

**From:** Stephen Crawford [mailto:stephen.crawford@nat.awu.net.au]  
**Sent:** Tuesday, 3 April 2018 1:38 PM  
**To:** Chambers - Sams DP  
**Cc:** AMOD  
**Subject:** AM2014/227 - Review of Fitness Award

Dear Associate,

We write further to the conference held before Deputy President Sams on 29 March 2018 regarding the review of the Fitness Industry Award 2010. The conference was attended by representatives from the AWU Victorian Branch. It was agreed at this conference that the AWU would confirm its position on some specific amendments sought by employer groups to the classification structure for the swim industry by COB today.

The AWU hereby confirms it does not agree to any amendments sought by employer groups to the classification structure for the swim industry. This position is consistent with that reflected in the decision of the Award Review Full Bench in [2017] FWCFB 5536 at [162].

The AWU will continue discussing its own proposed amendments for the swim industry (see the AWU submission and evidence dated 24 February 2017) and those of the employer groups ahead of the next conference listed for 23 April 2018. If agreement cannot be reached, the AWU's current position is that the separately constituted Full Bench should resolve all claims relating to the classification structure for the swim industry.

We note the exposure draft of the Fitness Industry Award 2015 republished on 2 November 2017 includes numerous amendments sought by employer groups within its Schedule A. The AWU considers these amendments have been included in error given they are contentious and at this stage will need to be determined by the Full Bench.

Please contact the undersigned if you require any additional information.

Regards,

**STEPHEN CRAWFORD**  
**SENIOR NATIONAL LEGAL OFFICER**  
M +61 425 303 265 | [stephen.crawford@nat.awu.net.au](mailto:stephen.crawford@nat.awu.net.au)  
P 02 8005 3322 LEVEL 1, 16-20 GOOD STREET  
GRANVILLE NSW 2142 [WWW.AWU.NET.AU](http://WWW.AWU.NET.AU)



The information transmitted in this message and its attachments (if any) is intended only for the person or entity to which it is addressed. The message may contain intellectual property, copyright material, and confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information, by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete this e-mail and associated material from any computer and destroy any printed associated material. The intended recipient of this e-mail may only use, reproduce, disclose or distribute the information contained in this e-mail and any attached files, with the authority or permission of the sender. We do not accept liability in connection with computer virus, data corruption, delay, interruption, unauthorised access or unauthorised amendment.