

From: Mark Helm [<mailto:markh@lasa.asn.au>]

Sent: Monday, 4 December 2017 10:14 PM

To: Katrina Murphy; Chambers - Catanzariti VP; AMOD

Cc: Rachel Liebhaber; Lucy Fisher; jbandara@hmblaw.com.au; dwilkinson@myadvantage.com.au; manthony@professionalsaustralia.org.au; Keiran Brown; employmentrelations@nswact.lasa.asn.au; 'David Reid'; 'Anna-Maria Wade'; 'Andrew McCarthy'; hepworthl@ramsayhealth.com.au; Leigh Svendsen; newerair@gmail.com; 'Ruchi Bhatt'; Jenna Field

Subject: Re: FWC Matter No. 2016/31 - 4 Year Review of the Health Professionals and Support Services Award 2010

The Fair Work Commission

ATTN: The Associate to His Honour Vice President Catanzariti

Vice President Catanzariti's Chambers

Dear Associate,

RE: 4 Year Review of the Health Professionals and Support Services Award 2010

FWC Matter No. 2016/31

I write to correct one section of Ms Katrina Murphy's earlier email today.

The comment in Ms Murphy's email "*that the HSU no longer intend to cross-examine the DHAA witnesses, or any other witnesses*" is incorrect, and presumably based on a miscommunication in a phone conversation with Ms Murphy earlier today.

To be clear, where a witness' name appears in the draft proposed programme (contained my earlier email today) it indicates at least one other party requires that witness to be available at the hearing for cross-examination.

After my phone call with Ms Murphy, I reviewed the draft proposed programme and notd it contains two DHAA witnesses as follows (please note DHAA witnesses are marked in yellow hilghter for emphasis):

Dy	Time	Witnesses
Monday 11 December	Morning	<i>Opening statements</i>
	Afternoon	Alex Leszczynski (HSU)
		Dr Melanie Hayes (DHAA)
		Dr Carol Tran (DHAA)
Tuesday 12 December	Morning	Dr Neil Hewson (ADA)
		Eithne Mary Irving (ADA)
	Afternoon	Emma Jane McKenny (ADA)
		Matthew Fisher (CAA)
Wednesday 13 December		

So the draft proposed programme indicates that other party(s) require two (2) DHAA witnesses be available at the hearing for cross-examination.

Accordingly, anything in my phone conversation with Murphy today that may have been taken to indicate or suggest that "*the HSU no longer intend to cross-examine the DHAA witnesses, or any other witnesses*" should be disregarded.

Kind regards,

Mark Helm

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