



# DIRECTIONS

*Fair Work Act 2009*

s.156 - 4 yearly review of modern awards

## **Four yearly review of modern awards - *Black Coal Mining Industry Award***

(AM2020/25)

COMMISSIONER BISSETT

MELBOURNE, 10 MAY 2021

*Black Coal Mining Industry Award 2010.*

[1] On 4 May 2021 the Full Bench issued a decision (*May Decision*)<sup>1</sup> in relation to the interaction between weekend and shift work penalties and the casual loading in the *Black Coal Award Mining Industry Award 2010* (Black Coal Award). In that decision the Full Bench agreed with the submissions of the CFMMEU.

[2] At [24] we expressed a provisional view that we preferred the first drafting option proposed by the CFMMEU to the Exposure Draft of the Black Coal Award in relation to clauses 23.1 and 23.2.

[3] The Exposure Draft also includes, at clause D.2.2, a table that summarises the “Casual staff employees – shiftwork” rates. It is not apparent that submissions have been made in relation to this table.

[4] In order to seek to finalise the amendments to the Exposure Draft in these clauses (and any other clauses effected by the *May Decision* a conference of interested parties will be held:

**Monday 24 May 2021**

**2:00pm**

**By telephone**

[5] Parties attending are asked to provide contact details to [chambers.bissett.c@fwc.gov.au](mailto:chambers.bissett.c@fwc.gov.au) by **4.00pm Friday 21 May 2021**.

[6] Any queries should be directed to the chambers of Commissioner Bissett.

---

<sup>1</sup> [2021] FWCFB 2023.



COMMISSIONER

Printed by authority of the Commonwealth Government Printer