

**Tony Sheldon** National Secretary

13 July 2015

Vice President Hatcher  
Fair Work Commission  
80 William Street  
EAST SYDNEY 2010

**By email:** [chambers.hatcher.vp@fwc.gov.au](mailto:chambers.hatcher.vp@fwc.gov.au) and [amod@fwc.gov.au](mailto:amod@fwc.gov.au)

Dear Vice President Hatcher,

**AM2014/196 and AM2014/197 – Casual employment and Part-time employment**  
**AM2014/208 – Passenger Vehicle Transportation Award 2010**

I write in relation to the schedule of issues, which list matters that have been referred to or are likely to be referred to the Casual employment and Part-time employment Full Bench.

As foreshadowed before Your Honour during the proceedings on 5 June 2015 the TWU regards Item 20 of the schedule as being capable of being dealt with during the Award Stage.

The Fair Work Ombudsman has raised the issue of minimum engagements for casual school bus drivers pursuant to clause 10.5(d) of the *Passenger Vehicle Transportation Award 2010* (the PVT Award). This issue relates to the perceived lack of clarity around the operation of clause 10.5(d).

The position of the TWU is that the minimum engagement for school bus drivers is clear. However, to avoid uncertainty, as part of the Award Stage the TWU has proposed a variation to the PVT Award to clarify the operation of the clause.

The Australian Public Transport Industrial Association (APTIA) agrees with the TWU that a variation giving more clarity to the clause should be made. It is anticipated that a consent position will be reached on a draft determination.

In view of the agreed position between the parties the TWU submits that Item 20 could be removed from the schedule and dealt with in Group 2 of the Review.

Yours sincerely

A handwritten signature in cursive script that reads "Wendy Carr".

Wendy Carr  
**Director of Legal**  
**Transport Workers' Union of Australia**