

From: Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>

Sent: Friday, 14 September 2018 5:51 PM

To: Stephen Smith <Stephen.Smith@aigroup.com.au>; Ashvini Ambihapahar <Ashvini@etuaustralia.org.au>; zach.duncalfe@nat.awu.net.au; 'Ben Rogers' <BRogers@nff.org.au>

Cc: AMOD <AMOD@fwc.gov.au>; 'Motti, Eric' <Eric.Motti@au.wilmar-intl.com>; Larsen, Inez <Inez.Larsen@au.wilmar-intl.com>; Abha Devasia <abha.devasia@amwu.org.au>; Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>

Subject: RE: AM2017/56 Sugar Award 2010

Dear Parties,

I acknowledge receipt of the below correspondence from Mr Smith, reflecting the joint position of the Parties. I note that agreement has not been reached in relation to the following matters:

- The NFF and the AWU have not reached agreement in relation to the interaction between the Casual Loading and Piecework rates; and
- Parties other than the CEPU have reached agreement in relation to the AMWU's claim for a tool allowance and the terms of the draft determination for that claim.

The Deputy President had requested a draft determination be filed by the Parties for all agreed matters by close of business today. The draft determination annexed to the correspondence from Ai Group relates to the *Horticulture Award*. The Deputy President directs the Parties to file the draft determination for all agreed matters by no later than **4.00 pm on Monday 17 September 2018**.

It is further noted that the ETU objects to a draft determination proposed by the AMWU in relation to tool allowances, and seeks to make submissions about its concerns. Accordingly, the hearing proposed for Tuesday 16 October 2018 in Sydney will proceed to allow the parties to argue their positions on this issue. The ETU is directed to provide a submission in relation to its concerns with the draft determination proposed by the AMWU by no later than midday on **Thursday 20 September 2018**.

While the parties have indicated the outstanding issue between the AWU and the NFF in relation to the interaction between the Casual Loading and Piecework rates could be determined on the material currently before the Commission, this issue will also be dealt with at the hearing should the Full Bench have any questions for the parties in relation to that issue.

The parties are requested to confirm that the casual loading/piecework rate issue and the CEPU's objection to the position in relation to the tool allowance agreed between the other parties, are the only outstanding issues. Confirmation is also sought that the issue in relation to the Hot Work Allowance has also been agreed to. This confirmation is also required by midday on **Thursday 20 September 2018**.

Kind regards,

CALLUM YOUNG

Associate to Deputy President Asbury

Fair Work Commission

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From: Stephen Smith [<mailto:Stephen.Smith@aigroup.com.au>]

Sent: Friday, 14 September 2018 11:55 AM

To: Chambers - Asbury DP

Cc: AMOD; 'Motti, Eric'; Ashvini Ambihaipahar; zach.duncalfe@nat.awu.net.au; 'Ben Rogers'; Larsen, Inez; Abha Devasia

Subject: AM2017/56 Sugar Award 2010

Dear Deputy President Asbury

Joint correspondence from Ai Group, the ASMC, the NFF, the AMWU, the AWU and the CEPU is attached, relating to the above matter.

Yours sincerely

Stephen Smith
Head of National Workplace Relations Policy



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