



15 October 2018

Fair Work Commission

Via email: amod@fwc.gov.au

Group 4 awards – Substantive Issues – *Amusement, Events and Recreation Award 2010*

Re: [2018] FWC 6107 - AM2014/256

BACKGROUND

1. We refer to the Statement of President Justice Ross on 2 October 2018. In accordance with the Statement, interested parties are to confirm their substantive claims being pressed.
2. The Professional Golfers Association of Australia (“PGA”) has substantive claims in Group 4.
3. The PGA seeks to revise our original submissions of September 28 2015, December 6 2016 and October 12 2017 due to a recent change in eligibility of the Year 2 and 3 Training Wage.
4. The PGA represents over 2,800 Golf Professionals, encompassing 2,500 Vocational Members working in and servicing the industry.
5. Golf Professionals have traditionally not been covered by a specific Modern Award and there is no ‘golf industry’ award per se in the modernised award system. Due to the complexity of finding the ‘best fit’ award, many Golf Professionals remain award free.
6. Data from a PGA salary survey conducted in March 2018 of 726 Golf Professionals found that 47.68% are covered by the *Amusement, Events and Recreation Award* and

PGA NATIONAL OFFICE

600 Thompsons Road, Sandhurst, Victoria, Australia 3977 | P: +61 3 8320 1911 | F: +61 3 9783 0000 | ABN 46 127 641 829



the *Registered and Licensed Clubs Award* and that 40.87% were 'not sure' or 'not covered by and award'.

7. As such, many remain greatly disadvantaged by underpayments or not receiving penalty rates or other award entitlements.

Substantive Variations

(Inclusions appear in **blue** text).

8. We seek to include a definition of a Golf Professional to provide clarity within the golf industry.

Item 3 - Definitions and Interpretation

3.1 In this award, unless the contrary intention appears:

exhibition employees means employees of employers engaged in the supply, preparation, marking out, fabrication, installation, erection or dismantling of exhibition stands or associated componentry for the trades and public promotions industry

golf professional means a qualified and current Full Member (Vocational) of the Professional Golfers Association of Australia

MySuper product has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

9. We propose to include a definition of golf facilities in clause 4.2 and the *Registered and Licensed Clubs Award* in clause 4.3.

Item 4 – Coverage

4.2 Definition of amusement, events and recreation industry

(a) **Amusements, events and recreation industry** means the operation of:

- (i) leisure and recreation facilities and centres;
- (ii) sporting, exhibition, convention and amusement complexes
- (iii) theme parks;
- (iv) heritage, tourism and cultural centres;
- (v) museums and galleries;
- (vi) zoos, animal parks and aquariums;
- (vii) agricultural and horticultural shows;



- (viii) carnivals and amusement parks;
- (ix) ten pin bowling venues
- (x) go-kart racing venues;
- (xi) amusement arcades, including video game and pinball parlours; and
- (xii) **golf facilities including but not limited to golf clubs, on-course and off-course golf shops and driving ranges.**

4.3 Exclusions

(c) This award does not cover an employer bound by the:

- (i) *Building and Construction General On-site Award 2010;*
- (ii) *Electrical, Electronic and Communications Contracting Award 2010;*
- (iii) *Joinery and Building Trades Award 2010;*
- (iv) ***Registered and Licensed Clubs 2010***
- (v) *Travelling Shows Award 2010;*or

[4.3 (c) (vi) inserted by PR994516 from 01Jan10]

- (vi) *Fitness Industry Award 2010*

10. We seek to include the title Golf Professional Trainees Year 2 and 3 in Grade 2, and Golf Professional in Grade 6 in the Classification Structure to provide greater clarity for Golf Professionals under the Award.

Schedule B – Classification Structure

B.3 Grade 2

B.3.2 An employee at this level performs work above and beyond the skills of an employee at Grade One and to the level of their skills, competence and training. An employee at this level may in addition to the roles in Grade 1 may also include an Assistant to construction technician and/or erector (including persons engaged in maintenance and utility duty) Ticket seller, Counter attendant, Security Officer, Receptionist, Programme seller, Cashier, General hand (exhibition employees), Game warden **and Golf Professional Trainees Year 2 and 3.**

B.7 Grade 6

An employee at this level may include a Head technician maintenance person, Restoration officer, Museum technician, Senior animal attendant or trainer **and Golf Professional (1-3 years experience) who may assist with the retail or golf operations of a golf pro shop or golf club.**



11. The PGA continues to press these revised substantive claims to be heard by the Full Bench.

Yours faithfully

A handwritten signature in blue ink that reads 'Vicki Crowe'. The signature is written in a cursive style and is underlined with a thin blue line.

Vicki Crowe
HR Manager
Professional Golfers Association of Australia