

From: Monroe, John [<mailto:John.Monroe@klgates.com>]
Sent: Tuesday, 20 February 2018 11:46 AM
To: Chambers - Sams DP
Cc: Moloney, Michaela
Subject: RE: AM2017/52 - Fitness Industry Award 2010 - substantive issues [KLG-AU_Active01.FID2216856]

Dear Mr Willink

Thank you for your email.

As a courtesy we wanted to let you know that given the conference will relate to confined issues in respect of which Tennis Australia and Gymnastics Australia do not have any direct interest, neither Tennis Australia nor Gymnastics Australia intend to appear at the conference on 21 February 2018.

Regards
John

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From: Chambers - Sams DP [<mailto:Chambers.Sams.DP@fwc.gov.au>]
Sent: Tuesday, 6 February 2018 3:57 PM
To: Monroe, John
Cc: Moloney, Michaela
Subject: RE: AM2017/52 - Fitness Industry Award 2010 - substantive issues [KLG-AU_Active01.FID2216856]

Dear Mr Monroe

I apologise for the delay in responding to your email from last week. I can confirm that:

- a) Yes, the conference on 21 February 2018 will only deal the classification definitions for the swim industry in the Fitness Industry Award 2010 (items 17-28 in the Summary of Submissions); and
- b) The conference on 21 February 2018 will not deal with the Sporting Organisations Award 2010.

Regards

Peter

Peter Willink

Associate to The Hon. Deputy President P Sams AM

Fair Work Commission

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From: Monroe, John [<mailto:John.Monroe@klgates.com>]

Sent: Friday, 2 February 2018 5:41 PM

To: Chambers - Sams DP

Cc: Moloney, Michaela

Subject: AM2017/52 - Fitness Industry Award 2010 - substantive issues [KLG-AU_Active01.FID2216856]

Dear Mr Willink

We refer to the Notice of Listing in this matter for 21 February 2018 in which the 4 yearly modern award review of the Fitness Industry Award 2010 is listed for conference and directions before Deputy President Sams in respect of substantive issues.

We understand that, per the decision of the Full Bench in respect of Group 3 awards on 30 October 2017, [2017] FWCFB 5536 at [162], the substantive issues referred to a separate Full Bench in respect of this award are:

- Entitlement of casual employees to overtime (items 6, 9, 10, 11, 11B, 11C and 29 of the Summary of Submissions);
- Classifications definitions for the swim industry (items 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the Summary of Submissions).

As of 4 December 2017, the entitlement of casual employees to overtime has been referred to another Full Bench for determination as a common issue in matter AM2017/51 (see [2017] FWCFB 6417).

Accordingly, it appears to us that the only outstanding issues to be dealt with at the conference listed for 21 February 2018 are the classification definitions for the swim industry. Could you please confirm if this is the case?

We note that during the 4 yearly modern award review, the Fitness Industry Award 2010 has often been heard together with the Sporting Organisations Award 2010. Could you please also confirm that the conference on 21 February 2018 will not deal with the Sporting Organisations Award 2010?

Kind regards

The logo for K&L GATES, featuring the text "K&L GATES" in white, bold, sans-serif font on a dark blue rectangular background.

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