

From: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>

Sent: Friday, 24 December 2021 10:26 AM

To: Ben Redford <Ben.Redford@unitedworkers.org.au>; Alex Grayson <AGrayson@mauriceblackburn.com.au>; Nick White <nwhite@gordonlegal.com.au>; AMOD <AMOD@fwc.gov.au>

Cc: Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Nigel.Ward@ablawyers.com.au; alana.rafter@ablawyers.com.au; Penny Parker <PParker@mauriceblackburn.com.au>; Leigh Svendsen <leighs@hsu.net.au>; 'louised@hsu.net.au' <louised@hsu.net.au>; Kristen Wischer <kwischer@anmf.org.au>

Subject: RE: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

OFFICIAL

Dear all

Thank you for your responses and comments.

Would the employer parties like to respond to the position of the ANMF, HSU and UWU?

In particular, is there any opposition or comment relating to the proposed amendments to the directions as proposed by the ANMF:

8. Employers and employer organisations will file evidence and submissions by 4pm on ~~Friday 18 February 2022~~ **Friday 4 March 2022**.
9. The Applicants and other union parties will file evidence and submissions in reply by 4pm on ~~Thursday 14 April 2022~~ **Thursday 21 April 2022**.

Please note, that in future, any requests for an extension of time to file submissions must be discussed between the parties with a consensus reached prior to submitting such application to the Full Bench.

Kind regards

Phoebe Scott (she/her)

Associate to The Hon. Justice IJK Ross

President

Fair Work Commission

From: Ben Redford <Ben.Redford@unitedworkers.org.au>
Sent: Thursday, 23 December 2021 4:33 PM
To: Alex Grayson <AGrayson@mauriceblackburn.com.au>; Nick White <nwhite@gordonlegal.com.au>; Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>
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Subject: RE: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

Dear Associate

UWU also supports the position outlined by ANMF in relation to the request for an extension of time.

Regards

Ben Redford

Director – Strategic Power

United Workers Union

From: Alex Grayson <AGrayson@mauriceblackburn.com.au>
Sent: Thursday, 23 December 2021 4:25 PM
To: Nick White <nwhite@gordonlegal.com.au>; Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>
Cc: jordan.lombardelli@ablawyers.com.au; Nigel.Ward@ablawyers.com.au; alana.rafter@ablawyers.com.au; Penny Parker <PParker@mauriceblackburn.com.au>; 'leighs@hsu.net.au' <leighs@hsu.net.au>; 'louised@hsu.net.au' <louised@hsu.net.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Kristen Wischer <kwischer@anmf.org.au>
Subject: RE: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

Dear Associate,

The HSU supports and adopts the position of the ANMF in relation to the application for an extension of time.

Regards,

Alex

Alex Grayson | Principal Lawyer

E: AGrayson@mauriceblackburn.com.au | T: (02) 8267 0949 | F: (02) 9261 3318

From: Nick White <nwhite@gordonlegal.com.au>

Sent: Thursday, 23 December 2021 4:08 PM

To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>

Cc: jordan.lombardelli@ablawyers.com.au; Nigel.Ward@ablawyers.com.au; alana.rafter@ablawyers.com.au; Alex Grayson <AGrayson@mauriceblackburn.com.au>; Penny Parker <PParker@mauriceblackburn.com.au>; 'leighs@hsu.net.au' <leighs@hsu.net.au>; 'louised@hsu.net.au' <louised@hsu.net.au>; 'Ben Redford' <Ben.Redford@unitedworkers.org.au>; Kristen Wischer <kwischer@anmf.org.au>

Subject: RE: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

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Dear Associate

The ANMF opposes the application for an extension of time on the following bases:

1. No proper basis for the extension sought has been articulated.
2. The Applicants and other union parties would have less than five weeks to reply to the evidence and submissions of the employers and employer organisations, in circumstances where our client does not know how many employers and employer organisations will file evidence and submissions in the matters.
3. If an application for an extension of time to file reply material is made after 11 March 2022, there is a significant risk that the listing for the hearing of evidence would also be disrupted.

Please note that our client would not oppose further amendments to the directions as follows:

8. Employers and employer organisations will file evidence and submissions by 4pm on ~~Friday 18 February 2022~~ Friday 4 March 2022.
9. The Applicants and other union parties will file evidence and submissions in reply by 4pm on ~~Thursday 14 April 2022~~ Thursday 21 April 2022.

Regards

Nick White

Senior Associate

Accredited Specialist (Workplace Relations)

From: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>

Sent: Thursday, 23 December 2021 10:35 AM

To: Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; AMOD <AMOD@fwc.gov.au>

Cc: Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Nigel Ward

<Nigel.Ward@ablawyers.com.au>; Leigh Svendsen <leighs@hsu.net.au>;

Lauren.Hutchins@hsu.asn.au; Jamila.Gherjestani@hsu.asn.au; Chris.Friend@hsu.asn.au; Kristen

Wischer <kwischer@anmf.org.au>; ben.redford@unitedworkers.org.au; louised@hsu.net.au

Subject: RE: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

OFFICIAL

Dear Jordan

Thank you for your email.

The Full Bench would like to know if there is any opposition from other parties to this extension being granted.

Kind regards

Phoebe Scott (she/her)

Associate to The Hon. Justice IJK Ross

President

Fair Work Commission

From: Jordan Lombardelli <Jordan.Lombardelli@ablawyers.com.au>

Sent: Wednesday, 22 December 2021 4:09 PM

To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>

Cc: Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Nigel Ward

<Nigel.Ward@ablawyers.com.au>; Leigh Svendsen <leighs@hsu.net.au>;
Lauren.Hutchins@hsu.asn.au; Jamila.Gherjestani@hsu.asn.au; Chris.Friend@hsu.asn.au;
kwischer@anmf.org.au; ben.redford@unitedworkers.org.au; louised@hsu.net.au
Subject: AM2020/99; AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

AM2020/99; AM2021/63 & AM2021/65 – Work Value Case – Aged Care Industry

Dear Associate,

We refer to the abovementioned matters in which we act for Aged & Community Services Australia, Leading Age Services Australia Ltd and Australian Business Industrial.

In accordance with the directions of the Full Bench issued 1 July 2021 [2021] FWCFB 3726 (amended 2 August and on 18 November 2021), the employers and employer organisations are due to file evidence and submissions by **4pm Friday, 18 February 2022**.

Due to the shift in government policy and the emergence of the Omicron variant in the COVID-19 pandemic the employer organisations collection of evidence and submissions has been impacted. As such, we respectfully seek an extension in accordance with direction 16, until **4pm Friday, 11 March 2022** to file the evidence and submissions. The extension sought is for an additional 3 weeks to file evidence and submissions, which is consistent with the extension granted to the Applicants on 5 October 2021.

Should you have any queries, please don't hesitate to contact me directly on 0419 167 865.

Yours Faithfully,

Jordan

Jordan Lombardelli
Associate
Australian Business Lawyers & Advisors

140 Arthur Street, North Sydney, NSW 2060
Dir: 02 9466 4111 | Mob: 0419 167 865
Tel: 1300 565 846 | Web: ablawyers.com.au | [in](#): LinkedIn