FAIR WORK COMMISSION

Four yearly review of modern awards – Timing of payment of wages

AM2016/8

Submissions - Coal Mining Industry Employer Group

1. This submission is made for the Coal Mining Industry Employer Group (**CMIEG**) in respect of the Decision of the Full Bench on 1 December 2016 ([2016] FWCFB 8463) (**December 2016 Decision**).

2. The CMIEG has made previous submissions in respect of the model term on payment on termination of employment.[1] The CMIEG confirms its general support for the deletion of the existing clause 16.7 of the Black Coal Mining Industry Award 2010 (**BCMI Award**) and the insertion of the new clause 16.7 in accordance with the terms of the model clause, as amended and set out at [117] of the December 2016 Decision.[2]

3. In accordance with paragraph [122] of the December 2016 Decision, the CMIEG would wish to be heard further on any variation to the model term that may be appropriate to ensure consistency of language in the BCMI Award, if the Commission determined to insert the model term on payment on termination of employment into the award.

4. In respect of the model term on payment of wages and other amounts, as set out at paragraph [34] of the December 2016 Decision, the CMIEG reserves its position at this stage.

Ashurst Australia
Solicitors for the CMIEG

22 March 2017

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[1] CMIEG submissions 13 and 19 October 2016

[2] Cf CFMEU submissions filed 22 December 2016 at [7].

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