

Fair Work Commission

Fair Work Act 2009

s.156 4 yearly review of modern awards

AM 2016/5

Ports, Harbours and Enclosed Water Vessels Award 2010

Outline of Submissions

of

Australian Institute of Marine & Power Engineers

1. This outline of submission is made on behalf of the Australian Institute of Marine & Power Engineers (“AIMPE”).
2. On 2nd March 2015 AIMPE advised the Fair Work Commission of a number of issues that AIMPE sought to address in the Modern Award Review.
3. On 15th July 2015 AIMPE advised the Fair Work Commission of the issues that AIMPE intended to pursue in relation to the *Seagoing Industry Award 2010* and the *Ports, Harbours and Enclosed Water Vessels Award 2010*.
4. AIMPE supports the existing coverage clauses in each Maritime Award as per the exposure drafts for the 2016 Awards.

Wages/Relativities

5. AIMPE submits that in the making of the *Ports, Harbours and Enclosed Water Vessels Award 2010* the wrong relativity was applied between Master and Engineer. In the Award at Clause 13.1 the Engineer and Mate Classification are at the same wage rate. AIMPE submits that this is an anomaly as the Engineer wage rate should have been the same as the wage rate for Masters.
6. AIMPE submits that a comparison of wage rates for Engineers compared to wage rates for Masters from the Transitional Instruments demonstrates that the vast majority of the Transitional Instruments provided 100% relativity. The average of all the Transitional Instruments relativities between Engineer and Master equates to 99.08%. Attached to this submission and marked “**AIMPE 1**” is a spreadsheet containing the various Transitional Instruments and the relativity between Engineer and Master.

7. AIMPE submits that the anomaly should be resolved by increasing the wage rate of “Engineer” to the same level as “Master”.

Classification	Minimum Weekly Rate \$	Minimum hourly Rate \$
Master	895.90	23.58
Mate	853.30	22.46
Engineer	895.90	23.58

8. In the alternative AIMPE submits that to correct the anomaly the classification covering the only or senior engineer on a vessel “Chief Engineer” be reinstated at the rate of pay according to the proceeding submissions in addition to the current Award Classifications and wage rates. The reinstated classification of “Chief Engineer” would be represented in the Award as:

Classification	Minimum Weekly \$	Minimum hourly \$
Master	895.90	23.58
Chief Engineer	895.90	23.58
Mate	853.30	22.46
Engineer	853.30	22.46

9. AIMPE submits that the correction in this regard is to put in place what would have been consistent with the principles of the Award Modernisation process to, as far as possible, maintain consistency in the consolidation of the Awards subject of the process.

Nathan Niven
AIMPE Senior National Organiser
10th May 2016

Comparison of Engineer to Driver Relativity from Transitional Instruments

Ports, Harbours and Enclosed
Water Vessels Award 2010

			Relativity%	Comment
MA000052	A.W.U. Miscellaneous Workers' (ACT) Award 1998	<u>AP765606</u>		
	Deckhands (Passenger Ferries, Launches and Barges) Award	<u>AN160097</u>		No calling of engineer
	Maritime Award - Brisbane River and Moreton Bay 2003	<u>AN140163</u>		No calling of engineer
	Masters and Engineers' Award - Port of Brisbane 2003	<u>AN140164</u>	99.5%	Up to 210kW
	Masters and Engineers' Award - Port of Brisbane 2003	<u>AN140164</u>	100%	Over 210kW
	Masters, Mates and Engineers' Award, Motor Vessels 2500 B.H.P./1866 KW.B.P. and Under - State (Excluding The Port of Brisbane) 2003	<u>AN140165</u>		
	Masters, Mates and Engineers Passenger Ferries Award	<u>AN160199</u>	100%	
	Motor Boats and Small Tugs (State) Award	<u>AN120350</u>	97%	Note calling of Skipper
	Motor Ferries State Award	<u>AN120351</u>	100%	Dual cert callings
	North Queensland Boating Operators Employees Award - State 2003	<u>AN140190</u>	100%	
	Port Services Award 1998	<u>AP792489</u> <u>AT79248</u>	100%	
	Senior Officer's - Rail, Bus and Ferries New South Wales Award 2002	<u>AP818251</u> <u>AT81825</u>	100%	
	Shipping Award	<u>AN170095</u>		No calling of engineer
	Tugs		100%	
	Passenger Ferries 23.1 to 38.1 mtrs		100%	
	Passenger Ferries 38.1 mtrs		99.55%	
	Bruny Island Ferry		91.51%	
	MV Flinders		100%	
	MV Roger Rougier		98.60%	
	Wire Drawn Ferries (State) Award	<u>AN120650</u>	100%	
		total	1486%	
		number	15	of awards that contain M/E callings
	Average Relativity under the Transitional Instruments:		99.08%	
	Ports, Harbours and Enclosed Vessels Award 2010 Engineer Driver Relativity:		95.25%	Same as mate classification
	Discrepancy:		-3.83%	