

From: Chambers - Hatcher VP
Sent: Wednesday, 8 March 2017 9:40 AM
To: 'Lance.Emerson@psa.org.au'
Cc: Madeleine.Tiedeman@Ablawyers.com.au; Leigh Svendsen; Katie Biddlestone; Sharlene Wellard; Jacki Baulch; Jessica Light; AMOD
Subject: RE: f52 Orders to Produce - Application - Re: AM2014/209

Dear Dr Emerson,

Re: AM2014/209 – Pharmacy Industry Award 2010 – APESMA Claim.

Attached is the F52 Order to produce by **4pm Tuesday 21 March 2017.**

Kind regards,

Helen Hamberger

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

helen.hamberger@fwc.gov.au

Level 10 Tower Terrace

80 William Street

East Sydney NSW 2011

www.fwc.gov.au



ORDER

Fair Work Act 2009
s.156 - 4 yearly review of modern awards

Pharmacy Industry Award 2010 – APESMA Claim (AM2014/209)

VICE PRESIDENT HATCHER

SYDNEY, 8 MARCH 2017

To: Dr Lance Emerson
Chief Executive Officer
Pharmaceutical Society of Australia

Level 1
25 Geils Court
Deakin ACT 2600

Lance.Emerson@psa.org.au

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 4:00pm
Date: 21 March 2017
Place: Fair Work Commission
Terrace Tower
Level 10, 80 William Street
East Sydney, NSW 2011



Vice President Hatcher

- Note:
- This order has been issued by the Fair Work Commission.
 - You can apply to have this order set aside or varied.
 - Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day specified above.
 - If you have any queries in relation to this order please contact the Associate to Vice President Hatcher at chambers.hatcher.vp@fwc.gov.au.

SCHEDULE

1. All National Competency Standards Framework for Pharmacists in Australia produced by the Pharmaceutical Society of Australia (PSA) since July 1998 including the current draft version.
2. All Professional Practice Standards produced by the PSA since July 1998 including any current draft versions of these standards.
3. All Professional Practice Notes produced by the PSA since July 1998.
4. All accreditation and registration requirements for pharmacists produced by the PSA since July 1998.
5. All Professional Guidelines and Tools, including but not limited to CPA Guidelines, Pharmacist Only medicine (S3) guidelines, produced by the PSA since July 1998.
6. All documents, including notes and emails, relating to any proposed new or changed National Competency Standards Framework for Pharmacists in Australia, Professional Practice Notes, accreditation and registration requirements for pharmacists and Professional Guidelines and Tools.
7. The version of the Pharmacist Code of Ethics applicable in July 1998 and any other versions of the Pharmacist Code of Ethics produced by the PSA since July 1998.
8. The current Curriculum Vitae of Dr Lance Emerson.

From: Chambers - Hatcher VP
Sent: Thursday, 2 March 2017 5:17 PM
To: 'Lance.Emerson@psa.org.au'
Cc: Madeleine.Tiedeman@Ablawyers.com.au; Leigh Svendsen; Katie Biddlestone; Sharlene Wellard; Jacki Baulch; Jessica Light
Subject: FW: f52 Orders to Produce - Application - Re: AM2014/209

Dear Parties,

Re: AM2014/209 – Pharmacy Industry Award 2010 – APESMA Claim.

I refer to the email below and attached draft orders

APESMA has filed in the Commission F52 for the production of documents from the Pharmaceutical Society of Australia (PSA). If the PSA wishes to file submissions in respect of these orders they are to do so before **5pm Tuesday 7 March 2017**.

Kind regards,

Helen Hamberger
Associate to Vice President Hatcher

Fair Work Commission
Tel: (02) 9308 1812
Fax: (02) 9380 6990
helen.hamberger@fwc.gov.au

Level 10 Tower Terrace
80 William Street
East Sydney NSW 2011
www.fwc.gov.au

From: Jacki Baulch [<mailto:jBaulch@professionalsaustralia.org.au>]
Sent: Thursday, 2 March 2017 3:18 PM
To: Chambers - Ross J; Chambers - Hatcher VP; AMOD
Subject: f52 Orders to Produce - Application - Re: AM2014/209

Re: AM2014/209
4 Yearly review of Modern Awards
Pharmacy Industry Award 2010
Substantive matters – APESMA Work Value Claim

Dear Sirs and AMOD Team

Please find attached an application for Orders to Produce. This application relates to the APESMA claim for a work value increase in the minimum rates of pay for pharmacists contained in the Pharmacy Industry Award 2010

The application seeks an Order for the Pharmaceutical Society of Australia (PSA) to produce various documents that they are the custodians of. The PSA is the professional body representing both employers and employees and is responsible for developing and maintaining professional practice standards and procedures for pharmacists. They are also the custodians of the National Competency Standards Framework for Pharmacists. The documents requested in this application relate to the work done by pharmacists and the changes to the work done by pharmacists.

Please feel free to contact me in relation to this application.

Regards

Jacki Baulch
Senior Industrial Officer



Form F52—Application for order for production of documents etc to the Fair Work Commission

Fair Work Act 2009, s.590(2)(c); Fair Work Commission Rules 2013, rule 54 and Schedule 1

This is an application to the Fair Work Commission for an order requiring a person to produce documents or records or other information in accordance with s.590(2)(c) of the [Fair Work Act 2009](#).

Party applying for an order



These are the details of the person who is making this application.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)	Jacki		
Surname	Baulch		
Postal address	PO Box 1272		
Suburb	Melbourne		
State or territory	VIC	Postcode	3001
Phone number	03 9695 8804	Fax number	
Email address	jbaulch@professionalsaustralia.org.au		

If the party applying for an order is a company or organisation please also provide the following details

Legal name of business	Association of Professional Engineers, Scientists and Managers Australia (APESMA)
Trading name of business	
ABN/ACN	
Contact person	Jacki Baulch

How would you prefer us to communicate with you?

Email (you will need to make sure you check your email account regularly)

Post

The Commission matter that this application relates to



These are the details of the main matter that the documents relate to

Name of Applicant from main matter	APESMA
Name of Respondent from main matter	Pharmacy Guild of Australia (PGA) Business SA Australian Business Industrial and NSW Business Chamber
Commission Matter Number	AM2014/209
Your role in main matter	<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Respondent <input type="checkbox"/> Other please specify:

1. The Application

1.1 What documents are being sought?



Using numbered paragraphs, list the documents etc you are seeking to be produced to the Fair Work Commission.

1. All National Competency Standards Framework for Pharmacists in Australia produced by the Pharmaceutical Society of Australia (PSA) since July 1998 including the latest version which was in draft form as at 1 March 2017
2. All Professional Practice Standards produced by the PSA since July 1998 including any current draft versions of these standards
3. All Professional Practice Notes produced by the PSA since July 1998
4. All accreditation and registration requirements for pharmacists produced by the PSA since July 1998
5. All Professional Guidelines and Tools, including but not limited to CPA Guidelines, Pharmacist Only medicine (S3) guidelines, produced by the PSA since July 1998
6. All documents, including notes and emails, relating to any proposed new or changed National Competency Standards Framework for Pharmacists in Australia, Professional Practice Notes, accreditation and registration requirements for pharmacists and Professional Guidelines and Tools
7. The version of the Pharmacist Code of Ethics applicable in July 1998 and any other versions of the Pharmacist Code of Ethics produced by the PSA since July 1998.
8. The current Curriculum Vitae of Dr Lance Emerson

1.2 Why is each document being sought?



Using numbered paragraphs, provide details specifying why each document is sought and how the documents can assist the Member in deciding the main matter. For instance, what evidence is contained in the documents and what is the apparent relevance of each document to your matter?

1. The PSA is the peak national professional pharmacy organisation representing Australia's pharmacists working in all sectors and across all locations. Their membership consists of employee pharmacists, employer pharmacists, academics, student pharmacists and the like.
2. The PSA has developed many documents, policies, procedures and the like relating to professional practice standards and procedures for pharmacists. They are also the custodians of and hold and coordinate the development of and variations to the National Competency Standards Framework for Pharmacists in Australia.
3. The Pharmacy Board of AHPRA's operations are governed by the Health Practitioner Regulation National Law and the organisation is responsible for the registration of pharmacists.
4. The Competency Standards for Pharmacists and the various PSA Practice Notes and Guidelines are used by the Pharmacy Board of the Australian Health Practitioner Regulation Agency (AHPRA) when determining registration and disciplinary matters of pharmacists.
5. For example, the Pharmacy Board require pharmacists to:
 - a. assess their CPD plans etc. against the current National Competency Standards Framework for Pharmacists in Australia;
 - b. be guided by the PSA Code of Ethics for pharmacists; and
 - c. to comply with PSA Professional Practice Standards.
6. All of these documents held by the PSA show the various professional requirements pharmacists are required to comply with.
7. These documents will provide the Commission with the details of the changes and the introduction of new work that has occurred to the work done by pharmacists since their work value was last assessed in July 1998.
8. These documents will provide the Commission with the documents essential to determine the type and level of changes to the work done by pharmacists since their work value was last assessed in July 1998.
9. The Curriculum vitae of Dr Emerson will establish that he is well qualified to speak as an expert in this area.



You must complete the draft order attached to this form.


Disclosure of information

The Commission may provide a copy of this application and any documents you lodge in support of this application to the other parties in this matter.

Signature



If you are completing this form electronically and you do not have an electronic signature you can attach, it is sufficient to type your name in the signature field. You must still complete all the fields below.

Signature	<i>Jacki Baulch</i>
Name	Jack Baulch
Date	2 March 2017
Capacity / Position	Senior Industrial Officer, National Office, APESMA
	Where this form is not being completed and signed by the Applicant, include the name of the person who is completing the form on their behalf in the Capacity/Position section.

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS



DRAFT ORDER

Fair Work Act 2009

s.590(2)(c) - Order requiring a person to produce documents etc to the Fair Work Commission

Applicant(s):

Association of Professional Engineers, Scientists and Managers Australia (APESMA)

V

Respondent(s):

Pharmacy Guild of Australia (PGA)
Business SA
Australian Business Industrial and NSW Business Chamber

Commission Matter No:

AM2014/209

COMMISSION MEMBER

DATE

TO: Dr. Lance Emerson
Chief Executive Officer
Pharmaceutical Society of Australia

Level 1
25 Geils Court
DEAKIN ACT 2600

Phone: 02 6283 4703

Fax: 02 6285 2869

Email: Lance.Emerson@psa.org.au

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time: 4.00 pm
Date: 21 March
Place: FAIR WORK COMMISSION
11 EXHIBITION STREET
MELBOURNE

Member

Note:

- This order has been issued at the request of [*party applying for order*].
- You can apply to have this order set aside or varied.
- Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day specified above.
- If you have any queries in relation to this order please contact the associate to [*member*] on [*chamber's email*].

SCHEDULE

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5. All Professional Guidelines and Tools, including but not limited to CPA Guidelines, Pharmacist Only medicine (S3) guidelines, produced by the PSA since July 1998.
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7. The version of the Pharmacist Code of Ethics applicable in July 1998 and any other versions of the Pharmacist Code of Ethics produced by the PSA since July 1998.
8. The current Curriculum Vitae of Dr Lance Emerson.