

From: Nick White <nwhite@gordonlegal.com.au>
Sent: Wednesday, 21 September 2022 3:31 PM
To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Cc: Nigel Ward <Nigel.Ward@ablawyers.com.au>; Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Alex Grayson <AGrayson@mauriceblackburn.com.au>; PParker@mauriceblackburn.com.au; Ben Redford <Ben.Redford@unitedworkers.org.au>; Larissa.Harrison@unitedworkers.org.au; Philip Gardner <pgardner@gordonlegal.com.au>
Subject: RE: AM2020/99, AM2021/63, AM2021/65 - Aged Care Work Value - Correspondence Received

Dear Associate

We refer to the correspondence to the Commission from the Property Council of Australia dated 15 September 2022, on behalf of the Retirement Living Council (**RLC**), and the invitation from the Commission to comment on that correspondence.

The correspondence purports to be directed to the interests of retirement village residents, yet the RLC does not trouble the Commission with the basis upon which it claims to represent those interests or identify the nature of its membership or their interests.

The RLC refer to correspondence dated 4 August 2022 and apparently received by it from the Minister for Aged Care and Sport about the Commonwealth's capacity to provide additional funding for operational village staff who are employed in a retirement village. That correspondence has not been made available to the ANMF.

The Commonwealth's stated position in these proceedings is that it will provide funding to support any increases to award wages made by the Commission in this matter. However, to date, the Commonwealth has not stated with certainty the precise quantum or the extent of the funding it will provide to support the wage increases and fund associated on-costs (see Commonwealth Responses to Questions from the Full Bench dated 29 August 2022 at [13] to [17]).

On 1 September 2022, Counsel for the Commonwealth indicated that if the Commission were to publish an initial determination, first tranche or interim outcome, his client may need some time from the publication of proposed determinations to determine funding arrangements (Mr Shariff, Transcript 1 September 2022, PN15802).

The RLC have asked "for consideration [by the Full Bench] of the interests and concerns of Australia's retirement living sector". It was open for RLC to take part in the proceedings, to make submissions and call evidence. It did not do so.

In the event that the Commission seeks to hear further from interested parties following an initial or interim determination, RLC may at that time choose to respond to any such request or orders from the Commission. Otherwise, no weight would be given to the content of the letter from the Property Council dated 15 September 2022.

Regards

Nick White

Principal Lawyer

Accredited Specialist (Workplace Relations)



From: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>

Sent: Friday, 16 September 2022 11:04 AM

To: Leo Saunders <leo.saunders@greenway.com.au>; 'Nigel Ward' <nigel.ward@ablawyers.com.au>; Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; 'Alex Grayson' <agrayson@mauriceblackburn.com.au>; Philip Gardner <pgardner@gordonlegal.com.au>; 'Penny Parker' <PParker@mauriceblackburn.com.au>; Nick White <nwhite@gordonlegal.com.au>; 'Ben Redford' <Ben.Redford@unitedworkers.org.au>; 'Sheldon.Oski@unitedworkers.org.au' <Sheldon.Oski@unitedworkers.org.au>; 'Reeves, Stephen' <Stephen.Reeves@ags.gov.au>

Subject: AM2020/99, AM2021/63, AM2021/65 - Aged Care Work Value - Correspondence Received

Good morning parties,

We have received the following correspondence in relation to the aged care work value matter:
[Correspondence \(fwc.gov.au\)](#)

Parties are invited to comment on the correspondence by **4:00pm Wednesday 21 August 2022.**

Kind regards,

Madeleine Castles (she/her)

Associate to the Hon. Justice Ross AO

President