



# DECISION

*Fair Work Act 2009*

s.160—Application to vary a modern award to remove ambiguity or uncertainty or correct error

s.158—Application to vary a modern award

## **Australian Industry Group T/A Ai Group**

(AM2023/25)

## **TEXTILE, CLOTHING, FOOTWEAR AND ASSOCIATED INDUSTRIES AWARD 2020**

[MA000017]

Clothing industry

DEPUTY PRESIDENT EASTON

SYDNEY, 17 JANUARY 2025

*Application to vary the Textile, Clothing, Footwear and Associated Industries Award 2020 – variation to clauses 29.3, C.3.1 and C.5.1 – award varied retrospectively to 1 February 2021 – final determination issued.*

[1] On 16 October 2024 I issued a decision indicating that it was appropriate to vary clause 29.3 and sub-clauses C.3.1 and C.5.1 of Schedule C to the *Textile, Clothing, Footwear and Associated Industries Award 2020 (Award)* to correct an error relating to the payment of shiftworker rates.<sup>1</sup> In that decision I indicated that it was appropriate to vary the award retrospectively.

[2] Both the CFMEU and Ai Group wanted to be heard on transitional provisions and filed materials pursuant to an agreed timetable.

[3] On 13 December 2024 I issued a statement<sup>2</sup> and a draft determination<sup>3</sup> inviting interested parties to file any response to the draft by 20 December 2024.

[4] No submissions were received in relation to the draft determination.

[5] A final determination varying the Award is issued with this decision in the same terms as the proposed draft determination. The determination operates retrospectively and comes into operation on and from 1 February 2021.



DEPUTY PRESIDENT

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<sup>1</sup> [\[2024\] FWC 2864](#).

<sup>2</sup> [\[2024\] FWC 3463](#).

<sup>3</sup> [Draft determination](#), 13 December 2024.