

Fair Work Act 2009

s.156 – 4 yearly review of modern awards

FAIR WORK COMMISSION

IN THE MATTER OF: 4 yearly review of modern awards-Award stage-Group 4 awards

AM2014/250 and others

and

AM2014/276 – Live Performance Award 2010

21 August 2018

Live Performance Australia

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Submissions of the Australian Entertainment Industry Association (trading as Live Performance Australia)

1. This Submission is filed in response to the Full Bench Decision dated 7 August 2018¹ which requests at paragraph [315] that interested parties are to advise by Tuesday 21 August 2018 whether they intend to pursue any substantive items.
2. Live Performance Australia (LPA) has an interest in the *Live Performance Award 2010* (the Award).
3. LPA will be pursuing a variation to the substantive issue S7 in the Summary of Proposed Variations published on 20 November 2017.
4. LPA and MEAA have agreed to a number of changes to the casual performance provisions as provided in clause 31.6 of the Exposure Draft published on 26 March 2018.
5. Upon further examination of this issue and comments made by the Fair Work Ombudsman (FWO) in a recent matter regarding casual performers, LPA believes that further amendments are required to clause 31.6, to ensure that the provisions take into account short term project-based work.
6. On 16 August 2018, LPA provided a proposed variation to clause 31.6 to MEAA for discussion purposes.
7. LPA believes that this issue will be able to be agreed between the parties without the need to establish a separate Full Bench to determine this issue. However, it may be appropriate for a Commission Member to oversee these discussions.

MAY IT PLEASE THE COMMISSION

David Hamilton

Director, Workplace Relations

21 August 2018

¹ [2018]FWCFB4175