SUMMARY OF SUBMISSIONS ON REVISED EXPOSURE DRAFT

This table is a summary of reply submissions lodged for this award after the 23 October 2015 decision [2015] FWCFB 7236 and in response to the Revised Exposure Draft published on 30 October 2015. The summary includes submissions received before 27 September 2016.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE (paragraph)	NOTES
1.	AIG	Sub-20/11/15			**General comments** No concerns with ED.	248	No action needed
	AWU	Reply-4/12/15			Agree with AMWU submissions.	40	
2.	AMWU	Sub-20/11/15	7.1(c)		**Ordinary hours** Clause needs to be amended in accordance with paras [17]–[18] and [334]–[344] of [2015] FWCFB 7236 which confirms that employer's right to change an employee's regular roster and ordinary working hours is subject to consultation requirements. Proposed wording in submission.	1.1–1.4	
	AIG	Reply-7/12/15			Oppose AMWU. Change is inconsistent with FWC approach whereby it has generally decided not to include references to the consultation clause. References unnecessary and hence inconsistent with s.138 of the Act.	119	
3.	AWU	Sub-20/11/15	7.1(c)	18.1	**Ordinary hours** Words 'will be' need to be retained to make clear that the ordinary hours of work per day are 8 hours. Reinsert current clause. 'The ordinary hours will be eight hours per day.'	1–3	

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ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	CLAUSE (current award)	SUMMARY OF ISSUE	THEIR REFERENCE (paragraph)	NOTES
	AIG	Reply-7/12/15			Oppose change proposed by AWU. Has potential to make various flexibilities in the award meaningless including the ability to average hours over a period of up to 52 weeks (clause 7.1(b)) and the flexibility to work 12 hours days/shifts (clause 7.1(c)).	118	
4.	AMMA	Sub-25/11/15	9.2		**Classifications** *Answer to FWC question:* Marine Orders 70, 71, 72 and 73 under the *Navigation Act 2012* (Cth) are the equivalent of Marine Order Part 3 under the *Navigation Act 1912* (Cth)	p 1	Confirms current wording in ED correct. Note removed from exposure draft.
5.	AMMA	Sub-25/11/15	9.3		**Aggregate annual salary** Do not oppose deletion of clause as a substantive part of the ED, however there is utility in retaining the clause as a note in order to understand how the aggregate salary is calculated in clause 9.1.	p 1	Deletion of clause was agreed by parties, and deleted in accordance with [118] of [2015] FWCFB 7236

List of abbreviations (in alphabetical order)

AIG	Australian Industry Group
AMMA	Australian Mines and Metals Association
AMWU	'Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union' known as the Australian Manufacturing Workers' Union (AMWU)
AWU	The Australian Workers' Union