

Australian Industry Group

# 4 YEARLY REVIEW OF MODERN AWARDS

## **Submission**

Plain Language Re-Drafting –  
*Fast Food Industry Award 2010*  
(AM2016/15)

**13 April 2022**

**Ai**  
GROUP

**4 YEARLY REVIEW OF MODERN AWARDS**  
**AM2016/15 PLAIN LANGUAGE RE-DRAFTING**  
**– FAST FOOD INDUSTRY AWARD 2010**

1. The Australian Industry Group (**Ai Group**) files this submission in relation to the directions issued by the Fair Work Commission (**Commission**) in its decision of 1 April 2022 (**Decision**).<sup>1</sup>

**Paragraph [156] of the Decision**

2. Ai Group supports the Commission’s provisional view.

**Paragraph [207] of the Decision**

3. Ai Group supports the Commission’s provisional view.

**Paragraph [208] of the Decision**

4. Ai Group supports the Commission’s provisional view.

**Paragraph [210] of the Decision**

5. Ai Group supports the Commission’s provisional view.

**Variations Proposed by EPI Capital Pty Ltd**

6. We do not support the variations proposed by EPI Capital Pty Ltd (**EPI**) and in our submission, it is not necessary to amend the Exposure Draft in relation to the issues EPI has raised. We are not aware of any issues arising in practice regarding the question of whether clause 27 of the Award prescribes the minimum or maximum duration of the breaks. No party covered by the Award, or organisation representing employers or employees covered by the Award, have

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<sup>1</sup> *4 yearly review of modern awards – Plain language re-drafting – Fast Food Industry Award 2010* [2022] FWCFB 48 at [228] – [229].

identified any concerns arising from the practical operation of the clause that might warrant a variation to the Exposure Draft and / or Award in this regard.

7. We also note that EPI has proposed, inter alia, the deletion of the second row of Table 2 in the Exposure Draft, which relates to shifts that are less than 4 hours in length. This should be retained. It makes clear to employers and employees that in the relevant circumstances, there is no entitlement to a meal or rest break.