

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

Sent: Tuesday, 4 January 2022 10:28 AM

To: Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Nigel.Ward@ablawyers.com.au; alana.rafter@ablawyers.com.au; Penny Parker <PParker@mauriceblackburn.com.au>; Leigh Svendsen <leigh@hsu.net.au>; 'louised@hsu.net.au' <louised@hsu.net.au>; Kristen Wischer <kwischer@anmf.org.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Alex Grayson <AGrayson@mauriceblackburn.com.au>; Nick White <nwhite@gordonlegal.com.au>

Cc: AMOD <AMOD@fwc.gov.au>

Subject: AM2020/99, AM2021/63, AM2021/65 - Work Value Case - Amended directions

OFFICIAL

Dear Parties

On 22 December 2021, Australian Business Lawyers & Advisors (ABLA) submitted an application to vary the amended directions issued on 18 November 2021. ABLA proposes to amend the directions as follows:

8. Employers and employer organisations will file evidence and submissions by 4pm on ~~Friday 18 February 2022~~. **Friday 11 March 2022.**

The ANMF opposes the application and proposed amendment as above, but that they would not oppose further amendments to the directions as follows:

8. Employers and employer organisations will file evidence and submissions by 4pm on ~~Friday 18 February 2022~~. **Friday 4 March 2022.**

9. The Applicants and other union parties will file evidence and submissions in reply by 4pm on ~~Thursday 14 April 2022~~. **Thursday 21 April 2022.**

The HSU and UWU support the position and proposed amendments to the directions outlined by the ANMF, and ABLA does not oppose the proposed amendments.

As such, the amended directions issued on 18 November are further amended as follows:

1. AM2020/99, AM2021/63 and AM2021/65 will be dealt with jointly by one Full Bench and any evidence given in the matters will be admissible in relation to all of them.
2. The directions dated 18 December 2020 in relation to application in AM2020/99 are set aside.
3. The Australian Government is to confer with the Applicants in relation to the requests for information and data in Schedule 1.
4. The Australian Government is to file its response to the request for information and data, specifying what information and data it can provide and by when, by 4pm on **16 July 2021**.
5. The Australian Government is to file the information and data then available by **23 July 2021**, and any additional information and data as soon as it is available.

6. The Applicants will file any agreed position involving union parties, employers, employer associations and/or the Australian Government in relation to the matters by 4pm on ~~Friday 19 November 2021~~ **Friday 17 December 2021**.
7. The Applicants and other union parties will file evidence and submissions by 4pm on **Friday 8 October 2021**. This includes any updated submission or evidence already filed in matter AM2020/99 in accordance with the directions dated 18 December 2020.
8. Employers and employer organisations will file evidence and submissions by 4pm on ~~Friday 18 February 2022~~. **Friday 4 March 2022**.
9. The Applicants and other union parties will file evidence and submissions in reply by 4pm on ~~Thursday 14 April 2022~~. **Thursday 21 April 2022**.
10. The matters will be listed for Mention at 9.30am on **Tuesday 19 April 2022**. The purpose of the Mention is to discuss witness scheduling and which witnesses will be called for cross-examination.
11. The matters will be listed for the hearing of evidence from **26 April to 11 May 2022** (inclusive), with 12 and 13 May reserved.
12. The parties will file closing written submissions regarding the evidence by 4pm on **3 June 2022**.
13. The parties will file submissions in reply regarding the evidence by 4pm on **24 June 2022**.
14. The matters will be listed for oral hearing on **6 and 7 July 2022**.
15. Submissions to be filed in both word and PDF formats to amod@fwc.gov.au.
16. The parties are granted liberty to apply to vary the above directions.

This email will be published on the relevant Commission webpage, and included in a Subscriber email.

Kind regards

Phoebe Scott (she/her)
Associate to The Hon. Justice IJK Ross
President

Fair Work Commission
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The **Fair Work Commission** acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders past present and emerging.

