Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2020 [Provisions] Submission 108



Submission to the Senate Education and Employment Legislation Committee Inquiry

Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2020

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LEVEL 2, 97-99 BATHURST STREET, SYDNEY NSW 2000 POSTAL PO BOX A233, SYDNEY SOUTH NSW 1235 Australian Federation of Employers and Industries (AFEI)

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Introduction

- This submission is made by the Australian Federation of Employers and Industries ("AFEI") and, particularly in relation to the submissions below concerning travel and tourism, on behalf of the Association of Marine Park Tourism Operators (the AMPTO) and the Commercial Vessels Association (NSW) (the CVA).
- AFEI is a member of the Australian Chamber of Commerce and Industry (ACCI) and has had an opportunity to review ACCI's submissions to the Committee regarding the Bill. AFEI supports the submissions and recommendations of ACCI, but makes the following submissions in relation to particular issues of concern.

Background

- 3. According to the Reserve Bank of Australia, whilst the outlook for the global economy has improved over recent months due to the development of vaccines, the path ahead is likely to remain "bumpy and uneven" with any recovery to be dependent on various factors including the current health situation. Notably, inflation remains low and below central bank targets.¹
- 4. While the Covid-19 pandemic (the pandemic) and its related public health restrictions have adversely impacted the operations of most businesses, some industry sectors have been more adversely affected. The Fair Work Commission's (the "Commission") Annual Wage Review Decision of 19 June 2020², noted the impact of the pandemic in its decision to defer the 2020 award wage increases (1.75%) for many industry sectors.
- 5. The Commission, in its Annual Wage Review 2019-20, observed:

"Federal and state government-imposed restrictions to contain the spread of the virus, have had a profound economic impact. The restrictions have included travel restrictions (both international and domestic) and social distancing rules. The social and economic consequences of these measures have been unprecedented and have led to <u>business closures and job losses</u>...these actions have <u>significantly reduced domestic activity</u> and resulted in 'a large and near simultaneous contraction across the global economy".³ (emphasis added).

¹ <u>https://www.rba.gov.au/media-releases/2021/mr-21-01.html</u>

² [2020]FWCFB 3500

³ [2020] FWCFB 3501 at [11].

- 6. The Commission identified 74 modern awards, covering industry sectors 'adversely impacted', with wage increase deferred to 1 November 2020 (Group 2). It also identified a further 27 modern awards (Group 3) covering industry sectors 'most adversely impacted', with the wage increase applying from 1 February 2021. Although the Commission noted that its allocation of sectors via modern awards was 'imperfect', the pandemic impacted sectors include many *distressed* sectors as follows:
 - a. Accommodation and food services;
 - b. Arts and recreation services;
 - c. Aviation;
 - d. Retail trade; and
 - e. Tourism.
- 7. Set out at **Appendix A** to this submission is a copy of the Group 2 and Group 3 modern awards.
- 8. Although the travel and tourism sectors are not the only distressed sectors, as one of Australia's largest sector prior to the pandemic, they are a particular example of the hardest hit sectors, with little to no opportunity to recover. It is estimated that tourism enterprises are currently losing up to \$9 billion in collective monthly earnings.⁴ Tourism Australia data indicates that, in the month of November 2020, visitor arrivals were down 99.1% relative to the same period in November 2019.⁵
- 9. Using tourism as an industry example, data provided by the Australian Government's Tourism Businesses Report pre-pandemic, in June 2019, indicated that there were 144,126 businesses employing between 1 to 19 employees, representing 46.1% of tourism businesses in that period.⁶ Many of these employees have been sustained almost solely by JobKeeper.
- 10. While the Tourism Business Report for June 2020, is not yet publically available, we understand it will show the effects of suspended international tourism, social distancing and domestic travel and related industry restrictions. The Government has acknowledged that the economic shocks from the pandemic are "having a huge impact on tourism businesses in Australia".⁷ According to KPMG, in 2019, the tourism spend in Australia from international travellers was \$31 billion.⁸
- 11. According to the Australian Airports Association (AAA), the lack of confidence around border controls is the largest deterrent to travel, based on research undertaken by the AAA, conducted between 14 December 2020 and 18 December 2020. AAA found that more than half of Australians willing to travel interstate are discouraged from booking airfares due to the risk of sudden border closures rather than the potential health risks.⁹

⁴ <u>ATIC-JobKeeker-Extension-Policy-Position.pdf (qualitytourismaustralia.com)</u>

⁵ https://www.tourism.australia.com/en/markets-and-stats/tourism-statistics.html

⁶ <u>https://www.tra.gov.au/data-and-research/reports/tourism-businesses-in-australia-june-2014-to-2019/tourism-businesses-in-australia-june-2014-to-2019</u>

⁷ <u>https://www.tra.gov.au/data-and-research/reports/tourism-businesses-in-australia-june-2014-to-2019/tourism-businesses-in-australia-june-2014-to-2019</u>

⁸ https://home.kpmg/au/en/home/insights/2020/12/beyond-covid-19-rise-of-domestic-travel-tourismaustralia.html

⁹ <u>https://airports.asn.au/wp-content/uploads/2020/12/Media-Release-Australian-Airports-Association-New-research-shows-strong-appetite-for-air-travel-but-concerns-remain-over-border-closures-23-December-2020.pdf</u>

- 12. AFEI's members in the travel and tourism sectors have described the severity of the impact. The AMPTO informs us that it is currently not unusual for its member businesses in the Whitsundays and far North Queensland to be operating at around 10% or less revenue than for the year prior to the pandemic. These businesses are described as being in *survival* mode. The once vibrant Sydney Harbour charter boat and cruise sectors, has been similarly impacted, either due to initially not being permitted to operate, and subsequently according restrictions on operations and tourist travel that have made operations uneconomic, and unsustainable.
- 13. As a result of the shut-down of global travel, travel agents are reported to have lost more than 90% of their income.¹⁰ Revenue in the Foreign Currency exchange industry is forecast to decrease by 29.2% in 2020-21. In a non-COVID environment, the industry would have been forecast to grow by 4.5%.¹¹ As a result, smaller kiosk operators are likely to exit the industry due to low demand and cash flows at crisis levels.¹²
- 14. Members of AFEI include other small business employers¹³ who fall within the Group 3 modern awards noted above, also describing their business circumstances as survival mode, continuing to operate only due to a combination of factors including but not limited to rental relief, government grants and Jobkeeper.

The purpose of the Bill

- 15. The purpose of the Bill, as confirmed by the Minister for Industrial Relations, is one simple goal, to *create jobs*.¹⁴ According to the Explanatory Memorandum to the Bill, the Bill is to assist Australia's recovery from COVID-19 and "aims to improve the operation and usability of the national industrial relations system...by providing greater certainty and flexibility to employers and employees...to support productivity, employment and economic growth".¹⁵
- 16. Despite its stated purpose, however, much of the Bill is concerned with new and additional obligations for employers, unrelated to job retention and growth.
- 17. In this regard the Bill's proposals concerning the *Casual Employee Information Statement* and *Casual Conversion* provisions, including the proposed Commission's power to arbitrate disputes, are unnecessary, additional regulatory burdens, and should be removed from the Bill. Member businesses are particularly concerned that, while all their available resources are devoted to business survival, they could be required to devote the time and cost necessary to defend an arbitration before the Commission concerning casual conversion.
- 18. It is notable also that around one third of the Bill is concerned with increased penalties and sanctions on employers for non-compliance. We note and agree with the comprehensive submissions of ACCI opposing these proposals.

¹⁰ https://www.afta.com.au/uploads/834/covid-impact-on-tas-flyer-final.pdf

¹¹ https://www.ibisworld.com/au/industry/foreign-currency-exchange-services/5094/

¹² https://www.ibisworld.com/au/industry/foreign-currency-exchange-services/5094/

¹³ As defined by section 23, Fair Work Act 2009 (Cth).

¹⁴ <u>https://parlinfo.aph.gov.au/parlInfo/genpdf/chamber/hansardr/8d35ad3a-06a6-4b15-b4bc-d5f91eeb30c9/0025/hansard_frag.pdf;fileType=application%2Fpdf</u>

¹⁵ Explanatory Memorandum to the Bill.

- 19. When added to all the other disincentives to engage and retain employees in industrial relations and employment legislation, the additional obligations and burdens proposed for employers, and in particular small business employers, will leave many employers further exposed to both financial and compliance risks, making many small employers unviable and others unwilling to battle for shrinking margins amidst the many other disincentives.
- 20. Too many industrial relations and employment laws already make it unreasonably difficult to manage and run a business and are certain to undermine the preparedness of employers to take risks and employ people. Moreover, the Commission's continual review and expansion/extension of employee entitlements, and additional employer obligations in modern awards, continues to reduce employment flexibility and constrict employer prerogatives. And the Fair Work Act is, and is now increasingly, assisting this process. Little wonder then that enterprise agreement numbers are declining; there is almost no room left between the aggregate, and inflexible, fixed costs in awards and legislation and the price of goods and services in the market, where our markets are so often shaped and constrained by forces beyond our domestic control.
- 21. How then will the Bill achieve its aim to "create jobs" and "provide greater flexibility to employers" and as such, would not support "productivity, employment and economic growth". Through discussions with members we have identified three measures only that potentially contribute to employment retention/growth, and in that regard are necessary. These measures are casual Employment and in particular the statutory offset provision; Modern Award flexibility provisions; and the Enterprise Agreement proposals.
- 22. Each of these measures, moreover, requires amendment. As discussed in more detail in ACCI's submissions, they require either improvement or refinement. It is also important to note that all three measures are unlikely to apply to any one employer, and for many employers, only one measure would be applicable, as discussed in more detail below.

Casual Employment

23. Prior to the recent Federal Court decisions of *Workpac v Skene*¹⁶ ("Skene") and *Workpac v Rossato*¹⁷ ("Rossato"), casual employees were *engaged and paid* as such, with payment typically pursuant to an industrial instrument.¹⁸ That is to say, the employer offered and the employee accepted casual employment and the employee was paid an amount that included, or at least satisfied the amount of casual loading. The amount paid was in compensation for a number of entitlements applicable to part-time or full-time employees, including paid leave, public holidays, notice of termination and redundancy. The casual loading amount in award modernisation, the Australian Industrial Relations Commission decided that casual loading in all modern awards would be a standard amount of 25%. ¹⁹

¹⁶ [2018] FCAFC 131.

^{17 [2020]} FCAFC 84.

¹⁸ [2013] FWCFB 2434.

¹⁹ [2008] AIRCFB 1000.

- 24. As highlighted by ACCI's submission and to some extent, the Explanatory Memorandum to the Bill, *Skene* and *Rossato* departed from the long-standing approach described above (the conventional approach). The Federal Court's decisions in *Skene* and *Rossato* caused significant concern among many employers with its rejection of the conventional approach. It also caused concern among employers that the Court rejected the Federal Government's attempt to enable the Court to reject 'double dipping' claims, for which they had already been paid.
- 25. For many employers, the Federal Court's decisions in *Skene* and *Rossato*, would be *unjust* if applied to casual employment more generally, particularly in circumstances where:
 - a. the employer and employee have contractually agreed to the terms of employment;
 - b. the employment is often suitable to an employer, and it is not unusual for the casual employee to not request casual conversion, where eligible, despite such an entitlement being available in most modern awards;
 - c. the employee was paid an amount of wages, typically the casual loading, required by the type of employment, and in satisfaction of the 'other than casual' employee entitlements noted above;
 - d. the amount paid to the employee, which would not have been payable if the employee were not a casual employee, effectively the employee was overpaid the casual loading;
 - e. and, potentially, the employee being able to obtain payment of the leave and other entitlements, despite the overpayment; and,
 - f. the employer having no means of redress and being required to pay for the same entitlements twice.
- 26. Further, not only unjust, it is hard to imagine a worse time for many employers to be facing claims for such 'double-dipping'.
- 27. In view of the above, the Bill's insertion of the new section 545A, which is *"intended to prevent unfair outcomes in situations where employers have to pay an employee twice for the same entitlement"*,²⁰ is not only necessary, but for many employers, the only measures in the Bill supporting their employment. The Explanatory Memorandum²¹ advises that the potential economic impact of the Federal Court's decisions would be between \$18Billion and \$39Billion. Clearly this matter is not only related to employment, but the failure to protect businesses from double dipping would be counter employment, and almost certainly will result in job losses and even business failures.
- 28. AFEI supports the Bill's intention, but proposes amendments. Section 545A(1), the statutory offset mechanism, sets out the criteria for applicability. The section <u>only</u> applies if an employer pays *"the person an identifiable amount (the loading amount)... to compensate the person for not having one or more relevant entitlements during a period"*.

²⁰ Outline of the Explanatory Memorandum

²¹ Explanation Memorandum at [page VIII].

29. The Explanatory Memorandum provides:

"for example, where a modern award or enterprise agreement, or an employment contract, provides for a clearly identifiable casual loading. <u>This</u> <u>would not include circumstances where an employee is paid a flat hourly rate</u> <u>and it is not clear from the terms of the applicable instrument whether that</u> <u>rate includes a casual loading</u>. The instrument does not need to state precisely which entitlements the loading is compensating for, but it must identify an amount that is paid to compensate a casual employee for the absence of one or more of the relevant entitlements". (emphasis added)

- 30. It is unclear why employees who have been paid a flat hourly rate, inclusive of casual loading, would be excluded from eligibility from this section. As identified in the explanatory memorandum, *"many enterprise agreements and modern awards provide that a casual employee is one who is engaged and paid as such"*.²² Further, as employment contracts can be made verbally, this suggests that such employers would be excluded from application of this section.
- 31. In the light of the above, we suggest the criteria in section 545A(1) be varied to capture scenarios summarised above, in the absence of which, we submit that the proposed statutory offset mechanism should provide more certainty to businesses about casual employment, for the reasons stated.

Casual Conversion

- 32. The Bill requires an employer to make a written offer to convert a casual employee to full-time or part-time employment, where the employee has been employed for 12 months; and during the last 6 months of that period, the employee has worked a regular pattern of hours on an ongoing basis and the employee could continue to work full/part time hours without significant adjustment.
- 33. The current legal framework around casual employment already, and, in our view, sufficiently, recognises regular and systematic casuals. Regular and systematic casuals are entitled to many rights including but not limited to long service leave, protection from unfair dismissal, and the right to request casual conversions where they are covered by most of the modern awards. The current award provisions are relatively new, resulting from the Commission's 5 July 2017 Decision following the major case concerning part time and casual employment. The Decision introduced a standard casual conversion clause inserted into the remaining 85 modern awards, which did not already have such provisions.
- 34. The current obligations already provide entitlements for employees to 'convert' and impose significant obligations on employers. Further regulation is unnecessary and would mean additional administrative on employers, including small business employers. For example:
 - a. Section 66C(3), Schedule 1 of the Bill, requires employers to give written notice to casual employees where it decides not to make an offer of casual conversion including in circumstances where the employer has reasonable grounds for deciding not to make an offer;

²² Explanatory Memorandum at [89].

- b. Where the employee accepts the employer's offer to convert the employment from casual to full or part-time employment, section 66E(2) requires the employer to discuss with the employee certain matters (i.e. whether the employment will be full or part-time, the employee's hours of work after the conversion and the day the conversion takes effect), even though such matters would be confirmed by the employer in writing by virtue of section 66E(2);
- c. Where an employer refuses an employee's request (for conversion), section 66H obliges an employer to consult with the employee. This is despite s.66G obligating the employer to explain the reasons for accepting or refusing the request, in writing
- d. Section 66M of the Bill refers disputes to the Commission, if discussions at the workplace level do not resolve. It also gives the Commission the power to arbitrate such disputes.

Award flexibility

Identified Modern Awards (Section 168M(3) of the Bill)

- 35. The proposed provisions would provide assistance to businesses in some modern awards particularly where part time employment provisions are overly prescriptive and inflexible, although amendments are necessary. AFEI supports the recommendations by ACCI to address some of the concerns identified.
- 36. The Identified Modern Awards list, however, excludes a number of distressed sectors that the Bill would be expected to assist, given its stated purpose. The list should be expanded to also include (and not be limited to) the following 'Group 3' awards identified by the Commission in the Annual Wage Review Decision:
 - Marine Tourism and Charter Vessels Award 2020
 - Professional Diving Industry (Recreational) Award 2020
 - Racing Clubs Events 2020
 - Racing Industry Ground Maintenance 2020
 - Horse and Greyhound Training 2020
- 37. As noted above, as one of the three measures potentially assisting employment, its application to employers, would be quite limited. Potentially employers covered by one or more of perhaps 100 or so awards not identified, would obtain no assistance from this measure.
- 38. The comments above are not to suggest that the awards not 'identified' are sufficiently flexible to promote employment. The submissions by ACCI address these concerns in more detail.

Enterprise Agreements

39. AFEI supports the submissions of ACCI concerning enterprise agreements generally. Enterprise bargaining under the Fair Work Act has become overly complex and is failing to deliver productivity benefits at an enterprise level, in turn, discouraging employers from entering into enterprise agreements and not renewing agreements. 40. This has occurred for two reasons principally. First, award wage increases, especially since 2014, have outpaced cost of living increase and wage growth generally as shown in the table below. The scope for bargaining around over-award wages has been eroded significantly in many private industry sectors. The impact such increases have on the application of penalties and overtime has compounded the problem increasing the cost of labour significantly.

| Year | CPI # | WPI * | Nat Wage Review |
|------|-------|-------|-----------------|
| 2010 | 3.1% | 3.0% | \$26 per week |
| 2011 | 3.6% | 3.8% | 3.4% |
| 2012 | 1.2% | 3.7% | 2.9% |
| 2013 | 2.4% | 3.0% | 2.6% |
| 2014 | 3.0% | 2.6% | 3.0% |
| 2015 | 1.5% | 2.3% | 2.5% |
| 2016 | 1.0% | 2.1% | 2.4% |
| 2017 | 1.9% | 1.9% | 3.3% |
| 2018 | 2.1% | 2.1% | 3.5% |
| 2019 | 1.6% | 2.3% | 3.0% |
| 2020 | -0.3% | NA | 1.75% |

Comparison of modern award wage increases against Economic indicators

* Wage Price Index (Trend Australia)

Consumer Price Index (weighted average of eight capital cities all groups)

- 41. Secondly, the increasing rigidity of the bargaining and approval processes, particularly since the Coles Decision in 2016, along with a succession of other Commission decisions. In particular, BOOT testing has resulted in enterprise agreements that largely mirror award conditions and provide marginal flexibility for employers.
- 42. The two factors combined have discouraged enterprise bargaining rather than embracing collective bargaining at an enterprise level as envisaged in the Objects of the Fair Work Act²³.
- 43. To the extent that the Bill addresses the second factor, the proposed amendments are necessary, although we agree with ACCI recommendations for further amendment or refinement.
- 44. A lot has already been said about the application of s189 in exceptional circumstances. AFEI supports the use of s189 when approving agreements or varying agreements, to provide temporary relief for businesses from the effects of COVID-19 so that businesses remain viable and are able to retain employees in jobs.
- 45. The Commission has had the authority to approve agreements in exceptional circumstances even before the Fair Work Act, to deal with short-term crisis and to assist in the revival of a business provided it was not contrary to the public interest.

²³ Section 3, Fair Work Act.

Compliance and Enforcement

46. ACCI have made detailed and comprehensive submissions in response to Schedule 5, Schedule 6 and Schedule 7 of the Bill. AFEI support ACCI's submissions.

Conclusion

- 47. The Bill has been introduced to assist in the economic recovery and in supporting Australia's jobs.
- 48. The practical reality of the Bill can be summarised as follows:
 - *First*, if an employer is covered by an enterprise agreement, the proposals at Schedule 3 of the Bill are important and necessary. However, enterprise agreement coverage has been on the decline.²⁴ For employers not covered by enterprise agreements, the proposals at schedule 3 will not apply to them;
 - b. **Second**, the Bill's proposals relating to modern awards at schedule 2 of the Bill only apply to 12 modern awards (at section 168M(3) of the Bill). We propose increasing the modern awards in the definition of 'identified modern award'. Notwithstanding our proposal and the importance of such measures, schedule 2 would not apply to possibly 100 or more modern awards and would therefore have no applicability for a significant number of employers ;
 - c. **Third,** the Bill's proposals in relation to compliance and enforcement at schedule 5, and other proposals in the Bill discussed earlier, would not assist employers. We refer to ACCI's submissions;
 - d. *Finally*, the real protection afforded to employers in the Bill is section 545A and the ability for employers to not have to face unjust and untimely double dipping claims by employees engaged as a casual and who are then found to be 'other than a casual'.
- 49. In our view, therefore, other than the statutory offsetting mechanism (section 545A), the reality is that the Bill offers little in terms of "creation of jobs". On the other hand, it appears to subject businesses to enhanced penalties and administrative burdens.
- 50. If the Bill is varied to provide less certainty for employers, for example, section 545A were to be removed or amended so as to exclude certain employers, this could not only risk the closing down of businesses, as informed by our members, but the Bill would achieve the opposite of its one goal to create jobs. That is, the Bill could destroy jobs.

²⁴ <u>https://www.ag.gov.au/system/files/2020-12/trends-in-federal-enterprise-bargaining-report-september-2020.pdf</u> (page 12).

Appendix A – Group 2 and Group 3 Modern Awards

The Group 2 Awards

- Aluminium Industry Award 2020;
- Animal Care and Veterinary Services Award 2020;
- Aquaculture Industry Award 2020;
- Architects Award 2020;
- Asphalt Industry Award 2020;
- Australian Government Industry Award 2016;
- Black Coal Mining Industry Award 2010;
- Book Industry Award 2020;
- Broadcasting, Recorded Entertainment and Cinemas Award 2010;
- Building and Construction General On-site Award 2010;
- Business Equipment Award 2020;
- Car Parking Award 2020;
- Cement, Lime and Quarrying Award 2020;
- Clerks—Private Sector Award 2020;
- Coal Export Terminals Award 2020;
- Concrete Products Award 2020;
- Contract Call Centres Award 2020;
- Cotton Ginning Award 2020;
- Dredging Industry Award 2020;
- Educational Services (Post-Secondary Education) Award 2020;
- Electrical, Electronic and Communications Contracting Award 2010;
- Food, Beverage and Tobacco Manufacturing Award 2010;
- Gardening and Landscaping Services Award 2020;
- Graphic Arts, Printing and Publishing Award 2010;
- Higher Education Industry-Academic Staff-Award 2020;
- Higher Education Industry-General Staff-Award 2020;
- Horticulture Award 2010;
- Hydrocarbons Field Geologists Award 2020;
- Hydrocarbons Industry (Upstream) Award 2020;
- Joinery and Building Trades Award 2010;
- Journalists Published Media Award 2020;
- Labour Market Assistance Industry Award 2020;
- Legal Services Award 2020; Local Government Industry Award 2020;

- Manufacturing and Associated Industries and Occupations Award 2020;
- Marine Towage Award 2020;
- Maritime Offshore Oil and Gas Award 2020;
- Market and Social Research Award 2020;
- Meat Industry Award 2020;
- Mining Industry Award 2020;
- Miscellaneous Award 2020;
- Mobile Crane Hiring Award 2010;
- Oil Refining and Manufacturing Award 2020;
- Passenger Vehicle Transportation Award 2020;
- Pastoral Award 2010; Pest Control Industry Award 2020;
- Pharmaceutical Industry Award 2010;
- Plumbing and Fire Sprinklers Award 2010;
- Port Authorities Award 2020;
- Ports, Harbours and Enclosed Water Vessels Award 2020;
- Poultry Processing Award 2020;
- Premixed Concrete Award 2020;
- Professional Diving Industry (Industrial) Award 2020;
- Professional Employees Award 2020;
- Rail Industry Award 2020;
- Real Estate Industry Award 2020;
- Road Transport (Long Distance Operations) Award 2020;
- Road Transport and Distribution Award 2020;
- Salt Industry Award 2010;
- Seafood Processing Award 2020;
- Seagoing Industry Award 2020;
- Security Services Industry Award 2020;
- Silviculture Award 2020;
- Stevedoring Industry Award 2020;
- Storage Services and Wholesale Award 2020;
- Sugar Industry Award 2020;
- Supported Employment Services Award 2020;
- Surveying Award 2020;
- Telecommunications Services Award 2010;
- Textile, Clothing, Footwear and Associated Industries Award 2010;

- Timber Industry Award 2010;
- Transport (Cash in Transit) Award 2020;
- Waste Management Award 2020; and
- Wool Storage, Sampling and Testing Award 2010.

The Group 3 Awards

- Air Pilots Award 2020;
- Aircraft Cabin Crew Award 2020;
- Airline Operations-Ground Staff award 2020;
- Airport Employees Award 2020;
- Alpine Resorts Award 2020;
- Amusement, Events and Recreation Award 2020;
- Commercial Sales Award 2020;
- Dry Cleaning and Laundry Industry Award 2020;
- Fast Food Industry Award 2010;
- Fitness Industry Award 2010;
- General Retail Industry Award 2010;
- Hair and Beauty Industry Award 2010;
- Horse and Greyhound Training Award 2020;
- Hospitality Industry (General) Award 2020;
- Live Performance Award 2010;
- Mannequins and Models Award 2020
- Marine Tourism and Charter Vessels Award 2020;
- Nursery Award 2020;
- Professional Diving Industry (Recreational) Award 2020;
- Racing Clubs Events Award 2010;
- Racing Industry Ground Maintenance Award 2020;
- Registered and Licensed Clubs Award 2010;
- Restaurant Industry Award 2020;
- Sporting Organisations Award 2020;
- Travelling Shows Award 2020;
- Vehicle Repair, Services and Retail Award 2020; and
- Wine Industry Award 2010