



Australian Industrial Relations Commission

Award Modernisation

Submissions re Exposure Draft Award

(AM2008/25) Airline Operations

Airline Operations—Ground Staff Award 2010

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Introduction

1. The ASU filed written submissions with regard to Airline Operations on 6th March 2009. The Union made verbal submissions at the Pre-drafting Consultations held in Melbourne on the 19-20th March 2009. The Union also filed additional written submissions on the 1st April in line with Directions issued by the Commission.
2. The ASU continues to rely on those written and oral submissions. These further submissions are in response to the Exposure Draft Award - Airline Operations—Ground Staff Award 2010 – released by the Commission on the 22nd May.

Key issues arising from the Exposure Draft Award

Clerical Classification structure

3. A key issue in the public consultations and written submissions was the question of an appropriate classification structure or structures for clerical, administrative and related employees.
4. In the Commission's Statement of May 22nd 2009, the Full Bench said:

[16] We have sought to adopt classifications currently applicable in the airline industry for transport workers, clerical, maintenance and stores employees and applied rates that we believe reflect properly fixed minimum rates for the classifications involved. We have included an eight level structure for each of the transport, clerical and maintenance streams and a five level structure for the stores and logistics streams. Obviously in an exercise such as this there is a balance to be struck in formulating classifications and rates because of the significant differences that exist between the current instruments. [emphasis added]
5. The ASU strongly submits that the Exposure draft achieves neither the objective of adopting classifications applicable to clerical and administrative employees nor reflect properly fixed minimum rates for the classifications involved. On the contrary, existing applicable rates of pay have been

slashed by the Exposure draft rates of pay which have, in the main, been taken from awards with classification structures that do not generally apply to the airline industry.

6. In its written and oral submissions, the ASU proposed that two main white collar classification structures be included in an aviation industry award:
 - A classification structure derived from and identical to the classification structure in the Overseas Airlines Award – this was to apply to international airlines [as is currently the case]
 - A classification structure derived from the Award known in the industry as the Clerks Domestic Airlines Award¹ – this was to apply to domestic and regional airlines, as well as to ground handlers [that is, employers who provide services to airlines but who do not operate aircraft]. Within this structure there are two streams.
 - The ASU also proposed a separate structure designed to cover employees covered by ASU awards who work in flight simulator operations.
7. The ASU maintains that the inclusion of three classification structures was and is desirable and achieves the purpose of maintaining existing award safety nets for employees in this industry.
8. To date, Qantas, which otherwise was prepared to make submissions on a range of matters to do with the appropriate award safety net [despite predominantly being covered by enterprise awards], made no proposals of its own as to an appropriate clerical/administrative classification structure other than to criticise those proposed by the ASU.
9. AiG/BARA proposed a single classification structure derived from and based on that contained in the modern Clerks Private Sector Occupational Award. AiG/BARA's proposed rates of pay undercut even the minimum standards of the Clerks Award – an award designed for common rule coverage and not designed for or appropriate to the aviation industry.

¹ More properly known as the Airline Operations - Clerical and Administrative Award 1999

10. In its Exposure draft award, the Full Bench has proposed a single classification structure for clerical, administrative and support employees. That structure is an eight level structure.
11. The ASU believes that this structure is inappropriate and should not form part of the final award. This is for the following significant reasons.
12. Firstly, the Full Bench appears to have created its structure by attempting to combine the two main classification structures proposed by the ASU into one hybrid structure and applying the minimum rates from the Clerks private sector modern award [at least at Grades 2-5].
13. The result is 'neither fish nor fowl' – serving neither the international nor the domestic sector adequately – and cuts the existing safety net substantially – massively in the case of the overseas airlines.
14. The Full Bench appears to have based its classification structure on the following sources:
 - Level 1 - Overseas Airlines Award Band A
 - Level 2 - Overseas Airlines Award Band B
 - Level 3 - Overseas Airlines Award Band C
 - Level 4 - Overseas Airlines Award Band D
 - Level 5 - Overseas Airlines Award Band E

 - Level 6 – Airline Operations C&A Award Level 6
 - Level 7 – Airline Operations C&A Award Level 7
 - Level 8 – Airline Operations C&A Award Level 8
15. At levels 1-5, the airline specific skill descriptors either match fully or are clearly derived from the airline industry skills described in the Overseas Airlines Award classification structure.
16. Levels 6-8 include the full descriptors from the Airlines Operations Clerical and Administrative Award Levels 6-8 [the “Domestic Airlines Award”] [which contains a very generic, skills based, classification structure].
17. The rates of pay proposed by the Commission effectively slash the award safety net for employees under the Overseas Airlines Award as well a significantly cutting those under the Airline Operations C&A Award at most levels.

18. This outcome – severely cutting existing Federal award safety nets – is not an outcome that was intended or contemplated as a result of the award modernisation process. Some rationalisation of disparate State Award or NAPSAs rates may have been expected but to pull Federal award safety nets down to the level of State common rule awards which have not been designed to apply in the industry is an appalling outcome for employees and not one contemplated or allowed for in the Minister’s Award Modernisation Request.

19. For Overseas Airlines employees, the result is as follows:

Exposure Draft Award Classification	Rate per week \$	Overseas Airlines Award	Rate	Difference Per week	Difference per year
Level 1	610.00	Band A	686.23	-76.23	-3,964
Level 2	637.60	Band B	725.15	-87.55	-4,553
Level 3	675.00	Band C	779.63	-104.63	-5,441
Level 4	710.00	Band D	876.94	-166.94	-8,681
Level 5	740.00	Band E	1006.69	-266.69	-13,867
Level 6	770.00	Band F	1071.56	-301.56	-15,681
Level 7	800.00			-271.56	-14,121
Level 8	830.00			-241.56	-12,561

Note: direct comparisons between skills are available at Levels 1-5 compared to the Overseas Airlines Award Bands A-E. Beyond those levels the skill descriptors do not match the Overseas Airlines Award.

20. Note that the Commission’s hybrid structure includes Overseas Airlines skills only up to Band E and does not include those from Band F. There is no explanation for this omission. The ASU notes that this was also the effect of AiG/BARA’s submission, which also had no rational basis for omitting Band F as noted by the ASU in its oral and written submissions.

21. AiG/BARA sought to justify the deletion of Band F from The Overseas Airlines Award altogether by submitting:

“...that the way in which band F operates on our interpretation is it is essentially a senior role, a role that borders on managerial responsibilities.

The terms of the relevant NAPSAs don't have a parallel to this level of seniority in terms of classification structure. We note also that the terms in the Modernisation Request at paragraph 2(a) talk about modern awards not extending to employees by virtue of the seniority of their roles have not traditionally been covered by awards and it cites in particular managerial [Transcript 20th March PN 690]

22. The flaw in this submission [and the Commission's proposed structure] is that whether or not this classification "borders on managerial responsibilities" or not, the fact is that in the airline industry, including the overseas airline sector, that such roles have traditionally been covered by awards, *as is self-evidently the case of the Overseas Airlines Award*, but also in respect to other awards in the industry which cover very senior employees, including managerial employees.
23. With regard to the rates of pay under the Airline Operations Clerical and Administrative Award, the situation is less dramatic but still represents a cut in the level of the underlying safety net. The result is set out in the table below. Note that the Airline Operations award contained two streams: Operations and Support which had a different number of levels and different wage rates.

Airline Operations C&A Award [Operations stream]	Rate	Difference per week	Per year	Airline Operations C&A Award [Support stream]	Rate	Difference	Per year
Level 1	667.90	-57.90	-3,011	Level 1	651.71	-41.71	-2,169
Level 2	682.65	-45.05	-2,343	Level 2	662.90	-25.30	-1,316
Level 3	714.30	-39.30	-2,044	Level 3	693.71	-18.71	972.92
Level 4	730.30	-20.30	-1,056	Level 4	730.30	-20.30	-1,056
Level 5	773.81	-33.81	-1,758	Level 5	759.69	-19.69	-1,024
Level 6	789.69	-19.69	-1,024	Level 6	773.81	-3.81	-198.1
Level 7	798.60	+1.40	+72.80	Level 7	789.69	+10.31	+536.1
Level 8	814.85	+15.15	+787.8	Level 8	798.60	+31.40	+1,632.8
Level 9	859.57	-29.57	-1,538				

Note: the Exposure draft skill descriptors match the Airline Operations C&A Award only at levels 6-8. The Airline Operations C&A structure also contained a level 9 in the Operations stream only.

24. It is not clear to the ASU why the Commission has sought to include only one classification structure. No reason is given in the Statement issued on May 22nd. It might be assumed that the Full Bench agreed with the arguments of AiG/BARA in favour of a single structure.
25. AiG/BARA sought to justify their proposed classification structure with the a number of arguments, including that:
 - a single structure was appropriate and expected as a result of the award modernisation process [Transcript 20th March 2009 - PN 667]
26. The ASU submits that there is no support for the proposition that a single classification structure for all employees is either an expected or necessary outcome of the award modernisation process. Any number of classification structures may be included in a modern award to give effect to the creation of a modern award with appropriate safety net terms and conditions of employment to meet the Award Modernisation Request.
27. In the Award modernisation process to date, there have been a number of outcomes: industry, occupational and hybrid awards have been created. In some industries a number of awards apply to different types of staff; e.g. academic and non academic staff within higher education. Some industries have been split into numerous sub sectors, e.g. mining and retail.
28. The Minister has recently directed the Commission to make a particular award in one sector of the hospitality industry.
29. Some awards contain a number of classification structures depending on the type of work performed. This is already the case in the proposed Airlines Ground Operations Award.
30. Clearly, there is a growing presumption that one size does not fit all. The ASU sees no valid reason why two or more classification structures cannot operate with regard to clerical and administrative employees, especially where that course of action ensures that the intentions of the Minister's Award modernisation Request are fully met; that is, that costs do not increase and employees are not disadvantaged.

31. The ASU submits that its proposal achieves these objectives in a much better way than the hybrid classification structure in the Exposure Draft Award.
32. The ASU position recognised that there are two main classification structures and safety nets which operate in the industry and deliberately proposed two main structures to reflect existing standards. Industry and occupational awards in the aviation industry have long recognised distinctions between the various sectors in the industry: long haul/short haul; international/domestic, etc.
33. Classification structures should reflect the standards applying in particular sectors and to particular classes of employees – which the AiG/BARA proposal did not and the Exposure draft structure does not.
34. It is also worth noting that the Overseas Airlines award structure was perfectly acceptable to AiG/BARA until they made their submissions in the award modernisation process. No previous objection had been raised by AiG/BARA on behalf of their members in the international airline sector.
35. The Overseas Airlines award has gone through the process of award simplification – overseen by the Commission which approved the outcome. The final decision of the Commission regarding award simplification in this award has been tendered to the Commission in the public consultation process.
36. BARA consented to the insertion of the existing award classification structure and rates of pay in 2005. They agreed that it represented a properly fixed minimum rates classification structure giving effect to award simplification principles and requirements. This was endorsed by the Commission at that time. Thus there is no case for its arbitrary removal as part of award modernisation and this would be contrary to the Minister's Request.
37. BARA also agreed to the translation process involved in the creation of the new classification structure and rates of pay.

38. Thus, the current submissions of BARA have been opportunistic and should have been disregarded by the Full Bench. Nothing has changed since 2005.
39. The ASU submits that there is no merit and no valid reason for the removal or reduction in the level of an existing safety net of terms and conditions, including minimum wages. The Overseas Airlines Award provides such a safety net and is modern and up-to-date and should continue to provide the safety net for this group of employees.
40. The Minister's Request provides that employees should not be disadvantaged by award modernisation and that employer costs should not increase. Employer costs will not be increased by retaining unchanged an existing Federal award safety net. The main effect of the Exposure Draft Award will be to disadvantage current and future employees of international airlines.
41. It will also have the effect of encouraging the trend within the industry to create specific purpose subsidiaries and joint ventures a principal purpose of which is to seek to apply awards with lesser terms and conditions of employment to those applying in industry and enterprise awards of the Commission. This is an undesirable outcome and results in a reduction in the level of the existing safety net of terms and conditions of employment.
42. The same position applies in respect to the domestic airlines/ground handling sector, except that the award has not been so recently reviewed. The same outcome will occur in this sector.
43. Domestic and regional airlines and ground handling companies are not respondent to the Overseas Airlines Award and do not pay the terms and conditions in that Award.
44. This is the main reason why the ASU proposed to cover these employers under a separate structure derived from an appropriate airlines industry award. This award has traditionally been utilised by domestic airlines and one of the most significant ground handlers is also bound by that award.

45. Menzies – a major ground handler - is a respondent to the Airline Operations (Clerical and Administrative Employees) Award 1999 [the Domestic Airlines Award] which thus forms the safety net for its employees [they also have an enterprise agreement based on it].
46. Menzies was represented by AiG during the process of that company being roped-in to the Airline Operations award, which was ultimately achieved by agreement.
47. Thus the ASU submits that the existing safety net of terms and conditions for major ground handlers – nominated by AiG/BARA as those utilised by their members – is exactly the safety net proposed by the ASU in these proceedings.
48. The Commission should recognise the existence of existing safety nets in the various sectors and utilise these in the setting of the safety net for the modern award.
49. The ASU notes that the Full Bench has endeavoured to produce a classification structure that contains skills relevant to the airline industry. However, the Union submits that it was unnecessary and produces an inappropriate outcome.
50. While the Full Bench has rejected the claim of AiG for a classification structure using skill descriptors from common rule minimum rates clerical awards not designed for or generally applicable to the airline industry, the Full Bench has largely given AiG the rates it sought.
51. This is not a rational outcome in the award modernisation context.
52. The ASU submits that it is simply not logical to take skill descriptors from federal awards applying in the airline industry and apply to them rates of pay taken from unrelated awards.
53. As the ASU has noted in its written and verbal submissions in these proceedings, State common rule clerical awards were not designed for and do not include airline industry skill descriptors. To the limited extent that these awards have been used in the airline industry it has been only as a

catch-all minimum rates award apply in the absence of an employer being roped-into a Federal award [for whatever reason].

54. In any case, it is not defensible for the Full Bench to reduce the safety net for the exercise of certain skills, especially where that safety net has been provided by well-established and modern Federal awards.
55. From a skills point of view the only essential difference resulting from the Commissions' hybrid classification structure is that the rates of pay for employees of overseas airlines have been cut by up to \$331 per week for the performance of the same duties and the exercise of the same level of skill and responsibility. This is clearly nothing more than an appallingly severe cut in the level of a safety net.
56. By contrast, of course, all the skills, knowledge and responsibilities described in the Overseas Airlines Award and the Domestic Airlines Award [thought this is expressed generically] relate to the specific requirements of the airline industry and to no other industry. The level and content of the safety net must be determined on the basis of like work not unlike work.
57. Section 576B of the Workplace Relations Act requires the Commission when performing its award modernisation functions, to have regard to, amongst other things:

“(h) relevant rates of pay in Australian Pay and Classification Scales and transitional awards”.
58. The amended Ministerial Request provides at Clause 4A that:

“The Commission is to create a modern award to cover employees who are not covered by another modern award and who perform work of a similar nature to that which has historically been regulated by awards (including State awards).”
59. The ASU submits that the relevant rates of pay are those to be found in classification scales derived from airline awards, not from clerical common rule NAPSAs. The clear implication from Clause 4A of the Request is that modern awards must regulate the same sort of work as previously

performed. In the airline industry, the work has been performed and regulated by airline industry awards whereas Clerical NAPSAs have not specifically applied to that sort of work [other than by virtue of their common rule application]. Clerical NAPSAs have not been designed to provide terms and conditions of employment for airline industry employees and do not cover the same sort of work as airline industry awards.

60. The Commission's decision also ignores the need for a safety net for employees in the industry engaged in flight simulator training.

Conditions of employment

61. The Exposure Draft Award does not include certain allowances in existing ASU Awards. These include:

- Transport allowance: \$8.07 paid per shift under certain circumstances
- Tropical zone allowance
- Social disability allowance: special additional rates for shift on weekends [\$10.82 per shift].

62. The ASU notes that Qantas specifically opposed the inclusion of all three allowances. There is no reasoning in the Commission's Statement as to why these allowances have been dropped [while other allowances are retained].

63. The ASU concludes that the Full Bench may have been persuaded by Qantas's written and verbal submissions.

64. The early morning shift allowance applicable at Sydney's Mascot airport only of 17.5% is also absent without explanation.

65. AiG/BARA did not make written or verbal submissions seeking to justify the removal of allowances – but sought their deletion nevertheless. In their further submission, AiG/BARA again simply said that they had included the allowances it thought appropriate without any rationalisation for deleting the allegedly inappropriate ones.

66. Qantas's initial written submissions sought to justify the removal of allowances which they claimed were "obsolete or irrelevant" or only contained in one of the industry awards.

Transport and 'social disability' allowances

67. Included in the allegedly obsolete and irrelevant category is the Transport allowance and the 'Social disability allowance' [weekend loading].
68. The ASU does not agree that the above allowances are obsolete or irrelevant. The allowances are currently paid and therefore cannot be obsolete or irrelevant. They have been included in recent enterprise agreements in the industry [see submissions of the TWU].
69. In its supplementary submissions of the 1st April, Qantas argues that the application of the 'social disability' and transport allowances to parts of its business which do not currently pay them "could increase costs". This is obviously a qualified statement but Qantas submits that the 'social disability allowance' could, depending on shift rosters, increase costs by 0.3 to 1 %. Similarly, the transport allowance 'could' increase costs of 4%.
70. The ASU does not concede these figures, but if this is true, the removal of these allowances where they are currently being paid could lower the level of the existing safety net by up to 5% - on top of other reductions in the level of the safety net caused by the substantial reduction in the level of minimum wage rates.
71. The ASU submits that such an outcome is not consistent with the award modernisation request.
72. In any case, the Unions submit that award modernisation is not the occasion nor the opportunity to remove allowances which are currently in safety net awards. The award modernisation process does not allow for the proper testing of claims as to the appropriateness of existing allowances.
73. Employers have had many opportunities to seek to delete allowances they now say are obsolete or irrelevant from awards but have not done so. They

should not be allowed to use award modernisation as a cover for the removal of existing and utilised – and paid – allowances.

Tropical allowance

74. In its written submissions dated 1st April [prepared by Blake Dawson] Qantas made the following submission:

Tropical zone allowance

The tropical zone allowance proposed by the ACTU at clause 32.8 refers to the rate prevailing under Australian Public Service Regulations from time to time.

Our research indicates that no such rate is prescribed in the APS Regulations. Accordingly, this allowance is obsolete and should not be included.

75. Qantas should have researched their own pay records rather than the APS Regulations since they would have readily discovered that the Tropical Zone Allowance is paid to ASU members and other employees in Northern Queensland and the Northern Territory. The source document for this allowance is no longer the APS Regulations but an APS Award which has been and is currently followed by Qantas in relation to this allowance.
76. Qantas is well aware of the facts of this matter. Attached to this submission is correspondence relating to the payment of the tropical zone allowance including a letter from Qantas to the ASU dated 17th August 2007 confirming continuing payment of this allowance. In this letter, headed “Tropical Zone Allowance” and signed by Mr John McKenzie, Industrial Relation Manager on behalf of Qantas, the amounts of the allowance in the various ports is set out as well as reference to the source document, being an AIRC print, which is followed with regard to the payment of this allowance.
77. The tropical zone allowance is a significant sum and forms part of the existing safety net for employees in tropical zones. It should not be withdrawn on the basis of incorrect information from one party in the award modernisation proceedings.
78. Qantas should be asked to explain their submission to the Commission that this allowance is obsolete since it appears that their earlier submission has misled the Commission as to the current relevance of this allowance and it

may be that the Commission has acted on this submission in not including the allowance in the modern award. Qantas management would be well aware that the Tropical Zone Allowance is being paid.

79. The ASU submits that all existing award allowances should all be retained since they are part of the existing safety net. There is no justifiable argument for removing such allowances as part of the award modernisation process.
80. The Fair Work Act provides a process by which awards can be regularly reviewed in the future and thus an opportunity to test the appropriateness of each award clause in the future.

Other Allowances

81. Qantas has also sought the removal of allowances where “an allowance appears only in one of the industry awards” [Qantas Submission, March 6th, par 5.6].
82. The ASU rejects this proposition. Each allowance forms part of the underpinning safety net for employees and its removal reduces the level of the safety net and will result in disadvantage to employees contrary to the Award Modernisation request.
83. If the concern is, as suggested by the Qantas submission, that single award allowances would become an “industry standard”, their application can be restricted to those employees currently entitled to receive them. This was done in the ACTU/Unions draft award where appropriate. The ASU submits that these allowances should be included in the final award.

Redundancy

84. The Full Bench has provided only limited supplementation of redundancy pay in the Exposure Draft Award and no supplementation at all with regard to quantum of redundancy pay generally or with regard to small business redundancy.
85. The drafting notes provided by the ACTU affiliated unions showed that the sources of the Unions’ proposed provisions were the following awards:

- 23.2 Longer notice period – Transport Workers award
- 23.3 Additional redundancy pay - Transport Workers award
- 23.4 Small business redundancy pay – Airline Operations Clerical & Administrative award

86. The ASU strongly submits that the award modernisation process must not result in the reduction in the existing safety net for employees. There is no cost impact for employers being required to continue to pay existing terms and conditions, including redundancy pay.
87. The extended redundancy provisions should be maintained by the Commission in the proposed modern award, at least with respect to those classes of employees currently in receipt of them. There is no legislative or other imperative which prevents this.
88. Further, the Exposure Draft award contains at Clause 13.5 a ‘standard’ transitional provisions re redundancy. This provides for the saving on a transitional basis of redundancy pay paid “in accordance with the terms of a NAPSA”.
89. This formulation therefore does not preserve on a transitional basis any increased redundancy provisions, such as those nominated above, that are found in pre-reform awards in the airline industry.
90. This clause therefore serves very little purpose in the airline industry where federal award regulation is the norm.
91. The ASU submits that it is an inappropriate outcome to preserve provisions from NAPSAs but not from pre-reform awards which operated on a national basis.

Personal leave

92. The Full Bench has provided only limited supplementation with regard to personal leave in the Exposure Draft Award and no supplementation at all with regard to quantum. Quantum remains dictated by the NES which only provides for 10 days or 76 hours personal leave.

93. The submissions and draft award of the ACTU affiliated unions sought to preserve existing levels of personal leave operating in the industry and provided for in awards, that is:

- 104 hours in the first year and 144 hours annually thereafter for clerical and administrative employees in the Airline Operations Clerical and Administrative Award 1999
- 80 hours in the first year and 120 hours thereafter for all other employees.

94. This represented a status quo position that did not disadvantage employees and did not add to employer costs. The higher levels of personal leave in the industry were noted by Qantas in its submission.²

95. Clause 29 of the Airline Operations Clerical and Administrative Award 1999 currently provides:

29.2 Amount of paid personal leave³

29.2.1 Paid personal leave is available to an employee, when they are absent:

- due to personal illness or injury; or
- for the purposes of caring for an immediate family or household member who is sick and requires the employee's care and support or who requires care due to an unexpected emergency.

29.2.2 The amount of personal leave to which a full-time employee is entitled depends on how long they have worked for the employer and accrues as follows:

29.2.2(a) A fulltime employee is entitled to the following amount of personal leave:

Length of time worked for the employer	Personal leave hours
Less than 12 months	104
Each year thereafter	144

96. First year employees under this award would lose 28 hours or nearly four days sick leave per year. Employees with more than one year's service lose 68 hours or nearly nine days sick leave per annum [accumulative].

² Qantas Submission dated 1st April 2009.

³ See: http://www.airc.gov.au/consolidated_awards/AP/AP768636/asframe.html

97. Bereavement leave is a separate entitlement in this award – see clause 29A.

98. Clause 24 of the Overseas Airlines Award provides:

24.2 Amount of paid personal leave⁴

24.2.1 Paid personal leave is available to an employee, other than a temporary employee, when they are absent:

- due to personal illness or injury; or
- for the purposes of caring for an immediate family or household member who is sick and requires the employee’s care and support or who requires care due to an unexpected emergency.

24.2.2 The amount of personal leave to which a full-time employee is entitled depends on how long they have worked for the employer and accrues as follows:

24.2.2(a) A fulltime employee is entitled to the following amount of personal leave:

Length of time worked for the employer	Personal leave (hours)
Less than 12 months	76
Each year thereafter	114

99. Employees in the overseas airlines sector lose 38 hours or five days sick leave each year [accumulative].

100. These standards have been set with regard to the needs of employees in the industry and included in existing awards.

101. Bereavement leave is a separate entitlement in this award – see clause 24A.

102. The ASU submits that there is no basis for the arbitrary reduction in the level of the existing safety net for employees in this industry. It represents a significant level of disadvantage for employees in the industry and is contrary to the Award modernisation request. The differing standards of leave should apply to employees in the different sectors of the industry, as at present.

⁴ Source: http://www.airc.gov.au/consolidated_awards/AP/AP791898/asframe.html

Community Service leave

103. The Full Bench has provided no supplementation with regard to community service leave and in particular no provision for supplementation of jury service make up pay.
104. The ASU submits that there is no reason why the safety net should be reduced in this manner and submits that make up pay should be provided in the final award.



17 August 2007

Lucio Matarazzo
Industrial Officer – Northern Territory
Australian Services Union
3/63 Winnellie Road
WINNELLIE NT 0821

By Facsimile 08 8947 3944

Dear Lucio,

Tropical District Allowance

We refer to your correspondence to Sue Bussell, 14 August 2007, in relation to an increase in Tropical District Allowance for eligible employees employed under the Airline Officers (Qantas Airways Limited) Award 2000.

The following allowances will apply to eligible employees from the first full pay period on or after 1 December 2006:

District Allowance Grade	With Dependents (per annum)	Without Dependents (per annum)
A (Townsville, Cairns)	\$1570	\$790
B (Darwin, Alice Springs)	\$3780	\$2060
C (Yulara)	\$5120	\$2910
D (Nhulunbuy, Gove)	\$7530	\$4660

However, we request that you check the allowance in District D for Gove, as this figure was last varied in 2005 to \$4949 per annum. The figure of \$4660 is contained in Print 975080, and appears to be in error. We await your advice on the Correction Order to correct this amount.

If you have any enquiries, please contact the undersigned.

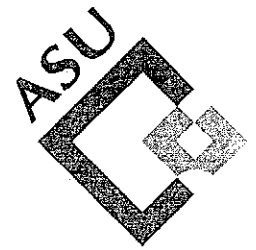
Yours sincerely

John McKenzie
INDUSTRIAL RELATIONS MANAGER



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August 20 2007

Neil McHattie
 NT Industrial Registrar
 Australian Industrial Relations Commission
 PO Box 969 Darwin NT 0801

Dear Neil McHattie,
Re ; Tropical District Allowances – Clause Table 22D in the Australian Public Service Award [AP766579].

The Australian Services Union writes on behalf of all ASU airlines members who are paid district allowance in the Northern Territory, North Queensland and Northern Western Australia in accordance with Clause Table 22D in the Australian Public Service Award [AP766579]. Prior to the variation of the AIRC order PR975080 of December 1, 2006, the rates in table 22D were;

Zone	Employee with one or more Eligible dependents and or Partner. Per annum.	Employee without Dependents. Per annum.
A	\$1,510	\$760
B	\$3,650	\$1,990
C	\$4,940	\$2,800
D	\$7,260	\$4,940

Zone A includes areas not in the Northern Territory such as Cairns & Townsville.

Zone B includes Darwin and Alice Springs.

Zone C includes Yulara, and in Western Australia Broome, Port Headland and Karratha.

Zone D includes Groote Eylandt, Nhulunbuy, Katherine and Tennant Creek.

After the variation of the Australian Industrial Relations Commission order PR975080 of December 1, 2006, the rates in table 22D as shown in the Award [AP766579] are now;

TABLE 22D - RATES OF DISTRICT ALLOWANCE

[26:Table 26D substituted by R0335; renumbered as 22:Table 22D by S1630 from 30Nov99 substituted by PR901109 PR953456 corrected by PR953800; varied by PR961224; PR975080 ppc 01Dec06]

District Grade Allowance	Rate of district allowance: employee with one or more eligible dependents and/or partner \$	Rate of district allowance: employee without eligible dependents \$
A	1,570	790
B	3,780	2,060
C	5,120	2,910
D	7,530	4,660

There appears to have been an error made in the District D for employees without Dependents because the rate prior to December 1, 2006 was **\$4949** and now it has reduced to **\$4660**. Respectfully can the Australian Industrial Relations Commission please rectify this error and advise the Darwin office of the Australian Services Union of the new correct rate that will apply for District D for employees without eligible Dependents.

Thank you for your assistance with this Australian Services Union request.

Yours sincerely,

Lucio Matarazzo
 Lucio Matarazzo
 NT ASU Industrial Officer

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active strong united
May 5, 2008

Sue Bussell & John McKenzie
General Manager - Industrial Relations - Qantas

Paul Kinter - NT Manager - Garuda Airlines

Scott Mansell / Dominic Andreacchio / Wayne Dunn - Australian air
Express

Dear Sue Bussell, John McKenzie, Paul Kinter, Scott Mansell & Wayne Dunn,

Re; **Tropical District Allowances.**

Please be advised that today I checked the **Australian Public Service Award [AP766579]** on the Department of Workplace Relations Federal Government website www.wagenet.gov.au and found that **effective from October 1, 2007, the Tropical District Allowance Rates (Table 22D) have increased to the following new rates;**

Zone	Employee with one or more Eligible dependents and or Partner.		Employee without Dependents.	
	Per annum.	Per Hour.	Per annum.	Per Hour
A	\$1,610	81 Cents	\$820	41 Cents
B	\$3,890	\$1.96	\$2,120	\$1.07
C	\$5,270	\$2.66	\$2,990	\$1.51
D	\$7,750	\$3.91	\$4,790	\$2.42

Zone A includes areas not in the Northern Territory such as Cairns & Townsville.


Zone B includes Darwin and Alice Springs.

Zone C includes Yulara, and in Western Australia Broome, Port Headland and Karratha.

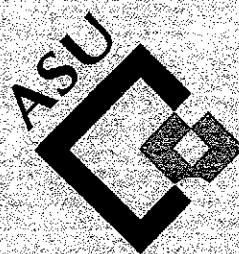
Zone D includes Groote Eylandt, Nhulunbuy, Katherine and Tennant Creek.

The Australian Services Union would be pleased if you can formally advise the Qantas Airways Limited payroll office and Garuda Airlines payroll office and Australian air Express payroll office of this and ensure all ASU members in the Northern Territory, Queensland and Western Australia will be correctly paid the new increased tropical district allowances **effective from the first pay period commencing on or after October 1, 2007.**

With many thanks in advance.
Yours sincerely,


Lucio Matarazzo
NT ASU Industrial Officer

Cc; All Northern Territory Qantas / Garuda / Australian air
Express ASU Members.
WEB: www.asu-sant.asn.au & www.asu.asn.au



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