

From: Katie Biddlestone [mailto:katie@sda.org.au]
Sent: Thursday, 4 October 2018 11:16 AM
To: AMOD
Subject: 4 yearly review of modern awards - Plain language re-drafting Pharmacy Industry Award 2010 - AM2016/15

Dear AMOD,

RE: 4 yearly review of modern awards - Plain language re-drafting Pharmacy Industry Award 2010 - AM2016/15

The SDA makes this submission in accordance with the directions provided by the Full Bench in its decision [2018] FWCFB 5504 issued on 3 September 2018, in relation to the above matter.

The Full Bench invited parties to make final submissions in relation to the PLED.

The SDA only has a comment in relation to clause 17 Annualised Salaries and the insertion of the casual conversion clause.

Clause 17.3 does not reflect the wording contained in the current Award which was amended following an application by the Guild, which the parties reached a consent position on, as part of the 4 yearly review of the Pharmacy Award. Clause 17.3 should read:

*An annualised salary must not result in **an employee** being paid less over a year (or, if the employment is terminated before a year is completed, over the period of that employment) than would have been the case if an annualised salary had not been agreed.*

The decision, at paragraph [19], states that the model clause will be inserted into the PLED at the same time it is inserted into the current Award. The Pharmacy Award was not included in the schedule of draft determinations published by the Full Bench on 30 August 2018.

As per the decision in the casual conversion matter, [2018] FWCFB 4695, issued on 9 August 2018, the SDA would like the opportunity to consider and make submissions raising any Pharmacy Award specific drafting issues following a draft determination being issued.

Yours Sincerely,

Katie Biddlestone

National Industrial Officer & National Women's Officer



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