

From: Zach Duncalfe <zach.duncalfe@nat.awu.net.au>
Date: Thursday, 20 September 2018 at 6:58 am
To: Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>
Cc: AMOD <AMOD@fwc.gov.au>, "Motti, Eric" <Eric.Motti@au.wilmar-intl.com>, "Larsen, Inez" <Inez.Larsen@au.wilmar-intl.com>, "Luke, Peter" <Peter.Luke@au.wilmar-intl.com>, Ashvini Ambihaipahar <Ashvini@etuaustralia.org.au>, Abha Devasia <abha.devasia@amwu.org.au>, 'Stephen Smith' <Stephen.Smith@aigroup.com.au>, 'Ben Rogers' <BRogers@nff.org.au>
Subject: Re: AM2017/56 Sugar Award 2010

Dear Associate,

Re: Item 47 – Hot Work Allowance

Further discussion has taken place between the Australian Workers' Union (AWU) and the Australian Sugar Milling Council (ASMC) on this item since it was last raised.

In addition to the positions as reflected in documents dated 3 May 2018 and 5 April 2018, both the AWU and the ASMC agree that clause 16.1(t)(iv) of the Exposure Draft for the *Sugar Industry Award 2010* requires amendment for the purposes of achieving clarity in its application.

The AWU and ASMC have agreed that the amendment clause proposed by the AWU at paragraph [13] of the document dated 3 May 2018 will achieve that clarity and present that amended clause as a consent position to the Full Bench for its consideration.

Yours Sincerely,

ZACH DUNCALFE | NATIONAL LEGAL OFFICER

M 0401 83 00 83 | zach.duncalfe@nat.awu.net.au

P 02 8005 3315

LEVEL 1, 16-20 GOOD STREET, GRANVILLE NSW 2142

WWW.AWU.NET.AU



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From: Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>
Date: Friday, 14 September 2018 at 3:51 pm
To: 'Stephen Smith' <Stephen.Smith@aigroup.com.au>, Ashvini Ambihaipahar <Ashvini@etuaustralia.org.au>, Zach Duncalfe <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

Tel 07 3028 7812

Fax 07 3000 0388

chambers.asbury.dp@fwc.gov.au

Level 14, Central Plaza Two

66 Eagle Street Brisbane Qld 4000

GPO Box 5713, Brisbane 4001