (e) Working with delegates, activists and other AWU officials and organisers to implement industry and union-wide campaigns;
 - (f) Identifying issues within workplaces and sectors that impact workers in the cohort as a whole and working to resolve those issues; and
 - (g) Representing members in the workplace and in the Fair Work Commission on matters of pay and conditions, workers' compensation, occupational health & safety, redundancy and termination of employment.

5. From the commencement of my employment, a key aspect of my responsibilities has involved assisting, representing and advocating for members in the cemetery and funerals industries.
6. Within these responsibilities, I represent AWU members in the cemetery and funeral industries by:
 - (a) Negotiating enterprise agreements on behalf of groups of employees;
 - (b) Interacting with members to identify issues within these sectors that members seek to have remedied; and
 - (c) Raising and pursuing with management underpayment and non-payment of entitlements on behalf of individual members.

Applicable Industrial Instruments

7. In my experience of assisting members within the funeral industry, most operators apply the minimum standards contained in the Funerals Award to the employment of funeral workers, without an enterprise agreement in place.
8. Whilst larger entities within the funeral industry might have enterprise agreements in place for their funeral workers, there are many medium to smaller-sized operators that do not.
9. Reliance on the Cemetery Award for terms and conditions of employment is also widespread in the cemetery industry, especially in regional areas where operators are B Class Cemetery Trust's, unlike in Melbourne metropolitan areas, where A Class Cemetery Trusts are located.
10. Even where enterprise agreements are in place at larger operators, generally speaking, these enterprise agreements do not improve upon the entitlement in the relevant award, and indeed contain an entitlement to a vehicle allowance based on minimum rates calculated by the Australian Taxation Office.

Award Classifications

11. In the funerals industry, Funeral Directors Assistants are employed by funeral operators. These employees perform duties involving attending sites to assist in the conducting of funerals, running errands, and travelling between funeral branches and performing administrative

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duties such as banking money. In that regard, these employees are employed pursuant to Level 2 of the Funerals Award.

12. Arranger-Conductors are also employed by funeral operators within the funerals industry. These workers act as the primary point of contact for clients, arranging a funeral, these employees arrange all funeral details, handle official documents, and lead ceremonies. To that extent, these employees are employed consistent with Level 3 of the Funerals Award.

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13. It is common for these employees to be required to use their personal vehicle in the course of their employment to perform the above tasks.

Payment of the Vehicle Allowance

14. Cemetery and funeral workers are paid a vehicle allowance when they use their own vehicle to perform duties requested of them by their employer.

15. The allowance is intended to compensate employees for the use of, and wear and tear caused to their own personal vehicle in performance of their duties.

16. I don't see any foreseeable change in the future to the need for these workers to use their own vehicles as required by their employers.

Use of Private Vehicles in the Funerals Industry

17. At the time the AWU made the application to vary the Funeral Award, I contacted some members in the funeral industry to seek further information in relation to the use of their personal vehicles.

18. I contacted members in the classification of Funeral Director and Funeral Director Assistant and sought specific information on the extent of the use of their personal vehicles in the performance of their work duties.

19. For one member, it was not uncommon for them to drive almost 300km in their personal vehicle per month just in moving between work sites.

20. For another, although they were not required to use their personal vehicle for work purposes as often as the member above, it was not uncommon for them to drive between 50km and 100km in a single day in the performance of their work duties when they were so required.

21. Where they are entitled to a vehicle allowance under the Funeral Award, these workers are consistently saying that, because of the exponential increase in the cost of fuel in recent

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months, they do not consider that the vehicle allowance is appropriately compensating them for the use of their private vehicle during working hours.

Impact of the Increase in Fuel Costs

22. From around the time that the current conflict in the Middle East commenced, many funeral workers have raised with me the impact of increasing fuel prices on them.

23. Where they are entitled to a vehicle allowance under the Cemetery and Funeral Awards, these workers are consistently saying that, because of the exponential increase in the cost of fuel in recent months, they do not consider that the vehicle allowance is appropriately compensating them for the use of their private vehicle during working hours.

Deleted: <#>Further, it was also noted by members that additional use of their vehicles can increase the insurance premium payable by them.

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Steven Bonica

24 April 2026