

From: Annette van Gent [REDACTED]

Sent: Thursday, 16 April 2026 12:32 PM

To: [REDACTED]
[REDACTED]

Subject: Application to vary 12 Modern Awards - Request for applications to be joined to AM2026/10

Dear Associate,

The UWU has **attached** for filing applications to vary the following twelve Awards:

1. *Animal Care and Veterinary Services Award 2020*
2. *Children's Services Award 2010*
3. *Cleaning Services Award 2020*
4. *Corrections and Detention (Private Sector) Award 2020*
5. *Food, Beverage and Tobacco Manufacturing Award 2020*
6. *Hospitality Industry (General) Award 2020*
7. *Live Performance Award 2020*
8. *Pest Control Industry Award 2020*
9. *Registered and Licensed Clubs Award 2020*
10. *Security Services Industry Award 2020*
11. *Supported Employment Services Award 2020*
12. *Wine Industry Award 2020.*

The variations sought in the applications are directed at addressing the impact of fuel costs on workers covered by the relevant Awards as a result of the current conflict in the Middle East who are required to use private vehicles in their employment.

The UWU refers to the proceedings currently before the Commission seeking variations to a number of other Awards to address the same issue (**AM2026/10**). The UWU requests that its applications be joined to those proceedings.

Kind regards,

Annette van Gent (She/Her)

Lead Industrial Officer (NSW/ACT) – Strategic Power

United Workers Union

M: [REDACTED]

E: [REDACTED]

W: unitedworkers.org.au

Email disclaimer: unitedworkers.org.au/emaildisclaimer





Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Animal Care and Veterinary Services Award 2020 [MA000118]

1.2 What industry is the employer in?

Animal care and veterinary services

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Animal Care and Veterinary Services Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc. is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Animal Care and Veterinary Services Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 16.4(b)(ii) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre (or 0.33 cents per kilometre for use of a motorcycle) does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;

(b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted Signature]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

ANIMAL CARE AND VETERINARY SERVICES AWARD 2020

[MA000118]

Animal care and veterinary services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowances specified in clause 16.4(b)(ii) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	<div style="background-color: black; width: 100%; height: 20px;"></div>		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Children’s Services Award 2010 [MA000120]

1.2 What industry is the employer in?

Children's services

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Children’s Services Award 2010 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc. is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Children's Services Award 2010 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 15.6 of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 99 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause 15.8 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause 15.8 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 99 cents per kilometre (or 0.33 cents per kilometre for use of a motorcycle) does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;

(b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



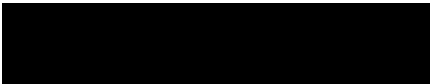
For 'Authority to sign':

- If you are the Applicant – insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant's representative and have provided your details in this form – insert 'Representative'.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

CHILDREN'S SERVICES AWARD 2010

[MA000120]

Children's services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowances specified in clause 15.6 in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Cleaning Services Award 2020 [MA000022]

1.2 What industry is the employer in?

Cleaning services

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Cleaning Services Award 2020 be varied in accordance with the draft determination annexed to this application as "**Annexure A**".

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Cleaning Services Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 17.11 of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 99 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.1 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.1 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 99 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;

(b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

CLEANING SERVICES AWARD 2020

[MA000022]

Cleaning services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowances specified in clause 17.11 in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Corrections and Detention (Private Sector) Award 2020 [MA000110]
--

1.2 What industry is the employer in?

Corrections and detentions

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Corrections and Detention (Private Sector) Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc. is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Corrections and Detention (Private Sector) Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 17.3(c)(iii) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 99 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause E.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause E.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 99 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;

(b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant – insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant's representative and have provided your details in this form – insert 'Representative'.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

CORRECTIONS AND DETENTION (PRIVATE SECTOR) AWARD 2020

[MA000110]

Corrections and detentions

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowances specified in clause 17.3(c)(iii) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Food, Beverage and Tobacco Manufacturing Award 2020 [MA000073]
--

1.2 What industry is the employer in?

Food, beverages and tobacco manufacturing industry
--

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Food, Beverage and Tobacco Manufacturing Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc. is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Food, Beverage and Tobacco Manufacturing Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 20.3(c) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[REDACTED]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

FOOD, BEVERAGE AND TOBACCO MANUFACTURING AWARD 2020

[MA000073]

Food, beverages and tobacco manufacturing industry

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 20.3(c) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Hospitality Industry (General) Award 2020 [MA000009]
--

1.2 What industry is the employer in?

Hospitality industry

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

- Yes
- No
- Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

- Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Hospitality Industry (General) Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc. is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Hospitality Industry (General) Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 26.7(b) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 99 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 99 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted Signature]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

HOSPITALITY INDUSTRY (GENERAL) AWARD2020

[MA000009]

Hospitality industry

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 26.7(b) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Live Performance Award 2020 [MA000081]
--

1.2 What industry is the employer in?

Live performance industry

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Live Performance Award 2020 be varied in accordance with the draft determination annexed to this application as "**Annexure A**".

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Live Performance Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 14.2(b) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause B.3.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause B.3.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[REDACTED]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

LIVE PERFORMANCE AWARD 2020

[MA000081]

Live performance industry

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 14.2(b) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	<div style="background-color: black; width: 100%; height: 20px;"></div>		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant's representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage**1.1 What is the name of the modern award to which the application relates?**

Include the Award ID/Code No. of the modern award.

Pest Control Industry Award 2020 [MA000097]

1.2 What industry is the employer in?

Building services

1.3 Does the application relate to the Care and Community Sector?

The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?

The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Pest Control Industry Award 2020 be varied in accordance with the draft determination annexed to this application as "**Annexure A**".

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Pest Control Industry Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 18.3(b) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause B.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause B.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[REDACTED]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

PEST CONTROL INDUSTRY AWARD 2020

[MA000097]

Building services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 18.3(b) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Registered and Licenced Clubs Award 2020 [MA000058]

1.2 What industry is the employer in?

Licenced and registered clubs

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Registered and Licensed Clubs Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Registered and Licensed Clubs Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 19.3(e) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 99 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 99 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted Signature]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

REGISTERED AND LICENSED CLUBS AWARD 2020

[MA000058]

Licensed and registered clubs

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 19.3(e) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Security Services Industry Award 2020 [MA000016]
--

1.2 What industry is the employer in?

Security services

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Security Services Industry Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Security Services Industry Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 17.9(b) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.3 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.3 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre (or 33 cents per kilometre for use of a motorcycle) does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;

(b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted Signature]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

SECURITY SERVICES INDUSTRY AWARD 2020

[MA000016]

Security services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowances specified in clause 17.9(b) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	<div style="background-color: black; width: 100%; height: 20px;"></div>		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Supported Employment Services Award 2020 [MA000103]

1.2 What industry is the employer in?

Social, community, home care and disability services
--

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Supported Employment Services Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Supported Employment Services Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 18.3(a) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.2.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.2.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant – insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant's representative and have provided your details in this form – insert 'Representative'.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

SUPPORTED EMPLOYMENT SERVICES AWARD 2020

[MA000103]

Social, community, home care and disability services

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 18.3(a) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F46 – Application to make, vary or revoke a modern award

[Fair Work Act 2009](#), ss.157–161, [Fair Work Commission Rules 2024](#), rule 31

This is an application to the Fair Work Commission to make a modern award or make a determination varying or revoking a modern award, in accordance with Part 2-3 of the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making the application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	[REDACTED]		

If the Applicant is not an individual, please also provide the following details

Applicant's legal name	United Workers' Union
Applicant's trading name	
Applicant's ABN/ACN	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If the Applicant has trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the applicant. This might be a lawyer or paid agent, a union or employer organisation, an association of employers, a peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	

Phone number	
Email address	

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

1. Coverage

1.1 What is the name of the modern award to which the application relates?



Include the Award ID/Code No. of the modern award.

Wine Industry Award 2020 [MA000090]

1.2 What industry is the employer in?

Wine industry

1.3 Does the application relate to the Care and Community Sector?



The Care and Community Sector includes, but is not limited to, the aged care, early childhood education and care and disability care sectors. Applications to make, vary or revoke awards that relate to the Care and Community Sector are decided by Care and Community Sector Expert Panels. See sections 617(8) and (9) of the Fair Work Act.

Yes

No

Unsure

1.4 Does the application relate to the Road Transport Industry?



The Road Transport Industry includes, but is not limited to, the road transport and distribution, long distance operations in private road transport, waste management, cash in transit and passenger vehicle transportation industries. Applications to make, vary or revoke awards that relate to the Road Transport Industry are decided by Road Transport Industry Expert Panels. See sections 15S and 617(10B)(b) of the Fair Work Act.

Yes

No Unsure

2. Application

2.1 What are you seeking?

Specify which of the following you would like the Commission to make:

 a determination varying a modern award a modern award a determination revoking a modern award

2.2 Does the application seek to vary modern award minimum wages?

 Yes No

2.3 Does the application relate to gender pay equity?



Variations to awards relating to substantive gender pay equity matters are decided by pay equity Expert Panels. See sections 617(6) and (9) of the Fair Work Act. See also work value reasons in s.157(2A) and (2B).

 Yes No Unsure

2.4 What are the details of your application?

Outline the changes you are asking the Commission to make. For example - if you are asking the Commission to vary an existing award, you should set out which parts of the award you are asking the Commission to change and how you think these parts should be changed.

The Applicant seeks the Wine Industry Award 2020 be varied in accordance with the draft determination annexed to this application as “**Annexure A**”.

Attach additional pages, if necessary.

2.5 What are the grounds being relied on?

Using numbered paragraphs, specify the grounds on which you are seeking the proposed variations.



You must outline how the proposed variation etc is necessary in order to achieve the modern awards objective, and the minimum wages objective if it applies, as well as any additional requirements set out in the Fair Work Act.

Introduction

1. United Workers' Union (**Applicant**) applies to vary the Wine Industry Award 2020 (**Award**) in accordance with the draft determination set out at Annexure A.
2. The determination is being sought as a means of providing relief to workers covered by this Award who are required to use a private vehicle during the course of their employment for the reasons and grounds outlined below.

Standing

3. The Applicant:
 - (a) is an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
 - (b) is entitled to represent the interests of one or more employees covered by the Award; and therefore
 - (c) has the appropriate standing to bring this application.

Background

Geopolitical context

4. There has been significant and well documented geopolitical and economic disruption following the beginning of conflict in the Middle East on 28 February 2026 and the subsequent closure of the Strait of Hormuz.
5. The conflict has disrupted a significant portion of the world's oil supply, causing oil prices to surge.
6. In summary, the situation with respect to the international price of oil remains extremely volatile.

Impact of crisis on fuel prices in Australia

7. The Asia Pacific region including Australia is especially affected by the Middle East conflict as it is the destination for the majority of fuel exports from the Middle East. Australia is exposed as it imports most of its refined fuel from South East Asia.

8. Immediately prior to the crisis (on week ending 1 March 2026), the national average weekly retail price of petrol was 181 cents per litre and 180.9 cents per litre for diesel, according to reports from the Australian Institute of Petroleum.
9. Prices reached a high of 253.4 cents per litre for petrol for the week ending 29 March 2026.
10. At the time of filing this application, the latest price information available from the Australian Institute of Petroleum indicates the current national average weekly price of petrol is 224.5 cents per litre and 319 cents per litre for diesel (the highest average weekly retail price for diesel recorded since the conflict began).
11. These figures indicate an increase of around 24% in average weekly retail petrol prices in a little over a month when comparing the price immediately prior to the conflict to the price today. The increase in diesel prices is greater at 76.3%.

Implications of fuel increases for award covered workers

12. Australians are paying for this fuel crisis each time they fill up their vehicle at the bowser. This includes employees who use their own vehicle to perform tasks on behalf of their employer in the course of their employment.
13. Clause 19.3(b) of the Award contemplates the potential for employees covered by this Award to be required to use their own private vehicle in the course of their employment and prescribes a per km allowance, currently 98 cents per kilometre (**Vehicle Allowance**) where this occurs.
14. The volatility of the situation (as outlined above at paragraphs [4]-[6]) means there is a risk of continued price rises, and volatility, over the short to medium term.

Adjustment mechanism

15. The Vehicle Allowance is usually adjusted by reference to clause C.3.2 – Adjustment of expense-related allowances, which requires the Vehicle Allowance to be adjusted:
 - (a) At the time of any adjustment to the “standard rate”; and
 - (b) By the percentage movement for the private motoring sub group index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

16. The Vehicle Allowance was last adjusted by a determination made in June 2024 to take effect from the first full pay period on or after 1 July 2024. This adjustment was made with reference to the private motoring sub group index number for the March Quarter 2024. That index number was 100.39.

Change to ABS Indexing

17. On 23 July 2025 the Australian Bureau of Statistics (**ABS**) announced it would be transitioning to publishing monthly index figures from November 2025.

Implication of change in CPI publications on the adjustment of the Vehicle Allowance

18. The change in the CPI publication from quarterly to monthly indexes has implications for the operation of clause C.3.2 – Adjustment of expense-related allowances.
19. This is because whereas at the time the standard rate is adjusted (usually in July each year following the Annual Wage Review decision by determinations made in June) the “applicable index figure most recently published by the ABS” has normally been a quarterly figure (specifically the March Quarter figure).
20. The implication of monthly index publishing is that at the time the standard rate is adjusted (assuming it is), the index figure most recently published by the ABS will likely not be a quarterly index. Instead, it will likely be the monthly index for April 2026, scheduled to be published 27 May 2026.
21. However, the new monthly indexes are not able to be usefully compared with the old quarterly series because of different base periods for the quarterly and monthly indexes, with the quarterly series indexed to the 2011-12 financial year and the monthly series indexed to September 2025, and due to differences in data collection between the previously published quarter and newly published monthly series.
22. This makes the adjustment of expense allowances, including the Vehicle Allowance, difficult using the existing formula because it currently calls for a comparison with the index the last time the allowance was adjusted, which for the Vehicle Allowance, is the previously published quarterly index for March 2024.
23. The ABS does publish quarterly indexes, however these are now an average of the previous three month indexes. If the quarterly index number for March 2026 were to be

used to adjust the Vehicle Allowance in 2026, it will understate the extent of the fuel price shock as the crisis only began in the third month of the quarter.

Explanation of Proposed Variation

24. The determination seeks the Award to be varied by means of the insertion of a temporary schedule (proposed to be titled 'Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis').
25. The schedule proposed to be inserted into the award by the determination sought would operate on a temporary basis for a period of 12 months with a sunset date of 3 May 2027.
26. In the terms sought, the schedule would operate to:
 - (a) readjust the Vehicle Allowance based on the percentage movement between the quarterly private motoring index figures between March 2024 and December 2025; and then
 - (b) readjust the allowance thereafter based on the percentage movement between the monthly private motoring index figures for each month for a period of twelve months.
27. The ABS has scheduled the release of the March 2026 CPI for 29 April 2026, and the proposed commencement date (the first full pay period on or after 5 May 2026) seeks to provide a short, administratively workable period for implementation following that publication.

Grounds

28. The variation sought is necessary to meet the modern awards objective for the following reasons:
 - (a) The extant Vehicle Allowance of 98 cents per kilometre does not adequately compensate workers for the cost of using a private vehicle in their employment in the context of the sudden rise in fuel costs and is therefore not consistent with a fair and relevant safety net of minimum terms and conditions;
 - (b) For the reasons outlined at [18]-[23] above, the Award at present does not contain an effective mechanism for the Vehicle Allowance to be adjusted.

29. The variation sought addresses these deficiencies in the Award whilst also ensuring that any future rises in fuel prices that occur during the oil shock crisis can be addressed in accordance with an understood approach and efficiently without the need for further award variation applications in a manner similar in principle to the current Commission's own-motion approach.

Conclusion

30. For all of the above reasons, and/or further reasons to be advanced in submissions in support of the application, the Award currently does not meet the modern awards objective and should be varied in the manner sought.

Attach additional pages, if necessary.

Authority to sign and signature



For ‘Authority to sign’:

- If you are the Applicant – insert ‘Applicant’
- If you are an employee of a company or organisation that is the Applicant – insert your position title
- If you are an officer or authorised employee of a registered organisation – insert your position title
- If you are the Applicant’s representative and have provided your details in this form – insert ‘Representative’.

Authority to sign	Applicant
--------------------------	-----------



Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	[Redacted Signature]
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

ANNEXURE A

DRAFT DETERMINATION

Fair Work Act 2009

s 157—FWC may vary etc. modern awards if necessary to achieve modern awards objective

Application by the United Workers' Union

(AM2026/)

WINE INDUSTRY AWARD 2020

[MA000090]

Wine industry

A. Further to the Full Bench decision issued by the Fair Work Commission on DD MM 2026, the above award is varied as follows:

1. By inserting Schedule XY as follows:

Schedule XY – Additional Vehicle Allowance adjustments during the 2026 Oil Shock Crisis

XY.1 Subject matter of this Schedule

This Schedule provides for a temporary additional mechanism for adjustments to the Vehicle Allowance.

XY.2 Definitions

For the purposes of this Schedule 'Vehicle Allowance' means any allowance provided for in this award that is usually adjusted with reference to the Private Motoring Sub Group index number.

XY.3 Time-limited monthly adjustment

XY.3.1 Subject to clauses XY.4–XY.9, and subclause XY.3.3 below, for a period of 12 months commencing from the first full pay period on or after 5 May 2026, the Vehicle Allowance will be adjusted on a monthly basis (including, but not limited to, any adjustment made at the time of an adjustment to the standard rate).

XY.3.2 The relevant adjustment factor for this purpose is the percentage movement in the Private Motoring subgroup index (Weighted Average of Eight Capital Cities) published by the Australian Bureau of Statistics (ABS) for the most recently available month with reference to the index for the previous month.

XY.3.3 Where the formula used in XY.3.2 produces a negative result, the Vehicle Allowance(s) will not be adjusted.

XY.4 Quarterly re-base of allowance

For the purposes of the first adjustment under clause XY.3.1, the Vehicle Allowance is adjusted from the amount that applied at the time of the last adjustment to the allowance (being the adjustment made by reference to the March quarter 2024 CPI and commencing on 1 July 2024), by applying the percentage movement in the ABS Private Motoring subgroup quarterly index (Weighted Average of Eight Capital Cities) between the March quarter 2024 and the December quarter 2025.

XY.5 Base amount

The amount resulting from clause XY.4 constitutes the base amount for the application of monthly adjustments under this Schedule.

XY.6 Cumulative commencement adjustment

From the first full pay period on or after 5 May 2026, the Vehicle Allowance is further adjusted by applying the percentage increase in the ABS Private Motoring subgroup index (Weighted Average of Eight Capital Cities) between the monthly index for December 2025 and March 2026 (to the extent the March 2026 index number has been published by that date).

XY.7 No retrospective application

The cumulative adjustment made under clause XY.4 operates prospectively only and does not give rise to any entitlement to back-payment or retrospective adjustment in respect of any period before the first full pay period commencing on or after 5 May 2026.

XY.8 Ongoing monthly operation

XY.8.1 After the application of clause XY.6 the Vehicle Allowance(s) will continue to be adjusted monthly during the 12-month period specified in clause XY.3 by reference to percentage movements in the most recently published ABS monthly Private Motoring subgroup index compared with the monthly index at the time of the last adjustment.

XY.8.2 In accordance with clause XY.3.3, where the percentage movement is a negative figure, the allowance is not adjusted.

XY.9 Sunset

This schedule operates on a temporary basis only, and absent any application for an extension of the schedule, will lapse on 5 May 2027.

2. By updating the monetary value of the allowance specified in clause 19.3(b) in accordance with the resultant number produced by the operation of clauses XY.4, XY.5 and XY.6.



Form F48 – Application for directions on procedure

[Fair Work Commission Rules 2024](#), Rules 8, 21, 31 and 125 and Schedule 1

This is an application to the Fair Work Commission for directions about procedure in relation to a matter in accordance with the [Fair Work Act 2009](#).

The Applicant



These are the details of the person who is making this application. The applicant for directions on procedure may be different from the applicant in the matter before the Commission.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address	<div style="background-color: black; width: 100%; height: 1.2em;"></div>		

If the Applicant is a company or organisation please also provide the following details:

Legal name of Applicant	United Workers' Union
Applicant's trading name or registered business name	
Applicant's ACN (if a company)	
Applicant's ABN (if applicable)	52 728 088 684
Contact person	Annette van Gent

Does the Applicant need an interpreter?



If you have trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help for non-English speakers](#) on our website.

Yes – Specify language

No

Does the Applicant require any special assistance at the hearing or conference (e.g. a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant have a representative?



A representative is a person or organisation who is representing the Applicant. This might be a lawyer or paid agent, union, employer organisation, association of employers, peak council, or a not-for-profit association or body that provides support, advice or advocacy in relation to employment or workplace relations matters. You do not need to have a representative.

Yes – Provide representative’s details below

No

Applicant’s representative



These are the details of the person or organisation who is representing the Applicant (if any).

Name of person			
Firm, organisation or company			
Representative’s ABN (if applicable)			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Is the Applicant’s representative a lawyer or paid agent?

<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent
<input type="checkbox"/> No	

The other party



These are the details of the other party in the matter.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)			
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

If the other party is an organisation, please also provide the following details:

Legal name of organisation	
Trading name of organisation	
ABN/ACN	
Contact person	

1. Preliminary

1.1 Are you seeking directions for an existing matter?

- Yes – Go to 1.2
 No – Go to 1.3

1.2 What is the name and matter number for the matter?

1.3 What is the type of matter that you want to initiate?

Briefly, provide the details of the type of matter.

United Workers' Union is making applications to vary the following awards:

1. Animal Care and Veterinary Services Award 2020;
2. Children's Services Award 2010;
3. Cleaning Services Award 2020;
4. Commercial Sales Award 2020;
5. Corrections and Detention (Private Sector) Award 2020;
6. Educational Services (Schools) General Staff Award 2020;
7. Food, Beverage and Tobacco Manufacturing Award 2020;
8. Health Professionals, Medical Scientists and Support Services (Victoria) State Reference Public Sector Award 2018;
9. Higher Education Industry—General Staff—Award 2020;
10. Hospitality Industry (General) Award 2020;
11. Live Performance Award 2020;
12. Oil Refining and Manufacturing Award 2020;
13. Pest Control Industry Award 2020;
14. Premixed Concrete Award 2020;
15. Registered and Licensed Clubs Award 2020;
16. Security Services Industry Award 2020;
17. Supported Employment Services Award 2020;
18. Wine Industry Award 2020.

2. Reasons for seeking directions

2.1 Why are you applying to the Commission for directions?

The procedure is not prescribed by the Fair Work Act, the Fair Work Commission Rules, the regulations or any other Act or regulations. Provide details below.

You are in doubt about the proper procedure to follow. Provide details below.

Rule 31 of the *Fair Work Commission Rules 2024* requires the Applicant to lodge a Form 48 for direction about procedure in relation to service of the applications.

1. Proposed directions

Set out your proposed directions you are seeking, if any (optional).

1. That the applications to vary modern awards by the United Workers' Union referred to in response to question 1.3 be published on the Fair Work Commission's (FWC) website at a location deemed appropriate to the Commission.
2. That, upon such publication, the applications be deemed served.
3. That notice of the applications be given by the FWC to subscribers to the FWC's "Awards – all matters" service in the usual way.
4. The Applicant asks that the FWC note that the ACTU has written to the FWC in respect of a number of award variation applications by its affiliates and is seeking that the applications be joined.

Authority to sign and signature



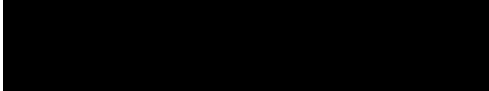
For 'Authority to sign':

- If you are the Applicant (the person applying for directions)–insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant–insert your position title
- If you are the Applicant's representative and have provided your details in this form–insert 'Representative'.

Authority to sign	Applicant
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Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	
Name	Annette van Gent
Date	16 April 2026

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS