



**Fair Work Commission**

**Award Review 2014**

**General Retail Award 2010**

**AM2016/15, AM2014/270**

**Submissions in reply- Plain language re-drafting - *General Retail Industry Award 2010***

**Shop Distributive and Allied Employees' Association**

**1 May 2019**

1. The Shop Distributive and Allied Employees' Association ('SDA') make these reply submissions on the re-drafting of the *General Retail Industry Award 2010* ('GRIA') – revised plain language exposure draft ('PLED'). These reply submissions are in accordance with oral directions issued by a Full Bench as part of the Hearing on 3 April 2019.<sup>1</sup>
2. The SDA rely on its previous submissions in relation to this matter.
3. These reply submissions deal with matters raised in the submissions of Australian Business Industrial ('ABI') and the NSW Business Chamber ('NSWBC') on 11 April 2019 and the National Retailers Associations ('NRA') on 22 November 2018.

#### PLED Clause 24.2 - Overtime

4. ABI and NSWBC agree with the SDA that the insertion of the words 'full time' to proposed PLED clause 24.2 (a) may result in a substantive change to the GRIA.<sup>2</sup>
5. The SDA support the ABI and NSWBC proposed solution to delete 'full time' from clause 24.2 (a) and revert to the previous PLED drafting, as published on 20 November 2018, to avoid a substantive change to the GRIA.
6. The SDA note that the NRA, who are a major employer association specifically covering retail, have no concerns with the previous drafting of PLED clause 24.2 published on 20 November 2018.

*Sub-clause 24.2 NRA has no concerns with sub-clause 24.2 in its current form, save for some grammatical errors which we understand will be corrected before any final version of the plain language re-draft of the Award is published.*<sup>3</sup>

This should be the position that is adopted by the Full Bench.

7. However, the alternative drafting proposed by ABI and NSWBC at paragraph 1.6 of their submissions should be rejected on the basis that it is inconsistent with GRIA clause 29.2 (a) and may result in a substantive change to the Retail Award.<sup>4</sup>

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<sup>1</sup> [Transcript of Proceedings](#) – Retail Award, 3 April 2019.

<sup>2</sup> [ABI & NSWBC submission](#), 11 April 2019.

<sup>3</sup> [NRA submission](#), 22 November 2018.

<sup>4</sup> [ABI & NSWBC submission](#), 11 April 2019.