

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

24 November 2015

Re: AM2014/87 AWU submissions on the Exposure Draft for the *Rail Industry 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 *Rail Industry Award 2015* (Exposure Draft) as republished on 2 November 2015 appear below.

Technical issues

4. Clause 2.2 and 2.3: The additional words regarding the location of copies of the NES and the award have been added into clause 2.3 instead of clause 2.2.
5. Clause 6.3 (b): The term "minimum hourly rate" should be replaced with "ordinary hourly rate" as per clause 6.4 (c). "Ordinary hourly rate" is the appropriate term for this award because it contains all purpose allowances.
6. Clause 11.4 (a): The definition of all purpose allowances has not been confined to "payments while they are on **annual** leave".
7. Clause 20.2: There is a typo – the provision should read "...the employer may withhold **from** any money due"...

A handwritten signature in black ink, appearing to read 'SCrawford', written in a cursive style.

Stephen Crawford

SENIOR NATIONAL LEGAL OFFICER