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Sent: Tuesday, 17 March 2020 4:45 PM
To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; AMOD <AMOD@fwc.gov.au>
Cc: Pill, Stuart <SPill@claytonutz.com>
Subject: AM2017/51 - Higher Education Industry – General Staff – Award 2010 [CU-Legal.FID1999041]

Dear Associate

We write in relation to AM2017/51 - Higher Education Industry – General Staff – Award 2010 (**Award**) and to the decision issued by the Full Bench in [\[2020\] FWCFB 690](#); specifically the draft determination issued in relation to the Award in [MA000007 PR716641](#) (**Draft Determination**).

On 4 December 2019 and 28 October 2019, we wrote to the Commission in relation to variations to the Award that had been agreed between the employer and union parties in respect of the Award, specifically in relation to the issue of overtime for casuals. This position was also referenced in the hearing on 18 December 2019 at PN 381 (see transcript [here](#)), and was acknowledged by the Vice President Hatcher at paragraph [6] of [\[2019\] FCW 8318](#).

At paragraph [204] of the Full Bench's decision in [\[2019\] FWCFB 8569](#), the Commission stated "*the Go8 rely on their submissions filed in the Overtime for Casuals matter, in relation to clause 12 and 22 and the rates of pay for casual staff in Schedule B and recognise their submissions will be considered by that Full Bench.*"

We note that that the Draft Determination does not presently reflect the agreed position in respect of overtime for casuals (as reflected in our 4 December 2019 and 28 October 2010 correspondence). We understand that this is because the Overtime for Casual Full Bench (AM 2017/51) is still to formally issue its decision/determinations, but for completeness we considered it prudent to note these matters in respect of the Draft Determination given that it is intended to take effect on 4 May 2020.

Yours sincerely

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