

**Australian Industry Group Response to FWC
Summary of Submissions**

24 November 2014

**4 Yearly Review of Modern Awards
Exposure Draft – Oil Refining and Manufacturing Industry Award 2014**



EXPOSURE DRAFT – OIL REFINING AND MANUFACTURING AWARD 2014

1. The Australian Industry Group (**Ai Group**) makes this submission regarding the *Exposure Draft – Oil Refining and Manufacturing Award 2014*.
2. During proceedings before a Full Bench of the Fair Work Commission (**Commission**) on 18 November 2014, Ai Group was directed to provide a response to the summary of submissions published by the Commission on 17 November 2014.
3. The table below indicates Ai Group’s position with respect to matters raised by other interested parties, any amendments that should be made to the summary and matters where there appears to be broad agreement between the parties. The item number in the first column denotes the relevant item number in the summary document.
4. Ai Group continues to rely on its written submissions of 24 October 2014 and 12 November 2014 regarding the Exposure Draft.

| Item | Party | ED Clause | Comment |
|------|------------------|-------------|---|
| 2 | AWU | 3 | Ai Group does not oppose the AWU’s submission (see Ai Group’s reply submissions, 12 November 2014, at paragraph 263) |
| 3 | AWU | 3.3(d) | Ai Group agrees with the AWU’s submission (see Ai Group’s reply submissions, 12 November 2014, at paragraph 264) |
| 4 | Ai Group and AWU | 5 | Ai Group and the AWU agree that the reference to clause 14.5 should read “14.6(b)”. Ai Group withdraws its submission regarding the reference to clause 8.4 (see Ai Group’s reply submissions, 12 November 2014, at paragraph 265). |
| 5 | Ai Group and AWU | 5.2(d) | Ai Group and the AWU agree that the reference to clause 14.5 should read “14.6(b)” and that the ‘e’ and the end of the sentence should be deleted (see Ai Group’s reply submissions, 12 November 2014, at paragraph 265). |
| 6 | AWU | 6.2 and 6.3 | Ai Group supports the AWU’s submissions that clauses 6.2 and 6.3 deviate from the current clauses 10.1 and 10.2. The clauses should be amended to reflect the current award (see Ai Group’s reply submissions, 12 November 2014, at paragraph 266). |
| 8 | AWU | 6.4(c)(iii) | Ai Group understands that the AWU has withdrawn this submission. |

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| 10 | AWU | 7.1 | Ai Group supports the AWU's submission that the word "in" be inserted in clause 7.1 (see Ai Group's reply submissions, 12 November 2014, at paragraph 271). |
| 11 | AWU | 8.1(c) | Ai Group understands that the AWU has withdrawn this submission. |
| 13 | AWU | 10.8(a)(v) | Ai Group supports the AWU's submission that clause 10.8(a)(v) should refer to clause 15.3(b) – annual leave loading (see Ai Group's reply submissions, 12 November 2014, at paragraph 275). |
| 17 | Ai Group | 13.3 | Ai Group notes that the second entry under item 17 relates to item 18. |
| 19 | Ai Group | 13.4 – 13.6 | The fourth column of the table at item 19 should be amended to refer to clauses 13.4, 13.5 and 13.6. |
| 21 | AWU | 14.1(a) | Ai Group supports the AWU's submission that "either" should be replaced with "with" (see Ai Group's reply submissions, 12 November 2014, at paragraph 278). |
| 21 | AWU | 14.1(c) | Ai Group does not oppose the wording proposed by the AWU for a new clause 14.1(c) (see Ai Group's reply submissions, 12 November 2014, at paragraph 279). |
| 22 | AWU | 14.2(a) | Ai Group supports the AWU's submission that the reference to clause 6.3 should be amended to read "this clause" (see Ai Group's reply submissions, 12 November 2014, at paragraph 280). |
| 26 | AWU | A.1.3 | Ai Group supports the AWU's submission that the reference to "Advanced operator" should read "Outside operator" (see Ai Group's reply submissions, 12 November 2014, at paragraph 284). |
| 28 | AWU | B.2.1 | Ai Group agrees with the AWU's submissions (see Ai Group's reply submissions, 12 November 2014, at paragraph 285). |
| 29 | AWU | B.3.1 | Ai Group agrees with the AWU's submissions (see Ai Group's reply submissions, 12 November 2014, at paragraph 288). |