

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

Sent: Wednesday, 1 September 2021 9:20 AM

To: Cheryl.Winstanley@nt.gov.au

Cc: AMOD <AMOD@fwc.gov.au>; Vicki.Telfer@nt.gov.au; Helen.McAuliffe@nt.gov.au; Damien.Doherty@nt.gov.au

Subject: RE: Request for extension to make submission re AM2021/54 - FWCFB 5281 made 26 August 2021.

OFFICIAL

Dear Ms Winstanley,

I refer to the email below.

I confirm that amended directions in the above matter were issued yesterday for the Group 4 awards.

Any submissions opposing the provisional views expressed in the statement issued 26 August 2021 ([2021] FWCFB 5281), or any submissions in relation to the issues in the Statement about which the Full Bench did not express provisional views, shall be filed by **4.00pm on Thursday 9 September 2021**.

Kind Regards,

Eirinn Hayes

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

Fax: (02) 9380 6990

chambers.hatcher.vp@fwc.gov.au

From: Cheryl Winstanley <Cheryl.Winstanley@nt.gov.au>

Sent: Tuesday, 31 August 2021 12:13 PM

To: AMOD <AMOD@fwc.gov.au>

Cc: Vicki Telfer <Vicki.Telfer@nt.gov.au>; Helen McAuliffe <Helen.McAuliffe@nt.gov.au>; Damien Doherty <Damien.Doherty@nt.gov.au>

Subject: Request for extension to make submission re AM2021/54 - FWCFB 5281 made 26 August 2021.

Dear Associate

The Northern Territory Public Sector (NTPS) is writing as an interested party in matter AM2021/54.

The NTPS will be making submissions in accordance the Full Bench's direction at paragraph **4.12 Northern Territory Public Sector Enterprise Award 2016** paragraph [74] of statement [2021] FWCFB 5281 made 26 August 2021.

We note the Full Bench has directed submissions be made by 4:00pm AEST Thursday, 2 September 2021 however, on behalf of the employer, the Commissioner for Public Employment (NTPS) we request an extension of time to make a submission.

The NTPS has considered the time needed to prepare and finalise submissions, including consultation requirements with NTPS agencies.

Following consideration the NTPS respectfully requests whether there is scope within the timeframe set for the casual terms award review 2021 for an extension of time until **5:00pm AEST Thursday, 9 September 2021** to be granted to the NTPS to prepare submissions per paragraph [74] of the statement.

Thank you for consideration of this request.

Regards

Cheryl

Cheryl Winstanley

Employee Relations Director
Office of the Commissioner for Public Employment

Charles Darwin Centre, Darwin Northern Territory

Tel. **(08) 8999 4175**

M. 0457 860 530

Email: Cheryl.winstanley@nt.gov.au

www.nt.gov.au/ocpe

OCPE acknowledges the traditional custodians of the lands on which we work and gather, and their continuing connection to land and waters. We pay respects to Elders past, present and emerging. We pay tribute to the diversity of First Nations peoples of Australia and their ongoing culture.



From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Sent: Wednesday, 1 September 2021 9:25 AM
To: Wayne Townsend <wtownsend@cpsuvic.org>
Cc: AMOD <AMOD@fwc.gov.au>
Subject: RE: AM2021/54 - Casual terms award review 2021

OFFICIAL

Dear Mr Townsend,

I refer to the email below.

I confirm that amended directions in the above matter were issued yesterday for the Group 4 awards.

Any submissions opposing the provisional views expressed in the statement issued 26 August 2021 ([2021] FWCFB 5281), or any submissions in relation to the issues in the Statement about which the Full Bench did not express provisional views, shall be filed by **4.00pm on Thursday 9 September 2021**.

Kind Regards,

Eirinn Hayes

Associate to Vice President Hatcher

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From: Wayne Townsend <wtownsend@cpsuvic.org>
Sent: Tuesday, 31 August 2021 1:46 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Cc: AMOD <AMOD@fwc.gov.au>
Subject: AM2021/54 - Casual terms award review 2021

Vice President

1. CPSU refers to the Commission's Statement of 26 August 2021 [2021] FWCFB 5281. CPSU has an interest in the following awards in Group 4:
 - State Government Agencies Award 2020
 - Victorian Public Service Award 2016
 - Victorian State Government Agencies Award 2015
2. Paragraph [14] of the Statement identifies a jurisdictional issue relating to the interaction of the National Employment Standard (NES) and the exclusion in s5(1)(a) of the Fair Work (Commonwealth Powers) Act 2009 (Vic).
3. Attachment A of the Statement sets out proposed variations in line with the Commission's provisional views. The proposed casuals conversion clause for all the state reference public sector modern awards notes that the variation is "*subject to confirmation that NES provisions apply to persons covered by award*".
4. I am advised that the State of Victoria has sought an extension of time to Friday 10 September enable it to seek advice and confer with relevant unions. CPSU is confident that these discussions will assist the Commission reach a conclusion about its provisional view.
5. Accordingly, the union requests an extension of time to Friday 10 September 2021

Wayne Townsend | Branch Assistant Secretary

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wtownsend@cpsuvic.org | www.cpsuvic.org

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Sent: Wednesday, 1 September 2021 9:33 AM
To: Matt O'Connor (DPC) <matt.o'connor@dpc.vic.gov.au>
Cc: AMOD <AMOD@fwc.gov.au>; Geoff O'Kearney (DPC) <geoff.o'kearney@dpc.vic.gov.au>
Subject: RE: OFFICIAL: AM2021/54 - Casual terms award review 2021

OFFICIAL

Dear Mr O'Connor,

I refer to the email below.

The amended directions referred to below require that any submissions be filed by **4.00pm on Thursday 9 September 2021**.

I apologise for the error in my previous email.

Kind Regards,

Eirinn Hayes

Associate to Vice President Hatcher

Fair Work Commission

Tel: (02) 9308 1812

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From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Sent: Wednesday, 1 September 2021 9:12 AM
To: Matt O'Connor (DPC) <matt.o'connor@dpc.vic.gov.au>
Cc: AMOD <AMOD@fwc.gov.au>; Geoff O'Kearney (DPC) <geoff.o'kearney@dpc.vic.gov.au>
Subject: RE: OFFICIAL: AM2021/54 - Casual terms award review 2021

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Dear Mr O'Connor,

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Kind Regards,

Eirinn Hayes

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From: Matt O'Connor (DPC) <matt.o'connor@dpc.vic.gov.au>
Sent: Tuesday, 31 August 2021 12:12 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Cc: AMOD <AMOD@fwc.gov.au>; Geoff O'Kearney (DPC) <geoff.o'kearney@dpc.vic.gov.au>
Subject: OFFICIAL: AM2021/54 - Casual terms award review 2021

Dear Associate

I refer to the Statement issued by the Full Bench on 26 August 2021 in relation to the application of the Fair Work Act 2009 (Cth), as amended by Schedule 1 to the Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Act 2021 (Cth), to the Victorian Public Service Award 2016 and other awards.

The Commission has sought submissions by Thursday 2 September. This issue is of interest to the Victorian Government and I would respectfully **request an extension of time to respond to Friday 10 September**.

The reasons for the request are to allow time to better understand the implications of the provisional views expressed in the Statement (particularly paras 13-15 in relation to the casual conversion clause), seek advice, consult with relevant Victorian Government departments and prepare a submission in response.

Should you have any questions, please do not hesitate to contact Geoff O'Kearney, A/Executive Director, Industrial Relations Victoria on [0455 539 018](tel:0455539018).

Kind regards

Matt O'Connor
Deputy Secretary | Industrial Relations Victoria
Department of Premier and Cabinet
[1 Spring Street, Melbourne, Victoria 3000](https://www.vic.gov.au/1-spring-street-melbourne-victoria-3000)
M: [0407 560 364](tel:0407560364)
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OFFICIAL
