



DECISION

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards

(AM2019/17)

JUSTICE ROSS, PRESIDENT
DEPUTY PRESIDENT CLANCY
COMMISSIONER BISSETT

MELBOURNE, 2 SEPTEMBER 2019

4 yearly review of modern awards – finalisation of exposure drafts – newly constituted Full Bench.

1. Introduction and background

[1] This Decision provides an overview of the status of the first 4 yearly review of modern awards (the Review) and sets out the process for finalising the exposure drafts and the consequent variation of each modern award. This Full Bench has been constituted to oversee this process (AM2019/17).

[2] Since January 2014, the Fair Work Commission (the Commission) has been conducting the Review in accordance with s.156 of the *Fair Work Act 2009* (the Act).

[3] On 12 December 2018 s.156 of the Act was repealed by the *Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Act 2018* (the Amending Act) with effect from 1 January 2018. Under the application and transitional provisions of the Amending Act, a review of an award that commenced but was not completed before 1 January 2018 can continue under the terms of the repealed provisions.

[4] The conduct of the Review has been open and transparent and a dedicated 4 yearly review website part of the Commission's website has been used to provide information to interested parties (including employers, employees, organisations, governments, individuals and representatives), in a timely manner. All material considered throughout the Review has been published on the 4 yearly review website (with the exception of material subject to confidentiality orders). Throughout the Review dedicated subscription services send daily emails when material is published on the website to all who have registered for either the Award matters service or the Penalty rates case service.

[5] The Commission has issued 189 decisions as part of the 4 yearly review and 280 procedural Statements. In excess of 1150 hearing days, mentions and conferences have been conducted throughout the course of the Review.

[6] As at 30 August 2019, the 4 yearly review website contained in excess of 22,000 documents relating to the Review, including approximately 13,500 submissions and pieces of correspondence. Other documentation posted to the website includes research and background papers, issues papers, notices of listing and transcripts.

[7] At the commencement of the Review in 2014, it was decided that the most efficient way of conducting the process was in three stages—an Initial stage to deal with any jurisdictional issues, an Award stage where each award would be reviewed in its own right and a Common issues stage where claims that would affect all or a number of awards would be dealt with by a dedicated Full Bench. Where an issue was more complex or parties were seeking a substantive change to current entitlements, it was referred to a separate Full Bench to hear evidence as to why the proposed change is necessary for the award to achieve the modern awards objective.

[8] There are a number of common issue matters and substantive claims that remain outstanding. The common matters that are yet to be finally determined are:

- Annualised Salaries
- Overtime for casuals
- Payment of wages on termination of employment (award specific issues only)
- Payment of wages
- Terminology relating to annual leave loading
- Shut down provisions
- Drafting of casual conversion clause (in the 28 modern awards that had such clauses prior to the Review)
- Span of hours (determinations to be finalised)
- Reasonable overtime (limited awards only)
- National Training Wage (3 awards only)

[9] A Statement issued on 24 December 2018 provided a status update about the Full Benches that are dealing with substantive claims. In total, 69 full benches have been constituted to hear and determine substantive claims arising in respect of modern awards. Some 42 of these Full Benches have now been heard and determined the claims before them (or the claims withdrawn), 7 Full Benches have reserved their decision and 20 are part heard.

[10] A plain language project has also been run as part of the Review. This involved a ‘light touch’ review of all modern awards, the redrafting of certain standard clauses and the more substantial plain language redrafting of a select number of awards.

Scope of Plain Language Light Touch

[11] At a conference on 29 April 2019 a number of parties sought an opportunity to file written submissions in relation to the scope of the light touch process. Interested parties were given an opportunity to file further submissions. As a number of matters to be implemented in the light touch process have already been determined the parties were asked to focus on:

- Changes in wording that have resulted from an application of the plain language guidelines; and
- Issues arising from the translation from the plain language re-drafting of the General Retail Industry Award 2010 and other awards that have been included in the plain language project.

[12] The issues raised in the submissions highlighted the risks inherent in adopting changes across the award system based on changes which have been made to those selected awards which have been completely redrafted in plain language. The general tenor of the submissions made urged the Commission to take a cautious, indeed minimalist, approach to changing existing award terms during the light touch process, on the basis that such changes may have unintended consequences.

[13] In a decision issued on 20 August 2019¹ the Plain Language Full Bench concluded that the risks involved in adopting changes across the award system – particularly the risk of changing the legal effect of an existing award term – outweighed the benefits of such an extensive ‘light touch’ approach. Consistent with the submissions advanced by ABI and Ai Group, the Plain Language Full Bench decided that the ‘light touch’ process will be confined to making changes to the structure of exposure drafts in Groups 1 to 3 awards (in accordance with the plain language structure completed for awards in Group 4); the insertion of plain language standard clauses and relevant key decisions dealing with common issues.

[14] The Plain Language Full Bench also invited any interested person to identify any term in any modern award that is ambiguous, uncertain or confusing so that the term could be considered for plain language re-drafting in the current Review. Any such proposal can be made at any time and is to be forwarded to chambers.ross.j@fwc.gov.au.

Plain Language review of selected awards

[15] A number of selected awards have been completely redrafted in plain language. The selection of these awards was based on a number of factors including:

- industries or subsectors identified by the Fair Work Ombudsman as having high levels of non-compliance;
- award reliance survey data regarding modern awards used by small businesses; and
- the resources available to the Commission.

[16] The plain language re-drafting of the following awards is complete:

- *Pharmacy Industry Award 2010*
- *Clerks – Private Sector Award 2010*
- *Restaurant Industry Award 2010*
- *Hospitality Industry (General) Award 2010*

¹ [\[2019\] FWCFB 5409](#).

- *General Retail Industry Award 2010*
- *Security Services Industry Award 2010*

[17] There are two outstanding issues in relation to the plain language re-drafting of the *Cleaning Services Award 2010* and these will be finalised in accordance with the process set out at in [2019] FWCFB 5409 at [42]. The plain language redrafting of the Fast Food award will commence in the coming weeks.

[18] As to the remaining awards, the plain language re-drafting of the *Aged Care Award 2010*, *Children's Services Award 2010*, *Hair and Beauty Industry Award 2010* and the *Social, Community, Home Care and Disability Services Industry Award 2010* will commence after the substantive issues in respect of those awards have been heard and determined. A timetable for consultation on the re-drafting process will be issued in the latter part of 2019.

[19] The Review process is now nearing completion and this Decision outlines the process over the coming months.

2. Finalising the Award phase of the Review (Exposure Drafts)

[20] Three procedural Statements issued in early 2019 dealt with the process for finalising the Review:

- A Statement setting out a timeline for finalisation of exposure drafts for 2019 (see [2019] FWC 932).
- A Statement finalising a timetable for 2019 which outlines when specific Full Bench matters are to be heard (see [2019] FWC 717) (note a Statement was also issued on 24 December 2018 providing a status update about a number of Full Benches that are dealing with substantive claims).
- A Statement providing an update about the status of matters before the Plain Language Full Bench and next steps in the plain language project (see [2019] FWCFB 1255).

[21] Exposure drafts for Groups 1, 2, 3 and 4 were republished throughout February and March 2019 on the dates set out below:

Group 1: published on 13 February 2019

Group 2: published on 15 February 2019²

Group 3: Sub-group 3A: published 1 March 2019
Sub-groups 3B, 3C, 3D: published on 8 March 2019³

² The exposure drafts for Fire Fighting and Nurses were published on 22 February 2019.

³ The exposure drafts for Pastoral and Horticulture were published on 15 March 2019.

Group 4: Sub-group 4A and 4B: published on 15 March 2019
Sub-group 4C and 4D: published on 22 March 2019
Sub-group 4E and 4F: published on 29 March 2019⁴

[22] As set out in the Statement issued on 13 February 2019,⁵ the exposure drafts that were republished in February and March 2019 contained the following updates:

- technical and drafting decisions for each group (1–4) of the award stage;
- common issues and plain language decisions including payment of wages on termination, standard clauses, National Training Wage, family and domestic violence leave, flexible working arrangements, part-day public holidays, casual conversion, minimum engagement and abandonment of employment; and
- adjustments to rates and allowances resulting from the 2017-18 Annual Wage Review decision and any award variations operative since the last update.

[23] Interested parties were invited to comment on the revised exposure drafts and submissions were received throughout March and April 2019. We are conscious that parties have not yet had an opportunity to respond to issues raised in these submissions and we address that issue later.

[24] Submissions relating to 74 exposure drafts were received throughout March and April 2019. No submissions were received in relation to the following 44 Exposure Drafts:

⁴ The exposure drafts for Mannequins, Registered and Licensed Clubs, Fast Food and General Retail were not published in line with this process. The exposure draft for Live Performance was published on 5 April 2019.

⁵ [2019] FWC 932.

Group	Exposure draft title
4B	<i>Air Pilots Award 2010</i>
4B	<i>Airline Operations—Ground Staff Award 2010</i>
2A	<i>Alpine Resorts Award 2010</i>
1B	<i>Aluminium Industry Award 2010</i>
1A	<i>Ambulance and Patient Transport Industry Award 2010</i>
2B	<i>Animal Care and Veterinary Services Award 2010</i>
2A	<i>Aquaculture Industry Award 2010</i>
3A	<i>Banking, Finance and Insurance Award 2010</i>
4D	<i>Book Industry Award 2010</i>
4E	<i>Car Parking Award 2010</i>
1B	<i>Cement, Lime and Quarrying Award 2010</i>
3C	<i>Coal Export Terminals Award 2010</i>
2D	<i>Corrections and Detention (Private Sector) Award 2010</i>
1A	<i>Cotton Ginning Award 2010</i>
3C	<i>Dredging Industry Award 2010</i>
3B	<i>Educational Services (Post-Secondary Education) Award 2010</i>
3C	<i>Electrical Power Industry Award 2010</i>
2D	<i>Fire Fighting Industry Award 2010</i>
4E	<i>Funeral Industry Award 2010</i>
1E	<i>Gas Industry Award 2010</i>
2D	<i>Horse and Greyhound Training Award 2010</i>
3D	<i>Horticulture Award 2010</i>
1E	<i>Hydrocarbons Industry (Upstream) Award 2010</i>
3A	<i>Legal Services Award 2010</i>
3C	<i>Marine Towage Award 2010</i>
3A	<i>Market and Social Research Award 2010</i>
2B	<i>Medical Practitioners Award 2010</i>
3D	<i>Nursery Award 2010</i>
4E	<i>Pest Control Industry Award 2010</i>
2B	<i>Pharmacy Industry Award 2010</i>
3C	<i>Ports, Harbours and Enclosed Water Vessels Award 2010</i>
3C	<i>Port Authorities Award 2010</i>
1B	<i>Premixed Concrete Award 2010</i>
2D	<i>Racing Industry Ground Maintenance Award 2010</i>

1D	<i>Rail Industry Award 2010</i>
1B	<i>Salt Industry Award 2010</i>
3D	<i>Silviculture Award 2010</i>
3A	<i>Sporting Organisations Award 2010</i>
4C	<i>Surveying Award 2010</i>
2C	<i>Transport (Cash in Transit) Award 2010</i>
4D	<i>Travelling Shows Award 2010</i>
1C	<i>Vehicle Manufacturing, Repair, Services and Retail Award 2010</i>
4E	<i>Water Industry Award 2010</i>
1C	<i>Wool Storage, Sampling and Testing Award 2010</i>

[25] A number of submissions on the revised exposure drafts related to minor typographical errors, formatting errors, or omissions within the drafts. These minor errors have been corrected in the following exposure drafts:

- *Aged Care Award 2010*⁶
- *Aircraft Cabin Crew Award 2010*⁷
- *Airport Employees Award 2010*⁸
- *Cleaning Services Award 2010*⁹
- *Maritime Offshore Oil and Gas Award 2010*¹⁰
- *Meat Industry Award 2010*¹¹
- *Poultry Processing Award 2010*¹²
- *Textile, Clothing Footwear and Associated Industries Award 2010*¹³
- *Graphic Arts, Printing and Publishing Award 2010*¹⁴
- *Nurses Award 2010*¹⁵
- *Road Transport (Long Distance Operations) Award 2010*¹⁶

⁶ Aged Care Employers submission, 15 April 2019 at paras 8-9 regarding typographical error at clause 32.1(e).

⁷ FAAA submission, 23 April 2019 at para 18 regarding typographical error at Sched B.1.2(a).

⁸ AMWU submission, 5 April 2019 at para 11 regarding cross referencing error at clause 29A.6(b).

⁹ United Voice submission, 13 March 2019 at p.1 regarding typographical error at example 1 in clause 23.3.

¹⁰ CFMMEU submission, 13 March 2019 regarding typographical error at clause 7.1(c).

¹¹ AMIEU submission, 15 March 2019 at para 15 regarding typographical error at clause 8.3(d).

¹² ABI submission, 13 March 2019 at para 27 regarding typographical error at clause 3.2.

¹³ ABI submission, 13 March 2019 at paras 50-51 regarding typographical error n Sched C.3.2 and cross referencing error in Sched F.5.8 at paras 46-49.

¹⁴ ABI submission, 15 March 2019 at para 7 regarding typographical error at clause 24.9(j).

¹⁵ ANMF submission, 27 March 2019 at para 2 regarding typographical error at clause 15.3(b) and (c).

¹⁶ NatRoad submission, 4 March 2019 at paras 6, 7 14 and 15 regarding typographical and formatting errors at clauses 3.3, 6.3, 11A.1 and 11.7.

- *Seafood Processing Award 2010*¹⁷
- *Business Equipment Award 2010*¹⁸
- *Labour Market Assistance Award 2010*¹⁹
- *Real Estate Industry Award 2010*²⁰
- *Higher Education Industry – General Staff Award 2010*²¹
- *Local Government Industry Award 2010*²²
- *Pastoral Award 2010*²³
- *Building and Construction General On-site Award 2010*²⁴
- *Joinery and Building Trades Award 2010*²⁵
- *Plumbing and Fire Sprinklers Award 2010*²⁶
- *Mobile Crane Hiring Award 2010*²⁷
- *Hospitality Industry (General) Award 2010*²⁸

[26] The remaining submissions raise more complex issues. A complete list of submissions received is set out at **Attachment A** to this decision. As mentioned earlier, we are conscious that parties have not had an opportunity to respond to issues raised in these submissions. Any interested party who wishes to file a reply to any submission listed at **Attachment A** to this decision is directed to do so by no later than **4.00 pm on Friday 20 September 2019**. An oral hearing will be listed for **9 October 2019**.

3. Revised process for finalising exposure drafts

[27] Exposure drafts will be published one final time for comment (prior to their translation into varied modern awards). We are proposing to publish exposure drafts and draft variation determinations over the coming months in three tranches. The exposure drafts contained in each tranche are listed at **Attachment B** to this Statement.

¹⁷ AMWU submission, 13 March 2019 at para 7 regarding typographical error at 12.3(c).

¹⁸ ABI submission, 29 March 2019 at para 9 regarding typographical error at clause 7.8.

¹⁹ CPSU submission, 29 March 2019 at para 3 regarding formatting error at clause 8.4(b).

²⁰ REEF submission, 27 March 2019 and RESA submission 1 April 2019 regarding a number of formatting and typographical errors.

²¹ Group of 8 Universities submission, 5 April 2019.

²² LGA submission, 5 April 2019 at para 9-10 regarding cross referencing error at clause 23.6.

²³ ABI submission, 29 March 2019 at para 25 and NFF submission at p.1 regarding cross referencing error at clauses 6.7(b)(i) and 30.1(a).

²⁴ ABI submission, 12 April 2019 at para 3.1(a) regarding cross referencing error in Sched C.1.1.

²⁵ ABI submission, 12 April 2019 at para 4.1(a) regarding cross referencing error in Sched C.1.

²⁶ ABI submission, 12 April 2019 at paras 2.1-2.2 regarding cross referencing error at clause 27A.7(a) and typographical error in Sched F.1.1.

²⁷ ABI submission, 12 April 2019 at paras 5.1-5.2 regarding cross referencing errors at clause 27A.7(a) and in Sched C.1.

²⁸ AHA submission, 26 April 2019 at p.1 regarding typographical errors at clauses 6A.3 and 15.1(d).

[28] A series of amendments have been made to the exposure drafts that were published throughout February and March 2019. The following amendments have been applied:

- adjustments to rates and allowances as a result of the *2018-19 Annual Wage Review decision*;²⁹
- the plain language ‘light touch’ restructure which includes structural changes to exposure drafts in Groups 1-3 (these structural changes have already been made to exposure drafts in Group 4);
- changes resulting from parties submissions on exposure drafts that were published throughout February and March 2019;
- changes resulting from any substantive claims heard by separately constituted full benches; and
- recent common issue decisions including:
 - the decision relating to various issues referred to the plain language project issued on 20 August 2019³⁰ (including issues relating to hourly rates of pay schedules; terminology of rates; cross references in coverage clauses; annual weekly and hourly rates in minimum wages tables; reasonable overtime);
 - Family and Domestic Violence Leave;³¹
 - Payment of Wages on termination of employment;³²
 - Standard clauses;³³
 - Substitution of public holidays.³⁴

[29] As requested by Ai Group in its submission of 9 May 2019³⁵, each revised exposure draft will be published using the tracked changes function so the changes are easily identifiable by interested parties. History notes will also be used at each updated clause, as has been done throughout the Review.

[30] In each of the three tranches a draft variation determination will also be published for each modern award.³⁶ Parties are directed to comment on the contents of the draft determinations in accordance with the timeline set out at [36] below. Final variation determinations will be issued following the consultation process.

[31] Specific clauses in exposure drafts that relate to any outstanding issues (including those that are the subject of substantive claims) will be quarantined and a note inserted into the relevant clause of the exposure drafts during the publication process. Any outstanding

²⁹ [2019] FWCFB 3500.

³⁰ [2019] FWCFB 5409.

³¹ [2019] FWCFB 5144.

³² [2019] FWCFB 5146 and [2019] FWCFB 5868.

³³ [2019] FWCFB 2548.

³⁴ [2019] FWCFB 5145.

³⁵ Ai Group submission, 9 May 2019 Plain Language re-drafting – light touch.

³⁶ Note that the Full Bench in a *December 2014 decision* determined to make variations to existing modern awards during the Review, rather than ‘superseding’ awards. See [2014] FWCFB 9412 at [7]–[9].

substantive claims that have not been determined when the awards are varied to reflect the contents of the final exposure drafts will be incorporated by way of a subsequent variation determination.

4. Provisional view: Tranche 1

[32] As previously mentioned, a large number of decisions have been issued as part of the 4 yearly review of modern awards. A complete list of these decisions is set out at **Attachment C** to this decision.

[33] It is our *provisional* view that the variation of the modern awards in tranche 1 in accordance with the draft variation determinations set out at **Attachment D** is, in respect of each of these awards, necessary to achieve the modern awards objective. In reaching that conclusion we have adopted the reasons set out in the decisions at Attachment C insofar as they are relevant to each of the awards in tranche 1 and, in particular, to the considerations in s.134(1)(a) to (h), which are addressed in each of those decisions.

[34] Interested parties are directed to comment on this *provisional* view in accordance with the timeline set out at [36] below.

5. Next steps

[35] The first tranche of exposure drafts will be published by close of business on **Monday 2 September 2019**. Interested parties will have the opportunity to comment on the contents of the exposure drafts. Submissions are to be filed by no later than **4.00 pm on 20 September 2019**. Parties will then be provided an opportunity to reply to a submission filed by any other party. Submissions in reply are to be filed by no later than **4.00 pm on 2 October 2019**. All submissions must be sent electronically to amod@fwc.gov.au. A Full Bench hearing will be listed to determine any issues raised in submissions if necessary. Such hearing will be listed for **11 October 2019**.

[36] A similar publication process will follow for the exposure drafts listed in Tranche 2 and Tranche 3. A timeline with relevant dates is set out below:

	Date	Event
Tranche 1	2 September 2019	Publish final exposure drafts and draft variation determinations
	20 September 2019	Parties to file submissions on final exposure drafts draft variation determinations
	2 October 2019	Parties to file submissions in reply
	11 October 2019	Full Bench Hearing (if required)
Tranche 2	14 October 2019	Publish final exposure drafts and draft variation determinations

	Date	Event
	25 November 2019	Parties to file submissions on final exposure drafts draft variation determinations
	9 December 2019	Parties to file submissions in reply
	16/17 December 2019	Full Bench Hearing (if required)
Tranche 3	29 January 2020	Publish final exposure drafts and draft variation determinations
	4 March 2020	Parties to file submissions on final exposure drafts draft variation determinations
	27 March 2020	Parties to file submissions in reply
	6/7 April 2020	Full Bench Hearing (if required)

[37] The dates in relation to tranches 2 and 3 are indicative only. We will confirm the dates in due course. There may also be some changes to the awards listed in tranche 2 and 3 depending on the determination of related proceedings. Any party who wishes to express a view about the awards listed in tranches 2 and 3 should forward any comments to chambers.ross.j@fwc.gov.au.

PRESIDENT

Printed by authority of the Commonwealth Government Printer

<PR711893>

LIST OF ATTACHMENTS

- A. List of all submissions received in response to exposure drafts published February and March 2019
- B. Exposure Drafts to be finalised
- C. List of decisions issued as part of the 4 yearly review of modern awards
- D. Draft variation determinations

ATTACHMENT A - List of all submissions received in response to exposure drafts published February and March 2019

Party name	Date	Relevant modern award
Group 1		
Australian Industry Group submission	13 March 2019	<i>All awards in Group 1</i>
United Voice submission	13 March 2019	<i>Cleaning Services Award and Security Services Award</i>
Australian Business Industrial submission	13 March 2019	<i>Various awards in Group 1</i>
CMIEG submission	12 March 2019	<i>Black Coal Mining Award</i>
AMWU submission	13 March 2019	<i>Manufacturing; Oil Refining and Manufacturing Award 2010; Poultry Processing Award</i>
AMIEU submission	15 March 2019	<i>Meat Industry Award and Poultry Processing Award</i>
CFMMEU submission	13 March 2019	<i>Stevedoring Industry Award</i>
CFMMEU submission	13 March 2019	<i>Marine Tourism and Charter Vessels Award</i>
CFMMEU submission	13 March 2019	<i>Maritime Offshore Oil and Gas Award</i>
CFMMEU submission	13 March 2019	<i>Professional Diving Industry (Industrial) Award</i>
CFMMEU submission	13 March 2019	<i>Professional Diving Industry (Recreational) Award</i>
ASIAL submission	4 March 2019	<i>Security Services Award</i>
Group 2		
Australian Industry Group submission	13 March 2019	<i>All awards in Group 2</i>
Australian Business Industrial submission	15 March 2019	<i>Various awards in Group 2</i>
AMWU submission	13 March 2019	<i>Seafood Processing Award</i>

Party name	Date	Relevant modern award
HSU submission	1 April 2019	<i>Health Professionals and Support Services Award 2010</i>
Australian Nursing and Midwifery Federation submission	27 March 2019	<i>Nurses Award</i>
Private Hospital Industry Employer Associations	4 March 2019	<i>Nurses Award</i>
TWU submission	22 March 2019	<i>Road Transport and Distribution Award</i>
Australian Road Transport Industrial Organization submission	8 March 2019	<i>Road Transport and Distribution Award; Road Transport (Long Distance Operations) Award; Waste Management Award</i>
Australian Public Transport Industrial Association submission	14 March 2019	<i>Passenger Vehicle Transportation Award</i>
National Road Transport Association	4 March 2019	<i>Road Transport (Long Distance Operations) Award</i>
Waste Contractors and Recyclers Association of NSW	14 March 2019	<i>Waste Management Award</i>
Group 3		
Australian Business Industrial submission	29 March 2019	<i>Various awards in Group 3</i>
Community and Public Sector Union submission	29 March 2019	<i>Contract Call Centres Award; Labour Market Assistance Award; Telecommunications Award; Miscellaneous Award</i>
ASSA submission	19 March 2019	<i>Fitness Industry Award</i>
REEF submission	27 March 2019	<i>Real Estate Industry Award</i>
RESA submission	1 April 2019	<i>Real Estate Industry Award</i>
ISV submission	5 April 2019	<i>Educational Services (Schools) General Staff Award</i>
IEU submission	5 April 2019	<i>Educational Services (Schools) General Staff Award</i>

Party name	Date	Relevant modern award
Group of 8 Universities submission	5 April 2019	<i>Higher Education Industry-Academic Staff-Award;</i> <i>Higher Education Industry-General Staff-Award</i>
WA Local Government Association, NT Local Government Association and Local Government Association of Tas submission	5 April 2019	<i>Local Government Industry Award</i>
DPC submission	4 April 2019	<i>State Government Agencies Award 2010</i>
Community and Public Sector Union submission	4 April 2019	<i>State Government Agencies Award 2010</i>
Sea Swift submission	8 April 2019	<i>Seagoing Industry Award</i>
AIMPE submission	12 March 2019	<i>Seagoing Industry Award</i>
National Farmers Federation submission	26 April 2019	<i>Pastoral Award</i>
South Australian Wine Industry Association submission	5 April 2019	<i>Wine Industry Award</i>
Group 4		
Australian Business Industrial submission	15 April 2019	<i>Various modern awards in Group 4</i>
NATSIHWA submission	12 April 2019	<i>Aboriginal Community Controlled Health Services Award</i>
Aged Care Employers	15 April 2019	<i>Aged Care Award</i>
National Disability Services	18 April 2019	<i>Social, Community, Home Care and Disability Services Industry Award</i>
Flight Attendants' Association of Australia	23 April 2019	<i>Aircraft Cabin Crew Award</i>
Community and Public Sector Union submission	12 April 2019	<i>Airport Employees Award; Broadcasting, Recorded Entertainment and Cinema's Award</i>

Party name	Date	Relevant modern award
ACAA submission	9 April 2019	<i>Architects Award</i>
Master Electricians Association submission	11 April 2019	<i>Electrical, Electronic and Communications Contracting Award</i>
Live Performance Australia submission	18 April 2019	<i>Amusement, Events and Recreation Award</i>
Live Performance Australia submission	29 April 2019	<i>Live Performance Award</i>
Media, Entertainment and Arts Alliance submission	30 May 2019	<i>Live Performance Award</i>
Australian Hotels Association submission	26 April 2019	<i>Hospitality Industry (General) Award</i>
Club Managers' Association, Australia	26 April 2019	<i>Registered and Licensed Clubs Award</i>
Clubs Australia - Industrial	17 May 2019	<i>Registered and Licensed Clubs Award</i>

ATTACHMENT B – TRANCHES 1-3

Note that these lists do not contain the Hair and Beauty Award, the Fast Food Award, the Social, Community Home Care and Disability Services Industry Award, the Children's Services Award or the Aged Care Award.

The above awards will be the subject of the plain language re-drafting process.

FIRST TRANCHE OF EXPOSURE DRAFTS TO BE FINALISED

(40 exposure drafts)

Group	Exposure draft title
<i>1B</i>	<i>Aluminium Industry Award</i>
<i>1A</i>	<i>Ambulance and Patient Transport Industry Award</i>
<i>2B</i>	<i>Animal Care and Veterinary Services Award</i>
<i>2A</i>	<i>Aquaculture Industry Award</i>
<i>3A</i>	<i>Banking, Finance and Insurance Award</i>
<i>4D</i>	<i>Book Industry Award</i>
<i>33A</i>	<i>Business Equipment Award</i>
<i>4E</i>	<i>Car Parking Award</i>
<i>1B</i>	<i>Cement, Lime and Quarrying Award</i>
<i>4E</i>	<i>Cemetery Industry Award</i>
<i>3C</i>	<i>Coal Export Terminals Award</i>
<i>2D</i>	<i>Corrections and Detention (Private Sector) Award</i>
<i>1A</i>	<i>Cotton Ginning Award</i>
<i>3C</i>	<i>Electrical Power Industry Award</i>
<i>2D</i>	<i>Fire Fighting Industry Award</i>
<i>4E</i>	<i>Funeral Industry Award</i>
<i>3D</i>	<i>Gardening and Landscaping Services Award</i>
<i>2A</i>	<i>Graphic Arts, Printing and Publishing Award</i>
<i>1E</i>	<i>Hydrocarbons Industry (Upstream) Award</i>
<i>3A</i>	<i>Legal Services Award</i>
<i>3A</i>	<i>Market and Social Research Award</i>
<i>2B</i>	<i>Medical Practitioners Award</i>
<i>1D</i>	<i>Mining Industry Award</i>
<i>3D</i>	<i>Nursery Award</i>

Group	Exposure draft title
<i>1D</i>	<i>Oil Refining and Manufacturing Award</i>
<i>2B</i>	<i>Pharmacy Industry Award</i>
<i>3C</i>	<i>Port Authorities Award</i>
<i>1B</i>	<i>Premixed Concrete Award</i>
<i>2D</i>	<i>Racing Industry Ground Maintenance Award</i>
<i>3A</i>	<i>Real Estate Industry Award</i>
<i>1B</i>	<i>Salt Industry Award</i>
<i>2A</i>	<i>Seafood Processing Award</i>
<i>3D</i>	<i>Silviculture Award</i>
<i>3A</i>	<i>Sporting Organisations Award</i>
<i>3B</i>	<i>State Government Agencies Award</i>
<i>4C</i>	<i>Surveying Award</i>
<i>3A</i>	<i>Telecommunications Services Award</i>
<i>4D</i>	<i>Travelling Shows Award</i>
<i>4E</i>	<i>Water Industry Award</i>
<i>1C</i>	<i>Wool Storage, Sampling and Testing Award</i>

SECOND TRANCHE OF EXPOSURE DRAFTS TO BE FINALISED

(43 exposure drafts)

Group	Exposure draft title
4A	<i>Aboriginal Community Controlled Health Services Award</i>
4B	<i>Airline Operations—Ground Staff Award</i>
4B	<i>Air Pilots Award</i>
4B	<i>Aircraft Cabin Crew Award</i>
4B	<i>Airport Employees Award</i>
2A	<i>Alpine Resorts Award</i>
4C	<i>Architects Award</i>
4C	<i>Asphalt Industry Award</i>
1A	<i>Cleaning Services Award</i>
3A	<i>Clerks—Private Sector Award</i>
3A	<i>Commercial Sales Award</i>
1B	<i>Concrete Products Award</i>
3A	<i>Contract Call Centres Award</i>
3B	<i>Educational Services (Schools) General Staff Award</i>
3B	<i>Educational Services (Post-Secondary Education) Award</i>
4F	<i>Dry Cleaning and Laundry Industry Award</i>
1E	<i>Gas Industry Award</i>
3B	<i>Higher Education Industry—Academic Staff—Award</i>
3B	<i>Higher Education Industry—General Staff—Award</i>
4F	<i>Hospitality Industry (General) Award</i>
4C	<i>Hydrocarbons Field Geologists Award</i>
3A	<i>Labour Market Assistance Industry Award</i>
4D	<i>Live Performance Award</i>
3B	<i>Local Government Industry Award</i>
4F	<i>Mannequins and Models Award</i>
1C	<i>Manufacturing and Associated Industries and Occupations Award</i>
1E	<i>Maritime Offshore Oil and Gas Award</i>
1C	<i>Meat Industry Award</i>

Group	Exposure draft title
<i>3D</i>	<i>Pastoral Award</i>
<i>2C</i>	<i>Passenger Vehicle Transportation Award</i>
<i>1C</i>	<i>Pharmaceutical Industry Award</i>
<i>1C</i>	<i>Poultry Processing Award</i>
<i>1E</i>	<i>Professional Diving Industry (Industrial) Award</i>
<i>1E</i>	<i>Professional Diving Industry (Recreational) Award</i>
<i>1D</i>	<i>Rail Industry Award</i>
<i>4F</i>	<i>Restaurant Industry Award</i>
<i>2C</i>	<i>Road Transport (Long Distance Operations) Award</i>
<i>2C</i>	<i>Road Transport and Distribution Award</i>
<i>1D</i>	<i>Stevedoring Industry Award</i>
<i>2A</i>	<i>Storage Services and Wholesale Award</i>
<i>2C</i>	<i>Transport (Cash in Transit) Award</i>
<i>1C</i>	<i>Vehicle Manufacturing, Repair, Services and Retail Award</i>
<i>2C</i>	<i>Waste Management Award</i>

THIRD TRANCHE OF EXPOSURE DRAFTS TO BE FINALISED**(33 exposure drafts)**

Group	Exposure draft title
4D	<i>Amusement, Events and Recreation Award</i>
4D	<i>Broadcasting and Recorded Entertainment Award</i>
1D	<i>Black Coal Mining Industry Award</i>
44C	<i>Building and Construction General On-site Award</i>
3C	<i>Dredging Industry Award</i>
4A	<i>Educational Services (Teachers) Award</i>
4C	<i>Electrical, Electronic and Communications Contracting Award</i>
3A	<i>Fitness Industry Award</i>
4E	<i>Food, Beverage and Tobacco Manufacturing Award</i>
4F	<i>General Retail Industry Award</i>
2B	<i>Health Professionals and Support Services Award</i>
2D	<i>Horse and Greyhound Training Award</i>
3D	<i>Horticulture Award</i>
4D	<i>Journalists Published Media Award</i>
4C	<i>Joinery and Building Trades Award</i>
3C	<i>Marine Towage Award</i>
1E	<i>Marine Tourism and Charter Vessels Award</i>
4C	<i>Mobile Crane Hiring Award</i>
2B	<i>Nurses Award</i>
3A	<i>Miscellaneous Award</i>
4C	<i>Plumbing and Fire Sprinklers Award</i>
3C	<i>Ports, Harbours and Enclosed Water Vessels Award</i>
4E	<i>Pest Control Industry Award</i>
4E	<i>Professional Employees Award</i>
4D	<i>Racing Clubs Events Award</i>
4F	<i>Registered and Licensed Clubs Award</i>
3C	<i>Seagoing Industry Award</i>
1A	<i>Security Services Industry Award</i>

Group	Exposure draft title
<i>3D</i>	<i>Sugar Industry Award</i>
<i>4A</i>	<i>Supported Employment Services Award</i>
<i>1C</i>	<i>Textile, Clothing, Footwear and Associated Industries Award</i>
<i>1C</i>	<i>Timber Industry Award</i>
<i>3D</i>	<i>Wine Industry Award</i>

ATTACHMENT C—List of decisions issued as part of the 4 yearly review of modern awards

Citation	Description	Members	Date
[2019] FWCFB 5078	Award stage – group 4 awards – substantive issues – Aged Care Award 2010	Ross J, Clancy DP, Lee C	26/08/2019
[2019] FWCFB 5868	Common issue - payment of wages - payments on termination of employment	Ross J, Gostencnik DP, Clancy DP, Lee C, Hunt C	23/08/2019
[2019] FWCFB 5813	4 yearly review of modern awards – training costs – training arrangements for trainees	Gostencnik DP, Clancy DP, Harper-Greenwell C	21/08/2019
[2019] FWCFB 5409	4 yearly review of modern awards – plain language project – determination of various issues	Ross J, Hatcher VP, Hunt C	20/08/2019
[2019] FWCFB 5082	Award stage - Funeral Industry Award - substantive issues determined	Sams DP, Bull DP, Cambridge C	5/08/2019
[2019] FWCFB 5171	Silviculture Award - allowances	Ross J, Clancy DP, Johns C	29/07/2019
[2019] FWCFB 5146	Common issue - payment of wages - payments on termination - outstanding awards	Ross J, Gostencnik DP, Clancy DP, Lee C, Hunt C	26/07/2019
[2019] FWCFB 5144	Leave to deal with family and domestic violence model term – Fair Work Amendment (Family and Domestic Violence Leave) Act 2018	Ross J, Hatcher VP, Spencer C	25/07/2019
[2019] FWCFB 5154	Plain language re-drafting - substitution of public holidays	Ross J, Hatcher VP, Hunt C	25/07/2019

[2019] FWCFB 2912	Graphic Arts, Printing and Publishing Award - classification of employees	Gostencnik DP, Clancy DP, Harper-Greenwell C	22/07/2019
[2019] FWCFB 4559	Gas Industry Award - meal breaks not taken, or interrupted - draft clause	Sams DP, Bull DP, Bissett C	17/07/2019
[2019] FWCFB 4748	Proposed Helicopter Aircrew Award	Hatcher VP, Hamilton DP, Simpson C	8/07/2019
[2019] FWCFB 4368	Review of annualised wage arrangement provisions in modern awards.	Hatcher VP, Dean DP, Saunders DP	4/07/2019
[2019] FWCFB 4679	Fast Food Industry Award - Award stage - substantive issues	Ross J, Masson DP, Lee C	4/07/2019
[2019] FWCFB 3529	Hair and Beauty Industry Award - award stage - substantive issues - rostering provisions	Catanzariti VP, Asbury DP, Lee C	14/06/2019
[2019] FWCFB 3949	Pharmacy Industry Award 2010 - substantive issues	Hatcher VP, Dean DP, Spencer C	13/06/2019
[2019] FWCFB 3626	Plain language re-drafting - General Retail Industry Award 2010	Ross J, Hatcher VP, Hunt C	3/06/2019
[2019] FWCFB 3347	Alpine Resorts Award - substantive issues - coverage provisions - State Government Agencies Award	Hatcher VP, Dean DP, Riordan C	14/05/2019
[2019] FWCFB 3064	Common issue - part time employment and casual employment - Timber Industry Award 2010	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP	8/05/2019
[2019] FWCFB 2634	Real Estate Industry Award 2010 - substantive issues	Hatcher VP, Asbury DP, Gregory C	1/05/2019
[2019] FWCFB 2910	Seagoing Industry Award; Ports, Harbours and Enclosed Water Vessels Award and Marine Towage Award	Hatcher VP, Asbury DP, Cambridge C	30/04/2019

[2019] FWCFB 1369	Public holidays - Registered and Licenced Clubs Award	Hatcher VP, Hampton C, Johns C	18/04/2019
[2019] FWCFB 2548	Plain language re-drafting - standard clauses	Ross J, Hatcher VP, Hunt C	16/04/2019
[2019] FWCFB 2108	Common issue - part time employment and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP	2/04/2019
[2019] FWCFB 1980	Award stage - Sugar Industry Award - substantive issues	Asbury DP, Anderson DP, Mckenna C	26/03/2019
[2019] FWCFB 349	Penalty rates - Registered and Licensed Clubs Award and the Hospitality Industry (General) Award	Hatcher VP, Hampton C, Bissett C	21/03/2019
[2019] FWCFB 1044	Fair Work Amendment (Repeal of 4 Yearly Reviews and Other Measures) Act 2018—Australian Government Industry Award 2016, modern enterprise awards and State reference public sector modern awards	Ross J, Hatcher VP, Hunt C	28/02/2019
[2019] FWCFB 1206	Plain language re-drafting – Pharmacy Industry Award 2010 – casual conversion clause	Ross J, Hatcher VP, Hunt C	28/02/2019
[2019] FWCFB 1333	Plain language re-drafting – standard absorption clause – take-home pay orders	Ross J, Hatcher VP, Hunt C	28/02/2019
[2019] FWCFB 1289	Review of annualised wage arrangement provisions in modern awards.	Hatcher VP, Dean DP, Saunders DP	27/02/2019
[2019] FWCFB 272	Award stage - Fast Food Industry Award 2010 - substantive issues - Ai Group claims	Ross J, Masson DP, Lee C	20/02/2019
[2019] FWCFB 488	Education Group Professionals Award - medical research institutes	Catanzariti VP, Kovacic DP, Johns C	30/01/2019

[2019] FWCFCB 276	Plain language re-drafting - Retail Award	Ross J, Hatcher VP, Hunt C	18/01/2019
[2019] FWCFCB 120	Health Professionals and Support Services Award 2010 – substantive issues	Catanzariti VP, Booth DP, Cribb C	9/01/2019
[2019] FWCFCB 121	Nurses Award 2010 – substantive issues.	Catanzariti VP, Booth DP, Cribb C	9/01/2019
[2018] FWCFCB 7874	Hair and Beauty Industry Award - award stage - substantive issues - rostering provisions	Catanzariti VP, Asbury DP, Lee C	28/12/2018
[2018] FWCFCB 7433	Common issue - abandonment of employment - awards varied	Hatcher VP, Gostencnik DP, Cribb C	17/12/2018
[2018] FWCFCB 7621	Pharmacy Industry Award - substantive issue - APESMA Work Value Claim	Hatcher VP, Dean DP, Spencer C	14/12/2018
[2018] FWCFCB 7263	Restaurant and Hospitality Awards – substantive issues	Ross J, Masson DP, Lee C	12/12/2018
[2018] FWCFCB 7447	Plain language re-drafting - standard clauses - redundancy	Ross J, Hatcher VP, Hunt C	11/12/2018
[2018] FWCFCB 7347	Award stage - Nurses Award - substantive issues	Catanzariti VP, Booth DP, Cribb C	3/12/2018
[2018] FWCFCB 7350	Award stage - Health Professionals - substantive issues	Catanzariti VP, Booth DP, Cribb C	3/12/2018
[2018] FWCFCB 7145	Award stage - group 3 awards - exposure drafts	Ross J, Hamberger SDP, Clancy DP	23/11/2018
[2018] FWCFCB 7210	Award stage - group 2 - exposure drafts	Ross J, Hatcher VP, Hamberger SDP, Bull DP	23/11/2018
[2018] FWCFCB 6863	Common issue - family friendly work arrangements - model term	Ross J, Hatcher VP, Spencer C	20/11/2018
[2018] FWCFCB 7007	Group 1 - consultation obligations - Poultry, Meat and Manufacturing awards	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	16/11/2018

[2018] FWCFB 6980	Plain language re-drafting - Clerks - Private Sector Award 2010	Ross J, Hatcher VP, Hunt C	15/11/2018
[2018] FWCFB 6852	Award stage - group 4 awards - award stage - exposure drafts	Ross J, Catanzariti VP, Gostencnik DP, Lee C, Cirkovic C	13/11/2018
[2018] FWCFB 6709	Plain language re-drafting – Restaurant Industry Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6711	Plain language re-drafting – Hospitality Industry (General) Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6755	Plain language re-drafting – Security Services Industry Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6781	Plain language re-drafting – Cleaning Services Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6803	Plain language re-drafting – Pharmacy Industry Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6850	Plain language re-drafting – General Retail Industry Award 2010	Ross J, Hatcher VP, Hunt C	8/11/2018
[2018] FWCFB 6540	Common issue - public holidays - part-day public holidays	Hatcher VP, Hampton C, Johns C	7/11/2018
[2018] FWCFB 6596	Restaurant Award - substantive issues - application for confidentiality order	Lee C	30/10/2018
[2018] FWCFB 6665	Penalty rates - General Retail Industry Award	Ross J, Hatcher VP, Lee C	29/10/2018
[2018] FWCFB 6680	Plain language re-drafting – reasonable overtime	Ross J, Hatcher VP, Hunt C	29/10/2018
[2018] FWCFB 6368	Award stage - group 3 awards - technical and drafting – outstanding issues	Ross J, Hamberger SDP, Clancy DP, Johns C	15/10/2018
[2018] FWCFB 5897 - corrected	Penalty rates - General Retail Industry Award	Ross J, Hatcher VP, Lee C	27/09/2018

[2018] FWCFB 5986	Award stage - exposure drafts - technical and drafting issues - Group 2 awards - outstanding issues	Ross J, Hatcher VP, Hamberger SDP, Bull DP	26/09/2018
[2018] FWCFB 5996	Common issue - transitional provisions - Black Coal Mining Industry Award - accident pay	Kovacic DP, Bull DP, Bissett C	26/09/2018
[2018] FWCFB 6019	Construction awards – substantive matters	Hatcher VP, Hamilton DP, Gostencnik DP, Gregory C, Harper-Greenwell C	26/09/2018
[2018] FWCFB 5753	Family friendly working arrangements model term	Ross J, Hatcher VP, Spencer C	25/09/2018
[2018] FWCFB 5846	4 yearly review of modern awards – common issues – part-time employment and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP	21/09/2018
[2018] FWCFB 5749	Plain language re-drafting – reasonable overtime	Ross J, Hatcher VP, Hunt C	17/09/2018
[2018] FWCFB 5602	Award stage - group 1 - technical and drafting	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	12/09/2018
[2018] FWCFB 5553	Plain language re-drafting - Clerks Award	Ross J, Hatcher VP, Hunt C	6/09/2018
[2018] FWCFB 5504	Plain language re-drafting - Pharmacy Industry Award	Ross J, Hatcher VP, Hunt C	3/09/2018
[2018] FWCFB 4984	Alpine Resorts Award 2010 - substantive issues - coverage	Hatcher VP, Dean DP, Riordan C	27/08/2018
[2018] FWCFB 4735	Payment of wages – payments on termination model term	Ross J, Booth DP, Clancy DP, Cribb C, Hunt C	15/08/2018
Decision [2018] FWCFB 4732	Proposed Norfolk Island Interim Award 2018 – State based difference terms	Ross J, Hatcher VP, Saunders C	15/08/2018

[2018] FWCFB 4704	Plain language re-drafting - standard clause H redundancy	Ross J, Hatcher VP, Hunt C	14/08/2018
FWCFB 4709	Legal Services Award - substantive issues	Gostencnik DP, Clancy DP, Cirkovic C	13/08/2018
[2018] FWCFB 4695	Common issues - part time employment and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP	9/08/2018
[2018] FWCFB 4175	Award stage – exposure drafts – Group 4 awards – further decision	Ross J, Catanzariti VP, Gostencnik DP, Lee C, Cirkovic C	7/08/2018
[2018] FWCFB 4468	Plain language re-drafting – Hospitality Award	Ross J, Hatcher VP, Hunt C	3/08/2018
[2018] FWCFB 4496	Plain language re-drafting - Restaurant Award	Ross J, Hatcher VP, Hunt C	3/08/2018
[2018] FWCFB 4177	Plain language re-drafting - Standard clauses - E.1 and G	Ross J, Hatcher VP, Hunt C	18/07/2018
[2018] FWCFB 3566	Common issue - payment of wages	Ross, J	17/07/2018
[2018] FWCFB 3914	Fitness Industry Award 2010 – classification definitions - swim industry teachers and coaches	Sams DP, Dean DP, McKenna C	9/07/2018
[2018] FWCFB 3936	Family and Domestic Violence Leave – Determination of Model Term for Unpaid Leave	Ross J, Hatcher VP, Spencer C	6/07/2018
[2018] FWCFB 3802	Award stage – group 1 awards – technical and drafting matters – outstanding issues	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	28/06/2018

[2018] FWCFB 3528	Variation to the Road Transport and Distribution Award 2010 to extend award coverage to the vehicle relocation industry - whether any further modifications to the Road Transport Award should be made - two-year transitional period to be introduced	Hamberger SDP, Sams DP, Lee C	15/06/2018
[2018] FWCFB 3009	Plain language re-drafting - standard clauses	Ross J, Hatcher VP, Hunt C	13/06/2018
[2018] FWCFB 3085	Common issue – time off instead of payment for overtime – Broadcasting Award – Journalists Award	Ross J, Kovacic DP, Lee C	1/06/2018
[2018] FWCFB 3133	Transport Awards - substantive issues - variation to the Road Transport and Distribution Award to extend award coverage to vehicle relocation industry	Hamberger SDP, Sams DP, Lee C	31/05/2018
[2018] FWCFB 2559	Plain language re-drafting - Restaurant Award – award-specific clauses.	Ross J, Hatcher VP, Hunt C	21/05/2018
[2018] FWCFB 2710	Plain language re-drafting - Hospitality Award – award-specific clauses.	Ross J, Hatcher VP, Hunt C	21/05/2018
[2018] FWCFB 2797	Fast Food Award - objection to participation in review proceedings	Ross J, Masson DP, Lee C	21/05/2018
[2018] FWCFB 1691	Family and Domestic Violence Leave – Determination of Model Term for Unpaid Leave	Ross J, Gooley DP, Spencer C	26/03/2018
[2018] FWCFB 1692	Family friendly working arrangements – claim by ACTU – s.65 Fair Work Act 2009 – right to request – provisional model term proposed	Ross J, Gooley DP, Spencer C	26/03/2018
[2018] FWCFB 1548	Award stage - Group 4 awards - technical and drafting - substantive matters.	Ross J, Catanzariti VP, Gostencnik DP, Lee C, Cirkovic C	21/03/2018

[2018] FWCFB 1532	Real Estate Industry Award 2010 - substantive matters - further decision	Hatcher VP, Asbury DP, Gregory C	16/03/2018
[2018] FWCFB 1405	Award stage - group 3 awards - outstanding technical and drafting issues	Ross J, Hamberger SDP, Clancy DP, Johns C	13/03/2018
[2018] FWCFB 4	Common issue - public holidays	Hatcher VP, Hampton C, Johns C	2/03/2018
[2018] FWC 1117	Plain language re-drafting – Cleaning Services Award 2010	Ross, J	21/02/2018
[2018] FWCFB 1087	Higher Education Industry – Academic Staff – Award 2010 and Higher Education Industry – General Staff – Award 2010 – substantive issues in Education Group	Catanzariti VP, Kovacic DP, Johns C	20/02/2018
[2018] FWCFB 154	Review of annualised wage arrangement provisions in modern awards	Hatcher VP, Dean DP, Saunders C	20/02/2018
[2018] FWCFB 354 - correction	Real Estate Industry Award 2010 - substantive matters - correction	Hatcher VP, Asbury DP, Gregory C	31/01/2018
[2018] FWCFB 354 - correction	Real Estate Industry Award 2010 - substantive matters - correction	Hatcher VP, Asbury DP, Gregory C	25/01/2018
[2018] FWCFB 139	Common issue - Abandonment of employment	Hatcher VP, Gostencnik DP, Cribb C	23/01/2018
[2018] FWCFB 354	Real Estate Industry Award 2010 - substantive matters	Hatcher VP, Asbury DP, Gregory C	17/01/2018
[2018] FWCFB 129	Alleged NES inconsistencies - Seagoing Award - vessels granted temporary licence - maximum weekly hours	Hatcher VP, Hamberger SDP, Bissett C	12/01/2018
[2017] FWCFB 6947	Horticulture Award 2010 – substantive issues.	Catanzariti VP, Sams DP, Saunders C	22/12/2017

[2017] FWCFB 6034	Penalty rates - application by Restaurant and Catering Industrial	Hatcher VP, Catanzariti VP, Lee C	24/11/2017
[2017] FWCFB 6181	Common issue - part time and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP	24/11/2017
[2017] FWCFB 6037	Horticulture Award 2010 - substantive issues - award coverage - retrospective variation	Catanzariti VP, Sams DP, Saunders C	16/11/2017
[2017] FWCFB 5788	Common issue - award flexibility - time off instead of payment for overtime - Pastoral and Horticultural Awards	Ross J, Kovacic DP, Lee C	8/11/2017
[2017] FWCFB 5536	Award stage - Group 3 awards - exposure drafts - technical and drafting	Ross J, Hamberger SDP, Clancy DP, Johns C	30/10/2017
[2017] FWCFB 5397	Plain language - Restaurant Industry Award - re-drafting of award-specific clauses	Ross J, Hatcher DP, Hunt C	24/10/2017
[2017] FWCFB 5394	Annual leave - Black Coal Mining Industry Award	Ross J, Kovacic DP, Hampton C	19/10/2017
[2017] FWCFB 5258	Plain language re-drafting - standard clauses	Ross J, Hatcher VP, Hunt C	18/10/2017
[2017] FWCFB 4621	Blood donor leave	Hatcher VP, Clancy DP, Spencer C	5/09/2017
[2017] FWCFB 4419	Plain language - standard clauses	Ross J, Hatcher VP, Hunt C	28/08/2017
[2017] FWCFB 4447	Plain language re-drafting - tranche 2 awards	Ross J, Hatcher VP, Hunt C	28/08/2017
[2017] FWCFB 4174	National Training Wage Schedule - Miscellaneous Award - plain language re-drafting	Ross J, Hatcher VP, Hunt C	15/08/2017

[2017] FWCFB 4029	Pharmacy Industry Award 2010 - substantive issues - consultation as per draft determination - amended operative date	Hatcher VP, Dean DP, Spencer C	1/08/2017
AM2016/6 - [2017] FWCFB 3543	Real Estate Industry Award 2010 - substantive issues	Hatcher VP, Asbury DP, Gregory C	6/07/2017
[2017] FWCFB 1913	Proposed substantive variations - Road Transport Distribution and Long Distance Operations awards	Hamberger SDP, Sams DP, Lee C	6/07/2017
[2017] FWCFB 3433	Award stage - exposure drafts - group 3 awards	Ross J, Hamberger SDP, Clancy DP, Roe C, Johns C	6/07/2017
[2017] FWCFB 3540	Pharmacy Industry Award 2010 - substantive issues	Hatcher VP, Dean DP, Spencer C	5/07/2017
[2017] FWCFB 3541 (pdf)	Common issues - part-time employment and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP, Roe C	5/07/2017
Decision [2017] FWCFB 3541 (html)	Common issues - part-time employment and casual employment	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP, Roe C	5/07/2017
[2017] FWCFB 3494	Common issue - family and domestic violence leave clause	Gooley DP, Spencer C	3/07/2017
[2017] FWC 3480	Family and domestic violence leave clause - reconstitution of Full Bench	Ross J	30/06/2017
[2017] FWCFB 3438	Vehicle Manufacturing, Repair, Services and Retail Award 2010 - casual console operators	Hatcher VP, Cribb C, Bissett C	28/06/2017
[2017] FWCFB 3334	Penalty rates - hospitality and retail sectors - transitional arrangements - determinations	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	21/06/2017

[2017] FWCFB 3337	Plain language project - Pharmacy Industry Award 2010 - plain language drafting issues	Ross J, Hatcher VP, Hunt C	21/06/2017
[2017] FWCFB 3135	Graphic Arts, Printing and Publishing Award 2010 - coverage of metropolitan daily newspapers - annual leave - jury service - redundancy - personal leave	Gostencnik DP, Clancy DP, Roe C	9/06/2017
[2017] FWCFB 3176	National Training Wage schedule - reference term - next steps	Ross J, Hatcher VP, Hunt C	9/06/2017
[2017] FWCFB 3177	Award stage - group 1 technical and drafting issues - Manufacturing and Associated Industries and Occupations Award 2010 - Professional Diving Industry (Industrial) Award 2010	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	9/06/2017
[2017] FWCFB 3001	Penalty rates - hospitality and retail sectors - transitional arrangements	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	5/06/2017
[2017] FWC 2752	Common issue - family and domestic violence leave - reconstitution of Full Bench	Ross J	18/05/2017
AM2015/6 - [2017] FWCFB 2098	Educational Services (Teachers) Award 2010 - annual leave - insertion of model terms	Catanzariti VP, Kovacic DP, Johns C	26/04/2017
[2017] FWCFB 959	Annual leave - timing of taking leave - shutdown provision - Black Coal Mining Industry Award 2010	Ross J, Kovacic DP, Hampton C	27/03/2017
[2017] FWCFB 1612	Plain language drafting issues - Pharmacy Industry Award 2010	Ross C, Hatcher VP, Hunt C	21/03/2017
[2017] FWCFB 1551	Hospitality and retail sectors - late night penalties - public holiday penalty rates	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	17/03/2017
[2017] FWCFB 1133	Common issue - family and domestic violence leave clause	Watson VP	27/02/2017

AM2016/5 - [2017] FWCFB 1138	Port authorities - coverage of award - changes to classifications - Fair Work Act 2009, ss. 134, 138, 156, 163	Watson VP, Gooley DP, Cambridge C	24/02/2017
[2017] FWCFB 1001 (html)	Penalty rates - hospitality and retail sectors	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	23/02/2017
[2017] FWCFB 1001 (pdf)	Penalty rates - hospitality and retail sectors	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	23/02/2017
AM2016/26 - [2017] FWCFB 719	Rail Industry Award 2010 - substantive issues - rates of pay for work on a Saturday - definition of Level 9 Clerical, Administrative and Professional classification	Hamberger SDP, Sams DP, Cambridge C	17/02/2017
[2017] FWCFB 584	Black Coal Mining Industry Award - industry-specific redundancy scheme	Hatcher VP, Hamberger SDP, Gostencnik DP, Johns C	27/01/2017
[2017] FWCFB 344	Plain language drafting - guidelines - Pharmacy Industry Award	Ross J, Hatcher VP, Hunt C	20/01/2017
[2016] FWCFB 9074	Common issue - annual leave - timing of taking of leave - Maritime Industry awards and others - insertion of model terms - variation determinations	Ross J, Kovacic DP, Hampton C	19/12/2016
[2016] FWCFB 8747	Animal Care and Veterinary Services Award - substantive issues - introduction of diploma qualified classification	Watson VP, Gooley DP, Circkovic C	16/12/2016
[2016] FWCFB 7737	Common issue - award flexibility - time off instead of payment for overtime - TOIL at overtime rate - award specific issues	Ross J, Kovacic DP, Lee C	13/12/2016
[2016] FWCFB 8463	Common issue - payment of wages - penalty for late payment - annual leave loading	Ross J, Booth DP, Clancy DP, Cribb C, Hunt C	1/12/2016

[2016] FWCFB 8025	Fire Fighting Award 2010 - variation to permit part-time employment	Ross J, O'Callaghan SDP, Wilson C	15/11/2016
[2016] FWCFB 6841	Common issue - transitional provisions - Black Coal Mining Industry Award - accident pay	Watson VP, Kovacic DP, Bull C	17/10/2016
[2016] FWCFB 7254	Group 2 awards - award stage - exposure drafts	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Roe C	10/10/2016
[2016] FWCFB 6836	Common issue - annual leave - timing of taking of leave - Maritime Industry awards - insertion of model terms	Ross J, Kovacic DP, Hampton C	22/09/2016
[2016] FWCFB 5941	Gas Industry Award - availability duty	Watson VP, Drake SDP, Cambridge C	20/09/2016
[2016] FWCFB 6255	Concrete Products Award - penalty rates for shiftworkers for work performed on Sundays and public holidays	Hatcher VP, O'Callaghan SDP, Cribb C	9/09/2016
[2016] FWCFB 6178	Common issue - award flexibility - time off instead of payment for overtime - award specific issues	Ross J, Kovacic DP, Lee C	31/08/2016
[2016] FWCFB 4418	Vehicle Manufacturing, Repair, Services and Retail Award 2010 - proposal to move vehicle manufacturing sector to Manufacturing Award	Hatcher VP, O'Callaghan SDP, Cribb C	16/08/2016
AM2016/7 - [2016] FWCFB 4566	Wine Industry Award 2010 - substantive issues - meal allowance	O'Callaghan SDP, Sams DP, Hampton C	15/07/2016
[2016] FWCFB 4579	Common issue - award flexibility - time off in lieu of payment for overtime	Ross J, Kovacic DP, Lee C	11/07/2016
[2016] FWCFB 4258	Common issue - award flexibility - time off instead of payment for overtime - finalisation of plain language model term	Ross J, Kovacic DP, Lee C	8/07/2016

[2016] FWCFB 4392	Common issue - annual leave - form of the cashing out term to be inserted into the Security Services Industry Award 2010	Ross J, Kovacic DP, Hampton C	8/07/2016
[2016] FWCFB 4393	Pastoral Award 2010 - 'learner shearers'	Ross J, Kovacic DP, Saunders C	8/07/2016
[2016] FWCFB 3953	Common issue - annual leave - draft determinations - finalisation of plain language re-drafts - confirmation of provisional views	Ross, J, Kovacic DP, Hampton C	24/06/2016
[2016] FWCFB 3177	Annual leave common issue - insertion of model terms into particular modern awards - excessive annual leave - cashing out of annual leave - granting leave in advance - EFT and paid annual leave - plain language redrafts	Ross J, Kovacic DP, Hampton C	23/05/2016
Bench [2016] FWCFB 2479	Common issue - casual employment and part-time employment - tender of witness statements rejected	Hatcher VP, Hamberger SDP, Kovacic DP, Bull DP, Roe C	4/05/2016
[2016] FWCFB 2602	Award flexibility common issue - time off in lieu of payment for overtime	Ross J, Kovacic DP, Roberts C	24/04/2016
[2016] FWCB 1294	Manufacturing and Associated Industries and Occupations Award 2010 and Electrical Power Industry Award 2010 - application to insert electrical licence allowance	Hamberger SDP, Sams DP, Roe C	3/03/2016
[2016] FWCFB 597	Award stage - Concrete Products Award 2010 - AWU claim	Hatcher VP, O'Callaghan, Cribb C	19/02/2016
[2016] FWCFB 965	Penalty rates - admissibility of Productivity Commission Report	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	12/02/2016

[2016] FWCFB 191	Alleged NES Inconsistencies - Pastoral Award 2010, Building and Construction General On-site Award 2010 and Plumbing and Fire Sprinklers Award 2010	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	11/01/2016
[2015] FWCFB 8810	Pastoral Award 2010 - substantive issues - crutching rates for rams and ram stags - learner shearers - coverage - annualised salaries - woolclassers formula	Ross J, Kovacic DP, Saunders C	24/12/2015
[2015] FWC 8420	Penalty rates - Orders for the production of documents - claim of legal professional privilege - waiver of privilege	Johns C	4/12/2015
[2015] FWCFB 7236	Exposure Drafts - Group 1C, 1D and 1E awards	Ross J, Hatcher VP, Hamberger SDP, Bull C, Bissett C	23/10/2015
[2015] FWCFB 5585	Family and domestic violence common issue - family friendly work arrangements common issue - preliminary and jurisdictional issues	Hatcher VP, Acton SDP, Spencer C	22/10/2015
[2015] FWCFB 6847	Award flexibility common issue - time off in lieu of payment for overtime - model term	Ross J, Kovacic DP, Roberts C	6/10/2015
[2015] FWCFB 6656	Absorption clause - casual loading	Ross J, Hatcher VP, Hamberger SDP, Bull DP, Bissett C	30/09/2015
[2015] FWCFB 6509	Objections to expert evidence	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	21/09/2015
[2015] FWCFB 5771	Annual leave common issue - finalisation of model terms - excessive annual leave - cashing out of annual leave - granting leave in advance - purchased leave	Ross J, Kovacic DP, Hampton C	15/09/2015

[2015] FWC 6385	Penalty rates - orders for the production of documents - claim of legal professional privilege - waiver of privilege	Johns C	12/09/2015
[2015] FWCFB 3523	Common issue - Transitional provisions - Accident Make-up Pay	Boulton J, Kovacic DP and Bull C	18/08/2015
[2015] FWCFB 4466	Common issue - Award flexibility	Ross J, Smith DP, Roberts C	16/07/2015
[2015] FWCFB 4658	Award stage - drafting and technical issues - ordinary hourly rate of pay	Ross J, Hatcher VP, Hamberger SDP, Bissett C, Bull C	13/07/2015
[2015] FWCFB 3406	Common issue - Annual leave	Ross J, Harrison SDP, Hampton C	11/06/2015
[2015] FWCFB 1729	Substantive issues - Stevedoring Industry Award 2010	Watson VP, Kovacic DP and Roe C	14/05/2015
[2015] FWCFB 2831	Substantive issues - Textile, Clothing, Footwear and Associated Industries Award 2010	Watson SDP, O'Callaghan SDP and Cribb C	11/05/2015
[2015] FWCFB 3023	Alleged NES Inconsistencies	Ross J, Hatcher VP, Hamberger SDP, Bissett C and Bull C	8/05/2015
[2015] FWCFB 2575	Common issue - Transitional provisions - Accident pay and district allowances - Applications for take home pay orders	Boulton J, Kovacic DP and Bull C	15/04/2015
[2015] FWCFB 1549	CFMEU proposed term - payment of wages - Andrews legal point - amended	Hatcher VP, Hamberger SDP, Gostencnik DP and Johns C	11/03/2015
[2015] FWCFB 644	Common issue - Transitional provisions	Boulton J, Kovacic DP and Bull C	11/02/2015

[2014] FWCFB 9412	Award stage - exposure drafts Group 1A and 1B - General drafting - alleged inconsistencies with NES	Ross J, Hatcher VP, Hamberger SDP, Bissett C, Bull C	23/12/2014
[2014] FWCFB 9429	Transitional provisions - take-home pay orders	Boulton J, Kovacic DP, Bull C	23/12/2014
[2014] FWCFB 9156	Common issues - Apprentice conditions	Boulton J, Harrison SDP, Roe C	17/12/2014
[2014] FWCFB 7767	Common issues - Transitional provisions	Boulton J, Kovacic DP, Bull C	31/10/2014
[2014] FWCFB 1788	Preliminary jurisdictional issues	Ross J, Hatcher VP, Acton SDP, Hamberger SDP, Hampton C	17/03/2014

ATTACHMENT D – draft variation determinations

Note that these lists do not contain the Hair and Beauty Award, the Fast Food Award, the Social, Community Home Care and Disability Services Industry Award, the Children’s Services Award or the Aged Care Award.

The above awards will be the subject of the plain language re-drafting process.

FIRST TRANCHE OF EXPOSURE DRAFTS TO BE FINALISED

(40 exposure drafts)

Group	Exposure draft title	Draft Determination	Tracked ED
1B	<i>Aluminium Industry Award</i>	MA000060	MA000060
1A	<i>Ambulance and Patient Transport Industry Award</i>	MA000098	MA000098
2B	<i>Animal Care and Veterinary Services Award</i>	MA000118	MA000118
2A	<i>Aquaculture Industry Award</i>	MA000114	MA000114
3A	<i>Banking, Finance and Insurance Award</i>	MA000019	MA000019
4D	<i>Book Industry Award</i>	MA000078	MA000078
33A	<i>Business Equipment Award</i>	MA000021	MA000021
4E	<i>Car Parking Award</i>	MA000095	MA000095
1B	<i>Cement, Lime and Quarrying Award</i> <i>*Quarrying Award</i>	MA000055 MA000037	MA000055
4E	<i>Cemetery Industry Award</i>	MA000070	MA000070
3C	<i>Coal Export Terminals Award</i>	MA000045	MA000045
2D	<i>Corrections and Detention (Private Sector) Award</i>	MA000110	MA000110
1A	<i>Cotton Ginning Award</i>	MA000024	MA000024
3C	<i>Electrical Power Industry Award</i>	MA000088	MA000088
2D	<i>Fire Fighting Industry Award</i>	MA000111	MA000111
4E	<i>Funeral Industry Award</i>	MA000105	MA000105
3D	<i>Gardening and Landscaping Services Award</i>	MA000101	MA000101

Group	Exposure draft title	Draft Determination	Tracked ED
2A	<i>Graphic Arts, Printing and Publishing Award</i>	MA000026	MA000026
1E	<i>Hydrocarbons Industry (Upstream) Award</i>	MA000062	MA000062
3A	<i>Legal Services Award</i>	MA000116	MA000116
3A	<i>Market and Social Research Award</i>	MA000030	MA000030
2B	<i>Medical Practitioners Award</i>	MA000031	MA000031
1D	<i>Mining Industry Award</i>	MA000011	MA000011
3D	<i>Nursery Award</i>	MA000033	MA000033
1D	<i>Oil Refining and Manufacturing Award</i>	MA000072	MA000072
2B	<i>Pharmacy Industry Award</i>	MA000012	MA000012
3C	<i>Port Authorities Award</i>	MA000051	MA000051
1B	<i>Premixed Concrete Award</i>	MA000057	MA000057
2D	<i>Racing Industry Ground Maintenance Award</i>	MA000014	MA000014
3A	<i>Real Estate Industry Award</i>	MA000106	MA000106
1B	<i>Salt Industry Award</i>	MA000107	MA000107
2A	<i>Seafood Processing Award</i>	MA000068	MA000068
3D	<i>Silviculture Award</i>	MA000040	MA000040
3A	<i>Sporting Organisations Award</i>	MA000082	MA000082
3B	<i>State Government Agencies Award</i>	MA000121	MA000121
4C	<i>Surveying Award</i>	MA000066	MA000066
3A	<i>Telecommunications Services Award</i>	MA000041	MA000041
4D	<i>Travelling Shows Award</i>	MA000102	MA000102
4E	<i>Water Industry Award</i>	MA000113	MA000113
1C	<i>Wool Storage, Sampling and Testing Award</i>	MA000044	MA000044