

Tony Sheldon National Secretary

14 October 2015

The Hon. Justice Ross AO
President
Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

BY EMAIL: amod@fwc.gov.au

Dear Justice Ross,

Re: AM2014/198 and others

AM2014/212 – Road Transport and Distribution Award 2010

We refer to the hearing for the Group 2 Awards on 7 October 2015 and the direction by Vice President Hatcher that the TWU file certain proposed variations to the *Road Transport and Distribution Award* within 7 days.

At the hearing on 7 October the TWU indicated it seeks a variation to the definition of the **road transport and distribution industry** and to add a definition of **driver** within the definitions clause. The proposed variations are set out below:

1. Insert a new subclause (j) to the definition of **road transport and distribution industry** as follows:
 - (j) the distribution and or relocation by road of new or used vehicles as described in the classifications within this award where the vehicle itself is required to be driven from one location to another for the purposes of delivery or relocation of the vehicle.
2. Insert a definition of **driver** within the definitions clause as follows:

Driver means an employee who is engaged to drive a rigid vehicle, a rigid vehicle with trailer combinations, an articulated vehicle, a double articulated vehicle and/or multi axle platform trailing equipment. A Driver may also

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undertake non-driving duties or other tasks in connection with driving the vehicles described in this definition including loading and unloading of vehicles; consolidating goods, wares, merchandise or other materials for loading; refueling a vehicle; operation of on-board computer equipment; routine vehicle inspections; washing or cleaning of vehicles; basic vehicle maintenance tasks; and log book maintenance and other paperwork associated with the driving task.

Yours sincerely,

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

Wendy Carr

Director of Legal

Transport Workers' Union of Australia