

From: Chambers - Hatcher VP
Sent: Wednesday, 10 January 2018 11:48 AM
To: Jacki Baulch; Jessica Light; Scott Harris; Sharlene Wellard; Kate Thomson; Karen Van Gorp; Chris Klepper (Business SA)
Subject: RE: AM 2016/28 - Request For Extension of Time [ML-Legal.2008724.FID21138]

Dear Parties,

Re: AM2016/28 – Pharmacy Industry Award 2010 – APESMA Work-Value Claim

Following the email sent late last year, please find attached:

1. APESMA [Confidentiality Order](#) in place until 30 April 2018 when it will be revisited at the commencement of the hearing and redacted [A.5](#), [A.6](#) and [A.7](#) witness statements
2. [Notice of Listing](#) for the mention/direction hearing at **9.30am Friday 13 April 2018**
3. [Notice of Listing](#) for the hearing commencing on the **Monday 30 April 2018**
4. [Amended Directions](#)

Please let me know if you have any questions.

Kind regards,

Helen Hamberger
Associate to Vice President Hatcher

Fair Work Commission
Tel: (02) 9308 1812
Fax: (02) 9380 6990
chambers.hatcher.vp@fwc.gov.au

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

From: Chambers - Hatcher VP
Sent: Friday, 22 December 2017 11:34 AM
To: Jacki Baulch; Jessica Light
Cc: Scott Harris; Sharlene Wellard; Kate Thomson; Karen Van Gorp; Chris Klepper (Business SA)
Subject: RE: AM 2016/28 - Request For Extension of Time [ML-Legal.2008724.FID21138]

Dear Parties,

Re: AM2016/28 APESMA Work-Value Claim

I refer to the correspondence below.

After various correspondence from the parties below, the Commission proposes to:

1. Vary the timetable as proposed by APESMA below
2. Set the matter down for a directions hearing at **9.30am Friday 13 April 2018** in Sydney with video-links on request

3. Set the matter down for hearing on **Monday 30th April 2018 –Wednesday 2 May 2018 and Monday 7 May -11 May 2018.**

The Commission notes the Pharmacy Guild's concerns regarding the national conference and have moved the hearing forward to as best to accommodate them. To further accommodate, witnesses for the Guild will only be required in the second week from 7-11 May 2018 as their conference will be finished.

The hearing will be formally listed with directions made early in the new year 2018 in **Sydney** with video-links available on request.

Kind regards,

Helen Hamberger

Associate to Vice President Hatcher

Fair Work Commission

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From: Jacki Baulch [<mailto:jBaulch@professionalsaustralia.org.au>]

Sent: Monday, 18 December 2017 4:57 PM

To: Jessica Light; Chambers - Hatcher VP

Cc: Scott Harris; Sharlene Wellard; Kate Thomson; Karen Van Gorp; Chris Klepper (Business SA)

Subject: RE: AM 2016/28 - Request For Extension of Time [ML-Legal.2008724.FID21138]

Dear Your Honour

Unfortunately our Barrister, Ms Knowles is not available in the week commencing 4 June, as proposed by the Guild. She has another Hearing that week.

She is, however, available in the following week commencing 11 June

Regards

Jacki Baulch

Jacki Baulch

Senior Industrial Officer



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From: Jessica Light [<mailto:jlight@meridianlawyers.com.au>]

Sent: Monday, December 18, 2017 4:31 PM

To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Cc: Jacki Baulch <jBaulch@professionalsaustralia.org.au>; Scott Harris <Scott.Harris@guild.org.au>;

Sharlene Wellard <swellard@meridianlawyers.com.au>; Kate Thomson

<kate.thomson@ablawyers.com.au>; Karen Van Gorp <karenv@business-sa.com>; Chris Klepper

(Business SA) <chrisk@business-sa.com>

Subject: RE: AM 2016/28 - Request For Extension of Time [ML-Legal.2008724.FID21138]

Dear Associate,

Thank you for your correspondence.

Our client has no objection to the proposed alteration to the filing dates in your correspondence below.

We do however have difficulty with the proposed hearing dates of **1-3 May 2018 and 7-11 May 2018**.

The Australian Pharmacy Professional Conference and Trade Exhibition (APP) is being held from 3-6 May 2018 on the Gold Coast. APP is the Pharmacy Guild of Australia's annual national conference catering to community pharmacy business owners, pharmacists and those working as professionals within the pharmacy industry. Many of the Guild's witnesses will be attending APP as delegates and would therefore be unable to attend for the purpose of giving their evidence before the second week of hearing.

In addition, Counsel for the Pharmacy Guild of Australia, Mr Michael Seck has another matter set down at that time and is therefore unavailable.

On this basis, we respectfully request that the hearing be set down for a date in the week commencing **4 June 2018**.

Please contact the undersigned should you wish to discuss.

Regards,

Jessica Light | Senior Associate



Level 6, 20 Bond Street, Sydney NSW 2000

p: 02 9018 9940 | f: 02 9018 9900 | w: www.meridianlawyers.com.au

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From: Jacki Baulch [<mailto:jBaulch@professionalsaustralia.org.au>]

Sent: Monday, 18 December 2017 4:20 PM

To: Chambers - Hatcher VP; Jessica Light; Scott Harris; Sharlene Wellard; Fiona Knowles (fiona.knowles@vicbar.com.au); Kate Thomson; Karen Van Gorp; Chris Klepper (Business SA)

Subject: RE: AM 2016/28 - Request For Extension of Time

Thank you Your Honour for your email

APESMA is happy with the proposed dates as set out in your email below.

I have consulted with our Barrister, Ms Knowles, and she advises that she is available on the dates proposed in your email

Regards

Jacki Baulch

Senior Industrial Officer



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From: Chambers - Hatcher VP [<mailto:Chambers.Hatcher.VP@fwc.gov.au>]

Sent: Friday, December 15, 2017 4:46 PM

To: Jacki Baulch <jbaulch@professionalsaustralia.org.au>; Jessica Light <jlight@meridianlawyers.com.au>; Scott Harris <Scott.Harris@guild.org.au>; Sharlene Wellard <swellard@meridianlawyers.com.au>; Fiona Knowles (fiona.knowles@vicbar.com.au) <fiona.knowles@vicbar.com.au>; Kate Thomson <kate.thomson@ablawyers.com.au>; Karen Van Gorp <karenv@business-sa.com>; Chris Klepper (Business SA) <chrisk@business-sa.com>

Subject: RE: AM 2016/28 - Request For Extension of Time

Dear Parties,

Re: AM2016/28 – APESMA work value claim

Unless any party can see significant difficulty, the Commission proposes to:

1. Vary the timetable as proposed by APESMA below.
2. Set the matter down for a directions hearing at **9.30am Friday 13 April 2018** in Sydney with video-links on request
3. Set the matter down for hearing on **1-3 May 2018 and 7-11 May 2018** with the location to be decided.

Could you please respond by **5.00pm Monday 18 December 2017**.

Kind regards,

Helen Hamberger

Associate to Vice President Hatcher

Fair Work Commission

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Fax: (02) 9380 6990

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From: Jacki Baulch [<mailto:jBaulch@professionalsaustralia.org.au>]
Sent: Friday, 15 December 2017 1:25 PM
To: Chambers - Hatcher VP
Cc: AMOD; Jessica Light; Scott Harris; Sharlene Wellard; Fiona Knowles (fiona.knowles@vicbar.com.au); Kate Thomson; Karen Van Gorp; Chris Klepper (Business SA)
Subject: AM 2016/28 - Request For Extension of Time

Dear Your Honour,

I write in relation to the Directions, issued by yourself on 28th August 2017, regarding provision of lay evidence and an outline of submissions in relation to the APESMA claim to vary the minimum rates for pharmacists in the Pharmacy Industry Award.

Unfortunately we are not able to provide our lay evidence and an outline of submissions by 5.00pm today (15th December).

There are a number of reasons why we are no longer able to provide our submission by then. These include: difficulty in obtaining completed statements from pharmacists in what is the busiest time of the year for them at work and other unanticipated work commitments.

Consistent with point 6 of your Directions we write to request a one week extension in the requirement for APESMA to file these submissions and lay evidence until 5.00pm on 22nd December 2017.

We appreciate your understanding in this matter and look forward to your response.

We would have no concerns with consequential extensions being granted for the requirement for Pharmacy Guild and any other party opposing the claim to lodge expert and lay evidence and an outline of submissions of one week and for APESMA's reply to the Guild's submissions and evidence to also be extended for a period of one week.

We propose the following amendments to the current Directions:

1. APESMA and any other party supporting its claim shall file its lay evidence, any other documentary material upon which it intends to rely and an outline of submissions by 5.00pm Friday ~~15~~ **22** December 2017.
2. The Pharmacy Guild and any other party opposing the claim shall file its expert and lay evidence, any other documentary material upon which it intends to rely and an outline of submissions by 5.00pm Friday ~~2~~ **9** March 2018.
3. APESMA and any other party supporting its claim shall file evidence in reply by 5.00pm Friday ~~23~~ **30** March 2017~~8~~.

If you have any questions please feel free to contact me by return email or by telephone on 03 9695 8804.

Regards

Jacki Baulch
Senior Industrial Officer



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