



2 August 2017

Our Ref: 20140547

Your Ref: AM2014/281

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Dear Associate

AM2014/281 - PROFESSIONAL EMPLOYEES AWARD 2010 – TECHNICAL AND DRAFTING ISSUES

We refer to the Conference on 19 July 2017 in relation to the above matter.

In that conference, we undertook to seek instructions from our clients, ABI and the NSW Business Chamber in relation to a number of proposals contained in a document tendered by Mr Butler of APESMA, and provide a report back to Commissioner Cirkovic within 14 days.

We can now confirm that our clients do not oppose the wording set out in the documents in relation to items for Items 16, 21, 22, 28 and 31-35.

In relation to Item 10, we note that Mr Butler informed the employer parties on 21 July 2017 that APESMA agree with ABI's submissions at the last conference that for an Experienced Scientist, the relevant membership category in clause 2.4(b)(iii) for the Australian Institute of Mining and Metallurgy should be "Member", not "Associate Member". In light of this correspondence, our clients agree to the updating wording proposed in relation to this item.

We have now also had the opportunity to review the revised Exposure Draft republished on 17 July 2017 and confirm that:

- (a) in relation to item 13 - our clients agree with AIG's submission of 18 January 2017 and 30 May 2017 that the words "industry and occupational" should be retained; and
- (b) there appears to be a formatting error at clause 4, whereby clauses 4.3 and 4.8 have not been renumbered following deletion of 4.2.

Our clients are otherwise of the view that the revised Exposure Draft republished on 17 July 2017 accurately reflects the amendments agreed upon by the parties at the Conference on 31 May 2017

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and as set out in the Commissioner's Draft Report of 21 June 2017 and the Summary of Submissions - Technical and Drafting republished on 17 July 2017.

Having also had the benefit of reviewing Ai Group's submissions dated 2 August 2017, we also confirm that our clients would also not be opposed to Ai Group's proposal to include a footnote at Schedule B highlighting that the rates of pay set out therein are inclusive of the casual loading.

If you have any questions, please contact Margaret Chan on (02) 9458 7803.

Yours sincerely



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