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27 June 2017

VIA E-MAIL

Modern Awards Team
Fair Work Commission
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Dear Modern Awards Team

AM2014/203: Review of the *Graphic Arts, Printing and Publishing Award 2010*

We refer to the above matter, in which we act for Fairfax Media Limited, and to the Statement of Justice Ross in *4 yearly review of modern awards – Award stage – Group 2* [2017] FWC 3205.

As a result of the Full Bench decision in *4 yearly review of modern awards – Graphic Arts, Printing and Publishing Award 2010* [2017] FWC 3135 and the resulting Determination with print number PR593788, the *Graphic Arts, Printing and Publishing Award 2010* (**Award**) has been varied in two respects which are not reflected in the Exposure Draft of the Award's successor published on 13 June 2017 (**Exposure Draft**), namely by:

1. deleting the word "regional" from each instance of the phrase "regional daily newspaper"; and
2. varying a provision the annual leave clause (clause 37.2 of the current Award and clause 27.2 of the Exposure Draft).

Our client submits that these matters should be reflected in the Exposure Draft by:

1. deleting the word "regional" wherever it appears in the Exposure Draft – specifically, in the following provisions:
 - (a) clause 3.2(n)
 - (b) the table in clause 5.6(a) (bold text three rows from the bottom)
 - (c) clause 9.3, including its heading
 - (d) clause 9.4(a)
 - (e) clause 17.2(b)(i)
 - (f) the heading of clause 20.3(e)(iii)
 - (g) clause 20.7, including its heading, the heading of paragraph 20.7(d), the headings of sub-paragraphs 20.7(d)(i), (iii) and (iv), and the body of sub-paragraph 20.7(d)(iii)
 - (h) the heading of clause 20.8

- (i) clause 24.3(d)
- (j) clause 27.2
- (k) clause 31.2
- (l) clause 31.4
- (m) the definition of a "regional daily newspaper office" in clause I.1.1 of Schedule I.

2. amending clause 27.2 of the Exposure Draft as set out below:

27.2 Notwithstanding clause 24.5, employees engaged in a regional daily newspaper office, in circumstances where they work the prescribed public holidays, may, by agreement between the employer and an employee or employees, be credited with an extra two weeks and three days' annual leave instead of any penalty provision as provided for by clauses 31.3 or 31.4. ~~This provision does not apply to a shiftworker as defined in clause 27.4~~ Where there is an agreement between an employer and an employee under this clause 27.2, this clause 27.2 applies instead of clause 27.4.

Please contact us if we can be of any further assistance to the Commission.

Yours sincerely



Darren Perry
Partner

SEYFARTH SHAW AUSTRALIA