

The Shop, Distributive and Allied Employees' Association

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**NATIONAL PRESIDENT**  
Joe de Bruyn

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Gerard Dwyer

President Ross  
Fair Work Commission  
Level 4, 8 Exhibition Street  
MELBOURNE 3000

28 March, 2017

[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)

Dear President,

**Re: AM 2014/305: GRIA**

Recently Fair Work Commission issued a Full Bench decision – Penalty Rates (2017) FWCFB1001.

In this decision a discussion regarding casual rates in the General Retail Industry Award was detailed and at Paragraph 1720, the Full Bench commented no such application had been made and invited parties to do so.

The SDA would like to indicate to the Commission that the SDA had previously filed applications concerning this issue, as part of the 4 yearly modern review process.

On the 2<sup>nd</sup> March 2015, the SDA in compliance with the Statement (2015) FWC618 filed an outline of variations which included variations to clause 29.4.

This variation is presently part of proceedings before Vice President Hatcher (AM2014/197).

The SDA would request that the variation application now be determined by the Penalty Rate Full Bench.

Yours Sincerely



GERARD DWYER

National Secretary-Treasurer