



## **DRAFT DETERMINATION**

*Fair Work  
Act 2009*

s.156 - 4 yearly review of modern awards

### **4 yearly review of modern awards—Construction awards**

(AM2016/23)

### **MOBILE CRANE HIRING AWARD 2010**

[MA000032]

Building, metal and civil construction industries

VICE PRESIDENT HATCHER  
DEPUTY PRESIDENT HAMILTON  
DEPUTY PRESIDENT GOSTENCNIK  
COMMISSIONER GREGORY  
COMMISSIONER HARPER-GREENWELL

**SYDNEY, XX MONTH 2018**

*4 yearly review of modern awards – Group 4 awards – Construction awards – Mobile Crane Hiring Award 2010 – substantive matters.*

A. Further to the Full Bench decision issued by the Fair Work Commission on 26 September 2018 [\[\[2018\] FWCFB 6019\]](#), the above award is varied as follows:

1. By deleting clause 14.3(e) and inserting the following:

**(e) Accommodation and overnight allowance**

- (i)** Where an employee is required by the employer to be away from home overnight the employer will:
- (A)** pay the employee the greater of \$70.81 per day or an amount which fully reimburses the employee for all reasonable accommodation and meal expenses incurred;
  - (B)** provide the worker with accommodation and three adequate meals each day;
  - (C)** provide the worker with accommodation and reimburse the employee for all reasonable meal expenses; or
  - (D)** where employees are required to live in camp, provide all board and accommodation free of charge.

- (ii) Any accommodation provided under paragraph (A) must be in accordance with contemporary living standards taking into account the particular circumstances of the location in which the work is performed and must include reasonable washing, laundry, recreational, kitchen, external lighting, communications and fire protection facilities.

2. By updating cross-references accordingly.

B. This determination comes into operation from X December 2018. In accordance with s.165(3) of the Fair Work Act 2009 this determination does not take effect until the start of the first full pay period that starts on or after X December 2018.

VICE PRESIDENT

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