

**From:** Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Sent:** Friday, 3 July 2020 9:47 AM  
**To:** Stephen Smith <[Stephen.Smith@aigroup.com.au](mailto:Stephen.Smith@aigroup.com.au)>; Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Cc:** Michelle Anthony <[mAnthony@professionalsaustralia.org.au](mailto:mAnthony@professionalsaustralia.org.au)>; AMOD <[AMOD@fwc.gov.au](mailto:AMOD@fwc.gov.au)>  
**Subject:** RE: 4 yearly review of modern awards—Professional Employees Award 2010—Substantive claims

Dear Mr Smith,

Thank you for your email. Justice Ross has considered your request and granted your extension to **no later than 4pm Friday 14 August 2020**.

Thank you, Tahleah.

**Tahleah Gillard**  
**Associate to The Hon. Justice IJK Ross**  
**President**

**Fair Work Commission**  
Tel: +61 3 8656 4657  
Fax: +61 3 9655 0401  
[chambers.ross.j@fwc.gov.au](mailto:chambers.ross.j@fwc.gov.au)  
11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders past present and emerging.



**From:** Stephen Smith <[Stephen.Smith@aigroup.com.au](mailto:Stephen.Smith@aigroup.com.au)>  
**Sent:** Friday, 3 July 2020 5:00 AM  
**To:** Chambers - Ross J <[Chambers.Ross.j@fwc.gov.au](mailto:Chambers.Ross.j@fwc.gov.au)>  
**Cc:** Michelle Anthony <[mAnthony@professionalsaustralia.org.au](mailto:mAnthony@professionalsaustralia.org.au)>  
**Subject:** 4 yearly review of modern awards—Professional Employees Award 2010—Substantive claims

Dear Justice Ross

We refer to the Commission's decision of 22 April 2020 in relation to the above matter and, in particular, the following extract from the decision:

*[87] We propose to provide the parties an opportunity to rectify the deficiencies in their proposed award variation. APESMA and Ai Group will have until **4pm on Friday 3 July 2020** to file a revised proposed variation and submissions in support. If nothing is filed by the prescribed time, we will review the clause 18 and publish our provisional views as to its amendment.*

Ai Group has had discussions with APESMA in an endeavour to reach agreement on amendments to the award variations jointly proposed by Ai Group and APESMA, which would address the issues of

concern raised by the Full Bench. The process has been complicated by the recent retirement of Mr Michael Butler of APESMA, who represented APESMA in the negotiations with Ai Group and in the Commission proceedings.

Unfortunately, to date agreement has not been reached between the parties.

Ai Group's focus to date has been on trying to reach agreement with APESMA on amendments to the agreed award variations that the parties had filed, rather than on preparing submissions and other materials in support of contested award variations. Given that it has now become apparent that agreement is unlikely to be reached on a revised proposed variation, we seek an extension of time until **Friday 14 August 2020** in order to prepare and file a proposed award variation to give effect to the Commission's decision, and submissions and other materials in support.

Thank-you for your consideration of this request.

Yours sincerely

**Stephen Smith**  
Head of National Workplace Relations Policy



The Australian Industry Group  
51 Walker St, North Sydney 2060  
T: 02 9466 5521 or 0418 461183  
E: [stephen.smith@aigroup.com.au](mailto:stephen.smith@aigroup.com.au)  
[www.aigroup.com.au](http://www.aigroup.com.au)