



**THE UNION FOR WORKERS IN
RETAIL. FAST FOOD. WAREHOUSING.**

The Shop, Distributive and Allied Employees' Association

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NATIONAL PRESIDENT

Joe de Bruyn

NATIONAL SECRETARY

Gerard Dwyer

16 September 2016

The Hon. Justice Ross, President
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Dear Justice Ross,

Re: AM2016/8 Payment of wages – Statement

As directed by the Commission there have been discussions between Matt Galbraith (SDA), Luis Izzo (Australian Business Lawyers and Advisers) and Brent Ferguson (Ai Group) over the last three weeks in an attempt to find agreed wording on payment of wages.

In respect of the matter of the payment of wages, the parties have come to an agreed outcome on the wording of this clause in the following awards:

- *General Retail Industry Award 2010;*
- *Fast Food Industry Award 2010;*
- *Hair and Beauty Industry Award 2010.*

General Retail Award 2010

The SDA and Australian Business Lawyers agreed to the proposed draft term contained in the Statement issued by the Commission on 15 August 2016 at paragraph 7.

23. Payment of wages

Wages will be paid weekly or fortnightly according to the actual hours worked each week or fortnight, or may be averaged over a period of a fortnight.

All wages shall be paid on a regular pay day within 7 days of the end of the pay period. The employer must notify the employee in writing as to which day is the pay day. Where for any reason the employer wishes to change the pay day, then the employer shall provide at least 4 weeks' written notice to the employee of such change.

An enterprise which prior to the 1st January 2010, paid particular classifications of its employees on a monthly pay cycle may continue to pay these particular classifications of employees on a monthly pay cycle. However no employee classified at level 3 or below under this award may be paid on a monthly pay cycle and must be paid either weekly or fortnightly.

Fast Food Industry Award 2010 and Hair and Beauty Industry Award 2010

The SDA, Ai Group and Australian Business Lawyers agreed to the following words to be inserted at clause 22, Payment of wages in the Fast Food Industry Award 2010 and at clause 25 Payment of wages in the Hair and Beauty Industry Award 2010:

All wages are to be paid on a regular pay day, within 7 days of the end of the pay period. The employer must notify each employee of the regular pay day. The regular pay day may be varied by the provision of 4 weeks' notice by the employer to the employee(s). If the regular pay day falls on a public holiday the wages may instead be paid on the next day that is not a Saturday, Sunday or public holiday.

The parties appreciate his Honour's patience in this matter.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Blandthorn', with a long horizontal line extending to the right.

Ian Blandthorn
National Assistant Secretary