

**From:** Alex Grayson <AGrayson@mauriceblackburn.com.au>  
**Sent:** Tuesday, 10 January 2023 10:51 AM  
**To:** Nick White <nwhite@gordonlegal.com.au>; Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>; Chambers - O'Neill DP <Chambers.O'Neill.DP@fwc.gov.au>; Chambers - Bissett C <Chambers.Bissett.c@fwc.gov.au>  
**Cc:** Awards <Awards@fwc.gov.au>; Nigel Ward (ACCI) <nigel.ward@ablawyers.com.au>; Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Alana.Rafter@ablawyers.com.au; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Penny Parker <PParker@mauriceblackburn.com.au>; Ben Redford(unitedworkers) <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 [MBC-VIC.FID4764043]

Dear Associate,

The HSU refers to the below email from the ANMF and the request contained therein.

The HSU supports the position of the ANMF and makes the same request (being for an extension until 5 pm on 28 February 2023 to respond to Background Paper 10) for the same reasons.

Regards,  
Alex

**Alex Grayson**  
Principal Lawyer

T 02 8267 0949

F 02 9261 3318

E AGrayson@mauriceblackburn.com.au

[mauriceblackburn.com.au](http://mauriceblackburn.com.au)

Gadigal

Level 32, 201 Elizabeth Street

Sydney NSW 2000

Liability limited by a scheme approved under Professional Standards Legislation.



Experience you can count on



Maurice Blackburn acknowledges the traditional custodians of the lands on which we work, and pays respect to their Elders, past and present.

We are a leading Australian law firm certified to the international ISO 9001:2015 quality standard.

We are proudly carbon neutral and committed to a sustainable environment. Please provide requested documentation in electronic format and consider the environment before printing this email.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error please notify the sender by reply email, delete the email, destroy any printed copy and do not disclose or use its information in any way. For additional information regarding Maurice Blackburn's privacy policy, [click here \(mauriceblackburn.com.au/privacy\)](http://mauriceblackburn.com.au/privacy)

**From:** Nick White <nwhite@gordonlegal.com.au>

**Sent:** Monday, 9 January 2023 1:04 PM

**To:** Chambers - Asbury DP <Chambers.Asbury.dp@fwc.gov.au>; [chambers.oneill.dp@fwc.gov.au](mailto:chambers.oneill.dp@fwc.gov.au); Chambers - Bissett C <Chambers.Bissett.c@fwc.gov.au>

**Cc:** [awards@fwc.gov.au](mailto:awards@fwc.gov.au); Nigel Ward (ACCI) <nigel.ward@ablawyers.com.au>;

[jordan.lombardelli@ablawyers.com.au](mailto:jordan.lombardelli@ablawyers.com.au); [Alana.Rafter@ablawyers.com.au](mailto:Alana.Rafter@ablawyers.com.au); Reeves, Stephen

<[Stephen.Reeves@ags.gov.au](mailto:Stephen.Reeves@ags.gov.au)>; Alex Grayson <AGrayson@mauriceblackburn.com.au>; Penny

Parker <[PParker@mauriceblackburn.com.au](mailto:PParker@mauriceblackburn.com.au)>; Ben Redford(unitedworkers)

<[Ben.Redford@unitedworkers.org.au](mailto:Ben.Redford@unitedworkers.org.au)>; [Larissa.Harrison@unitedworkers.org.au](mailto:Larissa.Harrison@unitedworkers.org.au); Philip Gardner  
<[pgardner@gordonlegal.com.au](mailto:pgardner@gordonlegal.com.au)>

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

**CAUTION:** This email originated from outside of the organisation . Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Associates

We continue to act for the Australian Nursing and Midwifery Federation in these matters.

### Background

We refer to the Full Bench Statement of 23 December 2022 (corrected on 29 December 2022) referring to Background Document 10 and that the parties should file responses to the questions in the document by 5 pm on 9 February 2023.

We also refer to the Full Bench's Statement of 23 November 2022 in relation to the programming of Stage 3 and in particular to paragraphs [7] and [8]. Paragraph [8] was as follows:

*"The parties are directed to have discussions to attempt to narrow the further issues to be determined and to report back to the Full Bench by the end of February 2023."*

The 23 November 2022 Statement at [6] also provided a timetable for Stage 2 submissions and evidence including for the parties to file submissions and evidence by 20 January 2023 and material in reply by 9 February 2023 with a hearing to be held on 13 February 2023.

Background Document 10 published on 23 December 2022 is a 78 page document comprising 50 questions directed to the parties.

### Application

The purpose of this correspondence is to seek an extension until 5 pm on 28 February 2023 for the parties to respond to the questions in Background Document 10.

Our client and its Counsel and solicitors made arrangements (including leave arrangements) for the January period on the basis of the statement of 23 November 2022. That Statement was issued following a mention on 22 November 2022. Our client had not anticipated that, in addition to filing Stage 2 material by 20 January 2023 and reply material by 9 February 2023, it would also be required to respond to Background Paper 10 by 9 February 2023.

As a result our client is not in a position to provide its response to Background Paper 10 by 9 February 2023 in such form that would be of real assistance to the Commission and the parties in progressing Stage 3 of the matter.

This email has been copied to the active parties including the Commonwealth.

Regards

**Nick White**  
Principal Lawyer  
Accredited Specialist (Workplace Relations)



Level 22, 181 William Street  
Melbourne VIC 3000

**T:** +61 (3) 9603 3035

**F:** +61 (3) 9603 3050

**DX:** 39315 Port Melbourne

**E:** [nwhite@gordonlegal.com.au](mailto:nwhite@gordonlegal.com.au)

**W:** [www.gordonlegal.com.au](http://www.gordonlegal.com.au)

**Please consider the environment before printing this email.**

This email and any attachments are confidential and may contain privileged information or protected by copyright. If you are not the intended recipient you must not disclose, print or use this email or any attachments. If you have received this message in error, please notify the sender immediately and delete it from your system.

Gordon Legal does not accept liability for any loss or damage (whether direct, indirect, consequential or economic) however caused, and whether by negligence or otherwise, which may result directly or indirectly from this email or any attachments (including as a result of your failure to scan this email for viruses or as a result of interference or unauthorised access during communication). In any event, our liability is limited to the cost of re-supplying this communication.