



12 September 2018

The Honourable Justice Ross AO, President
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: Chambers.Ross.j@fwc.gov.au; amod@fwc.gov.au

Dear Associate,

AM2017/59 –Substantive Review - Restaurant Industry Award 2010

We refer to the above matter.

Restaurant and Catering Industry Association (RCI) filed submissions on 12 September 2018.

United Voice objects to the filing of the RCI submissions. The submissions have not been filed in accordance with the Commission's directed timeframe in the Amended Directions published on 20 July 2018. The Amended Directions published on 20 July 2018 directed that:

- 1. Any party seeking variations shall file written submissions and any witness statements and/or documentary material by 4.00 pm Tuesday 24 July 2018.*
- 2. Any interested party is to file written submissions in reply and any witness statements and/or documentary material by 4.00pm Tuesday 18 September 2018.*

The RCI submissions have been filed 7 weeks past the due date for submissions and 5 working days prior to the date submissions in reply are due.

We are not aware of RCI seeking an extension of time to file their submissions.

This is not a minor delay, but a significant delay that does not allow United Voice or other interested parties sufficient time to prepare a submission in reply. We note that the Amended Directions dated 3 July 2018 in [4] state that '*The matter will be listed for hearing in October 2018. Dates will be confirmed in due course.*' RCI's late filing does not permit both sufficient time for United Voice and other parties to file submissions in reply, and for the hearing to be listed in October.

We seek that the RCI submissions not be accepted for filing in these proceedings.

If you have any questions regarding this matter, please feel free to contact me.

Regards,

Natalie Dabarera
Industrial Officer
United Voice National Office
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