

## IN THE FAIR WORK COMMISSION

AM2014/212

### Exposure draft – *Road Transport and Distribution Award 2015 (the Draft)*

#### Submissions of the National Road Transport Association (NatRoad)

##### Background

1. These submissions are filed on behalf of the National Road Transport Association (**NatRoad**) in response to the release of the June 2017 Exposure Draft of the *Road Transport and Distribution Award 2015 (the Draft)* on 13 June 2017. We respond to the publication of the Draft by making comments on certain individual clauses.
2. We also note that the President issued a Statement dated 9 June 2017 (**the Statement**) where in a schedule at Attachment B to the Statement (**the Schedule**) there is a list of items yet to be resolved in relation to Group 2 awards. In this submission, we respond to the four issues that are set out in the Schedule which relate to the *Road Transport and Distribution Award 2015*. Where those issues appear in the text, we have bolded the words "In the Schedule."
3. We note that the monetary amounts set out in the Draft relate to the period ending 30 June 2017.
4. NatRoad is a not-for-profit industry association. It represents the interests of more than 1000 contract carriers, operators and owner-drivers working within the road transport industry throughout Australia. Most of NatRoad's members are small business owners and operators.

##### **Response to Specific Clauses in the Draft**

5. **Clause 3.2**, the definition there set out is replicated in Schedule H. The Schedule H definition need only refer back to clause 3.2.
6. **Clause 12.2** this matter was not pursued by the TWU as is expressed in the note to this clause. **In the Schedule**, two items relate to this matter. They indicate that the issue relating to oil distribution workers is outstanding and has been referred to a Full Bench. The TWU did not press this matter and therefore the current provisions of clause 23 of the Award should be replicated and the table at clause 12.2 deleted.
7. **Schedule C** as it relates to Oil Distribution Workers: the rates remain questioned as per paragraph 6 of this submission. The rates in the current Award should be used.
8. **Schedule D2.1: in a note at page 61 of the Draft** the parties are asked to consider if the allowance adjustment category should be changed. We maintain the position that current CPI subgroups should be maintained. This matter is not litigated and, without it being formally in contest, no change should be made. We note that this matter is

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raised **in the Schedule**. It is there noted as being an outstanding issue. We demur. The Award should continue with its current substantive terms.

***Response to One Further Item in the Schedule***

9. **In the Schedule** it is mentioned that ARTIA questions the calculation of the casual loading. The Schedule indicates that this matter is outstanding. It is not. It has not been pursued and the current substantive provisions of the Award should continue.

**Richard Calver**

**National Road Transport Association**

28 June 2017