

From: [Jane McCarty](#)
To: [AMOD](#)
Cc: [Chambers - Ross J](#); [Shaun Schmitke](#); [Rebecca Sostarko](#); [Jane McCarty](#)
Subject: AM2016/8 - Payment of Wages Matter - Draft Determination
Date: Wednesday, 20 July 2016 12:25:43 PM
Attachments: [image001.png](#)
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[image004.png](#)
[Payment of Wages Matter MBA Draft Determination Onsite and Joinery.pdf](#)

Dear AMOD

On behalf of Master Builders Australia, please find attached a draft determination regarding the *Building and Construction General On-Site Award 2010* and the *Joinery and Building Trades Award 2010*. The contacts within Master Builders Australia for this matter are Mr Shaun Schmitke, National Director Industrial Relations and Ms Rebecca Sostarko, Lawyer.

Yours sincerely
Jane McCarty

Jane McCarty
Executive Assistant
Industrial Relations & Legal

Master Builders Australia, Level 1, 16 Bentham Street (PO Box 7170) YARRALUMLA ACT 2600

T (02) 6202 8888 **F** (02) 6202 8877 **E** jane@masterbuilders.com.au **W** www.masterbuilders.com.au

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DRAFT DETERMINATION

Fair Work Act 2009

s.156 – 4 yearly review of modern awards

4 yearly review of modern awards - AM2014/274

JOINERY AND BUILDING TRADES AWARD 2010

[MA000029]

Building, metal and civil construction industries

PRESIDENT ROSS

SYDNEY, XX XX 2016

A. Further to the decision issued by the Fair Work Commission on [XXX], the above award is varied as follows:

1. By deleting clause 26 and replacing it as follows:

26. *PAYMENT OF WAGES*

26.1 *Payments must be paid and available to employees not later than the end of ordinary hours of work on Thursday of each working week or each working fortnight. Provided that in any week or fortnight in which a public holiday falls on a Thursday or a Friday mutually acceptable alternative arrangements must be made.*

26.2 *All such monies must be paid by cash, cheque or direct credit to the account at an approved financial institution nominated by the employee, provided that payment other than by cash creates no undue financial burden to the employee.*

26.3 *If an employee is paid wages by cash or cheque and is kept waiting for their wages more than a quarter of an hour after the usual time of finishing work on pay day (for reasons other than circumstances beyond the control of the employer), the employee is to be paid at overtime rates after that quarter of an hour for the period they are kept waiting, with a minimum payment of a quarter of an hour.*

B. This determination comes into operation from XXXX.

PRESIDENT

DRAFT DETERMINATION

Fair Work Act 2009

s.156 – 4 yearly review of modern awards

4 yearly review of modern awards - AM2014/260

BUILDING AND CONSTRUCTION GENERAL ON-SITE AWARD 2010

[MA000020]

Building, metal and civil construction industries

PRESIDENT ROSS

SYDNEY, XX XX 2016

A. Further to the decision issued by the Fair Work Commission on [XXX], the above award is varied as follows:

1. By deleting clause 31 and replacing it as follows:

31. PAYMENT OF WAGES

31.1 All wages, allowances and other monies must be paid in cash, or by cheque, bank cheque, electronic funds transfer (EFT) or similar transfer or any combination.

31.2 Payments must be paid and available to employees not later than the end of ordinary hours of work on Thursday of each working week or each working fortnight.

31.3 When notice is given, all monies due to the employee must be paid at the time of termination of employment. Where this is not practicable, the employer will have two working days to send monies due to the employee by registered post (or where paid by EFT the monies are transferred into the employee's account).

31.4 If an employee is paid wages by cash or cheque and is kept waiting for their wages more than a quarter of an hour after the usual time of finishing work on pay day (for reasons other than circumstances beyond the control of the

employer), the employee is to be paid at overtime rates after that quarter of an hour for the period they are kept waiting, with a minimum payment of a quarter of an hour.

B. This determination comes into operation from XXXX.

PRESIDENT