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90

SEPTEMBER 2025 THE OFFICIAL PUBLICATION OF THE AUSTRALIAN FURNITURE REMOVERS ASSOCIATION



## AFRA CONFERENCE 2025

LIFE MEMBERS, AWARD WINNERS,  
PHOTOS & HIGHLIGHTS FROM THE EVENT



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the Australian Furniture  
Removers Association

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#### PRINTING

MBE Parramatta  
[www.mbe.com.au](http://www.mbe.com.au)

#### PUBLISHED BY



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BY NICKI FRENCH

# PRESIDENT’S REPORT

Last week's AFRA Conference was a powerful reminder of the strength, heart, and future of our industry. It was a celebration of connection, innovation, and the people who make our work meaningful. One of the most unforgettable moments was the session with Michael McQueen. As we explored the pace of technological change, he challenged us to rethink what's possible. Riding together in that driverless car, my heart was racing – from both fear and awe. It was a visceral experience of what it means to let go of control, trust innovation, and embrace the unknown. That ride

captured the essence of our journey as an industry: fast-moving, uncertain, and full of potential. Michael reminded us that the key to thriving in times of change is not resistance, but readiness. We must lean into the future with curiosity and courage. We also celebrated the launch of AFRA Charities, the AFRA Foundation and the AFRA Support Fund, initiatives that reflect the compassion and solidarity at the core of our community. These programs are already making a difference, and I'm proud of the generosity and vision that brought them to life. A heartfelt congratulations to all our award winners – your excellence

sets the standard for our industry. And a special tribute to Phil Gordon, our newest Life Member, whose decades of service and leadership have left an indelible mark on AFRA. Phil, your legacy inspires us all. To our associate members, thank you for your continued support, partnership, and innovation. You are an essential part of the AFRA family, and your contributions help drive our industry forward. Thank you to everyone who made the conference so memorable. Let's carry this momentum forward – embracing change, supporting one another, and continuing to lead with purpose. ●

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BY SIMRAN KAUR

# TRAINING & COMPLIANCE UPDATE

As we head into the latter part of the year, I wanted to share some reflections from last week's AFRA Annual Conference, along with exciting updates on training and compliance projects that are moving ahead strongly.

**AFRA ANNUAL CONFERENCE**  
It was such a privilege to attend my very first AFRA Annual Conference last week. The energy in the room was incredible, and it was wonderful to meet so many of our members in person. The conversations, connections, and insights were inspiring and it reminded me of just how collaborative and forward-thinking our industry is.

**TRAINING PROJECTS – WHERE WE’RE AT**  
Over the past few months, I’ve been focused on strengthening AFRA’s training programs, ensuring they’re practical, accessible, and genuinely useful for members. Here’s where we’re at now:

- **Estimator Course – Finalised**  
I’m delighted to share that the new Estimator Course has been finalised and will be launching shortly. The course has been carefully updated with improved resources, a more engaging assessment, and stronger links between estimating, customer service, and compliance obligations.
- **Chain of Responsibility (CoR) Training – In progress**  
The redevelopment of our CoR training is moving along really well. We’re aligning it with the NHVR’s Compulsory CoR Topics and producing new video-based modules that are practical, accessible, and tailored to different roles across the business.
- **Work Health & Safety (WHS) Training – In progress**  
Our WHS program is also under wraps and progressing smoothly. We’re updating the content, simplifying complex topics, and reshooting videos to make training clear, engaging, and relevant to the removals industry.
- **Audit Guidelines – Now available**  
We’ve also finalised and published AFRA’s Audit Guidelines, now available on the AFRA website. These guidelines are designed to help members prepare confidently for audits, understand what’s expected, and embed compliance into day-to-day operations.

“The conversations and insights were inspiring.”

**LOOKING AHEAD**  
The conference reinforced what I’ve already seen since joining AFRA earlier this year: our members are committed to continuous improvement, professionalism, and safety. I’m delighted that the Estimator Course is now ready, and the WHS and CoR training well underway. I’m excited about what’s ahead and look forward to supporting members as these resources roll out. If you have any training or compliance-related questions, please don’t hesitate to get in touch with me at [training@afra.com.au](mailto:training@afra.com.au) ●

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BY SIMONE HILL

## EXECUTIVE DIRECTOR'S REPORT

**H**aving just returned from our Melbourne Conference, I feel as though I've had my annual *motivational booster shot*. Meeting members face-to-face at annual conference always provides me with renewed energy and inspiration and 2025 was no different. Conference is an invaluable opportunity to hear first-hand what members are experiencing in their businesses and to receive direct feedback (or *feedforward*, as we learnt at this year's event!) on AFRA's work and priorities for the future.

Thank you to the AFRA team – Max, Rose, Abi, Simran and Eilidh – for each playing an important role in making our 2025 conference a success. A lot of work goes into each conference, and this team make it look easy.

Congratulations to our award winners (see page XXX) and thank you to all who contributed to fundraising for the AFRA Charities (see page XXX). A special thanks goes to our Associate Members, whose support makes it possible to deliver our conference at the level we do. And to every member, associate member, and guest who attended – thank you for being part of it.

In July, we welcomed Eilidh Craig to the AFRA team as our new Marketing, Membership, and Events Officer, following Madeleine's departure to an events role at another larger Association.

Stepping into the role less than four weeks before conference, Eilidh faced a steep learning curve – getting to know members, our Association's processes, and the many moving parts of our largest face-to-face event of the year,

“Thank you to the AFRA team – Max, Rose, Abi, Simran and Eilidh – for each playing an important role in making our 2025 conference a success. A lot of work goes into each conference, and this team make it look easy.”

conference. Eilidh did an excellent job and we look forward to the contributions she will bring to the role.

Long-term members will recall the days when industry qualifications such as Certificate II and III in Furniture Removals were available. With these no longer offered, we risked the permanent loss of core subjects vital to our industry. To safeguard this pathway, AFRA partnered with Industry Skills Australia (ISA) to embed six core removals skills into widely delivered national programs, including:

- Certificate II & III in Supply Chain Operations
- Certificate III in Driver Operations
- Certificate II in Road Transport Terminal Operations.

This ensures a clear entry pathway into removals remains available through RTOs nationwide. Sincere thanks to the AFRA members who supported this important project: Nick D'Adamo, Shaun Lindsay, Craig Jones (former member), Damien Ladd (Allied), Chris McCann and Sharon Robins (Grace), and Dean Cullen (Kent).

We are also pleased to welcome three Associate Members: Viva Energy/Shell Card and Moorholme Pet Transport as new members,

and Pacific National returning to the fold. At a time when many associations are seeing a decline in associate membership, these additions represent a significant achievement for AFRA.

Regular membership enquiries also remain strong, with 112 applications issued in the 2024/25 financial year and 16 new members onboarded.

Looking ahead, members will be asked to vote on structural changes to AFRA at the 2026 AGM. Over the next 12 months, we will enter an *educate–evaluate–prepare* phase, giving members the opportunity to provide input before decisions are made.

These proposed changes focus on two key areas:

### 1. Registration

AFRA is currently an Incorporated Association in NSW. Given our national scope, asset base, and growing activities, this structure is no longer fit for purpose. We are exploring a transition to become a Company Limited by Guarantee (ASIC), which will also involve adopting a new constitution.

### 2. Membership Model

AFRA's current fee structure, based on truck and location

counts, reflects the industry of the past but not today's diverse business models. After two member surveys this year, we are now modelling a gross turnover-based fee system. Early results suggest this approach will deliver a fairer, more sustainable structure across our membership.

Over the next six months, AFRA Council and the Executive will actively seek member feedback before moving into the drafting phase. We encourage members to reflect on what has worked well over the past 30 years, and where improvements are needed, as these reforms will shape AFRA's future direction.

Finally, I am delighted to congratulate Philip Gordon, appointed as a Life Member at this year's conference. Phil continues to contribute enormously to AFRA through his Council service, his work on the boards of AIMA and FIDI, and his ever-reliable support at events – from running the golf day to lending a hand wherever needed.

Philip's 2023 conference presentation remains the most powerful speaker session I've seen delivered (though his AFRA's Got Talent jokes may be remembered for other reasons!). Congratulations, Phil – this recognition is richly deserved.

With the year slipping away fast, I remind members that the AFRA East Coast Regional Meeting and Christmas party will be held this year on Saturday 8 November, whilst our West Coast members are invited to join us on Wednesday 26 November. Bookings opening shortly. ●



BY EILIDH CRAIG

## MARKETING & MEMBER SERVICES OFFICE REPORT

**T**hank you to all of our members who attended the 2025 AFRA Conference in Melbourne. It was a pleasure to meet so many of you in person. Having only recently joined AFRA, I am incredibly grateful for the warm welcome and the generosity of support I received throughout the process of delivering this year's conference.

I am excited to introduce myself as AFRA's new Marketing, Member Services and Events Officer and share some of what I've been working on in my first month with the team. I come from a marketing background, with an Honours Degree in Marketing and a Master's Degree in UX Design. Originally from Glasgow, Scotland, I've spent my career exploring the intersection of creativity, strategy and supporting the design and improvement of digital experiences. I have gained valuable insight into user-centred approaches, which I now

bring to AFRA's communications and strategy.

Since joining AFRA, I've had the opportunity to dive straight in, working closely with the team to coordinate and deliver this year's AFRA Conference. It was a fantastic introduction to the organisation, it's members and the challenges and opportunities within the removals and transport industry. Seeing the conference come together and receiving member feedback has given me valuable

“One of my key priorities now is building a strong and consistent marketing foundation for AFRA.”

insight into how we can strengthen communication, engagement, and member value moving forward.

One of my key priorities now is building a strong and consistent marketing foundation for AFRA. I'm focused on developing clear, member-centric communication strategies, refining our brand presence, and leveraging my UX background to ensure all digital and print materials are as engaging and user friendly as possible.

Over the coming months I will be working on campaigns to highlight AFRA's expertise, promote member achievements, and showcase the value we provide as an association. I'm also looking forward to collaborating with members to tell their stories and share best practices across the industry.

It has been a busy and rewarding first few weeks, and I'm already feeling at home with the AFRA team and am excited about the opportunities ahead to build meaningful connections and create content that reflects the incredible work our members do every day.

Looking ahead, planning is already underway for our next AFRA Conference, which will be held in Cairns. I'm looking forward to working closely with the team to create another engaging and valuable event for our members.

If you have any questions or would like to get in touch, you can reach me for anything related to marketing or member services at [memberservices@afra.com.au](mailto:memberservices@afra.com.au) – I'd be happy to help! ●



# TOOLBOX TALKS

## WHY SCHEDULING IS CRITICAL UNDER COR



### What is a Scheduler?

A Scheduler is any person or business responsible for:

- Scheduling the transport of goods in a heavy vehicle, or
- Scheduling a driver's work and rest hours.

In the removals industry, this goes beyond an "official" scheduler job title. It includes anyone who makes booking, routing, or timing decisions that affect when and how a heavy vehicle operates.

### Why is safe scheduling important?

- Schedulers are a defined party in the Chain of Responsibility (CoR) under the Heavy Vehicle National Law (HVNL).
- Unsafe or unrealistic schedules can create fatigue, speeding, and unsafe loading and unloading - all of which put public safety at risk.
- Schedulers must ensure timeframes are reasonably practicable - safe, achievable, and compliant with driver work/rest hours.



- Every decision made at the booking, quoting, planning, uplift or delivery stage can affect road safety.

### Key responsibilities of a Scheduler in removals

- Plan realistic job times that include safe driving speeds, traffic conditions, and legal rest breaks.
- Factor in site access challenges (e.g., narrow streets, restricted parking, high-rise moves) when setting delivery times.
- Avoid promising deadlines to clients without consulting Operations or confirming driver capacity.
- Never use financial incentives or penalties that pressure drivers into unsafe practices.
- Communicate clearly with crews, clients, and other CoR parties to avoid unrealistic expectations.

### Controls to manage risk in scheduling

- Use scheduling tools that track driver hours, vehicle capacity, and job durations.
- Build buffer time into long-haul jobs for traffic, weather, and safe rest breaks.
- Establish booking questions and quoting procedures that capture parking, access, and timing issues early.
- Require Operations approval for all tight timeframes or multiple-job allocations.
- Provide training for all Admin and Sales staff so they understand how their commitments affect CoR.

### Lesson takeaway

Schedulers have a direct impact on public safety. By setting achievable and safe job plans, schedulers help prevent fatigue, speeding, and unsafe practices. Remember: if the plan is unsafe, the risk is shared across the chain. ●

## Dear AFRA Members,

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BY GILLIAN BRISTOW



## Indemnity clauses: A refresher

Most contracts that come across your desk will contain an indemnity clause. Indemnity clauses can have serious implications if you do not consider the associated risks before signing.

### What is an indemnity clause?

An indemnity is a legally enforceable promise by one party to a contract to accept the risk of loss that another party may suffer in a particular situation and to 'hold harmless' or compensate that other party for losses that they incur. In other words, you are promising another person that they will not suffer any financial loss or damage in a particular situation. An example of an indemnity clause is:

- To the extent permitted by law, the Service Provider agrees to indemnify, defend and hold harmless the Customer, its Affiliates, directors, officers, employees, agents, successors and assigns from and against any and all claims, demands, suits, causes of actions, debts or liabilities, losses, judgments, damages, costs (including all reasonable legal fees), expenses, fines and penalties arising out of, or concerning or connected with:
- The Service Provider's performance, or failure to perform, any of the Services, transactions or activities contemplated under this Contract; and
- The Service Provider's breach of any of the representations, warranties, or covenants contained in this Contract.

### What risks are associated with signing an indemnity clause?

Indemnity clauses can be worded very widely (such as the example above) or more narrowly. A wide

indemnity clause may even make you liable to pay for loss or damage that the other party suffers because of their own negligence.

You should watch out for, and consider modifying, very widely worded indemnity clauses that extend any indemnity to:

- Losses which are 'indirect losses' or 'consequential losses';
- Matters 'in connection with' or 'in any way related to' the agreement;
- Cover legal costs incurred by the other party on a solicitor-client basis or an indemnity basis;
- Cover other related parties such as subsidiaries, agents, employees etc.;
- All damage or loss, regardless of the cause.

It is also important to understand that if you sign a contract containing an indemnity clause, this might affect your insurance cover. It is common for insurance policies to contain exclusions so that the insurer is not required to pay where the reason for your claim is because you have 'signed up' to be liable under a contract. Some insurers are prepared to cover these liabilities if they are disclosed to/noted by the insurer. Often this will involve payment of an additional premium to the insurer.

### The UCT regime and associated issues

The unfair contract terms (UCT) regime in the Australian Consumer Law (ACL) applies to 'standard form' contracts with consumers or small businesses. Under the regime, wide indemnity clauses may be considered 'unfair'. Unfair terms are unenforceable under the regime. There is no exhaustive definition of 'standard form' contract, and the ACL simply provides a list of relevant factors such as the relative bargaining power of the parties,

Seek legal advice if you are unsure of your position or want help limiting your liability.

and whether there was an opportunity to negotiate the terms. However, contracts which are formed through a tender process or through negotiations between the parties, may be considered 'bespoke' (and not standard form), meaning the UCT regime would not apply. So even if you are a 'small business', it is wise to seek to amend wide indemnity clauses rather than relying entirely on the UCT regime to remove the risks associated with these clauses.

### Takeaways

- Always read contracts carefully before signing;
- Make sure you are aware of the risks of any indemnity clause you are agreeing to accept;
- Check with your insurance broker/insurer before signing a contract with an indemnity clause;
- Do not rely entirely on the UCT regime to avoid wide indemnity clauses (even if you think the UCT laws apply); and
- Seek legal advice if you are unsure of your position or want help limiting your liability under an indemnity clause. ●

If this raises any questions or concerns, please get in touch with us via the AFRA helpline [afrahelpline@bristowlegal.com.au](mailto:afrahelpline@bristowlegal.com.au)





# AFRA CONFERENCE

## 20 – 22 AUGUST 2025

### AFRA AWARD WINNERS

Thank you to those who took the time to make a nomination and to our award sponsors. Congratulations to the winners!



**Aurizon**  
**Woman of the Year**  
Emma Gebar / Blue Lion Moving & Storage. Award accepted by Simone Hill on behalf of Emma.



**VISY Specialties**  
**Trainee of the Year**  
Tom Taylor-Short / Nuss Removals. Award accepted by Bob Nuss on behalf of Tom.



**CEVA Logistics**  
**Employee of the Year**  
Andrew Nairn / Office Relocation Solutions. Award accepted by Nicki French on behalf of Andrew.



**AFRA**  
**Life Member Award**  
Philip Gordon / Conroy Removals



**Pacific National**  
**Removal Fleet of the Year**  
Caloundra Removals & Storage



**Podium**  
**Furniture Removalist of the Year**  
Wayne Veness / Grace Removals. Award accepted by Nicki French and Chris McCann on behalf of Wayne.



Thank you to these sponsors whose support to AFRA is indispensable for running this successful conference.

#### GOLF DAY

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Aurizon / Pacific National

#### LUNCH

CEVA Logistics

#### AFTERNOON TEA

Podium







# AFRA CONFERENCE 20 – 22 AUGUST 2025

## AFRA CHARITIES

**A**t this year's conference the AFRA Foundation donated \$10,000 to The Big Umbrella Foundation. Vic Wilson accepted the cheque on behalf of the foundation, and gave a short presentation to members. "This donation will support our work for one month" said Vic. "Our hope is that one day we will pull up at Federation Square and there will be no one to feed, as everyone who ordinarily needs us will have already found food and safe housing. Until then, it is through donations like this one from the AFRA Foundation that enable us to continue to do the work that we do."

Generous AFRA member raised \$26,000 for the AFRA Foundation at the Gala Night Charity Auction. The AFRA Foundation is our 'public facing' charity, with donations continuing the long legacy of philanthropy members have engaged in since the early days of AFRA. The funds raised at the 2025 Auction will help the AFRA Foundation to continue to donate to worthy charities into the future.

Members also raised significant funds for the AFRA Support Fund, our charity established to provide assistance to AFRA staff members and their families who are in financial need due to injury or illness. Members donated to vote at 'AFRA's Got Talent' and participated in the Visy 2025 Melbourne Cup. In total, more than \$7,000 raised across the two nights (and pledges still coming in at the time of writing). ●



## GOLF DAY WINNERS

### WINNING TEAM

Craig Baker, Sean Clark and Chris Farley

### 2ND PLACE

Jimmy Pedemont, Philip Gordon and Craig O'Connor

### 3RD PLACE

Matt Simmons, Pete Dawson, Bob Wray and Igor Mistic

**NAGA** – Bob Nuss, Matt Munro and Chris Collelo

**Longest Drive 1** – Sean Clarke

**Longest Drive 2** – Jimmy Pedemont

**Nearest to Pin 1** – Igor Mistic (special mention as it was his first time playing golf)

**Nearest to Pin 2** – Bob Wray

**Special award** to Sonja for dedicated service over the years driving the refreshments cart and providing moral support.

**Special award** to Richard Sykes for losing a sh\*t ton of weight.

**Special award** to Williams Braga, Two Men and A Truck, for best hair.

**Special Award** to Chris Brimble for arranging such a spectacular course.



## AFRA INDUSTRY NEWS



## Nuss Removals announces new General Manager

**N**uss Removals is excited to announce the appointment of Sherman Pereira as its new General Manager. With over 35 years of local and international experience in removals, storage, and relocation services, Sherman is uniquely qualified to lead the company into its next phase of growth and innovation.

Most recently, Sherman served as Branch Manager at Nuss Removals in Sydney, where he was responsible for overseeing national operations, driving efficiency, and leading strategic development. With hands-on leadership experience in large-scale removals, relocation management, operations and business development across Australia, Russia, South Africa, and Europe, Sherman's global expertise and strategic insights are invaluable assets to the company. He has consistently worked closely with and developed teams at all levels, maintaining a strong focus on customer satisfaction, operational excellence, and exceeding performance targets.

"We are very excited to welcome Sherman as our new General Manager," said Robert Nuss, Owner of Nuss Removals. "His extensive local and global experience, combined with his proven leadership, make him the perfect fit to lead Nuss Removals into the future. We are equally excited that Sherman will continue to collaborate with our talented team to build on the strong foundation we've established and ensure the continued success of the company."

Throughout his career, Sherman has excelled in developing and leading teams, managing financial performance, expanding market reach, and nurturing client relationships. His experience spans overseeing complex removals and relocation services while steering projects through innovative solutions that have enhanced service offerings and boosted market competitiveness.

Apart from his career achievements, Sherman is a dedicated hiker and runner, with highlights including reaching the summit of Mount Kilimanjaro and completing several marathons.

We invite our global trading partners, business associates and corporate customers to reach out to Sherman at [shermanpereira@nuss.com.au](mailto:shermanpereira@nuss.com.au) at any time for professional, friendly assistance. ●



# IR UPDATE

## UNDERSTANDING AND COMPLYING WITH WORKPLACE RELATIONS OBLIGATIONS



**S**ustainably doing business in any industry increasingly relies on ensuring employees are paid correctly, and that businesses are complying with Australia’s complex employment laws. *“Driving high standards in the removals industry, and supporting members in complying with legal obligations were key drivers for the creation of AFRA, and remain fundamental to our audit and accreditation program and partnership with the Australian Industry Group to provide high quality, practical advice and assistance to our members”* Simone Hill, AFRA Executive Director

Understanding and complying with workplace relations obligations has never been more important, with maximum fines increasing fivefold in early 2024, and a new criminal offence of ‘wage theft’ creating risks of convictions and jail terms for employers found to have intentionally underpaid employees after 1 January 2025.

The primary focus for most removals businesses will be ensuring compliance with modern awards, the National Employment Standards, and other obligations under the Fair Work Act 2009(Cth), such as properly maintaining employment records, and providing employees with accurate and legally compliant payslips.

To help AFRA members consider any risks for their operations this article highlights five common ‘compliance hotspots’ or risk areas for employment in the furniture removals sector. These reflect some of the most regular questions coming from AFRA members to Ai Group’s Workplace Advice Line (1300 55 66 77). *“An ounce of prevention is worth a pound of cure”* Benjamin Franklin (1734)

**COMPLIANCE HOTSPOT**  
**1 Applying the correct classification and rates**

There are 10 separate classifications or grades under Road Transport and Distribution Award (the industrial award applying to most removals businesses for drivers and furniture removers’ assistants), each of which attracts different minimum rates of pay, different hourly rates for casual, full time and part time work, and different rates for particular hours (including overtime, early morning and late night work) and work on particular days (such as weekends and public holidays).

At the heart of the award’s classification structure is the size and type of vehicle driven, or the work being undertaken. For drivers, truck tonnage, number of axles, the rigidity or articulation of the vehicle, and its functions determine the correct classification and minimum wage rate.

Some employers and employees may mistakenly believe the license category an employee has obtained determines their pay. However, this is not the case under the major national awards regulating employment in the removals industry; it is the vehicle driven and work undertaken that determines minimum pay obligations.

AFRA members generally have a clear understanding of the specifications of their vehicles and roles they direct employees to undertake, however there is often value in periodically confirming employees are correctly classified and that the correct rates of pay are being applied. Where employees are paid above-award rates, this includes confirming that appropriate pay period and contractual “set off” arrangements have been agreed and documented.

This can be a particular issue or challenge where employees drive

different vehicles or multitask across a pay period based on particular relocation assignments. There are higher duties arrangements that can apply where employees periodically or occasionally drive larger vehicles. Similar issues may arise where drivers undertake a mix of local and interstate or long distance work (return journey of 500km or more).

It is also useful to plan for minimum wage increases (and increases in allowances) which are generally announced during June each year, to apply from the first pay period commencing on or after 1 July.

**COMPLIANCE HOTSPOT**  
**2 Paying the Furniture Removal and Delivery Allowance**

The Road Transport and Distribution Award, like all awards, prescribes allowances that must be paid in addition to wages in various circumstances, such meal allowances where employees work overtime, additional allowances for driving some vehicles or doing particular work, allowances for handling money, leading hand allowances, and expense allowances.

For this industry, an additional allowance is payable to “any employee who is a recognised furniture carter engaged in removing and/or delivering furniture”. This is currently an additional \$26.15 per week and, as outlined above, generally increases from 1 July each year along with annual increases in minimum award rates.

It is important that the overall amount employees are paid is at least the same as the amount they would be paid under an award, enterprise agreement or other contractual arrangement (i.e. at least the applicable minimum wage rate plus all applicable allowances and other monetary amounts).

“Knowing when casual employees need to be paid overtime rates and the correct rates to apply is another area of complication and risk of error across most industries and awards.”

Note that payment in a manner different from that stipulated by the applicable modern award may result in breaches of the award (and associated liability for underpayments and penalty orders), even if you pay the employee the same or more than the overall amount due under the award. It would be prudent to undertake periodic reconciliation of employee payments against award entitlements if you do not pay strictly in accordance with award amounts for each pay period.

Best practice will often be to separately identify allowances in employees’ payslips, or in your employment records, and to ensure that allowances are properly accounted for in letters of appointment or written contracts. How allowances are identified and treated contractually can also be particularly important where employees are paid based on above-award, annualised, averaged, or aggregated amounts.

**COMPLIANCE HOTSPOT**  
**3 Long-Distance Work**

Road transport awards have a unique structure in which a different award, the Road Transport (Long Distance Operations) Award, applies to long distance removals and deliveries. Employees are engaged in long distance operations where the distance travelled is more than 500 kilometres (as a return journey) or is an interstate journey.

The application of the Long Distance Operations award is relatively clear where an employee always drives interstate or for more than 500 kms for the total journey.

However, drivers and assistants are also covered by the Road Transport (Long Distance Operations) Award for the time they are performing long distance work if they normally work as a local driver under the Road Transport and Distribution Award, and only sometimes do long distance work.

The Long Distance Award rates of pay, allowances and other requirements are triggered whenever an employee is doing long distance work, even if this is not their usual work, including where the long distance or interstate trip is a one off. The rates and allowances in the Long Distance Operations Award differ from those in the Road Transport and Distribution Award, and compliance with one will not guarantee compliance with the other.

There is also an additional allowance payable each time an employee switches between their usual removal and delivery work for runs of less than 500km (more local work and work within a state or territory) to undertake long distance work.

- There is also:
- An allowance for an employee who is a recognised furniture carter engaged in removing and/or delivering furniture under the Long Distance Operations Award.
  - Allowances where an employee is physically engaged on loading or unloading duties, under the Long Distance Operations Award.
- Members with any doubts about which award applies or which allowances should be applied should contact the Australian Industry Group Advice Line (details below).

Some removals operations employ casual drivers or teams for long distance work. It is important to remember in such situations that different casual loadings, and additional allowances, apply to long distance work than apply under the Road Transport and Distribution Award.

There may be other applicable conditions or requirements that change when your people do long distance or interstate trips. The key takeaway is that your employees may be covered by a different award when doing long distance work, which prescribes different, generally higher, obligations and its own hours of work arrangements.

**COMPLIANCE HOTSPOT**  
**4 Ensuring casuals are paid correctly for overtime**

Knowing when casual employees need to be paid overtime rates and the correct rates to apply is another area of complication and risk of error across most industries and awards. The Road Transport and Distribution award is no exception, and contains special wage arrangements for overtime for casuals, illustrated by the following example in the award, providing for a 10% loading in addition to overtime rates, down from the standard casual loading of 25%.

**Example: Assuming the rate is \$20 per hour<sup>1</sup>, a casual employee would be paid \$25 per hour for ordinary hours of work and would be paid according to the following methodology when working overtime:**

- Time and a half – a payment of \$30 plus 10% of \$20, as the hourly rate, giving a total payment of \$32.
- Double time – a payment of \$40 plus 10% of \$20, as the hourly rate, giving a total payment of \$42. [Rates are illustrative only, and will be higher in practice]



COMPLIANCE HOTSPOT

5 Paying superannuation during workers' compensation

Generally, under the Superannuation Guarantee System, superannuation is not payable when an employee is absent from work on workers' compensation (although superannuation is still likely to be payable where any employee is working reduced hours or modified duties or is receiving top up payments from their employer).

However, the Road Transport and Distribution Award and the Road Transport (Long Distance Operations) Award specifically changes the typical or default superannuation treatment of workers' compensation. Under these awards, superannuation contributions must be made for periods of absence from work (up to 52 weeks) due to work related injury or absence, and where an employee is receiving workers' compensation payments or regular payments directly from the employer under injury compensation legislation.

General superannuation advice and information online may give a misleading impression to employers across the wider road transport sector, making this a specific requirement for road transport work that employers need to be aware of.

RECORDS AND PAYSLEIPS

On top of all this, it is critically important all employers maintain proper records of when employees work, what they are paid and how this is calculated, and that employees are provided with payslips that meet the requirements of the Fair Work Act 2009 (Cth).

There are detailed requirements for properly maintaining pay records of employee details, hours worked, amounts paid, leave taken etc. There are legal requirements to maintain records, backed by fines and penalties, but equally importantly properly maintained and retained records can be an important source of truth in contested claims and legal actions.

Regulations also prescribe the information which must be included in payslips. There are special requirements for employees accessing family and domestic violence leave and AFRA members are encouraged to call the Australian Industry Group prior to drawing up pay slips in such circumstances.

IMPORTANT CLARIFICATION

This is not intended to be a comprehensive statement of all employment obligations. There are many more issues, concerns, risks, and compliance challenges to watch out for, and numerous other elements of awards, employment standards etc that will apply in particular circumstances, for specific employees, tasks and working patterns.

This article is also not intended to substitute for advice appropriate to particular circumstances, which AFRA members have access to as set out below. However, this is hopefully a useful reminder to AFRA members of the importance of:

- Complying with award and other Fair Work Act obligations.
- Periodically conforming you are on the right track in employing and paying your people.
- Seeking advice when necessary – particularly when you undertake work which is unusual for your business (such as a long or interstate run) or involves additional hours or different work.

WHERE TO GO FOR HELP

The good news is through your national association's partnership with the Australian Industry Group; AFRA members have access to:

- The Australian Industry Group Workplace Advice Line, which provides Australia's leading authoritative source of employment advice and assistance to employers, including on issues such as those outlined above. AFRA members can contact this service free of charge, on 1300 55 66 77.

- Advice line staff are highly experienced in advising on the Road Transport and Distribution Award, the Road Transport (Long Distance Operations) Award, the Clerks - Private Sector Award, the Commercial Sales Award, the Storage Services and Wholesale Award.
- The Advice Line can also provide advice on employing managerial and non-award covered staff, investigations, counselling, discipline, and dismissal, and on contractual, redundancy, transfer of business, and a range of other matters.

- An audit service, in which the Australian Industry Group's experienced team of lawyers can confidentially examine how you are paying your people, your compliance with award and minimum wage obligations, and identify any areas in which changes need to be made to meet legal obligations. This is backed up with practical recommendations to provide reassurance that your business is complying with award and other requirements, and AFRA members can access these analytical and advisory services at discounted rates.
- High quality and highly effective legal representation and practical advice where problems do occur and any underpayment claims are made against your business, or where government inspectors approach you. Again, AFRA members have access to these services at highly competitive discounted rates.
- Information on changes to employer obligations, including prior notice of pending changes, allowing you to be aware of what is changing and to consider how your business will meet new and changing obligations. ●

<sup>1</sup> The \$20 in the example is illustrative only. The actual rates will be higher and need to be confirmed at the time a casual works overtime.



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5 MINUTES WITH..

The AFRA office team comprises four permanent team members and one casual contractor. The team deliver services and support to AFRA members, and drive forward the projects established by National Council. In each edition of *On The Move* we spend five minutes getting to know a team member. This month we chat with....



Rose De Iulio

Role: Admin / Accounts

Do you have a nickname?

Don't really have a nickname.

How did you end up in the removals industry?

I started working at AFRA in May 2006 in the position of Admin. Over the years the position has changed a number of times, taking on new tasks, the biggest change was taking over the accounts at AFRA.

What has been the biggest challenge?

Being a single mum with young children when I started at AFRA was difficult, juggling work, kids, their activities and finishing two courses at TAFE. Now, they have all grown up and no longer at home so life is a little easier now. I also remarried in 2019 and added two step children to the family.

Coffee or tea?

Both. Tea in morning, coffee mid morning.

Favourite holiday destination?

My husband and I have travelled to many countries over the years, my favourite city is Florence in Italy and I also liked Hawaii.

If you had to choose a 'last meal' what would it be?

Pizza and a beer in Italy.







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AFRA COMPLIANCE ESPRESSO

A QUICK AND CONCENTRATED SHOT OF AFRA REGULATIONS AND GUIDELINES

Each edition we look at an AFRA membership requirement, how you can comply and why it is important.



Dealing with other members, AFRA and suppliers

Being an AFRA member means being a cut above other removals companies. Honourable behaviour is so important to AFRA that it is formally embedded in the Code of Conduct.

- Clause 10 requires members to co-operate with one another, particularly in the event of unforeseen difficulties or emergencies.
- Clause 11 requires members to conduct their dealings with customers, suppliers, and fellow members to appropriate,

honourable, and professional standards at all times.

- Clauses 2 and 9 place a broader obligation on members to work cooperatively with AFRA and to provide prompt and professional services to clients.

AFRA audits against these standards, and a breach of the Code is grounds for termination of membership.

Being an AFRA member is something special. We congratulate our members on continuing to uphold these high standards and reinforcing the reputation of AFRA as the benchmark for professionalism in the industry. ●



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