

From: Sophie Margaret Whish [<mailto:Sophie.Whish@ablawyers.com.au>]

Sent: Wednesday, 6 June 2018 12:51 PM

To: Chambers - Hatcher VP

Cc: 'Julia Swift'; 'Michael Wright'; Robert Seals; Emily Slaytor; 'robd@langdale.com.au'; Michael Hyde; 'Jim Eager'; 'lucy.saunders@greenway.com.au'; Nigel Ward; Michal Roucek

Subject: RE: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Associate

Response to proposed conditions on Orders requiring a person to attend

Our client does not object to the conditions proposed by the IEU on 4 June 2018.

Our client objects to the second condition proposed by York Civil Pty Ltd on 4 June 2018, as any cross-examination of Mr Hyde will need to be conducted in a private hearing in order to comply with [Order 5 of the Orders dated 3 May 2018](#). On the basis that any cross-examination of Mr Hyde is conducted in private, we do not agree to limit the scope of our line of questioning to exclude financial matters of York Civil Pty Ltd. To provide York Civil Pty Ltd with some comfort, we agree to conduct any cross-examination of Mr Hyde in a private hearing.

Requested attendance details for Mr Diamond and Mr Hyde

We propose to have Mr Diamond and Mr Hyde appear before the Commission on **Wednesday 1 August 2018**.

We request that Mr Diamond attend in person (given he is located in NSW) at 10am.

It seems more appropriate for Mr Hyde to appear via videolink from the Adelaide Fair Work Commission given he is located in South Australia. We request he appear at 11am, if videolink facilities can be made available.

Yours sincerely

Sophie Margaret Whish

Associate

Australian Business Lawyers & Advisors

140 Arthur Street North Sydney NSW 2060

Dir: +612 9458 7431 | Fax: +612 9954 5029 | Mob: 0409 110 373

Tel: +612 9458 7005 | Web: www.ablawyers.com.au | [LinkedIn](#)



AUSTRALIAN BUSINESS
Lawyers & Advisors

Experts make things simple

Workplace + Employment Corporate + Commercial



From: Chambers - Hatcher VP [<mailto:Chambers.Hatcher.VP@fwc.gov.au>]

Sent: 05/06/2018 1:53 PM

To: Sophie Margaret Whish

Cc: 'Julia Swift'; 'Michael Wright'; Robert Seals; Emily Slaytor; 'robd@langdale.com.au'; Michael Hyde; 'Jim Eager'; 'lucy.saunders@greenway.com.au'; Nigel Ward; Michal Roucek

Subject: FW: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Ms Whish,

Re: C2013/6333 Application by IEU for an Equal Remuneration Order

I refer to the emails below.

Could ABL please respond to the conditions proposed by the IEU and York Civil Pty Ltd as soon as practicable. Additionally, could ABL identify the time, date, and place proposed for the attendance of Mr Hyde and Mr Diamond.

Kind regards,

Ammy Lewis

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

chambers.hatcher.vp@fwc.gov.au

Level 10 Tower Terrace

80 William Street

East Sydney NSW 2011

www.fwc.gov.au

From: Julia Swift [<mailto:Julia.Swift@yorkcivil.com.au>]

Sent: Monday, 4 June 2018 4:18 PM

To: Michael Wright; Chambers - Hatcher VP

Cc: 'Sophie Margaret Whish'; Nigel Ward; Michal Roucek; 'Emily.Slaytor@Ablawyers.com.au'; 'robd@langdale.com.au'; Michael Hyde; 'Jim Eager'; Robert Seals; Lucy Saunders

Subject: RE: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Associate

York Civil does not object to the order being made in respect of Mr Hyde subject to:

1. Orders being made as sought by Mr Wright in his email below;
2. A further order being made that the subject matters in respect of Mr Hyde must not be related to York Civil's annual turnover or fees generated by York Civil with respect to projects (i.e. the categories of information sought in paragraphs 6(b) and 7 of the Order for Production issued to York Civil).

Regards

Julia Swift

General Counsel

From: Michael Wright [<mailto:michael@ieu.asn.au>]
Sent: Monday, 4 June 2018 3:40 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Cc: 'Sophie Margaret Whish' <Sophie.Whish@ablawyers.com.au>; Julia Swift <Julia.Swift@yorkcivil.com.au>; Nigel Ward <Nigel.Ward@ablawyers.com.au>; Michal Roucek <Michal.Roucek@ablawyers.com.au>; 'Emily.Slaytor@Ablawyers.com.au' <Emily.Slaytor@Ablawyers.com.au>; 'robd@langdale.com.au' <robd@langdale.com.au>; Michael Hyde <Michael.Hyde@yorkcivil.com.au>; 'Jim Eager' <jimeager@eagerlaw.com.au>; Robert Seals <robert@ieu.asn.au>; Lucy Saunders <lucy.saunders@greenway.com.au>
Subject: Re: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Associate,

Re: C2013/6333 Application by IEU for an Equal Remuneration Order: Orders requiring persons to attend

Thank you for the extension of time granted on Thursday.

The IEU does not object to the making of these orders, subject to orders that:

- a. ABL is to provide the Applicant with copies of all correspondence with each witness, within 24 hours of it being sent;
- b. ABL to provide the Applicant with an outline of subject matters about which each witness will give evidence, and a short description of the evidence that ABL expects they will give on those subjects, by 15 June 2018,
- c. ABL to enter into discussions with the Applicant after 15 June 2018 to determine to what extent there is scope for agreement to be reached on facts that would obviate the need for each witness to attend in person.

Regards,

Michael Wright

Dr Michael Wright | Senior Industrial Officer



Independent
Education Union
of Australia
NSW/ACT Branch



GPO Box 116
Sydney NSW 2001
The Briscoe Building
485 - 501 Wattle Street
Ultimo NSW 2007
P 02 8202 8900 | F 02 9211 1455
www.ieu.asn.au

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Date: Thursday, 31 May 2018 at 17:39
To: 'Julia Swift' <Julia.Swift@yorkcivil.com.au>, Robert Seals <robert@ieu.asn.au>, 'Jim Eager' <jimeager@eagerlaw.com.au>, Michael Hyde <Michael.Hyde@yorkcivil.com.au>, "'robd@langdale.com.au'" <robd@langdale.com.au>
Cc: 'Sophie Margaret Whish' <Sophie.Whish@ablawyers.com.au>, Nigel Ward <Nigel.Ward@ablawyers.com.au>, Michal Roucek <Michal.Roucek@ablawyers.com.au>,

"Emily.Slaytor@Ablawyers.com.au" <Emily.Slaytor@Ablawyers.com.au>, Michael Wright <michael@ieu.asn.au>

Subject: RE: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Ms Swift,

Re: C2013/6333 – Application by IEU for an Equal Remuneration Order

I refer to your email below.

The Vice President grants your extension request. York Civil Pty Ltd's response is now due at **5.00pm Monday, 4 June 2018**.

Kind regards,

Ammy Lewis

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

chambers.hatcher.vp@fwc.gov.au

Level 10 Tower Terrace

80 William Street

East Sydney NSW 2011

www.fwc.gov.au

From: Julia Swift [<mailto:Julia.Swift@yorkcivil.com.au>]

Sent: Thursday, 31 May 2018 5:29 PM

To: Chambers - Hatcher VP; 'Robert Seals'; 'Jim Eager'; Michael Hyde; 'robd@langdale.com.au'

Cc: 'Sophie Margaret Whish'; Nigel Ward; Michal Roucek; 'Emily.Slaytor@Ablawyers.com.au'; Michael Wright

Subject: RE: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Associate

We refer to the emails below and apologise for the delay in responding.

We are also unable to provide a response within the timeframe given and therefore respectfully request an extension until 5pm, Monday 4 June 2018.

Regards

Julia Swift

General Counsel

York Civil Pty Ltd – Delivering Infrastructure Solutions

27 Tikalara Street, Regency Park SA 5010 | PO Box 2094, Regency Park SA 5942

T +61 8 8340 5300 **F** +61 8 8340 5330 **E** Julia.Swift@yorkcivil.com.au

www.yorkcivil.com.au

From: Chambers - Hatcher VP [<mailto:Chambers.Hatcher.VP@fwc.gov.au>]

Sent: Thursday, 31 May 2018 4:30 PM

To: 'Robert Seals' <robert@ieu.asn.au>; 'Jim Eager' <jimeager@eagerlaw.com.au>; Julia Swift <Julia.Swift@yorkcivil.com.au>; Michael Hyde <Michael.Hyde@yorkcivil.com.au>; 'robd@langdale.com.au' <robd@langdale.com.au>

Cc: 'Sophie Margaret Whish' <Sophie.Whish@ablawyers.com.au>; Nigel Ward <Nigel.Ward@ablawyers.com.au>; Michal Roucek <Michal.Roucek@ablawyers.com.au>; 'Emily.Slaytor@Ablawyers.com.au' <Emily.Slaytor@Ablawyers.com.au>; Michael Wright <michael@ieu.asn.au>

Subject: RE: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImangeDocs.FID162488]

Dear Mr Seals,

Re: C2013/6333 – Application by IEU for an Equal Remuneration Order

I refer to your email below.

The Vice President grants your extension request. The IEU's response is now due at **5.00pm Monday, 4 June 2018**.

Kind regards,

Ammy Lewis

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

chambers.hatcher.vp@fwc.gov.au

Level 10 Tower Terrace

80 William Street

East Sydney NSW 2011

www.fwc.gov.au

From: Robert Seals [<mailto:robert@ieu.asn.au>]

Sent: Thursday, 31 May 2018 4:54 PM

To: Chambers - Hatcher VP; 'Jim Eager'; 'Julia Swift'; 'michael.hyde@yorkcivil.com.au'; 'robd@langdale.com.au'

Cc: 'Sophie Margaret Whish'; Nigel Ward; Michal Roucek; 'Emily.Slaytor@Ablawyers.com.au'; Michael Wright

Subject: Re: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImangeDocs.FID162488]

Dear Associate,

Re: C2013/6333 – Application by IEU for an Equal Remuneration Order

I refer to your request for a response to these documents by close of business this afternoon. We are unable to provide a response within the timeframe given. We seek to respond by no later than Monday 4 June 2018 before 5pm if that is at all possible.

Regards,

Robert Seals | Industrial Officer



Independent
Education Union
of Australia
NSW/ACT Branch



GPO Box 116
Sydney NSW 2001
The Briscoe Building
485 - 501 Wattle Street
Ultimo NSW 2007
P 02 8202 8900 | F 02 9211 1455
www.ieu.asn.au

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Date: Wednesday, 30 May 2018 at 4:29 pm

To: 'Jim Eager' <jimeager@eagerlaw.com.au>, 'Julia Swift' <Julia.Swift@yorkcivil.com.au>, 'michael.hyde@yorkcivil.com.au' <michael.hyde@yorkcivil.com.au>, 'robd@langdale.com.au' <robd@langdale.com.au>

Cc: 'Sophie Margaret Whish' <Sophie.Whish@ablawyers.com.au>, Nigel Ward <Nigel.Ward@ablawyers.com.au>, Michal Roucek <Michal.Roucek@ablawyers.com.au>, 'Emily.Slaytor@Ablawyers.com.au' <Emily.Slaytor@Ablawyers.com.au>, Michael Wright <michael@ieu.asn.au>, Robert Seals <robert@ieu.asn.au>

Subject: FW: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Parties,

Re: C2013/6333 – Application by IEU for an Equal Remuneration Order

I refer to the below email and the attached Form F51 documents requiring a person to attend before the Fair Work Commission.

Please provide a response to these documents by **5.00pm tomorrow Thursday 30 May 2018**.

Kind regards,

Ammy Lewis

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

chambers.hatcher.vp@fwc.gov.au

Level 10 Tower Terrace

80 William Street

East Sydney NSW 2011

www.fwc.gov.au

From: Sophie Margaret Whish [<mailto:Sophie.Whish@ablawyers.com.au>]

Sent: Tuesday, 29 May 2018 6:36 PM

To: Chambers - Hatcher VP

Cc: Nigel Ward; Michal Roucek; Emily Slaytor

Subject: C2013/6333 Application by IEU for an Equal Remuneration Order: Order requiring a person to attend [ABLAW-ImanageDocs.FID162488]

Dear Associate

C2013/6333 – Application by IEU for an Equal Remuneration Order

We act for the Australian Childcare Alliance.

We **attach**, for the purposes of filing, two applications (*Form F51 – Application for order requiring a person to attend before the Fair Work Commission*).

For administrative ease, we attach each application (and draft order) in word version for the Commission.

If you have any questions please contact me on (02) 9458 7431.

Yours sincerely

Sophie Margaret Whish

Associate

Australian Business Lawyers & Advisors

140 Arthur Street North Sydney NSW 2060

Dir: +612 9458 7431 | Fax: +612 9954 5029 | Mob: 0409 110 373

Tel: +612 9458 7005 | Web: www.ablawyers.com.au |  [LinkedIn](#)