

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, 29 JANUARY 2020

4 yearly review of modern awards – finalisation of exposure drafts – tranche 3 awards.

[1] On 2 September 2019, we issued a decision¹ (the *September 2019 Decision*) providing an overview of the status of the first 4 yearly review of modern awards and setting out the process for finalising the exposure drafts and the consequent variation of each award.

[2] This decision deals with the process for finalising exposure drafts and consequent award variations. The awards in Tranche 3 are listed at **Attachment A**.

[3] The Tranche 3 exposure drafts will be published by close of business on **Wednesday 29 January 2020**. Each revised Tranche 3 exposure draft will be published using the tracked changes function so the changes are easily identifiable by interested parties.

[4] In the *September 2019 Decision*, at [28], we set out a series of amendments that had been made to the exposure drafts since they were last published in early 2019. In addition to those changes, the following amendments have been made to the Tranche 3 exposure drafts:

- Re-inserting the current award clauses in relation to casual conversion for those awards that had pre-existing casual conversion clauses prior to the determination of AM2014/197.
- Deleting all tables in the wages schedules that relate to overtime for casual employees where that issue is currently before the Full Bench in AM2017/51.
- Removing the word 'ordinary' from 'the reference to 'ordinary hours' in relation to the casual loading where the current award does not limit the application of the loading to ordinary hours.
- The deletion of the 'note' in the Schedules of Rates

¹ [2019] FWCFB 6077

- The reference to the summary of hourly rates of pay schedule in the minimum rates clause will be converted from an information box to a Note. The reference to 'penalties' in this note will be corrected to 'penalty rates'
- Some formatting changes will be made to the summary of hourly rates of pay schedules to facilitate subsequent variation determinations following an Annual Wage Review. The content of these schedules will not be changed.²

[5] A large number of decisions have been issued as part of the 4 yearly review of modern awards. A list of these decisions is set out at **Attachment B** to this decision.

[6] It is our *provisional* view that the variation of the modern awards in Tranche 3 in accordance with the draft variation determinations set out at **Attachment C** 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 B insofar as they are relevant to each of the awards in Tranche 3 and, in particular, to the considerations in ss.134(1)(a) to (h), which are addressed in each of those decisions.

[7] Interested parties are invited to comment on our *provisional* view and the Tranche 3 exposure drafts and draft variation determinations in accordance with the timetable below.

[8] Submissions are to be filed by no later than 4:00 pm on 4 March 2020. Submissions in reply are to be filed by no later than 4:00 pm on 27 March 2020. All submissions must be sent electronically to amod@fwc.gov.au. An oral hearing will take place at 9:30 am on Monday 6 April 2020 and Tuesday 7 April 2020.

PRESIDENT

Printed by authority of the Commonwealth Government Printer

<PR716209>

² [2019] FWCFB 8569

ATTACHMENT A- Awards in Tranche 3

Aircraft Cabin Crew Award 2010	
Amusement, Events and Recreation Award 2010	
Broadcasting and Recorded Entertainment and C	inemas Award 2010
Black Coal Mining Industry Award 2010	
Building and Construction General On-site Awar	d 2010
Business Equipment Award 2010	
Dredging Industry Award 2010	
Educational Services (Teachers) Award 2010	
Electrical, Electronic and Communications Contr	cacting Award 2010
Fitness Industry Award 2010	
Food, Beverage and Tobacco Manufacturing Awa	ard 2010
Funeral Industry Award 2010	
General Retail Industry Award 2010	
Graphic Arts, Printing and Publishing Award	
Health Professionals and Support Services Award	1 2010
Horse and Greyhound Training Award 2010	
Horticulture Award 2010	
Journalists Published Media Award 2010	
Joinery and Building Trades Award 2010	
Live Performance Award 2010	
Marine Towage Award 2010	
Marine Tourism and Charter Vessels Award 2010)
Mobile Crane Hiring Award 2010	
Nurses Award 2010	
Miscellaneous Award 2010	
Plumbing and Fire Sprinklers Award 2010	
Ports, Harbours and Enclosed Water Vessels Awa	ard 2010
Pest Control Industry Award 2010	
Professional Employees Award 2010	

Racing Clubs Events Award 2010Registered and Licensed Clubs Award 2010Seagoing Industry Award 2010Security Services Industry Award 2010Sugar Industry Award 2010Supported Employment Services Award 2010Telecommunications Services Award 2010Textile, Clothing, Footwear and Associated Industries Award 2010Timber Industry Award 2010Wine Industry Award 2010

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

Citation	Description	Members	Date
[2020] FWCFB 278	Restaurant Industry Award 2010 – Hospitality Industry (General) Award 2010 – substantive issues	Ross J, Masson DP, Lee C	21/01/2020
[2020] FWCFB 39	Penalty rates - Hair and Beauty Award - award specific claims	Catanzariti VP, Asbury DP, Lee C	07/01/2020
[2019] FWCFB 8179	Award stage - substantive issues - Supported Employment Services Award	Hatcher VP, Booth DP, Cambridge C	07/01/2020
[2019] FWCFB 8675	Plain language project – standard clauses – Mannequins and Models Award	Ross J, Hatcher VP, Hunt C	24/12/2019
[2019] FWCFB 8721	Seagoing Industry Award; Ports, Harbours and Enclosed Water Vessels Award and Marine Towage Award	Hatcher VP, Asbury DP, Cambridge C	24/12/2019
[2019] FWCFB 8585	Registered and Licensed Clubs Award 2010 – award stage	Ross J, Clancy DP, Bissett C	20/12/2019
[2019] FWCFB 8502	Plain language project – exposure draft – Clerks Private Sector Award 2010	Ross J, Hatcher VP, Hunt C	20/12/2019
[2019] FWCFB 8538	Award stage - substantive issues - Health Professionals and Support Services Award	Catanzariti VP, Booth DP, Cambridge C	19/12/2019
[2019] FWCFB 8380	Award stage - Restaurant Industry Award 2010 – Hospitality Industry (General) Award 2010 – substantive issues – outstanding matters.	Ross J, Masson DP, Lee C	13/12/2019
[2019] FWCFB 8157	Common issue – payment of wages – payments on termination – Alpine Resorts Award 2010 – Pharmacy Industry Award 2010 – Rail Industry Award 2010.	Ross J, Gostencnik DP, Clancy DP, Lee C, Hunt C	11/12/2019

[2019] FWCFB 8179	Award stage - substantive issues - Supported Employment Services Award	Hatcher VP, Booth DP, Cambridge C	03/12/2019
[2019] FWCFB 8092	Award stage - group 4 - substantive issues - Pest Control Industry Award	Ross J, Masson DP, Lee C	02/12/2019
[2019] FWCFB 8102	Common issue – Transitional provisions - District allowances – applications to include district allowances in several awards – applications dismissed.	Kovacic DP, Bull DP, Bissett DP	29/11/2019
[2019] FWCFB 7854	Finalisation of Exposure Drafts and variation determinations – Tranche 1	Ross J, Clancy DP, Bissett C	25/11/2019
[2019] FWCFB 7603	Journalists Published Media Award 2010 - substantive issues	Hatcher VP, Dean DP, Booth C	20/11/2019
[2019] FWCFB 6860	Group 4 Awards – Construction awards – substantive issues	Hatcher VP, Hamilton DP, Gostencnik DP, Gregory C, Harper- Greenwell C	31/10/2019
[2019] FWCFB 7173	Finalisation of Exposure Drafts and variation determinations - Tranche 1	Ross J, Clancy DP, Bissett C	24/10/2019
[2019] FWCFB 7035	Award stage - Restaurant and Hospitality Awards - substantive issues - outstanding matters.	Ross J, Masson DP, Lee C	23/10/2019
[2019] FWCFB 7096	Award stage - group 4 - Social, Community, Home Care and Disability Services Award - substantive issues	Ross J, Clancy DP, Lee C	18/10/2019
[2019] FWCFB 7094	Award stage – group 4 awards – substantive issues – Aged Care Award.	Ross J, Clancy DP, Lee C	18/10/2019
[2019] FWCFB 5180	Alpine Resorts Award - substantive issues - coverage provisions	Hatcher VP, Dean DP, Riordan C	16/10/2019

[2019] FWCFB 6935	Finalisation process - resolution of issues re Feb/Mar 2019 exposure drafts	Ross J, Clancy DP, Bissett C	14/10/2019
[2019] FWCFB 6861	Finalisation of exposure drafts - tranche 2 awards	Ross J, Clancy DP, Bissett C	14/10/2019
[2019] FWCFB 6858	Plain language re-drafting - standard clauses - determination of various issues	Ross J, Hatcher VP, Hunt C	09/10/2019
[2019] FWCFB 6920	Award stage - Live Performance Award - substantive claims	Sams DP, Bull DP, Cambridge C	09/10/2019
[2019] FWCFB 6953	Common issue - overtime for casuals	Hatcher VP, Kovacic DP, Bull DP	08/10/2019
[2019] FWCFB 5619	Award stage - Airline Operations Award - substantive issues - overtime for shiftworkers	Catanzariti VP Asbury DP Cambridge C	04/10/2019
[2019] FWCFB 6673	Fast Food Industry Award 2010 - Award stage - substantive issues	Ross J, Masson DP, Lee C	01/10/2019
[2019] FWCFB 6566	Common issue - payment of wages - payment on termination of employment - Aluminium Award	Ross J, Gostencnik DP, Clancy DP, Lee C, Hunt C	25/09/2019
[2019] FWCFB 6572	Common issue - plain language re-drafting - standard clauses - award specific matters	Ross J, Hatcher VP, Hunt C	25/09/2019
[2019] FWCFB 6595	Common issue - plain language project – determination of various issues	Ross J, Hatcher VP, Hunt C	25/09/2019
[2019] FWCFB 6138	Architects Award - substantive issues	Gostencnik DP, Masson DP, Cirkovic C	12/09/2019
[2019] FWCFB 6092	Restaurant Industry Award 2010 – Hospitality Industry (General) Award 2010 – substantive issues – outstanding matters	Ross J, Masson DP, Lee C	06/09/2019
[2019] FWCFB 5879	Common issue - payment of wages - payment on termination of employment	Ross J, Gostencnik DP, Clancy DP, Lee C, Hunt C	04/09/2019
[2019] FWCFB 6067	Award stage - group 4 - substantive issues - Social, Community, Home Care and Disability Services Industry Award	Ross J, Clancy DP, Lee C	02/09/2019
[2019] FWCFB 6077	Finalisation of exposure drafts - newly constituted Full Bench	Ross J, Clancy DP, Bissett C	02/09/2019

[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
<u>[2019] FWCFB</u> <u>1044</u>	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] FWCFB 276	Plain language re-drafting - Retail Award	Ross J, Hatcher VP, Hunt C	18/01/2019
[2019] FWCFB 120	Health Professionals and Support Services Award 2010 – substantive issues	Catanzariti VP, Booth DP, Cribb C	9/01/2019
[2019] FWCFB 121	Nurses Award 2010 – substantive issues.	Catanzariti VP, Booth DP, Cribb C	9/01/2019
[2018] FWCFB 7874	Hair and Beauty Industry Award - award stage - substantive issues - rostering provisions	Catanzariti VP, Asbury DP, Lee C	28/12/2018
[2018] FWCFB 7433	Common issue - abandonment of employment - awards varied	Hatcher VP, Gostencnik DP, Cribb C	17/12/2018

[2018] FWCFB 7621	Pharmacy Industry Award - substantive issue - APESMA Work Value Claim	Hatcher VP, Dean DP, Spencer C	14/12/2018
[2018] FWCFB 7263	Restaurant and Hospitality Awards – substantive issues	Ross J, Masson DP, Lee C	12/12/2018
[2018] FWCFB 7447	Plain language re-drafting - standard clauses - redundancy	Ross J, Hatcher VP, Hunt C	11/12/2018
[2018] FWCFB 7347	Award stage - Nurses Award - substantive issues	Catanzariti VP, Booth DP, Cribb C	3/12/2018
[2018] FWCFB 7350	Award stage - Health Professionals - substantive issues	Catanzariti VP, Booth DP, Cribb C	3/12/2018
[2018] FWCFB 7145	Award stage - group 3 awards - exposure drafts	Ross J, Hamberger SDP, Clancy DP	23/11/2018
[2018] FWCFB 7210	Award stage - group 2 - exposure drafts	Ross J, Hatcher VP, Hamberger SDP, Bull DP	23/11/2018
[2018] FWCFB 6863	Common issue - family friendly work arrangements - model term	Ross J, Hatcher VP, Spencer C	20/11/2018
[2018] FWCFB 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] FWC 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
[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	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
[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
[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	Penalty rates - hospitality and retail sectors	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	23/02/2017
[2017] FWCFB 1001	Penalty rates - hospitality and retail sectors	Ross J, Catanzariti VP, Asbury DP, Hampton C, Lee C	23/02/2017
[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

[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
[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] FWCFB 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'Callagh an 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

Group	Exposure draft title	Draft determination	Tracked ED
<i>4B</i>	Aircraft Cabin Crew Award	<u>MA000047</u>	<u>MA000047</u>
4D	Amusement, Events and Recreation Award	<u>MA000080</u>	<u>MA000080</u>
1D	Black Coal Mining Industry Award	<u>MA000001</u>	<u>MA000001</u>
4D	Broadcasting, Recorded Entertainment and Cinemas Award	<u>MA000091</u>	<u>MA000091</u>
4C	Building and Construction General On-site Award	<u>MA000020</u>	<u>MA000020</u>
ЗА	Business Equipment Award	<u>MA000021</u>	<u>MA000021</u>
3C	Dredging Industry Award	<u>MA000085</u>	<u>MA000085</u>
<i>4A</i>	Educational Services (Teachers) Award	<u>MA000077</u>	<u>MA000077</u>
4C	Electrical, Electronic and Communications Contracting Award	<u>MA000025</u>	<u>MA000025</u>
ЗА	Fitness Industry Award	<u>MA000094</u>	<u>MA000094</u>
<i>4E</i>	Food, Beverage and Tobacco Manufacturing Award	<u>MA000073</u>	<u>MA000073</u>
4E	Funeral Industry Award	<u>MA000105</u>	<u>MA000105</u>
4F	General Retail Industry Award	<u>MA000004</u>	<u>MA000004</u>
2A	Graphic Arts, Printing and Publishing Award	<u>MA000026</u>	<u>MA000026</u>
2B	Health Professionals and Support Services Award	<u>MA000027</u>	<u>MA000027</u>
2D	Horse and Greyhound Training Award	<u>MA000008</u>	<u>MA000008</u>
3D	Horticulture Award	<u>MA000028</u>	<u>MA000028</u>
4C	Joinery and Building Trades Award	<u>MA000029</u>	<u>MA000029</u>
4D	Journalists Published Media Award	<u>MA000067</u>	<u>MA000067</u>

ATTACHMENT C-Draft variation determinations

Group	Exposure draft title	Draft determination	Tracked ED
4D	Live Performance Award	<u>MA000081</u>	<u>MA000081</u>
1E	Marine Tourism and Charter Vessels Award	<u>MA000093</u>	<u>MA000093</u>
3C	Marine Towage Award	<u>MA000050</u>	<u>MA000050</u>
ЗА	Miscellaneous Award	<u>MA000104</u>	<u>MA000104</u>
4C	Mobile Crane Hiring Award	<u>MA000032</u>	<u>MA000032</u>
2B	Nurses Award	<u>MA000034</u>	<u>MA000034</u>
4E	Pest Control Industry Award	<u>MA000097</u>	<u>MA000097</u>
4C	Plumbing and Fire Sprinklers Award	<u>MA000036</u>	<u>MA000036</u>
3C	Ports, Harbours and Enclosed Water Vessels Award	<u>MA000052</u>	<u>MA000052</u>
4E	Professional Employees Award	<u>MA000065</u>	<u>MA000065</u>
4D	Racing Clubs Events Award	<u>MA000013</u>	<u>MA000013</u>
4F	Registered and Licensed Clubs Award	<u>MA000058</u>	<u>MA000058</u>
3C	Seagoing Industry Award	<u>MA000122</u>	<u>MA000122</u>
lA	Security Services Industry Award	<u>MA000016</u>	<u>MA000016</u>
3D	Sugar Industry Award ¹	<u>MA000087</u>	<u>MA000087</u>
4A	Supported Employment Services Award	<u>MA000103</u>	<u>MA000103</u>
ЗА	Telecommunications Services Award	<u>MA000041</u>	<u>MA000041</u>
1C	Textile, Clothing, Footwear and Associated Industries Award	<u>MA000017</u>	<u>MA000017</u>
1C	Timber Industry Award	<u>MA000071</u>	<u>MA000071</u>
3D	Wine Industry Award	<u>MA000090</u>	<u>MA000090</u>

1. The Sugar Industry Award Exposure Draft and Draft Determination will be issued on 30 January 2020.