

THE PROPOSED “THE JUST GROUP RETAIL AGREEMENT 2019”

FAQS

This document sets out common questions team members may have about the proposed *The Just Group Retail Agreement 2019 (2019 Agreement)*. The 2019 Agreement is intended to replace the *Just Jeans Group Limited Retail Agreement 2009 (AG2009/13735)* and *The Just Jeans Group Limited Retail Agreement 2009 (AG2009/14046) (2009 Agreements)*.

The 2019 Agreement is for a four year term, which provides certainty to team members and Just Jeans Group Pty Ltd (**The Just Group**) over the next period, including with respect to new types of leave and allowances and provides for an annual review of wages and allowances during the term of the 2019 Agreement.

OVERVIEW

Who is proposed to be covered by the 2019 Agreement?

The 2019 Agreement will cover The Just Group team members employed in all Australian States and Territories as Sales Assistants, Assistant Store Managers and Store Managers in retail shops. This includes all Store Managers, regardless of their salary.

When would the 2019 Agreement take effect?

The term of the 2019 Agreement will be four years. The 2019 Agreement will commence 7 days after the Fair Work Commission approves it, and will have a nominal expiry date of 3 April 2023.

How does the 2019 Agreement interact with other workplace instruments and laws?

The National Employment Standards (**NES**) operate alongside the 2019 Agreement. If there is an inconsistency between the 2019 Agreement and the NES and the NES provides a greater benefit to the team member, the NES provision will apply to the extent of that inconsistency.

TERMS AND CONDITIONS UNDER THE 2019 AGREEMENT

What are the wage rates under the 2019 Agreement?

The 2019 Agreement provides the following base hourly rates of pay:

- Sales Assistant: \$20.81
- Assistant Store Manager: \$22.06
- Store Manager: \$23.30

When will wages be reviewed?

For each year of the term of the 2019 Agreement and commencing on the start of the first full pay period that starts on or after 1 July 2019, the base hourly rates will be adjusted in accordance with the decisions of the Fair Work Commission in its annual wage review on 1 July each year.

Can Store Managers still receive an annual salary?

Yes. The Just Group may still pay Store Managers an annual salary. The 2019 Agreement does not displace any existing contractual agreements between a Store Manager and The Just Group.

What allowances are provided under the 2019 Agreement?

The 2019 Agreement introduces a number of new allowances which team members may access:

- **Travel allowance:** The 2019 Agreement introduces a new travel allowance for team members. Where The Just Group requests a team member to use their own motor vehicle in performing their duties, the team member will be paid an allowance of \$0.78 per kilometre.
- **Recall allowance:** The 2019 Agreement introduces a new recall allowance. A team member who is recalled to work before or after completing their normal roster, or on a day which they did not work, will be paid at the appropriate rate for all hours worked with a minimum of 3 hours on each occasion.
- **Location allowance:** Team members in the County of Yancowinna in New South Wales (Broken Hill) will be paid an hourly allowance of 94 cents, in addition to all other payments. This replaces previous location allowances. For team members employed prior to the commencement of the 2019 Agreement, the 2009 Agreements location allowances (in respect of Darwin, Alice Springs, Broome, Esperance, Karratha, Port Hedland and Kalgoorlie) will continue to apply.
- **Laundry allowance:** Currently, team members are not required to wear a uniform. However, if a mandatory uniform is introduced during the term of the 2019 Agreement, a special clothing allowance or reimbursement will be provided in accordance with the *General Retail Industry Award 2010 (GRIA)*.

The 2019 Agreement also expands a number of existing allowances:

- **Meal allowance:** The 2019 Agreement now introduces a second meal allowance, where the overtime worked is more than 4 hours.
- **Travelling time reimbursement and travelling costs:** The 2019 Agreement increases the circumstances where team members are paid for travel time. Where a team member is required to work away from their usual place of employment, they will be entitled to additional payment in respect of reasonable time spent *in excess* of the time normally spent travelling from their home to their usual place of employment and returning. In these circumstances, team members will be paid for travelling time and also any fares reasonably incurred in excess of those normally incurred in travelling between their home and their usual place of employment.
- **First aid allowance:** If a qualified team member is appointed by The Just Group to perform first aid duties, they will be paid an additional allowance of \$10.89 per week.

When will allowances be reviewed?

Commencing on the start of the first full pay period that starts on or after 1 July 2019, the allowances under the 2019 Agreement will be adjusted each year of the term of the 2019 Agreement in accordance with the wage rates under the 2019 Agreement.

What new or increased leave benefits are available under the 2019 Agreement?

The 2019 Agreement expands a number of leave entitlements for team members:

- **Annual leave:** Full time and part time team members accrue 4 weeks of leave for each year of continuous service (pro rata for a part time team member). The 2019 Agreement

now provides that annual leave will be paid at the base hourly rate of pay plus the *greater* of a 17.5% loading or the relevant weekend penalty rates.

- **Compassionate leave:** The 2019 Agreement increases a team member's entitlement to compassionate leave. The leave entitlement available on the death of an immediate family or household member is now standardised at 4 days.
- **Prenatal leave:** The 2019 Agreement expands a team member's ability to use personal leave to attend prenatal services, for their own pregnancy or their spouse's pregnancy. Full time team members attending medical appointments with their pregnant spouse can access up to 22.8 hours of accrued personal leave for this purpose (pro-rata for part time team members). There is no longer a cap on the amount of accrued personal leave that pregnant team members can access to attend prenatal services.
- **Natural disaster leave:** Team members are allowed to leave work where there is a yellow alert announcement for cyclones, or there is flooding or bushfires which pose a genuine threat to the team member's property or create a need to care for their children. Time away from work is unpaid. However, the 2019 Agreement introduces the ability for permanent team members to access up to 2 days' non-cumulative paid leave per year for use in these circumstances.

The 2019 Agreement also introduces a number of new leave entitlements that team members may access:

- **Family and domestic violence leave:** The 2019 Agreement introduces paid and unpaid family and domestic violence leave. Full time team members are entitled to up to 10 days of paid leave per calendar year (pro rata for part time team members) to deal with family and domestic violence. In addition, full time and part time team members are entitled to up to 5 days of unpaid leave to deal with family and domestic violence. Casual team members are entitled to up to 2 days of paid leave per calendar year to deal with family and domestic violence. In addition, casual team members are entitled to up to 3 days of unpaid leave to deal with family and domestic violence per calendar year. This unpaid leave is available where the casual team member has exhausted their paid leave entitlement.
- **Defence forces leave:** The 2019 Agreement introduces defence forces leave. Permanent team members may take up to 2 weeks' leave per calendar year to attend Defence Forces Reserve approved training camps. Team members may be eligible to receive payment where they attend full-time training during this leave.
- **Study leave:** The 2019 Agreement introduces dedicated unpaid study leave. Team members may apply for study leave for up to 2 weeks per calendar year for the purpose of preparing for and participating in exams and assignments.
- **Personal emergency leave:** The 2019 Agreement introduces personal emergency leave. Team members can access up to 7.6 hours (pro rata for part time team members) of their accrued annual leave to attend to a pressing domestic emergency that requires their immediate attention.

What other leave entitlements are there under the 2019 Agreement?

- **Career break leave:** If a team member has exhausted all paid leave options, they are able to take up to 90 days' unpaid leave (a "career break") by agreement with The Just Group. This was previously known as "unpaid leave".

- **Personal leave:** Full time and part time team members are entitled to accrue 10 days of personal leave for each year of continuous service (pro rata for part time team members). The 2019 Agreement retains full time and part time team member's entitlement to an additional 7.6 hours of non-cumulative paid leave each year where they have used all of their personal leave but need to take carer's leave. The 2019 Agreement also retains a one-off allocation of 5 additional personal leave days for full time team members (or 3 days for part time team members) returning from parental leave.
- **Parental leave:** Team members are entitled to parental leave in accordance with the NES. A team member, including an eligible casual, who at the expected date of birth or placement, will have completed at least 12 months continuous service with The Just Group, is entitled to take parental leave for up to 52 weeks.
- **Emergency services leave:** A permanent team member who is involved in recognised voluntary services including SES and firefighting is entitled to paid time off to attend to emergency situations which may affect the community as a whole. Up to 3 days per situation is available for local emergency situations, and up to 2 days per year is available for non-local emergency situations.
- **Blood donor leave:** Permanent team members may take up to 2 hours' paid leave to donate blood, subject to The Just Group's prior approval. This leave is available on each permissible occasion, capped at 4 occasions per calendar year.
- **Bone marrow donor leave:** Bone marrow donor leave is available to team members who are away from work during ordinary working hours for the purposes of donating bone marrow. Team members will not suffer any loss of pay, up to a maximum of up to 2 hours (on up to 2 occasions) for the purpose of blood testing as part of the process of becoming a registered bone marrow donor, and up to 3 days on any occasion a bone marrow donation is given.
- **Jury service leave:** Jury service leave is available for full time or part time team members to attend jury selection and jury service during ordinary working hours. Unless a more generous entitlement is provided under applicable State or Territory legislation, eligible team members will be paid the difference between the jury service fees they receive and the ordinary hourly rate for the hours they would otherwise have worked.
- **Long service leave:** Team members accrue long service leave entitlements in accordance with the relevant State or Territory legislation.

What are the penalty rates under the 2019 Agreement?

As you know:

- in December 2017, The Just Group passed on an increased late night penalty rate of 25% for permanent team members; and
- in January 2018, The Just Group passed on an increased Saturday penalty rate to all team members, being 25% for permanent team members and 35% for casual team members (comprised of the 25% casual loading plus an additional 10% loading).

Under the 2019 Agreement, all team members who work ordinary hours during the times below will be paid the base hourly rate and the below penalty rates. These penalty rates will apply for the life of the 2019 Agreement.

(a) Permanent team members

	From the date the 2019 Agreement comes into operation	From 1 July 2019	From 1 July 2020
Monday to Friday – All ordinary hours worked after 6pm	25%	25%	25%
Saturday – All ordinary hours worked	25%	25%	25%
Sunday – All ordinary hours worked	80%	65%	50%
Public Holidays – All ordinary hours worked	125%	125%	125%

(b) Casual team members

	From the date the 2019 Agreement comes into operation	From 1 July 2019	From 1 October 2019	From 1 March 2020	From 1 October 2020	From 1 March 2021
Monday to Friday – All ordinary hours worked after 6pm	30%	30%	35%	40%	45%	50%
Saturday – All ordinary hours worked	40%	40%	45%	50%	50%	50%
Sunday – All ordinary hours worked	85%	75%	75%	75%	75%	75%
Public Holidays – All ordinary hours worked	150%	150%	150%	150%	150%	150%

The penalty rates set out in the above table at item (b) include casual loading.

The 2019 Agreement reflects the rates of pay for penalty rates in the GRIA which includes the recent Fair Work Commission decision that reduces Sunday penalty rates over the next 2 years.

This means penalty rates under the 2019 Agreement will not change if there are changes to penalty rates in the GRIA. There is proposed legislation that seeks to increase Sunday penalty rates in the GRIA that has not yet been successful. The Just Group has agreed that if Sunday penalty rates in the GRIA were to increase it will meet with the Shop, Distributive and Allied Employees' Association and enter discussions regarding an increase to Sunday penalty rates in the 2019 Agreement.

VOTING**When does voting open?**

You will have an opportunity to vote on the 2019 Agreement from Monday, 1 April 2019. Voting will open at 12:01AM AEDT on 1 April 2019, and close at 4:00PM AEDT on Tuesday, 2 April 2019.

What are the voting methods?

You will be able to vote online or by telephone. The vote is being conducted by an external company, CorpVote. Your vote will remain confidential.

How do I cast my vote?

CorpVote will email you voting instructions and your individual voting pin that you will need to cast your vote. CorpVote will send this information to the personal email address that we have on file. If you do not have a personal email address on file, this information will be sent by post to your residential address on file.

This information will also be sent by SMS to your mobile number, if you have one on file.

IMPORTANT INFORMATION AND QUESTIONS

Where can I access the 2019 Agreement?

You can access a copy of the 2019 Agreement on Just Us (at https://justus.justgroup.com.au/HR21/help_pdf/AU-ST-ESS/guides.html – Under 'Info & Help', 'Just Guides'), at www.netvote2.com.au/432 (CorpVote Website) and in store.

If you have an email address on file with us, you will also have received an email with links to the 2019 Agreement. If you do not have an email address on file, you will have received a copy by post.

If you have a mobile number on file with us, you will also receive a SMS with links to the 2019 Agreement.

If you would like to update your contact details, please contact us on 03 9426 0255 or at RetailAgreementEnquiries@justgroup.com.au.

Where can I get more information about the 2019 Agreement?

We have made it easy for you to access the 2019 Agreement as well as other relevant documents. The following documents are all available at www.netvote2.com.au/432 (CorpVote Website) and on Just Us (at https://justus.justgroup.com.au/HR21/help_pdf/AU-ST-ESS/guides.html - Under 'Info & Help', 'Just Guides'):

- This FAQ document. This document is also available in store.
- A summary of the key terms of the 2019 Agreement and key differences between it and the 2009 Agreements. This document is also available in store.
- The NES.
- The GRIA.
- Relevant State and Territory long service leave legislation.
- A Notice setting out more information about the vote. This document is also available in store.

If you have trouble accessing any of these documents, or would like to receive an individual copy, please contact us on 03 9426 0255 or at RetailAgreementEnquiries@justgroup.com.au.

If you like to access copies of the 2009 Agreements, please contact us on 03 9426 0255 or at RetailAgreementEnquiries@justgroup.com.au.

What if I have any questions?

If you have any questions about the 2019 Agreement or the voting process, please contact us on 03 9426 0255 or at RetailAgreementEnquiries@justgroup.com.au.