

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2010-2011**

Agency - Fair Work Australia

DEEWR Question No.EW0285_11

Senator Abetz asked on 1/06/2010, Hansard page 110.

Question

APPLICATIONS FOR AWARD VARIATIONS

Senator ABETZ—I will not take that one any further. Are you able to tell us how many applications for variation or whatever for each award there might be? Take that on notice. I have just been told that there are some real issues in relation to the modern cleaning award. It was altered in May, is that right? If I may have the indulgence to quickly say what the problem is. A small business, a cleaning company, now have to pay, they were told, penalty rates for work on Saturdays and Sundays. They are in the business of cleaning low-cost accommodation cabins and that is all fine, but in very rough terms they were charging \$30 an hour and paying \$20 an hour, no matter when the work was being done. Now they have to pay—and this has been backdated on them—\$40 per hour, I think, on Saturdays and \$50 per hour on a Sunday. Of course, they have had their contractual arrangement, they have already done the work, and the business got a maximum \$30 per hour. But now, under this backdating, they will have to pay their workers moneys which they do not have; they cannot recoup it from the person for whom they provided the services. They are some of the difficulties—and I will just leave it at that—in relation to backdating of awards. If you could advise on notice whether or not the modern cleaning award was backdated last month, that would be very helpful.

Answer

Fair Work Australia has provided the following response:

The attached table provides a summary of the number of applications lodged since to vary each modern award from May 2009 to 1 June 2010.

The transitional provisions in the Cleaning Services Award 2010 were varied on 21 May 2010 with an operative date of 1 January 2010 as a result of proceedings in matter number AM2010/41.

Modern Award	Variation applications to 1 June 2010
Aboriginal Community Controlled Health Services Award 2010 [MA000115]	2
Aged Care Award 2010 [MA000018]	8
Air Pilots Award 2010 [MA000046]	1
Aircraft Cabin Crew Award 2010 [MA000047]	2
Airline Operations—Ground Staff Award 2010 [MA000048]	1
Airport Employees Award 2010 [MA000049]	3
Alpine Resorts Award 2010 [MA000092]	1
Aluminium Industry Award 2010 [MA000060]	-
Ambulance and Patient Transport Industry Award 2010 [MA000098]	-
Amusement, Events and Recreation Award 2010 [MA000080]	2
Animal Care and Veterinary Services Award 2010 [MA000118]	-
Aquaculture Industry Award 2010 [MA000114]	1
Architects Award 2010 [MA000079]	-
Asphalt Industry Award 2010 [MA000054]	-
Banking, Finance and Insurance Award 2010 [MA000019]	3
Black Coal Mining Industry Award 2010 [MA000001]	-
Book Industry Award 2010 [MA000078]	-
Broadcasting and Recorded Entertainment Award 2010 [MA000091]	7
Building and Construction General On-site Award 2010 [MA000020]	5
Business Equipment Award 2010 [MA000021]	-
Car Parking Award 2010 [MA000095]	-
Cement and Lime Award 2010 [MA000055]	-
Cemetery Industry Award 2010 [MA000070]	-
Children's Services Award 2010 [MA000120]	2
Cleaning Services Award 2010 [MA000022]	6
Clerks—Private Sector Award 2010 [MA000002]	13
Coal Export Terminals Award 2010 [MA000045]	-
Commercial Sales Award 2010 [MA000083]	-
Concrete Products Award 2010 [MA000056]	-
Contract Call Centres Award 2010 [MA000023]	-
Corrections and Detention (Private Sector) Award 2010 [MA000110]	-
Cotton Ginning Award 2010 [MA000024]	-
Dredging Industry Award 2010 [MA000085]	-
Dry Cleaning and Laundry Industry Award 2010 [MA000096]	-
Educational Services (Post-Secondary Education) Award 2010 [MA000075]	1
Educational Services (Schools) General Staff Award 2010 [MA000076]	1
Educational Services (Teachers) Award 2010 [MA000077]	1
Electrical, Electronic and Communications Contracting Award 2010 [MA000025]	3
Electrical Power Industry Award 2010 [MA000088]	2
Fast Food Industry Award 2010 [MA000003]	4
Fire Fighting Industry Award 2010 [MA000111]	2

Modern Award	Variation applications to 1 June 2010
Fitness Industry Award 2010 [MA000094]	2
Food, Beverage and Tobacco Manufacturing Award 2010 [MA000073]	2
Funeral Industry Award 2010 [MA000105]	4
Gardening and Landscaping Services Award 2010 [MA000101]	-
Gas Industry Award 2010 [MA000061]	1
General Retail Industry Award 2010 [MA000004]	27
Graphic Arts, Printing and Publishing Award 2010 [MA000026]	3
Hair and Beauty Industry Award 2010 [MA000005]	9
Health Professionals and Support Services Award 2010 [MA000027]	11
Higher Education Industry—Academic Staff—Award 2010 [MA000006]	1
Higher Education Industry—General Staff—Award 2010 [MA000007]	4
Horse and Greyhound Training Award 2010 [MA000008]	3
Horticulture Award 2010 [MA000028]	5
Hospitality Industry (General) Award 2010 [MA000009]	12
Hydrocarbons Field Geologists Award 2010 [MA000064]	-
Hydrocarbons Industry (Upstream) Award 2010 [MA000062]	-
Joinery and Building Trades Award 2010 [MA000029]	3
Journalists Published Media Award 2010 [MA000067]	1
Labour Market Assistance Industry Award 2010 [MA000099]	-
Legal Services Award 2010 [MA000116]	-
Live Performance Award 2010 [MA000081]	5
Local Government Industry Award 2010 [MA000112]	3
Mannequins and Models Award 2010 [MA000117]	-
Manufacturing and Associated Industries and Occupations Award 2010 [MA000010]	6
Marine Tourism and Charter Vessels Award 2010 [MA000093]	-
Marine Towing Award 2010 [MA000050]	1
Maritime Offshore Oil and Gas Award 2010 [MA000086]	-
Market and Social Research Award 2010 [MA000030]	-
Meat Industry Award 2010 [MA000059]	3
Medical Practitioners Award 2010 [MA000031]	-
Mining Industry Award 2010 [MA000011]	2
Miscellaneous Award 2010 [MA000104]	-
Mobile Crane Hiring Award 2010 [MA000032]	-
Nursery Award 2010	4
Nurses Award 2010 [MA000034]	7
Oil Refining and Manufacturing Award 2010 [MA000072]	1
Passenger Vehicle Transportation Award 2010 [MA000063]	1
Pastoral Award 2010 [MA000035]	5
Pest Control Industry Award 2010 [MA000097]	-
Pharmaceutical Industry Award 2010 [MA000069]	-
Pharmacy Industry Award 2010 [MA000012]	4
Plumbing and Fire Sprinklers Award 2010 [MA000036]	1
Port Authorities Award 2010 [MA000051]	1
Ports, Harbours and Enclosed Water Vessels Award 2010 [MA000052]	1

Modern Award	Variation applications to 1 June 2010
Poultry Processing Award 2010 [MA000074]	1
Premixed Concrete Award 2010 [MA000057]	-
Professional Diving Industry (Industrial) Award 2010 [MA000108]	-
Professional Diving Industry (Recreational) Award 2010 [MA000109]	-
Professional Employees Award 2010 [MA000065]	5
Quarrying Award 2010 [MA000037]	-
Racing Clubs Events Award 2010 [MA000013]	3
Racing Industry Ground Maintenance Award 2010 [MA000014]	2
Rail Industry Award 2010 [MA000015]	1
Real Estate Industry Award 2010 [MA000106]	-
Registered and Licensed Clubs Award 2010 [MA000058]	9
Restaurant Industry Award 2010 [MA000119]	-
Road Transport and Distribution Award 2010 [MA000038]	4
Road Transport (Long Distance Operations) Award 2010 [MA000039]	3
Salt Industry Award 2010 [MA000107]	-
Seafood Processing Award 2010 [MA000068]	1
Seagoing Industry Award 2010 [MA000122]	-
Security Services Industry Award 2010 [MA000016]	2
Silviculture Award 2010 [MA000040]	1
Social, Community, Home Care and Disability Services Industry Award 2010 [MA000100]	5
Sporting Organisations Award 2010 [MA000082]	1
State Government Agencies Administration Award 2010 [MA000121]	-
Stevedoring Industry Award 2010 [MA000053]	-
Storage Services and Wholesale Award 2010 [MA000084]	1
Sugar Industry Award 2010 [MA000087]	-
Supported Employment Services Award 2010 [MA000103]	1
Surveying Award 2010 [MA000066]	1
Telecommunications Services Award 2010 [MA000041]	-
Textile, Clothing, Footwear and Associated Industries Award 2010 [MA000017]	5
Timber Industry Award 2010 [MA000071]	5
Transport (Cash in Transit) Award 2010 [MA000042]	1
Travelling Shows Award 2010 [MA000102]	-
Vehicle Manufacturing, Repair, Services and Retail Award 2010 [MA000089]	13
Waste Management Award 2010 [MA000043]	3
Water Industry Award 2010 [MA000113]	1
Wine Industry Award 2010 [MA000090]	-
Wool Storage, Sampling and Testing Award 2010 [MA000044]	1