

From: Sarah McKinnon [<mailto:SMcKinnon@nff.org.au>]
Sent: Monday, 15 August 2016 6:03 PM
To: Chambers - Clancy DP
Cc: Stephen Crawford; ebarrett@nuw.org.au; Karen Van Gorp; Julian Arndt; Zoe.McQuillan@ablawyers.com.au; Ruchi Bhatt; liza.isho@afei.org.au; paula.thomson@afei.org.au; Tass Angelopoulos; Kimberly Pearsall
Subject: AM2014/231 - Horticulture Award 2016 - Exposure Draft

Dear Deputy President Clancy,

We refer to the above matter and the conference held on 8 August 2016.

As advised in relation to Item 15, the NFF does not agree that casual employees can be shiftworkers under the current Horticulture Award 2010. Our interpretation relies in part on the fact that the shiftwork provisions in clause 22.1 of the Award are closely connected to the ordinary hours of work provisions for full time and part time employees in clause 22.1.

The initial exposure draft for the Horticulture Award 2016 changed this by moving clause 22.2 of the current Award to a stand alone clause 14. In our view, this represents a substantive change as to the scope of the shiftwork provisions, and the categories of employment to whom they apply.

On that basis, the NFF does not support the separation of clauses 22.1 and 22.2 of the current Award in connection with the exposure draft process. We seek that the two clauses remain co-located and we suggest that this be achieved by moving clause 14 of the Exposure Draft to clause 8.2.

Yours sincerely,

Sarah McKinnon | General Manager, Workplace Relations and Legal Affairs | National Farmers' Federation
T 02 6269 5666 | Locked Bag 9 Kingston ACT 2604 | smckinnon@nff.org.au | www.nff.org.au | [@NationalFarmers](#)



Australian Farmers' Federation
connect | stay informed | have your say