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Your Ref: AM2019/2

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The Associate to Vice President Hatcher
Fair Work Commission

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Dear Associate

AM2019/2 HEALTH PROFESSIONALS AND SUPPORT SERVICES AWARD 2010 AND HORSE AND GREYHOUND TRAINING AWARD 2010

We act on behalf of Australian Business Industrial (**ABI**) and the New South Wales Business Chamber Ltd (**NSWBC**) in respect of the above matter and refer to the Decision issued on 26 October September ([2018 FWCFB 5986] (**Decision**) and the Directions issued on 11 April 2019 (**Directions**).

Regrettably, due to an administrative oversight, we have been unable to comply with the Directions and seek the leave of the Commission to file this correspondence in support of the position advanced by the Australian Industry Group (**AiG**). We sincerely apologise for this oversight and for any inconvenience it may cause.

We have had the benefit of considering the submission of the AiG filed on 24 May 2019 (**AiG Submission**). We concur with the matters raised by the AiG insofar as they relate to:

- (a) The wording in relation to the entitlements of part time employees in the exposure drafts of the *Health Professionals and Support Services Award 2010 (HPSS Award)* and *Horse and Greyhound Training Award 2010 (HGT Award)* which is summarised at paragraphs [112] - [113], [140] and [143] of the Decision and the proposition that this represents a substantive change;
- (b) The deletion of clause 6.3(a)(iii) and the inclusion of a new clause 6.3(b) in the exposure draft of the HGT Award published on 15 February 2019;
- (c) The AiG's proposal that a similar amendment be made in respect of clause 6.3(a)(iii) of the HPSS Award; and
- (d) The proposition that some form of wording regarding the proportionality of the entitlements of part time employees should be retained in respect of both Awards (as outlined at [8] of the AiG Submission).

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If you have require further information, please contact Kate Thomson on (02) 4989 1003.

Yours sincerely



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