

From: Trent.Sebbens@ashurst.com [<mailto:Trent.Sebbens@ashurst.com>]
Sent: Friday, 17 March 2017 3:45 PM
To: Chambers - Hatcher VP
Cc: Adrian.Morris@ashurst.com; Sydney Registry; AMOD; athomas@cfmeu.com.au; aguy@professionalsaustralia.org.au; cbolger@professionalsaustralia.org.au; gsouth@cfmeu.com.au; osman.basiacik@amwu.asn.au; ruchi.bhatt@aigroup.asn.au; abukarica@cfmeu.com.au; sally.taylor@amwu.asn.au; SCarswell@professionalsaustralia.org.au; Elysse.Lloyd@ashurst.com; gunzburg@bigpond.net.au
Subject: RE: AM2014/67 – Black Coal Mining Industry Award – redundancy pay

Dear Associate

AM2014/67 – 4 yearly review of modern awards – Black Coal Mining Industry Award – redundancy pay

We refer to your email of 13 February 2017 indicating that the Full Bench was considering deferring issuing the determination varying the Black Coal Industry Mining Award until 13 March 2017, and to our submissions of 14 February 2017 in that regard.

We note that the application to the Federal Court that was foreshadowed by APESMA and the CFMEU by correspondence dated 10 February 2017, and which was the basis of their request for deferral of the issuing of the determination for a period of 30 days, was filed with the Court on 14 February 2017 (matter NSD 352/2017). No application for a stay or other interlocutory remedy has been sought by the applicants in the Federal Court proceedings.

We respectfully request that the Full Bench now proceeds to issue a determination in accordance with its 27 January 2017 decision to vary the award effective from that date.

We have copied this email to each of the representatives for the CFMEU, APESMA, AMWU and AiGroup.

Yours faithfully

Adrian Morris

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