

## IN THE FAIR WORK COMMISSION

### FWC Matter No.

AG2021/7825

### Applicant

RAC Distribution Pty Ltd

Section 185 – Application for approval of a single enterprise agreement

### Undertaking - Section 190

I, Natani Richardson, General Manager Sales & Member Service for RAC Distribution Pty Ltd, give the following undertakings with respect to the RAC Sales and Member Service Enterprise Agreement 2021 (**Agreement**):

1. I have the authority given to me by RAC Distribution Pty Ltd (**RAC**) to provide this undertaking in relation to the application before the Fair Work Commission.
2. This undertaking is made in accordance with section 190 of the *Fair Work Act 2009* (**FW Act**) and RAC Distribution Pty Ltd understands this undertaking will be taken to be a term of the Agreement applying while the Agreement is in operation pursuant to section 191 of the FW Act.

#### Rostered Working Hours – A step 1 employees

3. RAC undertakes to apply sub clause 12.1 as follows:
  - (a) *Notwithstanding clauses 12.1(a)-(c), the ordinary Rostered Working Hours for Employees engaged within classification A Step 1 will be between 7:00am - 8:30pm Monday to Friday and 7:00am – 5:00pm on Saturday.*
  - (b) *In the event that Employees engaged within classification A Step 1 are required by RAC to work, rostered to work and then work outside their ordinary Rostered Working Hours, they will be paid at 150% for the first two hours and 200% thereafter.*

#### Permanent Night shifts, Morning shifts and Continuous Shift Employees

4. RAC undertakes to apply sub clause 12.2 as follows:

*Employees engaged within classification A Step 1 will not be required to work permanent Night shift or Morning shifts and will not be engaged as a Continuous Shift Employee.*

#### Access to Annual Leave

5. With respect to clause 14.2.3 of the Agreement, the clause shall be read as follows:


*Notwithstanding the above, RAC may direct an Employee to take leave where an Employee has accrued in excess of six weeks annual leave. In this instance, the Employee will be given at least one months' notice before the expected date the annual leave is to commence. However, a direction by RAC to take leave is of no effect if it would result at any time in the Employee's remaining accrued entitlement to paid annual leave being less than 6 weeks when any other paid annual leave arrangements are taken into account.*

## Casual Employment

6. With respect to clause 11.3 of the Agreement, the clause shall be read as follows:

*A Casual Employee is not entitled to paid leave of any type. However, they are eligible for long service leave in accordance with the Long Service Leave Act and for unpaid compassionate leave, parental leave and Family and Domestic Violence leave in accordance with the NES.*

## EXECUTION

Date signed:	5 November 2021
For and on behalf of the Employer by: [In accordance with s.190(5) of the FW Act]	Natani Richardson General Manager Sales & Member Service
Signature:	
Witness name:	Abbey Beattie
Witness signature:	