

IN THE FAIR WORK COMMISSION

Matter No: AM2021/54

Casual terms award review 2021

OUTLINE OF SUBMISSIONS - UNITED WORKERS UNION

VEHICLE REPAIR, SERVICES AND RETAIL AWARD 2020 (STAGE 2, GROUP 2) PROVISIONAL VIEW

Background

1. On 16 July 2021, the Fair Work Commission (**FWC**) handed down their decision after a five-member Full Bench reviewed the ‘relevant terms’, per clause 48 of the *Fair Work Act 2009* (**the Act**), in an initial group of 6 modern awards (Stage 1 Awards).
2. The remaining Awards are being reviewed in Stage 2, which has been divided into four groups. These submissions relate to the *Vehicle Repair, Services and Retail Award 2020* (**the Vehicle Award**) which is a ‘Stage 2, Group 2’ Award.
3. On 24 August 2021 the FWC issued Directions to any parties opposing the provisional view of the FWC on the Vehicle Award to file any submissions or evidence by 5.00pm on Thursday 26 August 2021.
4. The UWU is an interested party to the Vehicle Award.
5. These submissions are prepared by the United Workers Union (**UWU**) to oppose the provisional view on Clause 11.6 of the Vehicle Award.

Vehicle Repair, Services and Retail Award 2020 – casual conversion clause

6. Clause 11.6 provides certain eligible employees the opportunity to convert to permanent employment after six months of casual employment. The provisional view of the FWC is “that the term should be deleted from the award and replaced with a reference to the NES casual conversion entitlements in order to satisfy the requirement in cl.48(3) of Schedule 1.”¹

¹ Statement [2021] FWCFB 4928 (11 August 2021), [55]

7. The UWU opposes the provisional view of the FWC, and to that end supports the submissions of the Australian Manufacturing Workers' Union (AMWU) in relation to the Vehicle Award, dated and filed 18 August 2021.²
8. The UWU makes no further submissions of our own in this matter.

HANNAH MIFLIN
For the United Workers Union
26 August 2021

² Australian Manufacturing Workers' Union, 'AM2021/54 – Casual terms award review 2021', Submission in *Casual terms award review 2021*, AM2021/54, 18 August 2021, [13]-[42]