

29 October 2015

Our reference
monroej.ruskinn.7389955.00001

By email: amod@fwc.gov.au

Your reference
AM2014/217 and others

Modern Awards Team
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Dear Sir/Madam

AM2014/217 and others - 4 yearly review of modern awards – Group 3 and 4 awards

We act for the Association of Australian Medical Research Institutes (**AAMRI**), and refer to the Statement of Justice Ross, President in this matter dated 21 October 2015 ([2015] FWC 7253), and the Draft Directions attached to that Statement.

In response to the invitation to comment on the Draft Directions, we comment as follows:

1. Does the requirement in Draft Direction 1 for a written outline to "identify the scope of any evidentiary material that is to be filed and indicate whether the matter should be referred to a separately constituted Full Bench" apply to substantive claims and variations made prior to 21 October 2015? We note that AAMRI, together with the Association for Professional Engineers, Scientists and Managers, Australia (**APESMA**), made a substantive application for variation to the *Professional Employees Award 2010* on 16 October 2015.
2. How will the Draft Directions address the issue of joinder of Awards in different Groups or Sub-groups? We note that AAMRI and APESMA have applied for their joint application to vary the *Professional Employees Award 2010* (Group 4E) to be joined with the applications of the National Tertiary Education Industry Union (**NTEU**) to vary the *Higher Education Industry—General Staff—Award 2010* and the *Higher Education Industry—Academic Staff—Award 2010* (Group 3B, and currently being considered by a Full Bench in AM2015/6).
3. There appears to be typographical errors in the following Draft Directions:
 - (a) At 5, "Groups 4A, 4B and 4E" may have been intended to read "Groups 4A, 4B and 4C";
 - (b) At 7, "sub-group 3C and 3D" may have been intended to read "sub-group 4A, 4B and 4C"; and

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- (c) At 10, "subgroup 3C and 3D" may have been intended to read "sub-group 4D, 4E and 4F".

Yours faithfully



Nick Ruskin
Partner