



A•S•U
Australian Services Union

ASU Submission

4 Yearly Review of Modern award

Airline Operations—Ground Staff Award 2016

AM2014/254

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1. The Fair Work Commission (the Commission) published a Statement and Directions on 10 May 2016, amending dates for Group 4 matters. The parties were directed to file written submissions in response to drafting and technical issues in 4A exposure drafts by 30 June 2016.
2. The ASU files this submission in accordance with the above mentioned directions in respect of the exposure draft for the Airline Operations—Ground Staff Award 2016, published 2 June 2016.

Clause 1. Title and Commencement

3. The ASU does not oppose the removal of the transitional provisions from the Exposure Draft.

Clause 2. Definitions

4. A number of definitions in the Modern Award have been removed from the Exposure Draft in relation to transitional provisions resulting from the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth). Definitions removed include those for *award-based transitional instrument*; *Division 2B State award*; *Division 2B State employment agreement*; *enterprise award-based instrument* and *transitional minimum wage instrument*.
5. The Exposure Draft includes a definition of “all purposes”.
6. The Exposure Draft includes a definition of “ordinary hourly rate”.
7. The Exposure Draft includes a definition of “permanent night shift”. The rationale for defining permanent night shift is not clear and the ASU opposes this inclusion. The term permanent night shift is also used at clause 17.4 and again it is unclear why this terminology is used.

Clause 4. Coverage

8. The Exposure Draft includes a definition of “airlines operation industry”.

Clause 5. Effect of variations made by the Fair Work Commission

9. This is a new clause inserted into this and other Exposure Drafts. The ASU does not oppose the insertion of this clause.

Clause 11. Casual employment

10. The Exposure Draft moves Modern Award clauses 11.5(c) & (d) from the casual employment clause to the payment of wages clause in the Exposure Draft. While the ASU does not oppose this change the ASU believes that the

Exposure Draft should contain wording referring to the new location of these provisions.

Clause 12 Apprentices

11. Clause 12.16(d) appears to replicate the conditions of clause 12.16(c). The ASU preference would be for clause 12.16(d) to be retained.

Clause 18. Minimum wages

12. Clauses 18.1, 18.2, 18.3 and 18.4 of the Exposure Draft hourly wage rate column is expressed as the minimum hourly rate.

Clause 19.6(a) Laundry Allowance

13. The ASU does not oppose this change.

Clause 22 District Allowances

14. The ASU notes that the Exposure Draft removes the District Allowances clause.

Clause 18.7 Payment of wages

15. The ASU has commented on this change in the Exposure Draft at item 10 of this Submission. The ASU supports the inclusion of the note in clause 18.7.

Clause 17.6 Multiple Shift Allowance

16. The ASU does not support the Exposure Draft amendments as the ASU believes that the amended wording is unclear that the allowance paid for the fourth and subsequent shift is paid in addition to the allowance for three shifts.

17. The ASU does not oppose the removal of Modern Award clause 30.6(c).

Clause 25.1 Annual leave

18. The Exposure Draft includes a note referencing sections 16 and 90 of the Fair Work Act. The ASU supports this inclusion.

28.7 Part-day public holidays

19. The ASU does not oppose this Exposure Draft amendment.

Schedule A—Transitional Provisions (Modern Award)

20. The ASU does not oppose this Exposure Draft amendment.

Schedule B—Summary of Hourly Rates of Pay

21. The ASU does not oppose this Exposure Draft amendment.

Schedule C—Summary of Monetary Allowances

22. The ASU does not oppose this Exposure Draft amendment.

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