



The Australian Industry Group
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Australia
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30 November 2018

The Hon. Justice IJK Ross
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: chambers.ross.j@fwc.gov.au

Dear Justice Ross,

Re. AM2018/26 Social, Community, Home Care and Disability Services Industry Award 2010

We refer to the above matter.

On 13 November 2018, the Fair Work Commission (**Commission**) issued a report that summarises the outcome of proceedings conducted before it on 9 November 2018. This included the grant of an opportunity to the Australian Industry Group (**Ai Group**) to file a submission that identifies those elements of the variations proposed by consent by various interested parties (**Consent Variations**) to the *Social, Community, Home Care and Disability Services Industry Award 2010 (Award)*, by 4pm on 23 November 2018. Ai Group was subsequently afforded an extension of time to file such a submission until 4pm on 30 November 2018.

As was previously foreshadowed, Ai Group met earlier today with the relevant unions with an interest in this matter; that is, the Health Services Union, the Australian Services Union and United Voice (collectively, **Unions**). During those discussions, Ai Group identified various elements of the Consent Variations about which it has concerns and detailed the bases for those concerns.

Whilst Ai Group is in a position to file a submission today in accordance with the aforementioned direction, Ai Group and the Unions agree that in light of the discussions held today, there is merit in the matter being listed for conference before the Commission to further discuss the Consent Variations, prior to Ai Group filing its objections. Ai Group and the Unions consider that such an opportunity would enable the relevant parties to endeavour to narrow the scope of the differences between us. We also note in this regard that the timeframes have not permitted us to fully explore our concerns with the other relevant employer interests who agreed to the Consent Variations.

Accordingly, Ai Group with the support of the Unions respectfully request that:

- a) The aforementioned direction requiring Ai Group to file a submission by 4pm today is vacated; and
- b) The matter be listed for conciliation before a member of the Commission. If the Commission is minded to grant our request and if it assists, we have been advised that the relevant representatives of certain Unions are unavailable on 11 – 17 and 19 December 2018.



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We note that the matter is listed for mention before Your Honour on 5 December 2018. Ai Group can address Your Honour further in relation to these issues at that time if it assists the Commission.

Yours sincerely,

A handwritten signature in black ink that reads "Brent Ferguson".

Brent Ferguson
National Manager – Workplace Relations
Advocacy & Policy

A handwritten signature in blue ink that reads "R. Bhatt".

Ruchi Bhatt
Senior Adviser – Workplace Relations
Policy