

From: Nick White <nwhite@gordonlegal.com.au>
Sent: Friday, October 13, 2023 12:36 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>
Cc: Nigel Ward <Nigel.Ward@ablawyers.com.au>; Mia Pantechis <MPantechis@mauriceblackburn.com.au>; Larissa Harrison <Larissa.Harrison@unitedworkers.org.au>; Penelope Parker <PParker@mauriceblackburn.com.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Geoff Taylor <geoff.taylor@awu.org.au>; Cheri Taylor <cheri.taylor@awu.org.au>; mrobson@asu.asn.au; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au; Philip Gardner <pgardner@gordonlegal.com.au>
Subject: RE: AM2020/99, AM2021/63 & AM2021/65: Work value case – Aged care industry | Re: ACCPA and ABI Extension Request

Dear Associate

We refer to the application for an extension of time dated 12 October 2023 on behalf of ACCPA and ABI, and his Honour's request that the applicants and other interested union parties provide their responses by 5:00 pm today.

The ANMF notes that, if the proposed extension is granted, the applicants and other interested union parties will have substantially less time to comply with items 5 and 11 of the Directions – only two weeks and less than three weeks respectively. The ANMF submits that this is likely to cause prejudice to those parties.

In circumstances where ACCPA is likely to have known about its National Conference for some months (or longer) and it is scheduled for three days, the ANMF submits that a shorter extension of three days to 5:00 pm on Wednesday 1 November 2023 should be granted.

Regards

Nick White

Principal Lawyer

Accredited Specialist (Workplace Relations)



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From: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>
Sent: Friday, 13 October 2023 9:19 AM
To: Alana Rafter <Alana.Rafter@ablawyers.com.au>
Cc: Nigel Ward <Nigel.Ward@ablawyers.com.au>; Mia Pantechis <MPantechis@mauriceblackburn.com.au>; Larissa Harrison <Larissa.Harrison@unitedworkers.org.au>; Penelope Parker <PParker@mauriceblackburn.com.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Geoff Taylor <geoff.taylor@awu.org.au>; Cheri Taylor <cheri.taylor@awu.org.au>; mrobson@asu.asn.au; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au; Nick White <nwhite@gordonlegal.com.au>
Subject: RE: AM2020/99, AM2021/63 & AM2021/65: Work value case – Aged care industry | Re: ACCPA and ABI Extension Request

OFFICIAL

Dear Ms Rafter,

I have brought your request for an extension to the timeframes in paragraphs 3 and 10 of the directions issued on 2 August 2023 to Justice Hatcher's attention.

Before making a decision on the request, his Honour has asked the applicants and other interested union parties to provide their responses to the extension request by **5:00 pm (AEDT) today, Friday 13 October 2023**. Responses should be sent to chambers.hatcher.j@fwc.gov.au

Regards,
Caroline

Caroline Beasley
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
www.fwc.gov.au

The Fair Work Commission acknowledges 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, present and emerging.

This email was sent from Gadigal Country.

From: Alana Rafter <Alana.Rafter@ablawyers.com.au>
Sent: Thursday, October 12, 2023 4:29 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>

Cc: Nigel Ward <Nigel.Ward@ablawyers.com.au>; Mia Pantechis <MPantechis@mauriceblackburn.com.au>; Larissa Harrison <Larissa.Harrison@unitedworkers.org.au>; Penelope Parker <PParker@mauriceblackburn.com.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Geoff Taylor <geoff.taylor@awu.org.au>; Cheri Taylor <cheri.taylor@awu.org.au>; mrobson@asu.asn.au; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au; Nick White <nwhite@gordonlegal.com.au>

Subject: AM2020/99, AM2021/63 & AM2021/65: Work value case – Aged care industry | Re: ACCPA and ABI Extension Request

OFFICIAL

Dear Associate,

We refer to the above proceedings and to the orders made by President Hatcher on 2 August 2023 (with items 2, 8 and 9 amended on 13 September 2023) (**Orders**).

On behalf of the ACCPA and ABI, we respectfully seek an extension of 1-week to comply with items 3 and 10 of the Orders, amending the date for filing to 3 November 2023.

This extension is sought due to the unfortunate timing of the ACCPA National Conference on 25-27 October 2023, which overlaps with the timetable set by the Commission. We are recently instructed that ACCPA will not be in a position to provide instructions over the course of that week.

In making this request, we note the extension sought is consistent with that previously granted to the HSU on 13 September 2023. We also note the applicants will still have the benefit of 2 and 3 weeks, respectively, to file any evidence and submissions in reply to the material filed pursuant to items 3 and 10 of the Orders.

We have included the legal representatives for the active parties in these proceedings in this email.

Yours faithfully,

Alana

Alana Rafter

Senior Associate
Australian Business Lawyers & Advisors

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