

23 May 2016

Award Modernisation Team
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: amod@fwc.gov.au

Dear Sir/Madam,

RE: AM2014/300 – Award flexibility – Time off instead of overtime

Master Electricians Australia (MEA) makes the following comments on the April 2016 Model TOIL term issued by the FWC.

MEA seeks for the model term to make it clear accrued TOIL can be utilised during a period of stand down in accordance with section 524 of the Act. For the purposes of providing clarification MEA propose the following subclause to be inserted –

“(I) An employee may, during a period of employer initiated stand down in accordance with section 524 of the Act, request to utilise any or all outstanding accrued TOIL at a time for time basis.”

In the alternative we ask the FWC provide clarification in any decision by the FWC that accrued TOIL may be utilised by an employee during a stand down.

Yours faithfully,



Jason O'Dwyer

Manager – Advisory Services