

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

Sent: Friday, November 24, 2023 11:42 AM

To: Nick White <nwhite@gordonlegal.com.au>; Philip Gardner <pgardner@gordonlegal.com.au>; Nigel Ward <Nigel.Ward@ablawyers.com.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>; Maria Mamblona <Maria.Mamblona@ablawyers.com.au>; Ruchi Bhatt <ruchi.bhatt@aigroup.com.au>; Penny Parker <PParker@mauriceblackburn.com.au>; mpantechis@mauriceblackburn.com.au; Larissa Harrison <Larissa.Harrison@unitedworkers.org.au>; Ben Redford <Ben.Redford@unitedworkers.org.au>; Besemeres, Clare <Clare.Besemeres@ags.gov.au>

Cc: Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au; Tracey Burton <tburton@uniting.org>; Jodie Camden <jcamden@uniting.org>; Ruchi Bhatt <ruchi.bhatt@aigroup.com.au>; Geoff Taylor <geoff.taylor@awu.org.au>; Cheri Taylor <cheri.taylor@awu.org.au>; mrobson@asu.asn.au; Matthew Bond <MBond@baptistcare.org.au>; Susan.King@anglicare.org.au; Simon.Miller@Anglicare.org.au; Yvette.McDonald@Anglicare.org.au
Subject: Further directions re hearing logistics - work value case - aged care industry - AM2020/99, AM2021/63 & AM2021/65

OFFICIAL

Dear parties and representatives,

Further to this morning's directions hearing before the President:

1. I confirm that **all** witness evidence (that is, in relation to both the wage adjustment issues and the classification and allowance issues) will be heard in the first week of hearing (Monday, 4 to Friday, 8 December 2023).
2. The parties are to confer regarding a witness timetable and provide this to chambers by **4:00 pm (AEDT) on Thursday, 30 November 2023**. This should include estimated commencement times for each witness' evidence and whether each witness will attend in person in Sydney or by video link using Microsoft Teams, and if the latter, whether the witness wishes to do so from a Commission registry or from another location convenient to them.
3. It is intended that closing submissions in relation to both the wage adjustment issues and the classification and allowance issues will be heard from **Tuesday, 12 to Thursday 14, December 2023** in person in Sydney. However, for more abundant caution, the President has instructed me not to vacate the listings on Monday, 11 and Friday, 15 December 2023 yet.
4. Advocates unable to appear in person to make their closing submissions are permitted to attend by video link using Microsoft Teams. If you wish to do so **from a Commission registry** for closing submissions is to advise chambers of this by **4:00 pm (AEDT) on Thursday, 30 November 2023**. In the absence of such advice, we will presume you are appearing from another location convenient to you and do not require us to make arrangements for attendance at a registry.
5. There will be a single Microsoft Teams meeting for the entire duration of the hearing. The details for that meeting are:

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 486 252 620 603

Passcode: maV6Qp

[Download Teams](#) | [Join on the web](#)

Join with a video conferencing device

88412664@t.plcm.vc

Video Conference ID: 131 171 125 0

[Alternate VTC instructions](#)

Or call in (audio only)

[+61 2 9053 4920,470851417#](tel:+61290534920470851417#) Australia, Sydney

Phone Conference ID: 470 851 417#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

Edrea Venal
Associate to Justice Hatcher, President



Fair Work Commission

Australia's national workplace relations tribunal

T (02) 9308 1812

E chambers.hatcher.j@fwc.gov.au

Level 11, Terrace Tower, 80 William Street, EAST SYDNEY NSW 2011

www.fwc.gov.au

My working days are Monday, Tuesday, Wednesday and Friday.

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

This email was sent from Gadigal Country.

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

Sent: Monday, November 20, 2023 11:44 AM

To: Nick White <nwhite@gordonlegal.com.au>; Philip Gardner <pgardner@gordonlegal.com.au>;

Nigel Ward <Nigel.Ward@ablawyers.com.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>;

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Yvette.McDonald@Anglicare.org.au

Cc: Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au

Subject: RE: Hearing logistics - work value case - aged care industry - AM2020/99, AM2021/63 & AM2021/65

OFFICIAL

Dear parties,

Further to my email of 13 November 2023, below, the President has determined following a review of the evidence filed in relation to the wage adjustment issues that the hearing in relation to those issues (4-8 December 2023) will take place **in person in Sydney**. I will issue an amended notice of listing later today confirming this.

Witnesses who end up being required for cross-examination in relation to the wage adjustment issues, but who are unable to attend in person in Sydney, will be permitted to attend by video using Microsoft Teams from a location convenient to them, provided that they have a sufficiently stable Internet connection in that location to enable this.

Hearing location preferences in relation to the second week of hearing (11-15 December 2023) on classification and allowance issues, as well as advice on which witnesses are required for cross-examination in respect of **both** the wage adjustment issues and the classification and allowance issues remain due by **4:00 pm (AEDT) this Thursday, 23 November 2023**.

Edrea Venal
Associate to Justice Hatcher, President



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This email was sent from Gadigal Country.

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

Sent: Monday, November 13, 2023 11:58 AM

To: Nick White <nwhite@gordonlegal.com.au>; Philip Gardner <pgardner@gordonlegal.com.au>;

Nigel Ward <Nigel.Ward@ablawyers.com.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>;

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Cc: Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Paul.Vermeesch@ags.gov.au

Subject: Hearing logistics - work value case - aged care industry - AM2020/99, AM2021/63 & AM2021/65

Importance: High

OFFICIAL

Dear parties and representatives,

Noting that:

- these matters are listed for a directions hearing at 9:30 am (AEDT) on Friday, 24 November 2023;
- the matters are further listed for substantive hearing in relation to the wage adjustments issues from Monday, 4 to Friday, 8 December 2023, and in relation to the classification and allowance issues from Monday, 11 to Friday, 15 December 2023; and
- the Expert Panel's preference is to hear witness evidence in person as far as possible;

the President directs that by **4:00 pm (AEDT) on Thursday, 23 November 2023**, parties are to advise chambers of the following by email:

1. their preferred hearing location(s); and
2. which witnesses, if any, they will require for cross-examination and for how long (as far as practicable, acknowledging that not all material is due to be filed before that date).

Edrea Venal
Associate to Justice Hatcher, President



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