



BACKGROUND PAPER

Fair Work Act 2009

s.156—4 yearly review of modern awards

4 Yearly Review of modern awards—Annual leave common issue—Data on paid annual leave for Maritime awards (AM2014/47)

MELBOURNE, 28 JUNE 2016

Note: This is a background document only. It has been prepared by the Commission research area and does not represent the concluded views of the Commission on any issue.

Contents

Background	2
Use of annual leave	3

Background

[1] The *May 2016 decision* outlined that the Maritime awards would be given further consideration and the issue would be listed for hearing on Friday 1 July 2016.¹

[2] The purpose of this background paper is to provide information on the amount of paid annual leave taken by employees covered by the Maritime awards.

The Maritime awards are represented by the following modern awards:

- *Dredging Industry Award 2010*
- *Marine Towing Award 2010*
- *Maritime Offshore Oil and Gas Award 2010*
- *Ports, Harbours and Enclosed Water Vessels Awards 2010*
- *Professional Diving Industry (Industrial) Award 2010*
- *Seagoing Industry Award 2010*

[3] The modern awards are ‘mapped’ to Australian and New Zealand Standard Industrial Classification (ANZSIC)² divisions where these modern awards have primary or relevant coverage based on the Commission’s research that mapped modern awards with ANZSIC.³

[4] Data are obtained from the Household, Income and Labour Dynamics in Australia (HILDA) survey which asked respondents if they had taken any paid annual leave and the amount of paid annual leave in the preceding 12 months.

[5] The data presented in this background paper are the proportion of non-casual employees that took a period of paid annual leave and the average number of days for those that had taken paid annual leave.

¹ [2016] FWCFB 3177 at para. 238.

² Australian Bureau of Statistics, *Australian and New Zealand Standard Industrial Classification (ANZSIC), 2006 (Revision 1.0)*, Catalogue No. 1292.0.

³ Fair Work Commission, [Spreadsheets with ANZSIC classes & mapped modern awards](#), 2014.

Use of annual leave

[6] Table 1 shows the Maritime awards and the corresponding ANZSIC division to which they have been ‘mapped’. The HILDA survey does not present ANZSIC at the lowest level (4-digit) and are instead presented at the 1-digit level.

Table 1: Maritime awards and ANZSIC divisions

Modern award	ANZSIC division
<i>Dredging Industry Award 2010</i>	Mining
<i>Marine Towage Award 2010</i>	Transport, postal and warehousing
<i>Maritime Offshore Oil and Gas Award 2010</i>	Mining
<i>Ports, Harbours and Enclosed Water Vessels Awards 2010</i>	Mining & Transport, postal and warehousing
<i>Professional Diving Industry (Industrial) Award 2010</i>	Mining & Construction
<i>Seagoing Industry Award 2010</i>	Transport, postal and warehousing

Note: The *Ports, Harbours and Enclosed Water Vessels Awards 2010* was mapped to both Mining and Transport, postal and warehousing as it involves petroleum exploration and water freight/passenger transport. The *Professional Diving Industry (Industrial) Award 2010* was mapped to both Mining and Construction as it involves petroleum exploration and heavy and civil engineering construction.

Source: Fair Work Commission, *Spreadsheets with ANZSIC classes & mapped modern awards*, 2014.

[7] The below data analysis provides information on the industries identified that employ workers covered by the Maritime awards. Table 2 shows the proportion of non-casual employees that took paid annual leave in the preceding 12 months and the average number of days of paid annual leave that was taken in the Mining industry compared with all industries across each year from 2010 to 2014. Relative to all industries, that data shows that among non-casual employees in Mining:

- the proportion that took a period of paid annual leave was relatively similar to the average across all years from 2010 to 2012, while a lower proportion took a period of paid annual leave in 2013 and a higher proportion in 2014; and
- the average number of paid annual leave days was lower than across all industries, except in 2013.

Table 2: Use of paid annual leave by non-casual employees in Mining, 2010–2014

		Mining	All industries
2010	Taken a period of <u>paid</u> annual leave (%)	79.1	80.6
	Average leave days taken by those who took leave (no.)	14.9	18.4
2011	Taken a period of <u>paid</u> annual leave (%)	79.8	79.8
	Average leave days taken by those who took leave (no.)	15.0	18.1
2012	Taken a period of <u>paid</u> annual leave (%)	79.1	79.8
	Average leave days taken by those who took leave (no.)	15.2	18.2
2013	Taken a period of <u>paid</u> annual leave (%)	76.2	81.3
	Average leave days taken by those who took leave (no.)	18.3	18.1
2014	Taken a period of <u>paid</u> annual leave (%)	86.3	82.2
	Average leave days taken by those who took leave (no.)	16.7	18.0

Source: HILDA survey, Waves 10–14.

[8] Table 3 shows the proportion of non-casual employees that took paid annual leave in the preceding 12 months and the average number of days of paid annual leave that was taken in the Transport, postal and warehousing industry compared with all industries across each year from 2010 to 2014. Relative to all industries over the period, the data shows that among non-casual employees in Transport, postal and warehousing:

- the proportion that took a period of paid annual leave over the previous 12 months was lower from 2010 to 2013 and higher in 2014; and
- the average number of paid annual leave days was higher in 2010, 2011 and 2013, and lower in 2012 and 2014.

Table 3: Use of paid annual leave by non-casual employees in Transport, postal and warehousing, 2010–2014

		Transport, postal and warehousing	All industries
2010	Taken a period of <u>paid</u> annual leave (%)	79.7	80.6
	Average leave days taken by those who took leave (no.)	19.8	18.4
2011	Taken a period of <u>paid</u> annual leave (%)	75.9	79.8
	Average leave days taken by those who took leave (no.)	19.8	18.1
2012	Taken a period of <u>paid</u> annual leave (%)	76.8	79.8
	Average leave days taken by those who took leave (no.)	17.7	18.2
2013	Taken a period of <u>paid</u> annual leave (%)	75.8	81.3
	Average leave days taken by those who took leave (no.)	18.8	18.1
2014	Taken a period of <u>paid</u> annual leave (%)	84.4	82.2
	Average leave days taken by those who took leave (no.)	17.8	18.0

Source: HILDA Survey, Waves 10–14.

[9] Table 4 shows the proportion of non-casual employees that took paid annual leave in the preceding 12 months and the average number of days of paid annual leave that was taken in the Construction industry compared with all industries across each year from 2010 to 2014. Relative to all industries over the period, that data shows that among non-casual employees in Construction:

- the proportion that took a period of paid annual leave over the previous 12 months was lower across each year; and
- the average number of paid annual leave days was lower across each year.

Table 4: Use of paid annual leave by non-casual employees in Construction, 2010–2014

		Construction	All industries
2010	Taken a period of <u>paid</u> annual leave (%)	74.2	80.6
	Average leave days taken by those who took leave (no.)	15.4	18.4
2011	Taken a period of <u>paid</u> annual leave (%)	69.3	79.8
	Average leave days taken by those who took leave (no.)	14.7	18.1
2012	Taken a period of <u>paid</u> annual leave (%)	72.1	79.8
	Average leave days taken by those who took leave (no.)	14.8	18.2
2013	Taken a period of <u>paid</u> annual leave (%)	73.2	81.3
	Average leave days taken by those who took leave (no.)	16.0	18.1
2014	Taken a period of <u>paid</u> annual leave (%)	68.8	82.2
	Average leave days taken by those who took leave (no.)	15.4	18.0

Source: HILDA Survey, Waves 10–14.