

22 January 2015

Fair Work Commission
Level 10, Terrace Tower
80 William Street
East Sydney, NSW, 2011

By email

For the attention of the Fair Work Commission:

Group 2 Exposure Drafts – Graphic Arts Printing and Publishing Award 2010

Essentially, the Printing Industries Association of Australia (“PIAA”) holds the view that although minor amendments, such as those discussed below, may be required, no substantive alteration to the *Graphic Arts Printing and Publishing Award 2010* (“GAPPA”) appears necessary for it to meet the modern award objectives.

In response to the tribunal’s request for comments on the Exposure Draft of the GAPPA, the PIAA puts forward the following industry views and responses to the questions highlighted by the Fair Work Commission throughout the exposure draft.



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GAPPA Exposure Draft Clause number/Part reference	PIAA comment
Clause 6.4	PIAA submits the proposed sub-clause is not necessary. It is plain from the drafting of the modern award which clauses apply to casuals and which do not. A specific exclusionary sub-clause seems unnecessary, and would in fact convolute the award for negligible benefit.

Clause 10.3	The reference to clause 10.3 should be in fact be a reference to 10.5(c). This would make semantic sense and accord with the historical position under the pre-modern <i>Graphic Arts General Award 2000</i> (although a typographical drafting error appears in the modern <i>Graphic Arts Printing and Publishing Award 2010</i>).
Clause 15.1	PIAA agrees that this clause is obsolete.
Clause 18.3	Yes, an employee is entitled to a meal allowance under both clause 18.3(a)(i) and 18.3(a)(iv). There is no ambiguity or interaction between these two subclauses.
Part 4 – Hours of Work	PIAA appreciates the synthesis of Part 4 resulting from the re-draft undertaken by the Commission. PIAA is satisfied with the wording and would appreciate further clarification on what further “standardisation” would be proposed, but prefers that the status quo be maintained. The detail in the existing Part 4 caters for the diverse and niche businesses within our overall industry.
Clause 22.3	No, the interpretation should be ‘time and a half’, i.e. 150% only. We suggest that the word ‘extra’ is deleted to avoid ambiguity. This would align with the historically accepted position codified in clause 6.3.3 of the <i>Graphic Arts Printing and Publishing Award 2000</i> .
Clause 23	The wording suggested by the Commission to allow a ‘short break’ rather than a ‘pause to acquire a refreshment’ would imply an actual stoppage of work, distinguished from a ‘pause’ that does not impact on productivity that currently offered in the modern award. The distinction between a ‘pause’ and a ‘break’ was made clear by SDP Marsh in the decision regarding the <i>Graphic Arts – General – Interim Award 1995</i> [Print R7898].

Part 5	PIAA prefers that phrases (eg. 'time and a half') rather than percentages (eg. 150%) continue to be used.
Clause 24.2	Yes, this clause applies to 'employees other than non-daily and regional daily newspaper offices'. This covers the vast majority of employees in our industry. The separate provisions for non-daily and regional daily newspaper offices are carve outs that apply to niche sectors of the industry.
Clause 24.6	PIAA supports an interpretation of this clause where the penalty rate should be 'time and a half' (or 150%) on ordinary hours worked on a Saturday. This would accord with the principle that penalty rates are proportional to hours worked.
Clause 28	PIAA notes that this clause may be affected by AM2014/47.
Schedule C	No, PIAA does not support the inclusion of such a table in the award.
Schedule F 3.3	PIAA is not aware of any such training programs.
Schedule F.7	PIAA confirms that AQF Certificate level II and III are the relevant qualifications for our industry.

Typographical error

Additionally, PIAA wishes to alert the Commission to a typographical error found on page 65 of the exposure draft. The reference to 'Schedule D' in Schedule B.4 should in fact be to 'Schedule B'.

Thank you for your consideration of the industry's perspective on the award review process. Please feel free to contact the undersigned should you wish to discuss further.

Yours sincerely,



Michelle Blewett
Workplace Relations and Legal Services