



Our ref. 21002240

2 June 2022

Associate to the Hon. Justice Ross AO  
Fair Work Commission  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

Dear Associate

**AM2020/99; AM2021/65 and AM2021/63**

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1. We refer to the above proceedings, and to the Fair Work Commission's Statement on 12 May 2022 ([2022] FWCFB 71), setting out a revised timetable for these proceedings. We continue to act for the Commonwealth in this matter.
2. The Commonwealth wishes to be heard on the issues raised by these proceedings, and provide assistance to the Commission on these matters and, to the extent possible, to do so in a manner that minimises any disruption to the progress of the proceedings. The Commonwealth is conscious of the well progressed status of the proceedings, and that it has not played an active role in the proceedings to date.
3. The Commonwealth anticipates that it would require additional time beyond what is provided by the current timetable to enable a decision of Government prior to the Commonwealth filing its submissions. We intend to correspond with the parties regarding a proposed variation to the timetable. The Government proposes that a submission could be provided by no later than 8 August 2022. However, should the Commission decide to accommodate the Commonwealth's wish to be heard, the Commonwealth would defer to the Commission on an appropriate timeframe, whilst not wishing to adversely affect the timing of a decision in the overall proceedings.

**Lay witness evidence report and other materials**

4. We refer to the Commission's intention to circulate to the parties a draft report of lay witness evidence on 3 June 2022 and a set of other reports and materials on 7 June 2022.
5. The Commonwealth considers that it may be able to assist the Commission and the other parties by providing comment on these documents, and so would request to be provided with drafts or copies of these documents at the same time as the other parties to the proceedings.

**Contact**

6. Please direct any correspondence regarding this letter to: Stephen Reeves, Senior Lawyer ([stephen.reeves@ags.gov.au](mailto:stephen.reeves@ags.gov.au), 03 9242 1206)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Vermeesch', with a stylized, cursive script.

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