



DECISION

Fair Work Act 2009

s.158—Application to vary or revoke a modern award

COVID-19 Award Flexibility – Schedule X (AM2021/86)

VICE PRESIDENT HATCHER

SYDNEY, 21 DECEMBER 2021

Award flexibility schedules – Schedule X—Additional measures during the COVID-19 pandemic – award specific COVID-19 schedules – schedules due to cease operation – application to extend operation to 30 June 2022 – Plumbing and Fire Sprinklers Award 2020 – application granted.

[1] On 20 December 2021, the Master Plumbers and Mechanical Services Association of Australia (Association) lodged an application to vary the *Plumbing and Fire Sprinklers Award 2020* (Plumbing Award) to extend the operation of the unpaid pandemic leave provisions of Schedule X – Additional measures during the COVID-19 pandemic (Schedule X) of the Plumbing Award until 30 June 2022. Those provisions are currently due to expire on 31 December 2021. In correspondence sent to the Commission on 20 December 2021, the National Fire Industry Association stated that it supported the application.

[2] The matter was the subject of a directions hearing before me at 10.00am AEDT this morning. No party appeared except for the Association. I infer from this that no interested party wishes to oppose the application.

[3] In a decision issued yesterday (primary decision),¹ I granted applications to vary 72 awards to extend the unpaid pandemic leave provisions in Schedule X of each of these awards.² The Plumbing Award is the only remaining award of a total of 73 awards in which Schedule X was due to expire on 31 December 2021.

[4] I am satisfied, for the purpose of s 157(1) of the *Fair Work Act 2009*, that the variation sought by the Association is necessary to meet the modern awards objective, and I grant the Association's application. I have reached this conclusion for the same reasons as stated in paragraphs [8]-[9] of the primary decision, which are not necessary to repeat here.

¹ [2021] FWC 6636

² The *Mobile Crane Hiring Award 2020* was varied to reinstate previously-expired unpaid pandemic leave provisions.

[5] A determination varying the Plumbing Award will be published in conjunction with this decision.



VICE PRESIDENT

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