

From: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>
Sent: Wednesday, September 18, 2024 10:24 AM
To: Caroline Beasley <Caroline.Beasley@aigroup.com.au>
Cc: Brent Ferguson <Brent.Ferguson@aigroup.com.au>; Shaun Kelleher <Shaun.Kelleher@aigroup.com.au>; lorraine.biviano@twu.com.au; RWS <RWS@fwc.gov.au>
Subject: RE: MS2024/1, MS2024/2 and MS2024/3 - Ai Group correspondence

OFFICIAL

Dear Ms Beasley,

The President has granted your request for an extension. Please be advised that all parties now have until **12:00 pm (AEST) on Friday, 27 September 2024**, to file their submissions regarding the President's provisional views expressed in paragraph [21] of [\[2024\] FWC 2438](#).

Kind regards,

Mahmoud Al Rifai (he/him)

Associate to Justice Hatcher, President



Fair Work Commission

Australia's national workplace relations tribunal

T (02) 9308 1812

E chambers.hatcher.j@fwc.gov.au

Level 11, Terrace Tower

80 William Street, EAST SYDNEY NSW 2011



At the Fair Work Commission we respect and celebrate the diversity of our communities and we are committed to creating a safe and welcoming space for all.

We acknowledge that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander people. We acknowledge their continuing connection to Country and pay our respects to their Elders past and present.

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From: Caroline Beasley <Caroline.Beasley@aigroup.com.au>
Sent: Tuesday, September 17, 2024 6:03 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>; RWS <RWS@fwc.gov.au>
Cc: Brent Ferguson <Brent.Ferguson@aigroup.com.au>; Shaun Kelleher <Shaun.Kelleher@aigroup.com.au>; lorraine.biviano@twu.com.au
Subject: MS2024/1, MS2024/2 and MS2024/3 - Ai Group correspondence

Dear Associates,

Please find **attached** correspondence from the Australian Industry Group in relation to the above matters.

Kind regards

Caroline

Caroline Beasley
Senior Adviser – Workplace Relations Policy



51 Walker Street, North Sydney NSW 2060

T: (02) 9466 5540

E: caroline.beasley@aigroup.com.au

www.aigroup.com.au





The Australian Industry Group
51 Walker Street
North Sydney NSW 2060
PO Box 289
North Sydney NSW 2059
Australia
ABN 76 369 958 788

17 September 2024

Justice Hatcher, President
Fair Work Commission
80 William Street
East Sydney NSW 2011

By email: chambers.hatcher.j@fwc.gov.au; rws@fwc.gov.au

Dear Justice Hatcher,

MS2024/1, MS2024/2, MS2024/3 – Applications for Minimum Standards Orders – Extension Request

We refer to the above applications and the Statement issued by Your Honour on 6 September 2024 (**Statement**).¹ In particular, we refer to [24] of the Statement which invites interested parties to make submissions regarding the provisional views expressed in the Statement by 12:00 pm on Friday, 20 September 2024. The Australian Industry Group (**Ai Group**) will file submissions in response to the Statement.

A significant number of Ai Group's members will be impacted in different ways by the applications. Our membership includes major platforms as well as road transport businesses and affiliated associations with a relevant interest in applications and other supply chain participants that may be affected by the applications. These entities have a diverse array of interests which need to be worked through carefully in recognition of the fact that these applications are the first test of the new and novel legislative regime regarding minimum standards orders.

We respectfully request that all parties be granted an extension of one week (until **Friday, 27 September 2024**) to file any submissions. This short extension would allow Ai Group to more fulsomely consult with industry in relation to the applications and Statement. This request is also advanced at the urging of Ai Group members who will be impacted by the proposed orders and are contemplating advancing separate submissions.

This request is also made in light Ai Group's involvement in various other Fair Work Commission (**Commission**) matters, several of which have been commenced by the Commission and are being dealt with in accordance with tight timeframes. These include the following:

- (a) Preparing submissions and attending various consultation conferences in relation to the Gender Undervaluation proceedings regarding a number of modern awards;

¹ *Applications by Transport Workers' Union of Australia* [2024] FWC 2438.



The Australian Industry Group
51 Walker Street
North Sydney NSW 2060
Australia
ABN 76 369 958 788

- (b) Appearing in proceedings before the Commission and preparing material in relation to various other matters, including, among others:
 - (i) AM2024/41, an application concerning the *General Retail Industry Award 2020*;
 - (ii) AM2024/34, new proceedings concerning working from home in the *Clerks – Private Sector Award 2020*; and
 - (iii) AM2024/35, an application to vary the *Road Transport (Long Distance Operations) Award 2020*; and
- (c) Preparing reply submissions and evidence in AM2023/28, AM2024/16 and AM2024/30 concerning the *Social, Community Home Care and Disability Services Industry Award 2010*.

We are also actively engaged in various other urgent consultation processes with government.

Given the short extension sought, and the proposal for it to be granted to all parties, we do not envisage that the interests of any other party would be unduly prejudiced. We also contend that it is appropriate that the Commission take an approach to consultation with industry over these matters that maximises the level of engagement of affected parties.

We thank the Commission for its consideration of our request.

Yours sincerely,

Brent Ferguson

Head of National Workplace Relations Policy

Caroline Beasley

Senior Adviser – Workplace Relations Policy