

3/02/2016

Fair Work Commission
Level 10, Terrace Tower
80 William Street, East Sydney, NSW 2011

To Whom it May Concern,

RE: Professional Diving (Industrial) Award AM2014/84 – Inshore Diver's Issue

In regards to, AMMA's recent submission ('Submission - inshore divers issue' uploaded to the FWC website on 28/01/2016) and the FWC correspondence uploaded that same day, Fremantle Commercial Diving (FCD) would like to make the following submission. AMMA's most recent submission (uploaded 28/01/2016) presented:

- A transcript from 1973 related to the creation of the Professional Diver's Award 1974 which includes reference to a 33 hour week (or 6 hours and 36 mins), and
- Written correspondence from an individual who recollects that the 6 hours and 36 minutes came from use of hand-pumped gas supply equipment.

It is in our opinion that if the 33 hour week originated from gas supply equipment limitations experienced in 1973, this is in no way applicable to the current industry or equipment used on commercial diving sites today. Indeed professional diving is highly regulated and in some places (e.g. WA) legislation makes specific reference to Australian Standards. For example, the Australian Standard for Occupational Diving (AS 2299.1:2015) specifies the type of plant to be used as a breathing gas supply; Section 6.5.2 states that it shall be either a power-driven compressor, or compressed gas cylinders. Therefore a limit to the work day based on hand-driven operation of a pump to supply air to divers is both incredibly out-dated (as suitable air supply types are specifically listed within current Australian Standards), and unrealistic within an industry which demands sophisticated risk management to ensure the safety of divers.

FCD reiterates our position that there remains no justifiable reason to change the arrangements for a standard working week for a full time inshore diver within the current Award from a 38 hour week, to a 33 hour week as proposed within the Draft Award.

Further queries should be directed to myself (carly@fremantlecommercialdiving.com.au) or Antony Old (Managing Director) at Fremantle Commercial Diving (antony@fremantlecommercialdiving.com.au).

Yours Sincerely



Carly Bertolino
HSEC Advisor
Fremantle Commercial Diving