

THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION

(Federal Council)



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**Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000**

By email only to: amod@fwc.gov.au

Dear Vice President Hatcher,

**RE: s.156 - 4 yearly review of modern awards
AM2017/51
Overtime for Casuals**

The Australasian Meat Industry Employees Union (AMIEU) provides the following advice for the consideration of the Fair Work Commission regarding the Meat Industry Award 2010 and Poultry Processing Award 2010.

Overtime for Casuals and the Meat Industry Award 2010

The AMIEU had been concerned about an apparent conflict between subclauses 15.5 and 31.2 in the Meat Industry Award 2010. It appears, however, that the conflict has been resolved in the Exposure Draft in subclauses 6.8(e) and 8.1.

If subclause 8.1 of the Exposure Draft is retained in future iterations, the AMIEU is of the respectful view that overtime for casuals is otherwise clear in the Meat Industry Award 2010.

Overtime for Casuals and the Poultry Processing Award 2010

The AMIEU is concerned that overtime for casuals has become less clear in the Exposure Draft of the Poultry Processing Award 2010. Specifically, the Poultry Processing Award 2010 currently provides as follows.

24. Ordinary hours of work and rostering

24.1 Maximum weekly hours and requests for flexible working arrangements are provided for in the NES.

24.2 Except as provided elsewhere in this award, the ordinary hours of work for an employee are an average of 38 hours per week but not more than 10 hours per day or 152 hours over 28 days.

...

The AMIEU notes that ordinary hours of work for part-time workers are provided elsewhere in the Poultry Processing Award – subclause 12.1. Consequently, subclause 24.2 applies only to casual employees and full-time employees.

In contrast, the corresponding clause in the Exposure Draft provides as follows.

8.1 Ordinary hours

(a) Maximum weekly hours and requests for flexible working arrangements are provided for in the NES.

(b) Except as provided elsewhere in this award:

(i) the ordinary hours of work for a full time employee are an average of 38 per week; and

(ii) an employee will not work more than 10 ordinary hours per day or 152 over 28 days.

...

For casual employees, Exposure Draft subclause 8.1 removes the average of 38 hours per week and, consequently, does not contain equivalent conditions to current subclause 24.2.

If subclause 8.1 of the Exposure Draft is retained in future iterations, the AMIEU is of the respectful view that overtime for casuals has become less clear in the Poultry Processing Award 2010.

Yours faithfully,



Kristen Rogers
National Industrial Officer
Australasian Meat Industry Employees Union