

From: Katie Biddlestone <katie@sda.org.au>
Sent: Thursday, 5 December 2019 2:45 PM
To: Chambers - Lee C <Chambers.Lee.c@fwc.gov.au>
Cc: Scott Harris <Scott.Harris@guild.org.au>; Rachel Liebhaber <rachel@hsu.net.au>; Jacki Baulch <jbaulch@professionalsaustralia.org.au>
Subject: AM2016/8 - Payment of wages – payments on termination – Pharmacy Industry Award 2010

Dear Commissioner Lee,

RE: AM2016/8 - Payment of wages – payments on termination – Pharmacy Industry Award 2010

The SDA writes in response to correspondence by the Pharmacy Guild of Australia (PGA) sent on 15 October 2019 and uploaded to the Payment of Wages page in the Award Review website on 26 November 2019 in relation to a variation they are seeking to the model payment of wages clause for the Pharmacy Industry Award 2010.

In its decision, the Full Bench determined that the model clause should be inserted into 86 Awards including the PIA. The PGA have sought a variation to the model clause so that wages paid on termination can be paid within 7 days or as part of the normal pay cycle rather than only within seven days of the termination.

The SDA has not made written submissions in response to this, however, we made submissions on this matter to the Full Bench during the initial proceedings. These submissions were in relation to other Awards of interest to the SDA and at the time didn't refer to the PIA as we thought this matter was settled as a result of the plan language drafting process.

The submissions we made, however, apply equally to the PIA. In paragraphs 19-22 of our submission in reply, filed on 2 February 2017 the SDA did not support a national standard payment of termination within 7 days but a shorter period in recognition of the impact this would have on low paid workers who don't have the financial reserves to wait for such payment.

The SDA reiterated this position at the Conference on 9 October 2019, at PN346-PN347 and does not support a change to the model clause which would permit the payment on termination being extended beyond 7 days. The SDA relies on both our written submissions as outlined and our response at Conference.

The HSUA has provided written submissions which also oppose the variation to the model clause sought by the PGA, and the SDA supports these submissions.

The SDA confirms that it opposes the view of the PGA that the model clause be amended so that payment of wages on termination can be made as per the normal pay cycle. The PGA have not provided any evidence as to why the Pharmacy industry should be treated differently or the impact this would have on employees, and as such this should be rejected by the Full Bench.

Kind Regards,

Katie Biddlestone
National Industrial Officer & National Women's Officer



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