

Fair Work Commission
Level 10, Terrace Tower, 80 William Street
East Sydney NSW 2011
By email: amod@fwc.gov.au

7 August 2017

AM2014/223 – Group 3 Awards – *Dredging Industry Award 2010* – Confirmation of AWU substantive claim – annual leave loading

Dear Associate,

Background

1. The Australian Workers' Union (AWU) wish to clarify that we continue to pursue an existing claim to include the provision for annual leave loading in the *Dredging Industry Award 2010* ('Dredging Award') and seek leave to file these submissions in support of our claim.
2. The AWU sought the inclusion of annual leave loading in the Dredging Award in a submission¹ dated 10 December 2015, and reaffirmed our position regarding the Dredging Award in our submission² dated 18 April 2016. At the Conference on 4 August 2016, The AWU continued to press this claim.
3. We present this claim on its merits and these submissions form the basis of our claim.
4. A Draft Determination, marked "AWU 1" is attached to this submission.

Annual leave loading – other awards

5. The AWU is also pursuing annual leave loading in the *Amusement, Events and Recreation Award 2010* ('Amusement Award')³ and the *Alpine Resorts Award 2010* ('Alpine Award')⁴. By way of background, The AWU and the Australian Ski Areas Association (ASAA) have

¹ <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014223andors-sub-awu-101215.pdf>

² <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014223-sub-awu-18042016.pdf> at [29]

³ <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014223andors-sub-awu-101215.pdf>

⁴ <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014198-sub-awu-150715.pdf>

agreed to the provision of annual leave loading as part of an agreed package for the Alpine Award.⁵

6. The entitlement to annual leave loading of at least 17.5% is a National standard in Australia. The three awards so far identified in this submission and the *Book Industry Award 2010* are the only relevant modern awards that do not appear to contain annual leave loading entitlements. We understand some modern awards have more beneficial industry-specific leave conditions. Our submissions in this regard have been made previously.⁶
7. The denial of the benefit of the standard 17.5% annual leave loading entitlement to employees covered by just three awards is unfair and without any apparent justification.

Proposed variation

8. The AWU submit the variation should take the form of the draft determination attached to this submission marked “AWU 1”.
9. The draft determination attached to this submission and marked “AWU 1” confirms an annual leave loading of 17.5% must be paid when an employee takes a period of paid annual leave, and also if a payment for untaken accrued annual leave is made upon termination.
10. We submit the payment of leave loading on termination should be clearly specified in the award even though s90(2) of the *Fair Work Act 2009* (‘the Act’) has been held to import such an entitlement.⁷ This will make the award easier to understand and increase compliance with s90(2).
11. We propose to delete the content of clause 23 of the Current Award, and insert clause 23.1:

23.1 Annual leave is provided for in the NES.

When an employee takes a period of paid annual leave or is paid for accrued leave on termination, the employee will be paid an annual leave loading of 17.5% of the base rate of pay for the period in addition to the payment required to be made under Division 6 of the NES.

⁵ <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014198-report-071215.pdf>

⁶ <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am2014198-sub-leaveloading-awu-280115.pdf>

⁷ *Centennial Northern Mining Services Pty Ltd v CFMEU* [2015] FCAFC 100

Historical decisions regarding annual leave loading

12. A claim to insert annual leave loading into the *Clothing Trades Award* was dismissed by a Full Bench of the Australian Conciliation and Arbitration Commission on 9 October 1973⁸.

13. However, on 5 November 1974 a Full Bench of the Australian Conciliation and Arbitration Commission varied *The Airports and Overseas Passenger Terminals Employees Award 1973* to insert an annual leave loading of 17.5%. The Full Bench found (our emphasis):

Governmental employers in all States of the Commonwealth receive a 17 ½ per cent loading, some with a ceiling, some without. Many Federal Awards, including the Metal Industries Award, contain the loading.

This demonstrates a significant change since the Commission's Clothing Trades Decision and that 'at this time' it can be said that within the last year or so, a new standard has emerged, namely, a 17 ½ per cent loading.

*The employers argued that we should continue to follow the Clothing Trades Decision but we are not disposed to do this. Given the decision of all Australian Governments and three State industrial tribunals together with movements in Federal Awards we are prepared to accept that a loading of 17 ½ per cent is now appropriate.*⁹

14. On 18 June 1975 a Full Bench of the Australian Conciliation and Arbitration Commission granted a claim to include a 17.5% leave loading in the *Pastoral Industry Award 1965*.¹⁰

15. The Full Bench referred to the decision in *The Airports and Overseas Passenger Terminals Award 1973* and stated: "In that case the Commission said a new standard has emerged, namely a 17 ½ per cent loading".

16. The Full Bench went on to state (our emphasis):

Although we are conscious of the economic situation of the pastoral industry we do not believe that station hands should be excluded from a standard which is accepted by and applied to

⁸ *Clothing Trades Award 1973* 152 C.A.R. 249

⁹ *Federated Liquor and Allied Industries Employees Union of Australia v Ansett Airlines of Australia and others* 1974 166 CAR 61

¹⁰ *Re Pastoral Industry Award, 1965* 162 C.A.R. 621

*the community generally and which has indeed been accepted by the pastoralists in calculating the rate paid to shearers.*¹¹

17. The AWU attempted to have annual leave loading included in the Dredging Award along with the Alpine Award and the Amusement Award during the Modern Award Review 2012.
18. The majority (Senior Deputy President Acton and Deputy President Gooley) rejected the claim, stating that “[t]he variations sought are perhaps more appropriate for consideration in the four year review”.¹²
19. Vice President Watson issued a separate decision, which indicated he would have granted the AWU’s claim.
20. Vice President Watson relevantly stated (our emphasis):

[217] *The AIRC award modernisation Full Bench, in the passage cited above, said that it had attempted to formulate a standard entitlement to matters such as leave loading in the area covered by the modern award rather than preserving a range of differing entitlements. That approach ultimately led to annual leave loading being inserted into all but a handful of awards. In my view, against this clear pattern, the payment of annual leave loading has virtually become a standard award entitlement. The failure of the parties to more specifically raise the issue when loading was omitted from the exposure draft could be subject to criticism, but in my view, it is no reason to perpetuate what is effectively an anomaly and perhaps a mistake. The absence of any express consideration of leave loading in circumstances where it was contained in relevant previous instruments in my view now requires the Commission to consider the merits of including the entitlement as part of the 2 year review...*

[220] *The absence of an entitlement to annual leave loading in these awards is unexplained and in my view unfair and unwarranted. The AWU could be criticised for not raising the matter more specifically during the award modernisation process. It has faced up to this and provided an explanation. But any failure on its part should not be a reason to deny its case now when merit is demonstrated. I consider that the AWU has established that the modern awards objective is furthered by the inclusion of an entitlement to annual leave loading in these awards and has made out a case on the merits for its inclusion into the three awards. Turning a blind eye to the intrinsic merit of*

¹¹ Re Pastoral Industry Award, 1965 162 C.A.R. 621

¹² Modern Awards Review 2012 – Annual Leave [2013] FWCFB 6266 at [108]

*the applications is not consistent with the obligation to conduct a review of the awards.*¹³

A National Standard exists

21. As referred to above, predecessors to the Fair Work Commission ('Commission') stated in 1974 "a new standard has emerged, namely, a 17 ½ per cent loading"¹⁴ and in 1975 referred to annual leave loading as "a standard, which is accepted by and applied to the community generally".¹⁵
22. These statements arose from arbitrated decisions involving a merit assessment of the relevant claim.
23. We respectfully agree with the statement of Vice President Watson during the Modern Award Review 2012 that: "The absence of an entitlement to annual leave loading in these awards is unexplained and ...unfair and unwarranted".¹⁶
24. The fact that annual leave loading has not been included in the Award despite it being identified as a standard condition in Australian industrial relations 40 years ago warrants immediate attention from the Commission.
25. We also note a 4-Yearly Review Full Bench recently stated: "Greater consistency in the provisions governing the taking of annual leave will make the safety net simpler and easier to understand".¹⁷
26. We accept that statement may not have necessarily been intended to extend to the payment of annual leave. However, the consistency of the safety net will clearly be enhanced if annual leave loading is inserted into the few remaining modern awards that do not contain this entitlement.¹⁸
27. A summary document that identifies annual leave loading conditions in all modern awards is attached to these submissions and marked "AWU 2".

¹³ *Modern Awards Review 2012 – Annual Leave* [2013] FWCFB 6266 at [217] and [220]

¹⁴ *Federated Liquor and Allied Industries Employees Union of Australia v Ansett Airlines of Australia and others* 1974 166 CAR 61

¹⁵ *Re Pastoral Industry Award, 1965* 162 C.A.R. 621

¹⁶ *Modern Awards Review 2012 – Annual Leave* [2013] FWCFB 6266 at [220]

¹⁷ *4 yearly review of modern awards – Annual leave* [2015] FWCFB 3406 at [168]

¹⁸ The AWU also intends to pursue claims for the *Amusement, Events and Recreation Award 2010*.

Basis of claim

28. The AWU is pursuing a merit-based claim for this submission. We submit that this claim falls into the category of a proposed change that is “self evident and can be determined with little formality”.¹⁹ As such, an evidentiary case is not required.
29. In the alternative, we submit that the fact that annual leave loading has been identified as a standard employment condition in Australia for the last 40 years provides sufficient probative evidence of the need for the variation.

The Modern Awards Objective

30. The Commission must ensure that modern awards, together with the National Employment Standards, provide a fair and relevant safety net,²⁰ taking into account the considerations set out at s134(1) of the Act. This is the modern awards objective.
31. In the Annual Wage Review 2016-17,²¹ (‘the Review’) the Expert Panel stated that the word ‘relevant’ in the context of ‘fair and relevant safety net’ “is intended to convey that a modern award should be suited to contemporary circumstances.”²²
32. The Expert Panel at paragraph [125] of the Review refer to the Explanatory Memorandum of what is now s138 of the Fair Work Act and place emphasis on the words, “that accords with community standards and expectations”.²³
33. Annual leave loading is provided for in all but three of the 122 modern awards and has been accepted as a standard employment condition for over 40 years. There are no industry-specific conditions that have prevented the provision of annual leave loading in the dredging industry, and the exclusion of the dredging industry from the provision of annual leave loading is unexplained and unjustified.
34. Owing to the fact that the overwhelming majority of awards provide annual leave loading of at least 17.5%, the provision of annual leave loading is quite clearly a community standard and expectation. Further, amending the Dredging Award to include the provision of annual leave loading will more effectively reflect the contemporary circumstances of employees in Australia.

¹⁹ 4 *Yearly Review of Modern Awards: Preliminary Jurisdictional Issues* [2014] FWCFB 1788 at [60] (3)

²⁰ Fair Work Act 2009 (Cth), s134(1)

²¹ Annual Wage Review 2016-17 Decision [2017] FWCFB 3500

²² Annual Wage Review 2016-17 Decision [2017] FWCFB 3500 at [125]

²³ *Ibid.*

Section 134 (1) (a) – relative living standards and the needs of the low paid

35. Many award-reliant employees in the dredging industry are low-paid within the meaning determined by the Expert Panel in the 2015-16 Annual Wage Review.
36. In determining the meaning of ‘low paid’ the Expert Panel in the 2015-16 Annual Wage Review at [359] note:
- There is broad acceptance of the proposition that the two-thirds of median (adult) ordinary time earnings constitutes a reasonable basis for identifying the low paid. As in past AWRs, we accept that adult award-reliant employees who receive a rate of pay that (as a full-time equivalent) is below two-thirds of median (adult) ordinary time earnings are an appropriate and practical benchmark for identifying who is low paid.*
37. This meaning of ‘low paid’ is again relied upon in the 2016-17 Annual Wage Review.²⁴
38. The Expert Panel in the 2016-17 Annual Wage Review state that according to the most recent data from the Australian Bureau of Statistics’ Survey of Employee Earnings and Hours, two-thirds of median full-time earnings is \$917.33.²⁵
39. The Dredging Award is divided into three wages streams depending on whether an employee works on a non-propelled dredge, on a propelled dredge that is not fully operational, or on a propelled dredge that is fully operational. Each stream has 19 or 20 classifications.
40. Based on the award’s ordinary time earnings and the definition of ‘low paid’ above, award-reliant employees of:
- a) 17 of 19 award classifications working on a non-propelled dredge are low paid; and
 - b) 14 of 20 award classifications working on a propelled dredge that is not fully operational are low paid.
41. It would appear that no award-reliant employee working on a propelled dredge that is fully operational is low paid. However, the weekly amounts stated in the Dredging Award for these employees are based on an 84-hour working week. If the amounts were instead based on the average 38-hour working week, employees in nine of 20 award

²⁴ Annual Wage Review 2016-17 Decision [2017] FWCFB 3500

²⁵ Annual Wage Review 2016-17 Decision [2017] FWCFB 3500

classifications in this stream would be low paid.

42. Of the 59 classifications under the Dredging Award, 31 are low paid. A further nine are also considered low paid if the rates listed are scaled to a 38-hour working week instead of the 84-hour working week used in one stream. In addition, the number of employees in this lower half of classifications is likely to be a high percentage of the workforce – crew attendants are likely to outnumber chief operators.

43. The granting of this claim has the capacity to enhance the relative living standards and the needs of the low paid by providing a small and reasonable improvement to the current working conditions in this industry.

Section 134 (1) (b) - The need to encourage collective bargaining

44. We submit this claim if granted will have a neutral impact on collective bargaining.

45. The payment or non-payment of annual leave loading is unlikely to determine the attitude of employers and employees to negotiating an enterprise agreement.

Section 134 (1) (c) – The need to promote social inclusion through increased workforce participation

46. This factor does not appear relevant to this claim.

Section 134 (1) (d) – The need to promote flexible modern work practices and the efficient and productive performance of work

47. This factor does not appear relevant to this claim.

Section 134 (1) (da) – The need to provide additional remuneration for overtime, unsocial, irregular or unpredictable hours, working on weekends or public holidays and employees working on shifts

48. This factor does not appear relevant to this claim.

Section 134 (1) (e) – The principle of equal remuneration for work of equal or comparable value

49. In the 2016-17 Annual Wage Review, The Expert Panel stated (our emphasis):

“Modern award minimum rates are structured to provide equal

*remuneration for work of equal or comparable value both within and across awards.*²⁶

50. Although this statement explicitly applies to wage rates, the provision of a national-standard loading on an employee's annual leave is intricately linked to income.

51. As such, we submit that the provision of annual leave loading in the overwhelming majority of modern awards coupled with the denial of annual leave loading to the employees covered by the Dredging Award offends this principle.

Section 134 (1) (f) – The likely impact of any exercise of modern award powers on business, including on productivity, employment costs and the regulatory burden

52. The granting of this claim is unlikely to have an impact on productivity or the regulatory burden for employers in the dredging industry.

53. However, we accept that the granting of the claim will result in a marginal increase to employment costs.

54. The marginal increase must be considered in the context of a low wages industry. As mentioned above, employees of many classifications under this award are 'low paid'.

Section 134 (1) (g) – The need to ensure a simple, easy to understand, stable and sustainable modern award system for Australia that avoids unnecessary overlap of modern awards

55. We submit this factor supports the granting of this claim because it will enhance the consistency of annual leave loading provisions in modern awards.

56. This will make the modern award system simpler and easier to understand as opposed to the current situation whereby a small number of awards do not contain annual leave loading for no apparent reason.

Section 134 (1) (h) – The likely impact of any exercise of modern award powers on employment growth, inflation and sustainability, performance and competitiveness of the national economy

²⁶ Annual Wage Review 2016-17 Decision [2017] FWCFB 3500 at [642]

57. We submit the granting of this claim is unlikely to have a significant impact on any of these factors.

58. The effect of the claim will be a very modest increase to employment costs.

59. This type of minor change will not have broader impacts on the Australian economy.

Evidentiary material and whether a separate Full Bench should be constituted

60. We do not intend to file any additional evidentiary material in support of this claim.

61. We do not consider it necessary for a separate Full Bench to be constituted to deal with this claim.

Yours Faithfully,

A handwritten signature in black ink, appearing to be 'ZD', with several horizontal strokes underneath.

Zachary Duncalfe
NATIONAL LEGAL OFFICER
Australian Workers' Union

DRAFT DETERMINATION

Fair Work Act 2009

Part 2-3 Division 4 – 4 Yearly Review of Modern Awards

s.156(2)(b)(i)

Application by The Australian Workers’ Union (AWU)

Dredging Industry Award 2010

(MA000085)

4 Yearly Review of Modern Awards

(AM2014/223)

Justice Ross, President

SYDNEY, X 2017

Review of modern awards to be conducted.

- [1] Further to the decision and reasons for decision <<decision reference>> in <<file_no.>>, it is determined pursuant to section 156(2)(b)(i) of the Fair Work Act 2009, that the Dredging Industry Award 2010 be varied as follows.

Clause 23 Annual leave

- [2] Delete the words in clause 23 and insert the following:

23.1 Annual leave is provided for in the NES.

When an employee takes a period of paid annual leave or is paid for accrued leave on termination, the employee will be paid an annual leave loading of 17.5% of the base rate of pay for the period in addition to the payment required to be made under Division 6 of the NES.

- [3] This determination will operate on and from

JUSTICE ROSS, PRESIDENT

COMPARISON OF ANNUAL LEAVE LOADING PROVISIONS IN MODERN AWARDS

AWARD	ENTITLEMENT	CLAUSE
Aboriginal Community Controlled Health Services Award 2010 [MA000115]	At least 17.5%	26.2
Aged Care Award 2010 [MA000018]	At least 17.5%	28.3
Air Pilots Award 2010 [MA000046]	At least 17.5%	27.3
Aircraft Cabin Crew Award 2010 [MA000047]	17.5%	25.3
Airline Operations-Ground Staff Award 2010 [MA000048]	At least 17.5%	34.5
Airport Employees Award 2010 [MA000049]	At least 17.5%	31.8
Alpine Resorts Award 2010 [MA000092]	No	N/A
Aluminium Industry Award 2010 [MA000060]	At least 20%	22.4
Ambulance and Patient Transport Industry Award 2010 [MA000098]	17.5%	30.3
Amusement, Events and Recreation Award 2010 [MA000080]	No	N/A
Animal Care and Veterinary Services Award 2010 [MA000118]	At least 17.5%	26.3
Aquaculture Industry Award 2010 [MA000114]	17.5%	23.5 (b)
Architects Award 2010 [MA000079]	17.5%	20.3 (a)

Asphalt Industry Award 2010 [MA000054]	At least 17.5%	25.6 (b)
Banking, Finance and Insurance Award 2010 [MA000019]	At least 17.5%	24.3
Black Coal Mining Industry Award 2010 [MA000001]	At least 20%	25.7
Book Industry Award 2010 [MA000078]	No	N/A
Broadcasting and Recorded Entertainment Award 2010 [MA000091]	17.5%	23.7
Building and Construction General On-site Award 2010 [MA000020]	17.5%	38.2 (b)
Business Equipment Award 2010 [MA000021]	At least 17.5%	31.2
Car Parking Award 2010 [MA000095]	At least 17.5%	25.6 (b)
Cement and Lime Award 2010 [MA000055]	At least 17.5%	24.6 (b)
Cemetery Industry Award 2010 [MA000070]	17.5%	24.2
Children's Services Award 2010 [MA000120]	17.5%	24.3
Cleaning Services Award 2010 [MA000022]	At least 17.5%	29.4
Clerks - Private Sector Award 2010 [MA000002]	At least 17.5%	29.3
Coal Export Terminals Award 2010 [MA000045]	At least 17.5%	19.4
Commercial Sales Award 2010 [MA000083]	17.5%	24.3
Concrete Products Award 2010 [MA000056]	At least 17.5%	26.6 (b)

Contract Call Centres Award 2010 [MA000023]	At least 17.5%	27.4 (b)
Corrections and Detention (Private Sector) Award 2010 [MA000110]	17.5%	24.3
Cotton Ginning Award 2010 [MA000024]	17.5%	25.2
Dredging Industry Award 2010 [MA000085]	No	N/A
Dry Cleaning and Laundry Industry Award 2010 [MA000096]	At least 17.5%	25.2
Educational Services (Post-Secondary Education) Award 2010 [MA000075]	At least 17.5%	25.3 (b)
Educational Services (Schools) General Staff Award 2010 [MA000076]	At least 17.5%	28.3
Educational Services (Teachers) Award 2010 [MA000077]	17.5%	23
Electrical Power Industry Award 2010 [MA000088]	At least 17.5%	27.3
Electrical, Electronic and Communications Contracting Award 2010 [MA000025]	At least 17.5%	28.3
Fast Food Industry Award 2010 [MA000003]	At least 17.5%	28.3
Fire Fighting Industry Award 2010 [MA000111]	Unique conditions	N/A
Fitness Industry Award 2010 [MA000094]	17.5%	27.2
Food, Beverage and Tobacco Manufacturing Award 2010 [MA000073]	At least 17.5%	34.5
Funeral Industry Award 2010 [MA000105]	17.5%	25.2

Gardening and Landscaping Services Award 2010 [MA000101]	17.5%	24.5
Gas Industry Award 2010 [MA000061]	At least 17.5%	25.5
General Retail Industry Award 2010 [MA000004]	At least 17.5%	32.3
Graphic Arts, Printing and Publishing Award 2010 [MA000026]	At least 17.5%	37.6
Hair and Beauty Industry Award 2010 [MA000005]	At least 17.5%	33.3
Health Professionals and Support Services Award 2010 [MA000027]	At least 17.5%	31.2
Higher Education Industry-Academic Staff-Award 2010 [MA000006]	17.5%	23.3
Higher Education Industry-General Staff-Award 2010 [MA000007]	At least 17.5%	30.3
Horse and Greyhound Training Award 2010 [MA000008]	17.5%	23.5 (b)
Horticulture Award 2010 [MA000028]	17.5%	25.6
Hospitality Industry (General) Award 2010 [MA000009]	17.5%	34.2
Hydrocarbons Field Geologists Award 2010 [MA000064]	Unique arrangements	21.2
Hydrocarbons Industry (Upstream) Award 2010 [MA000062]	At least 17.5%	27.5
Joinery and Building Trades Award 2010 [MA000029]	17.5%	32.3
Journalists Published Media	17.5%	24.5

Award 2010 [MA000067]		
Labour Market Assistance Industry Award 2010 [MA000099]	17.5%	25.2
Legal Services Award 2010 [MA000116]	At least 17.5%	35.3
Live Performance Award 2010 [MA000081]	17.5%	19.3
Local Government Industry Award 2010 [MA000112]	17.5%	25.4
Mannequins and Models Award 2010 [MA000117]	17.5%	24.2
Manufacturing and Associated Industries and Occupations Award 2010 [MA000010]	At least 17.5%	41.5
Marine Tourism and Charter Vessels Award 2010 [MA000093]	17.5%	23.3
Marine Towage Award 2010 [MA000050]	Unique arrangements	N/A
Maritime Offshore Oil and Gas Award 2010 [MA000086]	Unique arrangements	N/A
Market and Social Research Award 2010 [MA000030]	17.5%	23.2
Meat Industry Award 2010 [MA000059]	At least 17.5%	37.4
Medical Practitioners Award 2010 [MA000031]	At least 17.5%	28.3
Mining Industry Award 2010 [MA000011]	At least 17.5%	23.4
Miscellaneous Award 2010 [MA000104]	At least 17.5%	23.3
Mobile Crane Hiring Award 2010 [MA000032]	At least 17.5%	25.3 (b)

Nursery Award 2010 [MA000033]	17.5%	27.4
Nurses Award 2010 [MA000034]	At least 17.5%	31.4
Oil Refining and Manufacturing Award 2010 [MA000072]	At least 17.5%	26.4
Passenger Vehicle Transportation Award 2010 [MA000063]	17.5%	24.3
Pastoral Award 2010 [MA000035]	At least 17.5%	23.4
Pest Control Industry Award 2010 [MA000097]	At least 17.5%	24.5
Pharmaceutical Industry Award 2010 [MA000069]	At least 17.5%	26.4
Pharmacy Industry Award 2010 [MA000012]	At least 17.5%	29.3
Plumbing and Fire Sprinklers Award 2010 [MA000036]	17.5%	34.2
Port Authorities Award 2010 [MA000051]	At least 17.5%	22.3
Ports, Harbours and Enclosed Water Vessels Award 2010 [MA000052]	At least 17.5%	22.2
Poultry Processing Award 2010 [MA000074]	At least 17.5%	27.4
Premixed Concrete Award 2010 [MA000057]	At least 17.5%	24.6
Professional Diving Industry (Industrial) Award 2010 [MA000108]	17.5% for inshore divers; unique arrangements for offshore	25.3 and 25.4
Professional Diving Industry (Recreational) Award 2010 [MA000109]	17.5%	23.2
Professional Employees Award 2010 [MA000065]	17.5%	19.2

Quarrying Award 2010 [MA000037]	At least 17.5%	29.6
Racing Clubs Events Award 2010 [MA000013]	17.5%	30.5
Racing Industry Ground Maintenance Award 2010 [MA000014]	17.5%	24.4
Rail Industry Award 2010 [MA000015]	At least 17.5%	24.3
Real Estate Industry Award 2010 [MA000106]	17.5%	25.4
Registered and Licensed Clubs Award 2010 [MA000058]	17.5%	30.3
Restaurant Industry Award 2010 [MA000119]	17.5%	35.2 (b)
Road Transport (Long Distance Operations) Award 2010 [MA000039]	30%	23.2 (b)
Road Transport and Distribution Award 2010 [MA000038]	At least 17.5%	29.2
Salt Industry Award 2010 [MA000107]	17.5%	25.4
Seafood Processing Award 2010 [MA000068]	At least 17.5%	27.5
Seagoing Industry Award 2010 [MA000122]	Unique arrangements	N/A
Security Services Industry Award 2010 [MA000016]	17.5%	24.4
Silviculture Award 2010 [MA000040]	17.5%	29.5
Social, Community, Home Care and Disability Services Industry Award 2010 [MA000100]	At least 17.5%	31.3
Sporting Organisations Award 2010 [MA000082]	17.5%	25.3

State Government Agencies Administration Award 2010 [MA000121]	17.5%	24.2
Stevedoring Industry Award 2010 [MA000053]	17.5%	22.2
Storage Services and Wholesale Award 2010 [MA000084]	At least 17.5%	26.4
Sugar Industry Award 2010 [MA000087]	At least 17.5%	33.3
Supported Employment Services Award 2010 [MA000103]	17.5%	22.2
Surveying Award 2010 [MA000066]	17.5%	24.2
Telecommunications Services Award 2010 [MA000041]	At least 17.5%	23.3
Textile, Clothing, Footwear and Associated Industries Award 2010 [MA000017]	At least 17.5%	41.1
Timber Industry Award 2010 [MA000071]	At least 17.5%	33.5
Transport (Cash in Transit) Award 2010 [MA000042]	17.5%	29.3
Travelling Shows Award 2010 [MA000102]	17.5%	24.2
Vehicle Manufacturing, Repair, Services and Retail Award 2010 [MA000089]	At least 17.5%	29.7
Waste Management Award 2010 [MA000043]	At least 17.5%	33.2
Water Industry Award 2010 [MA000113]	17.5%	27.3
Wine Industry Award 2010 [MA000090]	At least 17.5%	31.4
Wool Storage, Sampling and Testing Award 2010	17.5%	26.2

[MA000044]		
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