

From: Chambers - Asbury DP
Sent: Wednesday, 30 May 2018 2:24 PM
To: 'Zach Duncalfe'; Chambers - Asbury DP
Cc: 'Abha Devasia'; 'Ashvini Ambihapahar'; 'brogers@nff.org.au'; 'Eric.Motti@au.wilmar-intl.com'; 'Joanne.Nugent@qsl.com.au'
Subject: RE: AM2017/56 - Sugar Industry Award 2010

Dear Parties,

The Deputy President acknowledges receipt of the below correspondence, and correspondence from the NFF withdrawing its claim to vary the piecework loading in the Award on 18 May 2018.

The Deputy President has asked me to communicate that, as noted below by Mr Duncalfe, the issue of the calculation of the minimum piece rate for casual employees and how that interacts with the casual loading identified as item 17 of the summary of submissions published on 10 October 2017, remains in dispute.

The Deputy President considers that as this item is still in dispute, submissions would be required from the Parties, including the NFF, as to their position in relation to this claim, and may require arbitration.

The Deputy President will amend the current directions to allow the Parties until **4.00pm Friday 8 June 2018** to file any submissions in relation to this issue.

Additionally, any interested Parties who wish to respond to any proposed change will be given until **4.00pm Friday 15 June 2018** to file comprehensive written submissions and any witness statements upon which it seeks to rely.

Kind regards,

CALLUM YOUNG

Associate to Deputy President Asbury

Fair Work Commission

Tel 07 3028 7812

Fax 07 3000 0388

chambers.asbury.dp@fwc.gov.au

Level 14, Central Plaza Two

66 Eagle Street Brisbane Qld 4000

GPO Box 5713, Brisbane 4001

From: Zach Duncalfe [<mailto:zach.duncalfe@nat.awu.net.au>]
Sent: Tuesday, 29 May 2018 2:33 PM
To: Chambers - Asbury DP
Cc: 'Abha Devasia'; 'Ashvini Ambihapahar'; 'brogers@nff.org.au'; 'Eric.Motti@au.wilmar-intl.com'; 'Joanne.Nugent@qsl.com.au'
Subject: Re: AM2017/56 - Sugar Industry Award 2010

Dear Mr Young,

The Australian Workers' Union (AWU) notes that the National Farmers' Federation withdrawing its claim to reduce the piecework rate at Item 34 of the *Summary of Submissions* has left Item 17, which was going to be dealt with by the Commission concurrently with Item 34, outstanding.

The AWU understands that parties have different views regarding Item 17. Notwithstanding that the outcome of Item 17 may result in amendments to the Award for the purposes of the clarification requested by the Fair Work Ombudsman, the AWU understands that Item 17 is not a substantive claim and is therefore unlikely to require arbitration. The AWU requests clarification from the Deputy President regarding the next steps on this item.

If it is the intention of the Deputy President to deal with Item 17 according to the Directions issued 6 April 2018, the AWU respectfully requests an extension until **Friday, 8 June 2018** to file written submissions in support of our position.

Kind Regards,

ZACH DUNCALFE | NATIONAL LEGAL OFFICER

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From: Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>

Date: Tuesday, 29 May 2018 at 10:47 am

To: 'Abha Devasia' <abha.devasia@amwu.org.au>, Zach Duncalfe <zach.duncalfe@nat.awu.net.au>, "'brogers@nff.org.au'" <brogers@nff.org.au>, 'Ashvini Ambihaipahar' <Ashvini@etuaustralia.org.au>, "'Eric.Motti@au.wilmar-intl.com'" <Eric.Motti@au.wilmar-intl.com>, "'Joanne.Nugent@qsl.com.au'" <Joanne.Nugent@qsl.com.au>

Cc: Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>

Subject: RE: AM2017/56 - Sugar Industry Award 2010

Dear Parties,

I refer to the above matter, and the below correspondence where the parties were given until close of business on Friday 25 May 2018 to file material in relation to any proposed changes.

I acknowledge receipt of the updated consensus position document filed by the AWU on 3 May 2018, correspondence from the NFF on 18 May 2018 withdrawing its claim for a variation to piecework loading, and a submission from the AMWU filed on 25 May 2018 regarding the tool allowance.

It is requested the Parties confirm whether they intend to file further submissions that were required to be filed by close of business on Friday 25 May 2018.

Kind regards,

CALLUM YOUNG

Associate to Deputy President Asbury

Fair Work Commission

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Level 14, Central Plaza Two

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From: Chambers - Asbury DP

Sent: Friday, 18 May 2018 1:43 PM

To: 'Abha Devasia'

Cc: 'zach.duncalfe@nat.awu.net.au'; 'Eric.Motti@au.wilmar-intl.com'; 'brogers@nff.org.au';

'Joanne.Nugent@qsl.com.au'; 'Ashvini Ambihaipahar'; Chambers - Asbury DP

Subject: FW: AM2017/56 - Sugar Industry Award 2010

Dear Ms Devasia,

The Deputy President will grant you an extension until **close of business Friday 25 May 2018**.

I note the other parties are also granted a commensurate extension to file its material as well.

Kind regards,

CALLUM YOUNG

Associate to Deputy President Asbury

Fair Work Commission

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From: Abha Devasia [<mailto:abha.devasia@amwu.org.au>]
Sent: Friday, 18 May 2018 1:28 PM
To: Chambers - Asbury DP
Subject: AM2017/56 - Sugar Industry Award 2010

Dear Deputy President,

The AMWU refers to the directions in the above matter for any party to file comprehensive written submissions and additional material by 4.00 pm 18 May 2018.

The AMWU will be unable to complete the submissions by COB today due to a technical issue and respectfully requests that an extension of two days be granted, being 22 April 2018.

Please do not hesitate to contact me should you have any further questions.

Abha Devasia
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