

4-year review comparison of VMRSR Award v VRSR Award – (Reviewed Award)

24 February 2020

Vehicle Manufacturing, Repair, Services and Retail Award 2010		Vehicle, Repair Services and Retail Award 2020		Comparison between awards
Old Clause No.	Old Clause Title	New Award Clause No	New Award Clause Name	Changes
1.	Title	1.	Title and Commencement	<ul style="list-style-type: none"> ➤ Title changed to: Vehicle Repair, Services and Retail Award 2020 ➤ Reference to Section 2 - Vehicle Manufacturing employees deleted
2.	Commencement and Transition	N/A	N/A	Clause deleted
3.	Definitions and Interpretation	2	Definitions	<ul style="list-style-type: none"> ➤ Essentially removes 'manufacturing' definitions, including 'dismantler' ➤ Amendment to "Spare Parts Interpreter" definition
4.	Coverage	4.	Coverage	<ul style="list-style-type: none"> ➤ Removes reference to manufacturing and has been re-drafted to describe coverage under the new award. ➤ Coverage of trailerable boats included.
5	Access to the Award and National Employment Standards	3	The National Employment Standards and this award	Provisions incorporated in clause 3- The National Employment Standards and this award
6	The National Employment Standards and this award	3.	The National Employment Standards and this award	Minor redrafting – to incorporate previous clauses 5 and 6.
7.	Individual flexibility arrangements	5.	Award Flexibility	Amended by PR610255 of 1/11/18 Plain language re-drafting of clause
8.	Consultation about major workplace change	35	Consultation about major workplace change	No changes

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8A	Consultation about changes to rosters or hours of work	36	Consultation about changes to rosters or hours of work	No changes
9.	Dispute Resolution	37	Dispute Resolution	No changes
10.	Types of Employment	8.	Types of Employment	Minor re-drafting
11.	Full-time Employment	9	Full Time employees	Minor re-drafting of f/time employee definition
12.	Part-time Employment	10	Part time employees	Minor re-drafting
13.	Casual Employment.	11	Casual employees	<ul style="list-style-type: none"> ➤ Minor re-drafting of casual employee definition ➤ Minimum engagement of 2 hours inserted ➤ Casual loadings for general casuals included ➤ Ord hour limits of 10 hours /38 hour average inserted ➤ Model Term for casual conversion inserted ➤ Casual provisions re Roadhouses /Service Stns referred to cl:27.3
14.	Juniors	12.	Junior employees	Prohibited work under previous cl: 14.2 (d) deleted as related to Manufacturing
15.	Apprentices (including adult and school based apprentices and trainees)	13.	Apprentices (including adult and school based apprentices) & trainees	<ul style="list-style-type: none"> ➤ Minor changes in sub-cl headings ➤ Classification of Automotive technician aligned with Motor Mechanic ➤ Previous clause 15.3(a) – re Training fees and clause 15.8 (b) re Recognition of training - redrafted to correct errors in wording.

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16.	School Based Apprentices	14.	School Based Apprentices	Details of conditions set out now in Schedule D
17.	Termination of Employment.	38.	Termination of employment	<ul style="list-style-type: none"> ➤ New standard term implemented ➤ Max of 1 week only can be withheld if employee does not give required notice (must be over 18 years old). ➤ Any deduction must be reasonable and at the award rate only. Plain language Std Clauses FB decision – Operative date from 1 Nov 2018.
18.	Redundancy	39.	Redundancy	No changes
19	Allowances and Special Rates	18	Wage Related Allowances	<ul style="list-style-type: none"> ➤ New Clause heading ➤ Only wage-related allowances included ➤ Reference to Schedule C – Summary of Monetary Allowances ➤ Minor re-drafting – amounts inserted ➤ Previous allowances related to manufacturing - deleted: Height money; Boiler House employees; Electric generators or dynamos; Foundry allowance ➤ Expense related allowances moved to new Clause 19.
20.	District Allowances	N/A	N/A	Deleted
21.	Adjustment of expense related allowances	19.	Expense-related allowances	<ul style="list-style-type: none"> ➤ New clause with different heading ➤ Expense-related allowances from previous cl:19 included ➤ Allowance amounts inserted ➤ Method of adjusting exp-related allowances included in Schedule C

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22	Accident Pay	20	Accident Pay	No changes
23.	Clothing equipment and tools	19	Expense-related allowances	Provisions from previous clause 23 now incorporated in clauses 19.8 – 19.14
24.	Payment of Wages	17	Payment of Wages	<ul style="list-style-type: none"> ➤ Minor re-drafting in clause 17.3 ➤ Clause 17.4 - Payment of wages on termination of employment (clause 24.4 in previous award)- subject to a Full Bench common matters decision.
25.	Superannuation	21	Superannuation	No changes
26	Meal and Rest Breaks	26	Breaks	<ul style="list-style-type: none"> ➤ New clause heading / Clause re-drafted ➤ Now applies to employees in fuel outlets ➤ Includes ability to work 6 hours w/out meal break through agreement ➤ Includes meal and rest breaks; crib breaks during overtime; and minimum break between shifts. ➤ Previous clause 26.8 deleted – related to manufacturing employees.
27.	Crib Break when working Overtime	26.3	Overtime Crib Breaks	Provisions from previous cl: 27 now incorporated in clause 26
28.	Overtime Rates	24.	Overtime	<ul style="list-style-type: none"> ➤ New definition of overtime included in clause 24.2 ➤ Minor redrafting but no major changes
28A.	Requests for flexible working arrangements	6.	Requests for flexible working arrangements	New FB model clause - Common Issues – Operative date from 1 December 2018.

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29	Annual Leave	26.	Annual leave	<ul style="list-style-type: none"> ➤ Previous Clause 29.9 (b) – new clause 29.4 (b)- amended to remove reference to all-purpose allowances in payment for annual leave ➤ Includes FB model clause re Excessive leave accruals
30.	Personal/ Carer's leave and Compassionate leave.	30.	Personal/ Carer's leave and Compassionate leave	No changes – refers to NES
31	Community Service Leave.	32.	Community Service Leave	No changes – refers to NES
32.	Public Holidays	34.	Public Holidays	<ul style="list-style-type: none"> ➤ Minor redrafting to existing clause ➤ Substitution through individual employee agreement re full and part-day pub hols. ➤ Refers to Part- day public holiday provisions in Schedule H.
32A	Leave to deal with Family and Domestic Violence	33.	Unpaid family and domestic violence leave	Clause title change - New FB model clause- Common issues- Operative date from 1 August 2018
33.	Classification and minimum weekly wages.	15.	Classifications	<ul style="list-style-type: none"> ➤ Classifications and Minimum wage rates clauses separated ➤ Previous cl: 33.1 redrafted in new cl: 15.1
33	Classification and minimum weekly wages.	16	Minimum rates	<ul style="list-style-type: none"> ➤ New heading ➤ Separate clause re wage rates ➤ Cl: 16.6 (b) – Un-app. Juniors – Driver courtesy car – amended ➤ Cl 16.6 (d)– Classifications of Dent

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				knocker and Driver of commercial vehicle < 8 tonnes- Deleted ➤ Cl. 16.9-16.10- minor amendments to refer to weekly trade rate
34	Junior Drivers	16.7	Junior Drivers	➤ Now included in clause 16 ➤ No changes
35.	Apprentice wage rates and progression	16.8 to 16.10. 16.11. 16.13.	Apprentice wage rates and progression School based apprentices National Training wage	➤ App rates included as part of cl: 16 ➤ Removal of transitional junior and adult apprentice rates < 1 January 2014 ➤ Included in Cl: 16 ➤ Refers to Schedule D in new award ➤ Previously located in cl:35.4 ➤ Included in cl:16 ➤ Refers to Schedule E of the Miscellaneous Award ➤ Previously located in cl:35.5
36.	Casual Rates for driveway attendants, roadhouse attendants and console operators	27.	Special provisions - driveway attendant, console operator and roadhouse attendant	➤ Clause 27 now includes special conditions for fuel outlet employees ➤ Includes 27 above casual hourly rates including relevant %'s. ➤ Casual Adult and junior rates separated ➤ Arrangements for meal and rest breaks - referenced to clause 26 for clarity in application.
37.	Ordinary hours of work and rostering	22.	Ordinary hours of work and rostering	➤ Minor redrafting of previous clause 37.2 (e)/ new clause 22.2 (e)- to clarify application re p/time employees.

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				<ul style="list-style-type: none"> ➤ New daily max of 10 hours included in new clause 22.3. ➤ Changes made to 10-12-hour shifts in new clause 22.5 (b)
38	Saturday work	23.	Saturday, Sunday and Public Holiday work	Consolidated under the one heading
39.	Sunday Work	23	Saturday, Sunday and Public Holiday work	Consolidated under the one heading
40.	Public Holiday Work	23.	Saturday, Sunday and Public Holiday work	Consolidated under the one heading
41.	Casual Employees	11.	Casual employees	<ul style="list-style-type: none"> ➤ All 'general' casual conditions/penalties now included in clause 11. ➤ 2 hour minimum inserted ➤ Casuals in fuel outlets referred to cl:27
42.	Shiftwork and Rates	25.	Shiftwork penalty rates	<ul style="list-style-type: none"> ➤ New cl: heading. ➤ Changes made in clause 22.1 to clarify coverage of the clause (i.e. excludes all general casuals, fuel retailing employees and persons employed to perform vehicle sales related duties).
43	Special provisions – driveway attendant, console operator and roadhouse attendant.	27.	Special provisions – driveway attendant, console operator and roadhouse attendant	See cl:36/27 above
44.	Special provisions - persons principally employed to sell vehicles	28.	Special provisions - persons employed principally to sell vehicles	<ul style="list-style-type: none"> ➤ Changes to remuneration arrangements for vehicle salespersons to include offsetting by commissions earned for hours worked in excess of 38 hours (new clause 28.5) ➤ Previous Cl: 44.10 heading amended in cl:28.5

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Section 2	Vehicle Manufacturing Employees	N/A	N/A		All clauses under Section 2 deleted and relocated to the manufacturing and Associated industries and other Occupations Award
Schedule A	Schedule A Transitional Provisions.	N/A	N/A		Deleted
Schedule B	Vehicle Industry RS&R – Skill Level Definitions	Schedule A	Vehicle Industry RS&R – Skill Level Definitions		No changes
Schedule C	Vehicle Manufacturing Employees – Skill Level Definitions	N/A	N/A		Schedule deleted
-	-	Schedule B	Schedule of Hourly Rates of Pay		New Schedule
-	-	Schedule C	Schedule of Monetary Allowances		New Schedule
Schedule D	Supported Wage System	Schedule E	Supported Wage System		No changes
Schedule E	National Training Wage	-	-		<ul style="list-style-type: none"> ➤ Schedule deleted ➤ Clause 16.13 refers to Schedule E of Misc. Award
Schedule F	School-based Apprentices	Schedule D	School-based Apprentices		No changes
Schedule G	Part-day Public Holidays	Schedule H	Part-day Public Holidays		Minor amendments to facilitate substitution
Schedule H	Agreement to Annual leave in Advance	Schedule F	Agreement to Take Annual Leave in Advance		No changes

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Schedule I	Agreement to Cash Out Annual Leave	Schedule G	Agreement to Cash Out Annual Leave		No changes

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