

From: Lincoln Amos [<mailto:lincoln@alaea.asn.au>]
Sent: Wednesday, 1 November 2017 2:52 PM
To: Chambers - Catanzariti VP
Cc: Andrew Crabb; Glynn Sowter; Justin Cooney; 'justine.oldmeadow@me.com'; 'Kathy.Srdanovic@ashurst.com'; Ruchi.Bhatt@aigroup.com.au; Sally Taylor; Wendy Carr; Gabriel Miller
Subject: RE: AM2014/254 Airline Operations - Ground Staff Award

Dear Associate

In accordance with the Draft Report issued by the Commission on 5 October 2017 and the subsequent correspondence with the parties the ALAEA's comments on the summary are as follows.

In this summary we refer to the categories in the Draft Report on this award issued by the Commission on 5 October. In relation to the items raised by other unions and listed as "withdrawn" by the Commission we have not commented on those.

"Outstanding Items"

Item 6: The ALAEA will agree to the words proposed by the AIG (in correspondence 27 February 2017) in relation to this specific item.

Item 8: The ALAEA's position is that this remains outstanding and supports the AMWU proposal circulated between the parties on 27 September 2017.

Item: 11 – This item is related to item 10 and remains outstanding with regards to the definition of the casual rate of pay. However the ALAEA believes this will likely be resolved by the Full Bench decision in relation to Item 49.

Item 15 – Referencing Consultation obligation in relation to changing hours of work. We continue to support the inclusion of the reference in accordance with the decision in [2017] FWCFB 3177.

Item 23 – In relation to multiple shift allowance wording. The ALAEA understood this was resolved in accordance with AIG correspondence 27 February 2017.

Item 36 – Reference to repealed legislative instrument as basis for allowance. The ALAEA proposed updating to current regulatory reference and Qantas stated agreement with this reference.

The citation of the updated reference as circulated to the parties by the ALAEA is as follows
Now regulated by reg 145.015 of the Civil Aviation Safety Regulations 1988 (Cth).

Regulation 145.015 cross references a legislative instrument made by CASA, the Part 145 Manual of Standards.

The part of

Item 41 – Issue of how ordinary hours clause defines overtime. The ALAEA is willing to agree with the latest proposal by Qantas (in correspondence to the parties of 18.10.17) to resolve this issue.

Item 44 – The ALAEA supports the wording in accordance with the relevant Group 3 decision; *"..consistent with B.1.1 all purpose allowances need to be added to the rates in the table where they are applicable"*.

Item 45 – Essentially the same as item 44.

Item 19 - AIG claim to replace "rates" with "loadings", to be considered by Full Bench. The ALAEA does not agree and sees no reason for this to be pressed, in light of the decision in FWCFB 3433 at [363]-[377]

"Withdrawn Items"

Item 35 – ALAEA understand was withdrawn by Qantas

"Other Items"

Item 43- Leave loading annual leave- The ALAEA believes it's accurate that this issue has been referred to annual leave full bench. The ALAEA understands there have not been any developments/directions with that as yet in relation to this award.

Item 48 – Issue with the overtime rates for continuous/non-continuous shiftworkers. The ALAEA is of the view all overtime by shiftworkers should be at the rate of double time as it was in relevant pre-reform awards. The ALAEA also does not agree this is correctly characterised as a substantive issue and cannot be dealt with in the technical and drafting process.

Item 49: Overtime for casual employees -has been referred to Full Bench casual employment common issues AM2014/196 – Believe it's accurate that this issue has been referred to annual leave Full Bench. The ALAEA understands there have not been any developments/directions with that as yet in relation to this award.

Yours sincerely

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