

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

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

Agency - Fair Work Australia

DEEWR Question No.EW0582_11

Senator Abetz asked on 20/10/2010, Hansard page 71.

*Refers to previous DEEWR Question No [EW0285_11](#)
Question*

FWA - EW0285_11

Senator ABETZ—You kindly provided a list, in answer to question EW0285, of applications for award variations. The Clerks—Private Sector Award had 13 variation applications and the General Retail Industry Award had 27. Are you able to give us a brief snapshot as to why those two awards have had so many applications for variation? Is it that there were matters in the modern award that might not have been as well expressed as otherwise or that the industry has moved and new times require changes to the modern award? Are we able to provide any detail as to that or not? Mr Nassios—I will have to rely on Mr Hower for any information he may be able to provide. Mr Hower—I will take that on notice.

Answer

Fair Work Australia has provided the following response:

Both the General Retail Industry Award 2010 and the Clerks-Private Sector Award 2010 were dealt with in the priority stage of award modernisation and published in December 2008.

Clerks-Private Sector Award 2010

Of the 13 applications to vary; four were by employer organisations, four by employee organisations, four by superannuation providers and one by an individual. Three of the applications to vary this award related to the inclusion of additional superannuation default funds in the award. The remaining 10 applications related to wages, overtime, rostering and coverage. The terms and conditions in the Clerks-Private Sector Award were derived from approximately 69 pre-reform federal awards and Notional Agreements Preserving State Awards (NAPSAs) therefore the modern award sought to rationalise a number of disparate provisions.

General Retail Industry Award 2010

Of the 27 applications to vary; 15 were by employer organisations, six by employee organisations, four by superannuation providers and two by individuals. Four of the applications to vary this award related to the inclusion of additional superannuation default funds in the award. Five applications related to minimum engagement. The remaining 18 applications related to allowances, hours, wages, overtime and penalty rates. The terms and conditions in the General Retail Industry Award 2010 were derived from approximately 42 pre-reform federal awards and NAPSAs therefore the modern award sought to rationalise an array of disparate provisions. The applications to vary relied on various grounds.