

United Voice ACT Branch Unit 5, Level 2, 40 Brisbane Ave BARTON ACT 2600 ABN: 52 628 088 684

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act@unitedvoice.org.auwww.unitedvoice.org.au

Branch President lan Gair Branch Secretary Lyndal Ryan

20 June 2016 Stefan Russell Uren Legal Officer

The Associate to Vice President Hatcher NSW Registry Level 8, 80 William St East Sydney NSW, 2011

Dear Associate,

Four yearly review of modern awards —Part-time common issues— AM2014/196— Notices to produce

- 1. We write regarding the materials provided to the Fair Work Commission on 17 June 2016 by the AHA and / or in compliance with the order made by His Honour on 6 June 2016.
- 2. United Voice seeks access to the materials provided to the Commission. In the absence of a decision to grant access to United Voice our ability to cross examine the witnesses would be unduly hampered. We would also submit that procedural fairness dictates that access be provided such that United Voice is able to appreciate the documents which might inform the Commission's assessment of this matter.
- 3. We note that the hearing date is only three weeks away and would respectfully request on this basis that access be granted quickly. If the documents are in digital form we can attend to do the copying if that would assist.
- 4. Please contact me in the event of any queries on this matter.

Kind Regards

Stefan Russell Uren

Legal Officer United Voice

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

First Respondent:

Robert Bruce Woods (First Respondent to an order to produce)

Second Respondent:

Largs Hotel Pty Ltd (Second Respondent to an order to produce)

TO:

Largs Hotel Pty Ltd

Attention: Robert Bruce Woods 46 High Street, Largs, NSW

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Dated:	
Member of the Fair Work Commission	
Note:	

This order has been issued at the request of United Voice
 You can apply to have this order set aside or varied.
 Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.

Robert 1	Bruce Woods, Largs Hotel Pty Ltd
12,13, 16	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).
12,13, 16, 17	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.
12,13, 16,17	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016.
7,8,9,12	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.
12,13, 16, 17	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).
18	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Third Respondent:

Balgownie Vineyard Resort and Spa Pty Ltd (Respondent to an order to produce)

Fourth Respondent:

Gerald Ackroyd (Respondent to an order to produce)

TO:

Balgownie Vineyard Resort and Spa Pty Ltd

Attention: Gerald Ackroyd

1309 Melba Highway, Yarra Glen, Victoria

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

	Place:	Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.
Dated:		
Membe	er of the Fai	ir Work Commission
Note:		
	This order	has been issued at the request of United Voice

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4 Gerald Ackroyd, Balgownie Estate Vineyard Resort		
11, 12,13	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).	
12,14, 15	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.	
12,14,15	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016. This material can be provided in summary form.	
7,11,14	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.	
12,14,15	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).	
15	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.	
7,11,14	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.	
	This material can be provided in summary form.	
12,14, 15	Documents showing any offer and acceptance of short notice shifts (shifts required after the issue of the roster).	
12,14,15	In relation to the 63 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue .	
	This material can be provided in summary form	
19	Any document or correspondence showing that a casual employee has declined a shift.	
18	Any documents showing a request or refusal for conversion to part time employment.	

Fair Work Act 2009, s.590(2)(c) Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Fifth Respondent:

Hilton Hotels of Australia Pty Ltd (Respondent to an order to produce)

Sixth Respondent:

Lydia Berlage

(Respondent to an order to produce)

TO:

Hilton Hotels of Australia Pty Ltd

Attention: Lydia Berlage

8 Orchid Avenue, Surfers Paradise, Queensland

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Time: 12:00

	Date:	2 June 2016
	Place:	Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.
Dated:		
Membe	er of the Fair	Work Commission
Note:		
	This order	has been issued at the request of United Voice

- Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.
- ☐ If you have any queries in relation to this order please contact the associate to Vice President Hatcher on (02) 9 308 1812

13 Lydia	Berlage, Hilton Hotel Surfers Paradise
14	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).
14	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.
14,15	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016. This material can be provided in summary form
13,14	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.
14,15	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).
15	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.
13,14	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.
	This material can be provided in summary form.
15	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).
15	In relation to the 73 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue. This material can be provided in summary form

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Seventh Respondent:

The Trustee for the Coombes Family No.1 (Respondent to an order to produce)

Eighth Respondent:

Melanie Lewis (Respondent to an order to produce)

TO:

The Trustee for the Coombes Family No.1

Attention: Melanie Lewis

64 Esplanade, Darwin, Northern Territory.

Pursuant to s.590(2) of the Fair Work Act 2009 you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Member of the Fair Work Commission

Note:

Dated:

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Instead of attending to provide the documents etc. covered by this order at the time at
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14 Mela	nie Lewis, Palms City Resort
10, 11	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).
10,11	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.
10,11, 12	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016. This material can be provided in summary form
10	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.
10,11, 12	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).
12,	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.
10	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.
	This material can be provided in summary form.
10,11	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).
10,11	In relation to the 10 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.
	This material can be provided in summary form.

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Ninth Respondent:

Tangalooma Island Resort Pty Ltd (Respondent to an order to produce)

Tenth Respondent:

Melissa Bowman (Respondent to an order to produce)

TO:

Note:

Tangalooma Island Resort Pty Ltd

Attention; Melissa Bowman

Staff Accommodation, Tangalooma Island Resort, Moreton Island

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Dated:	
Member of the Fair Work Comm	nission

	This order has been issued at the request of United Voice	Э

- ☐ You can apply to have this order set aside or varied.
- ☐ Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.
- ☐ If you have any queries in relation to this order please contact the associate to Vice President Hatcher on (02) 9 308 1812

15 Melissa Bowman, Tangalooma Resort		
12,15, 16	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).	
12,15	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.	
12,15	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016.	
	This material can be provided in summary form	
6,11,12	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.	
15,20	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).	
12,15	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.	
Records showing the patronage of the Venue for the period of January 2014 – January a week by week, or if unavailable month by month basis.		
	This material can be provided in summary form.	
15	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).	
15	In relation to the 173 casual employees and the 3 part time employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.	
	This material can be provided in summary form.	

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Eleventh Respondent:

Goodearth Hotels Australia (Gold Coats) Pty Ltd (Respondent to an order to produce)

Twelfth Respondent:

Michaeli White

(Respondent to an order to produce)

TO:

Goodearth Hotels Australia (Gold Coats) Pty Ltd

Attention: Michaeli White

2807 Gold Coast Highway, Surfers Paradise, Queensland

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

	•	•	•	•	•
Dated:					
Member of the Fair Work Co	ommission				
N					
Note:					

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17 Micha	17 Michaeli White, Crowne Plaza, Surfers Paradise		
11,12, 13	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).		
11,12, 13	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.		
11,12, 13	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016.		
	This material can be provided in summary form		
13	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.		
13	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).		
13	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.		
13	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.		
	This material can be provided in summary form.		
13	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).		
13	In relation to the 96 casual employees and 11 part time employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.		
	This material can be provided in summary form.		

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Thirteenth Respondent:

Shangri-La International Hotel Management Ltd (Respondent to an order to produce)

Fourteenth Respondent:

Michele Morcos (Respondent to an order to produce)

TO:

Shangri-La International Hotel Management Ltd Michele Morcos

176 Cumberland street, The Rocks, New South Wales

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Dated:

Member of the Fair Work Commission

Note:

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above not later than 4.00 pm on the day before the day mentioned above.

19 Michele Morcos, Shangri-La		
7,9,10	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).	
7,9,10	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.	
7,9,10	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016.	
	This material can be provided in summary form	
8,9	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.	
7,9,10	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).	
7,9	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.	
8,9	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.	
	This material can be provided in summary form.	
7,9,10	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).	
7,9,10	In relation to the 211 casual employees and 1 part time employee noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.	
	This material can be provided in summary form.	

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Fifteenth Respondent:

Royal Hotels Australia Pty Ltd (Respondent to an order to produce)

Sixteenth Respondent:

Samantha Walder

(Respondent to an order to produce)

TO:

Royal Hotels Australia Pty Ltd

Samantha Walder

33 Cross street, Sydney, New South Wales

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Hatcher on (02) 9 308 1812

	Place:	Level 10, Terrace Tower, 80 William Street, East Sydne	y, NSW, 2011.
Dated	:		
 Memb	er of the F	Fair Work Commission	
Note:			

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22 Sama	22 Samantha Walder, Intercontinental, Double bay		
13,14	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).		
13,14	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.		
13,14	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016. This material can be provided in summary form		
13	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.		
13,14	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).		
17,18	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.		
13	Records showing the patronage of the Venue for the period of January 2014 – January 2016 or a week by week, or if unavailable month by month basis.		
	This material can be provided in summary form.		
13,14	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).		
13,14	In relation to the 58 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.		
	This material can be provided in summary form.		

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Seventeenth Respondent:

Greenland (Sydney) Pitt Street Hotel Pty Ltd (Respondent to an order to produce)

Eighteenth Respondent:

Elizabeth Cleaves*
(Respondent to an order to produce)

TO:

Greenland (Sydney) Pitt Street Hotel Pty Ltd

Attention: Elizabeth Cleaves

339 Pitt street, Sydney, New South Wales

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Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Dated:	
Member of the Fair Work Commission	
Note:	

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above not later than 4.00 pm on the day before the day mentioned above.

22 Eliza	22 Elizabeth Cleaves, Primus Hotel, Sydney		
13,14	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).		
13,14	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.		
13,14	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016.		
	This material can be provided in summary form		
15	Documents showing the particulars of any bookings made in relation to any event or function during 2015 & 2016.		
13,14	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).		
8,9,10	Any documents, correspondence (including electronic), file note or record relating to the recruitment strategy or its development.		
15	Records showing the patronage of the Venue for the period of January 2015 – January 2016 on a week by week, or if unavailable month by month basis.		
	This material can be provided in summary form.		
13,14	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).		
13,14	In relation to the 58 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.		
	This material can be provided in summary form.		

Fair Work Act 2009, s.590(2)(c)
Fair Work Commission Rules 2013, Rule 54

FAIR WORK COMMISSION

Commission Matter No.: AM196 and AM197

Applicant:

United Voice (Applicant for an order to produce)

Tenth Respondent:

The Trustee for Salsa Holdings Trust (Respondent to an order to produce)

Tenth Respondent:

Ricki Scott

(Respondent to an order to produce)

TO:

Dated:

The Trustee for Salsa Holdings Trust

Ricki Scott

12 Cavanagh St, Darwin, Northern Territory.

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 12:00

Date: 2 June 2016

Place: Level 10, Terrace Tower, 80 William Street, East Sydney, NSW, 2011.

Member of the Fair Work Commission

Note:	
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22 Ricki David Scott, Cavenagh Hotel, Darwin		
9,10	Rosters issued for the period January 2014 – January 2016 for all staff (including any alterations made after issue).	
9,10	Pay summaries for the period January 2014 – January 2016 for all casuals and part time employees.	
9,10	Timesheets filled out for all casuals and part time employees for the period of January 2014 – January 2016. This material can be provided in summary form	
10	Documents showing the particulars of any bookings made in relation to any event or function during 2014 and 2015.	
9,10	Any written correspondence from casual and part time employees to the employer relating to alterations to their roster (at their behest or that of the employer).	
10	Annual financial statements for the Venue for the financial years ending 30 June 2011, 30 June 2012, 30 June 2013, 30 June 2014 and 30 June 2015.	
10	Records showing the patronage of the Venue for the period of January 2014 – January 2016 on a week by week, or if unavailable month by month basis.	
	This material can be provided in summary form.	
9,10	Documents showing any offer and acceptance or rejection of short notice shifts (shifts required after the issue of the roster).	
9,10	In relation to the 29 casual employees noted, the commencement date of each casual employee, their role or position, and any indication of the nature of their tenure at the Venue.	
	This material can be provided in summary form.	