FORM R6

Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

APPLICATION TO SET ASIDE OR VARY AN AWARD

C No of 2001

IN the matter of Horse Training Industry Award 1998

Application is made by the Australian Workers Union for the variation of the abovementioned Award as set out in the attached Schedule ‘A’.

Re: Increasing minimum wages and work related allowances.

The grounds upon which this application is made are set out in Schedule ‘A’.

DATED 19 November 2001

For and on behalf of the
Australian Workers’ Union

Bill Shorten
National Secretary

TO THE PERSONS & ORGANISATIONS BOUND BY THE ABOVEMENTIONED AWARD

You are hereby notified that the abovementioned application will be heard by

at [a.m./p.m.] on the day of

2001

at

and that you may appear and be heard at the time and place so fixed.

DATED 2001

MEMBER OF COMMISSION
OR REGISTRAR
SCHEDULE ‘A’

HORSE TRAINING INDUSTRY AWARD 1998

A. That the above Award be varied in the following respects:

1. By deleting the Table in Clause 13.1.1 and inserting in lieu thereof the following:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Rate per Week $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stable Employee (on commencement with employer)</td>
<td>441.60</td>
</tr>
<tr>
<td>Stable-hand Grade I (after three months continuous employment with the employer)</td>
<td>457.70</td>
</tr>
<tr>
<td>Stable-hand Grade II (after two years continuous employment with the employer &amp; has acquired and is utilising appropriate qualifications – who has obtained at least two years continuous employment and whose duties are above those required by a grade I employee)</td>
<td>481.90</td>
</tr>
<tr>
<td>Stable Foreman</td>
<td>532.20</td>
</tr>
</tbody>
</table>

2. By adjusting work related and disability allowances to take account of the new minimum wage rates set out in paragraph 1 above.

B. Items 1 - 2 to have effect from 1 May 2002

THE GROUNDS upon which the application is made are as follows:

1. To give effect to the objects of the Workplace Relations Act 1996 [“The Act”], Part I, Section 3(a) and 3(d)(ii), by:
   - Encouraging the pursuit of high employment, improved living standards, low inflation and international competitiveness through higher productivity and a flexible and fair labour market [s3(a)]; and
   - Ensuring the maintenance of an effective award safety net of fair and enforceable minimum wages and conditions of employment [s3(d)(ii)].

2. To give effect to the Objects of Part VI, Workplace Relations Act 1996, provided for in Section 88A, by ensuring that:
   - Wages and conditions of employment are protected by a system of enforceable awards established and maintained by the Commission [s88A(a)]; and
   - Awards act as a safety net of minimum wages and conditions of employment [s88A(b)]; and
• The Commission’s functions and powers in relation to making and varying awards are performed and exercised in a way that encourages the making of agreements between employers at the workplace or enterprise level [s88A(d)].

3. To give effect to Section 88B(2), Workplace Relations Act 1996, by ensuring that a safety net of fair minimum wages and conditions of employment is established and maintained, having regard to:

• The need to provide fair minimum standards for employees in the context of living standards generally prevailing in the Australian community; and
• Economic factors, including levels of productivity and inflation, and the desirability of attaining a high level of employment, and
• When adjusting the safety net, the needs of the low paid.

4. To give effect to Section 90, Workplace Relations Act 1996, that:

"In the performance of its functions, the Commission shall take into account the public interest, and for that purpose shall have regard to:

(a) the objects of this Act, and, in particular, the objects of this Part; and
(b) the state of the national economy and the likely effects on the national economy of any award or order that the Commission is considering, or is proposing to make, with special reference to the likely effects on the level of employment and on inflation.”

5. To provide protection against inflation for low paid workers and to ensure low paid workers share in growth of national prosperity, by raising minimum rates of pay.

6. To provide protection for low paid workers whose living standards have fallen relative to those of other groups in the Australian community since introduction from July 2000 of the goods and services tax package, by raising minimum rates of pay.

7. To maintain skill-based career paths in awards as determined by the Industrial Relations Commission [Workplace Relations Act 1996 Section 89A(2)(a)].

8. To provide simple, equitable and enforceable minimum rates of pay.

9. To facilitate equal remuneration for work of equal value and viable flexible work arrangements.