



**Professionals
Australia**

GPO Box 1272
Melbourne
Victoria 3001

1 April 2015

The Hon Justice Ross AO
Fair Work Commission
8 Exhibition Street
MELBOURNE VIC 3000

Your Honour,

**Re: Modern Award Review 2014
AM2014/209 Pharmacy Industry Award 2010**

A submission prepared by the Pharmacy Guild of Australia (PGA) was uploaded onto the Pharmacy Industry Award 2014 section of the Modern Award Review 2014 website this morning. In this submission the PGA provide a completely new rewrite of the current Award. A quick review indicates that they have made variations to a large number of current award provisions including 'standard' award clauses that appear in the same format in all modern awards. We also note that this submission does not take into account earlier decisions of the current modern award review's Full Bench such as those made in the Decision of 23 December 2014 ([2014] FWCFB 9412).

APESMA has had discussions with the SDA this morning concerning the PGA submission and has had the opportunity to review the correspondence the SDA is lodging expressing their concerns and seeking Directions from the Commission concerning this submission by the PGA.

We agree with the SDA that this initiative by the PGA is not in conformity with the processes established for the 2014 modern award review and that it will result in increased difficulty for interested parties to efficiently deal with the review of this Award. APESMA completely supports the SDA submissions and also seeks Directions requiring the PGA to withdraw this submission.

However, in the alternative, if it is the view of the Commission that the PGA is entitled to make such a submission at this stage of the review process even though they have not previously provided any detail of the changes they are proposing other than to say they are seeking a new 'plain English' version of the Award we respectfully request that the Commission issue Directions requiring the PGA to provide details of exactly what variations they are seeking to the current Pharmacy Industry Award 2010. Directions such as this would at least assist the parties to understand what provisions of the Award the PGA is seeking to vary.

Yours Faithfully

Jacki Baulch

Senior Industrial Officer, National Office

APESMA