



7 February 2017

Award Modernisation Team
Fair Work Commission
11 Exhibition Street
Melbourne 3000
By email: amod@fwc.gov.au

Dear Sir/Madam

AM2014/245 – Fair Work Commission review of the *Sporting Organisations Award 2010*

AFL is a national not-for-profit sporting organisation established for the purposes of the promotion of Australian football. AFL employs a range of coaching staff as both permanent and casual employees in its Football Operations and Game Development departments in Victoria, New South Wales, Australian Capital Territory, Queensland, Tasmania and Northern Territory. Subject to relevant exclusions, AFL's coaching staff are covered by the *Sporting Organisations Award 2010*.

AFL has not to date been a party to the modern award review as the changes proposed by parties have not significantly impacted the AFL.

In its submissions filed with the Commission on 27 January 2017, the AWU has made what appears to be a new claim for the payment of overtime entitlements to coaching employees covered by the *Sporting Organisations Award 2010*. Coaching employees do not currently have overtime entitlements under the *Sporting Organisations Award 2010*.

The four yearly modern award review commenced in 2014. Until 27 January 2017, our understanding is that no variation of this nature was proposed by any interested party to the *Sporting Organisations Award 2010*.

AFL has not had an opportunity to properly consider the proposed variation and the impact it would have on its operations, nor has it had an opportunity to make submissions on this variation supported by witness evidence. In the circumstances, AFL objects to the proposed variation and says that it should be dismissed.

If, despite this matter only being raised at the conclusion of the modern award review, the Commission is minded to consider the proposed variation, AFL seeks that it be provided a proper opportunity to consider the proposal and if required respond by way of submission and witness evidence.

Australian Football League

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AFL would be pleased to provide the Commission with any further information it requires to consider this matter.

Yours sincerely

Sarah Fair
Head of Human Resources