

Fair Work Commission
Terrace Tower, 80 William Street
East Sydney NSW 2011
By email: amod@fwc.gov.au

24 November 2015

Re: AM2014/85 AWU submissions on the Exposure Draft for the *Professional Diving (Recreational) Award 2015*

Background

1. These submissions follow the 4 Yearly Review of Modern Awards Full Bench's Decision on 23 October 2015 regarding Group 1C, 1D and 1E awards.
2. This Decision directed parties to file feedback on the revised Exposure Drafts by 4:00pm on 20 November 2015.
3. The Australian Workers' Union's (AWU) submissions in relation to the Exposure Draft for the *Professional Diving (Recreational) Award 2015* (Exposure Draft) as republished on 30 October 2015 appear below.

Technical issues

4. Clause 6.7 (a): This should be amended to read: "For each ~~ordinary~~ hour worked, a casual employee must be paid..." The word "ordinary" does not appear in clause 10.4 (b) of the current award and the casual loading is paid for all purposes hence it is not confined to ordinary hours.
5. Clause 10.1: It appears the "Casual hourly rate" column should be deleted based on the Full Bench Decision on 13 July 2015.¹
6. Clause 10.5: This should refer to "see **Schedule C** – National training wage".



Stephen Crawford
SENIOR NATIONAL LEGAL OFFICER

¹ 4 yearly review of modern awards [2015] FWCFB 4658 at [63]