



1 December 2017

The Associate to Vice President Hatcher
Fair Work Commission
Level 10, 80 William Street
SYDNEY NSW 2011

By email: amod@fwc.gov.au;

Dear Associate,

**RE: FOUR YEARLY REVIEW OF MODERN AWARDS: CASUAL
EMPLOYMENT AND PART-TIME EMPLOYMENT (AM2014/196 and
AM2014/197)**

We refer to the above matter and the Commission's decision of 24 November 2017 regarding Casual employment and Part-time employment, which invites interested parties to make submissions concerning various draft determinations.

The Australian Hotels Association, The Accommodation Association of Australia and The Motor Inn, Motel and Accommodation Association make the following submissions for amendments to the draft determinations in regards to the *Hospitality Industry (General) Award 2010* and the *Restaurant Industry Award 2010*.

Hospitality Industry (General) Award 2010

- i) Error in numbering of the items under Part A; re-number items 1 to 11;
- ii) Clause 12.9; delete reference to "clause 10.5" and insert "clause 13";
- iii) Second item 6; delete reference to "clause 33.1(b)" and insert "clause 33.2(b)";
- iv) Item 8 (re variation to clause 33.3), delete references "normal rate of pay" and "ordinary hourly rate of pay" and insert in lieu "ordinary hourly rate".

This wording is consistent with the definition set out in cl.3 of the *Hospitality Industry (General) Award 2010*. The Associations note that this terminology may change in accordance with the plain language drafting principles as noted at [21] of the decision.

- v) Item 8, cl.(a)(ii); delete the word “to” in the second line, between the words “began” and “the”.

Restaurant Industry Award 2010

- i) Clause 12.2; delete reference to schedule “D” and insert “B”;
- ii) Clause 33.1; second sentence, bold font for the words “**clause 31 – Hours of work**”.

In the event any further information is required, please contact the undersigned on (02) 8218 1832 or by email at Phillip.Ryan@ahansw.com.au.

Yours faithfully,



PHILLIP RYAN
National Director, Legal and Industrial Affairs