

**From:** Chambers - Johns C

**Sent:** Tuesday, 19 July 2016 11:25 AM

**To:** TAIT, Donna ([Donna.Tait@apsc.gov.au](mailto:Donna.Tait@apsc.gov.au))

**Cc:** [lindsay.benfell@cpsu.org.au](mailto:lindsay.benfell@cpsu.org.au); [skenna@nteu.org.au](mailto:skenna@nteu.org.au); [mike.nicolaides@amwu.asn.au](mailto:mike.nicolaides@amwu.asn.au); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [roneill@awu-nsw.asn.au](mailto:roneill@awu-nsw.asn.au); Stephanie Gheller; [andrew@afap.org.au](mailto:andrew@afap.org.au); [neal.swancott@unitedvoice.org.au](mailto:neal.swancott@unitedvoice.org.au); [jknights@asu.asn.au](mailto:jknights@asu.asn.au); [hchristiansen@aimpe.asn.au](mailto:hchristiansen@aimpe.asn.au); [shannon.mcswiney@aftrs.edu.au](mailto:shannon.mcswiney@aftrs.edu.au); Paul O'Regan ([P.ORegan@aims.gov.au](mailto:P.ORegan@aims.gov.au)); [rebecca.byun@holdingredlich.com](mailto:rebecca.byun@holdingredlich.com); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [warwick.escott@apra.gov.au](mailto:warwick.escott@apra.gov.au); [J.Butler@australiacouncil.gov.au](mailto:J.Butler@australiacouncil.gov.au); [smurphy@tourism.australia.com](mailto:smurphy@tourism.australia.com); [andrew.krestovsky@hearing.com.au](mailto:andrew.krestovsky@hearing.com.au); [tony.rhynehart@nga.gov.au](mailto:tony.rhynehart@nga.gov.au); [mike.whitfield@casa.gov.au](mailto:mike.whitfield@casa.gov.au); [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au); [david.worthy@ausport.gov.au](mailto:david.worthy@ausport.gov.au); [Sarah.queenan@amsa.gov.au](mailto:Sarah.queenan@amsa.gov.au); [Paul.Vane-Tempest@ashurst.com](mailto:Paul.Vane-Tempest@ashurst.com); [Helen.Ward@nga.gov.au](mailto:Helen.Ward@nga.gov.au); [tony.nairn@finance.gov.au](mailto:tony.nairn@finance.gov.au); [donna.hicks@casa.gov.au](mailto:donna.hicks@casa.gov.au); [amanda.chadwick@ausport.gov.au](mailto:amanda.chadwick@ausport.gov.au); [Karina.Lejsek@amsa.gov.au](mailto:Karina.Lejsek@amsa.gov.au); RAUTIO, Dan ([Dan.Rautio@apsc.gov.au](mailto:Dan.Rautio@apsc.gov.au))

**Subject:** RE: AM2016/12 - s.157 - FWC may vary etc. modern awards if necessary to achieve modern awards objective [SEC=UNCLASSIFIED]

Dear All,

Please note, any reply to the correspondence below must be sent to [Chambers.Johns.C@fwc.gov.au](mailto:Chambers.Johns.C@fwc.gov.au)

Kind regards,

**BASEL HOUCAR**

Associate to Commissioner Johns

**Fair Work Commission**

Tel: +61 2 9308 1826

Fax: +61 2 9380 6990

[chambers.johns.c@fwc.gov.au](mailto:chambers.johns.c@fwc.gov.au)

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**From:** HOUCAR, Basel

**Sent:** Tuesday, 19 July 2016 11:22 AM

**To:** TAIT, Donna ([Donna.Tait@apsc.gov.au](mailto:Donna.Tait@apsc.gov.au))

**Cc:** [lindsay.benfell@cpsu.org.au](mailto:lindsay.benfell@cpsu.org.au); [skenna@nteu.org.au](mailto:skenna@nteu.org.au); [mike.nicolaides@amwu.asn.au](mailto:mike.nicolaides@amwu.asn.au); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [roneill@awu-nsw.asn.au](mailto:roneill@awu-nsw.asn.au); Stephanie Gheller; [andrew@afap.org.au](mailto:andrew@afap.org.au); [neal.swancott@unitedvoice.org.au](mailto:neal.swancott@unitedvoice.org.au); [jknights@asu.asn.au](mailto:jknights@asu.asn.au); [hchristiansen@aimpe.asn.au](mailto:hchristiansen@aimpe.asn.au); [shannon.mcswiney@aftrs.edu.au](mailto:shannon.mcswiney@aftrs.edu.au); Paul O'Regan ([P.ORegan@aims.gov.au](mailto:P.ORegan@aims.gov.au)); [rebecca.byun@holdingredlich.com](mailto:rebecca.byun@holdingredlich.com); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [warwick.escott@apra.gov.au](mailto:warwick.escott@apra.gov.au); [J.Butler@australiacouncil.gov.au](mailto:J.Butler@australiacouncil.gov.au); [smurphy@tourism.australia.com](mailto:smurphy@tourism.australia.com); [andrew.krestovsky@hearing.com.au](mailto:andrew.krestovsky@hearing.com.au); [tony.rhynehart@nga.gov.au](mailto:tony.rhynehart@nga.gov.au); [mike.whitfield@casa.gov.au](mailto:mike.whitfield@casa.gov.au); [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au); [david.worthy@ausport.gov.au](mailto:david.worthy@ausport.gov.au); [Sarah.queenan@amsa.gov.au](mailto:Sarah.queenan@amsa.gov.au); [Paul.Vane-Tempest@ashurst.com](mailto:Paul.Vane-Tempest@ashurst.com); [Helen.Ward@nga.gov.au](mailto:Helen.Ward@nga.gov.au); [tony.nairn@finance.gov.au](mailto:tony.nairn@finance.gov.au); [donna.hicks@casa.gov.au](mailto:donna.hicks@casa.gov.au); [amanda.chadwick@ausport.gov.au](mailto:amanda.chadwick@ausport.gov.au); [Karina.Lejsek@amsa.gov.au](mailto:Karina.Lejsek@amsa.gov.au); RAUTIO, Dan ([Dan.Rautio@apsc.gov.au](mailto:Dan.Rautio@apsc.gov.au))

**Subject:** RE: AM2016/12 - s.157 - FWC may vary etc. modern awards if necessary to achieve modern awards objective [SEC=UNCLASSIFIED]

Dear Ms Tait,

The Full Bench is in the final stages of approving the Proposed Award in the above mentioned matter.

Upon review, the Fair Work Commission (**Commission**) considered the decision issued by the Expert Panel in the Annual Wage Review 2015–16 on 31 May 2016 [\[2016\] FWCFB 3500](#), the Commission proposes to adjust the wages and allowances in the Proposed Award.

Please see **attached**:

1. Proposed Award (including changes);
2. Tables clarifying the changes made to the Proposed Award; and
3. Memo to Commissioner Johns regarding the changes – the parties must consider the “questions” posed the memo, and provide comments by 4:00 pm Friday, 22 July 2016.

Any party wishing to object to the proposed changes, must inform these chambers and provide reasons for their objection by **4:00 pm Friday, 22 July 2016.**

Kind regards,

**BASEL HOUCAR**

Associate to Commissioner Johns

**Fair Work Commission**

Tel: +61 2 9308 1826

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[chambers.johns.c@fwc.gov.au](mailto:chambers.johns.c@fwc.gov.au)

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**From:** Chambers - Johns C

**Sent:** Friday, 24 June 2016 3:57 PM

**To:** TAIT, Donna ([Donna.Tait@apsc.gov.au](mailto:Donna.Tait@apsc.gov.au))

**Cc:** 'lindsay.benfell@cpsu.org.au'; 'skenna@nteu.org.au'; 'mike.nicolaides@amwu.asn.au'; 'matthew.chesher@meaa.org.au'; 'roneill@awu-nsw.asn.au'; 'Stephanie Gheller'; 'andrew@afap.org.au'; 'neal.swancott@unitedvoice.org.au'; 'jknight@asu.asn.au'; 'hchristiansen@aimpe.asn.au'; 'shannon.mcswiney@aftrs.edu.au'; Paul O'Regan ([P.ORegan@aims.gov.au](mailto:P.ORegan@aims.gov.au)); 'rebecca.byun@holdingredlich.com'; 'matthew.chesher@meaa.org.au'; 'warwick.escott@apra.gov.au'; 'J.Butler@australiacouncil.gov.au'; 'smurphy@tourism.australia.com'; 'andrew.krestovsky@hearing.com.au'; 'tony.rhynehart@nga.gov.au'; 'mike.whitfield@casa.gov.au'; 'civilair@civilair.asn.au'; 'david.worthy@ausport.gov.au'; 'Sarah.queenan@amsa.gov.au'; 'Paul.Vane-Tempest@ashurst.com'; 'Helen.Ward@nga.gov.au'; 'tony.nairn@finance.gov.au'; 'donna.hicks@casa.gov.au'; 'amanda.chadwick@ausport.gov.au'; 'Karina.Lejsek@amsa.gov.au'; RAUTIO, Dan ([Dan.Rautio@apsc.gov.au](mailto:Dan.Rautio@apsc.gov.au))

**Subject:** RE: AM2016/12 - s.157 - FWC may vary etc. modern awards if necessary to achieve modern awards objective [SEC=UNCLASSIFIED]

Dear Ms Tait,

Further to your email below, the Full Bench will make the following minor changes to the Award:

- Clause 4.1 – add in (NES) after National Employment Standards;
- Schedule J – clause J.9.1 add in in the words “of the award” after the reference to clause 17.2(b)(i); and
- Schedule H – clause H8.8 the period should be 5 years.

The Full Bench does not see any reasonable ground for objection, hence the changes will be made on the Commissions own accord.

I **attach** a copy of the Proposed Award with marked up changes.

Kind regards,

**BASEL HOUCAR**

Associate to Commissioner Johns

**Fair Work Commission**

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**From:** TAIT, Donna [<mailto:Donna.Tait@apsc.gov.au>]

**Sent:** Wednesday, 22 June 2016 11:24 AM

**To:** Chambers - Johns C

**Cc:** [lindsay.benfell@cpsu.org.au](mailto:lindsay.benfell@cpsu.org.au); [skenna@nteu.org.au](mailto:skenna@nteu.org.au); [mike.nicolaides@amwu.asn.au](mailto:mike.nicolaides@amwu.asn.au); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [roneill@awu-nsw.asn.au](mailto:roneill@awu-nsw.asn.au); Stephanie Gheller ([SGheller@professionalsaustralia.org.au](mailto:SGheller@professionalsaustralia.org.au)); [andrew@afap.org.au](mailto:andrew@afap.org.au); [neal.swancott@unitedvoice.org.au](mailto:neal.swancott@unitedvoice.org.au); [jknight@asu.asn.au](mailto:jknight@asu.asn.au); [hchristiansen@aimpe.asn.au](mailto:hchristiansen@aimpe.asn.au); [shannon.mcswiney@aftrs.edu.au](mailto:shannon.mcswiney@aftrs.edu.au); Paul O'Regan; [rebecca.byun@holdingredlich.com](mailto:rebecca.byun@holdingredlich.com); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [warwick.escott@apra.gov.au](mailto:warwick.escott@apra.gov.au); [J.Butler@australiacouncil.gov.au](mailto:J.Butler@australiacouncil.gov.au); [smurphy@tourism.australia.com](mailto:smurphy@tourism.australia.com); [andrew.krestovsky@hearing.com.au](mailto:andrew.krestovsky@hearing.com.au); [tony.rhynehart@nga.gov.au](mailto:tony.rhynehart@nga.gov.au); [mike.whitfield@casa.gov.au](mailto:mike.whitfield@casa.gov.au); [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au); [david.worthy@ausport.gov.au](mailto:david.worthy@ausport.gov.au); [Sarah.queenan@amsa.gov.au](mailto:Sarah.queenan@amsa.gov.au); [Paul.Vane-Tempest@ashurst.com](mailto:Paul.Vane-Tempest@ashurst.com); [Helen.Ward@nga.gov.au](mailto:Helen.Ward@nga.gov.au); [tony.nairn@finance.gov.au](mailto:tony.nairn@finance.gov.au); [donna.hicks@casa.gov.au](mailto:donna.hicks@casa.gov.au); [amanda.chadwick@ausport.gov.au](mailto:amanda.chadwick@ausport.gov.au); [Karina.Lejsek@amsa.gov.au](mailto:Karina.Lejsek@amsa.gov.au);

RAUTIO, Dan

**Subject:** RE: AM2016/12 - s.157 - FWC may vary etc. modern awards if necessary to achieve modern awards objective [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Dear Associate

As per your below email please find attached two copies of the proposed Australian Government Industry Award 2016 – one marked up with tracked changes and a clean copy.

The issues raised in your email have all been addressed and agreed by the parties.

I have also made some further editing changes – these are tracked in the marked up version of the award. For ease of reviewing, these changes are also identified in the attached summary document. These edits do not change the content, rather address inconsistencies in formatting and clause referencing issues.

If there are any concerns with the attached please let me know.

We look forward to the Order and reasons for decision being issued.

Thank you for all your assistance in finalising this matter.

Regards

Donna

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**Donna Tait | Director – Conditions Policy**

Workplace Relations Group

Australian Public Service Commission

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**From:** Chambers - Johns C [<mailto:Chambers.Johns.C@fwc.gov.au>]

**Sent:** Monday, 20 June 2016 3:21 PM

**To:** [lindsay.benfell@cpsu.org.au](mailto:lindsay.benfell@cpsu.org.au); [skenna@nteu.org.au](mailto:skenna@nteu.org.au); [mike.nicolaides@amwu.asn.au](mailto:mike.nicolaides@amwu.asn.au); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [roneill@awu-nsw.asn.au](mailto:roneill@awu-nsw.asn.au); Stephanie Gheller ([SGheller@professionalsaustralia.org.au](mailto:SGheller@professionalsaustralia.org.au)); TAIT, Donna; [andrew@afap.org.au](mailto:andrew@afap.org.au); [neal.swancott@unitedvoice.org.au](mailto:neal.swancott@unitedvoice.org.au); [jknights@asu.asn.au](mailto:jknights@asu.asn.au); [hchristiansen@aimpe.asn.au](mailto:hchristiansen@aimpe.asn.au); [shannon.mcswiney@afrs.edu.au](mailto:shannon.mcswiney@afrs.edu.au); [poregan@aims.gov.au](mailto:poregan@aims.gov.au); [rebecca.byun@holdingredlich.com](mailto:rebecca.byun@holdingredlich.com); [matthew.chesher@meaa.org.au](mailto:matthew.chesher@meaa.org.au); [warwick.escott@apra.gov.au](mailto:warwick.escott@apra.gov.au); [J.Butler@australiacouncil.gov.au](mailto:J.Butler@australiacouncil.gov.au); [smurphy@tourism.australia.com](mailto:smurphy@tourism.australia.com); [andrew.krestovsky@hearing.com.au](mailto:andrew.krestovsky@hearing.com.au); [tony.rhynehart@nga.gov.au](mailto:tony.rhynehart@nga.gov.au); [mike.whitfield@casa.gov.au](mailto:mike.whitfield@casa.gov.au); [civilair@civilair.asn.au](mailto:civilair@civilair.asn.au); [david.worthy@ausport.gov.au](mailto:david.worthy@ausport.gov.au); [Sarah.queenan@amsa.gov.au](mailto:Sarah.queenan@amsa.gov.au); [Paul.Vane-Tempest@ashurst.com](mailto:Paul.Vane-Tempest@ashurst.com)

**Subject:** AM2016/12 - s.157 - FWC may vary etc. modern awards if necessary to achieve modern awards objective

Dear Parties

I refer to the hearing before the Full Bench today and its decision to make the *Australian Government Industry Award 2016 (AGIA)* subject to the finalisation of its terms in conference with Commissioner Johns.

To enable the Full Bench to issue the Order, Commissioner Johns has indicated that it will be sufficient for his purposes if the parties jointly file in the Commission two versions (one clean and one with marked up tracked changes) of the *AGIA* which incorporate the amendments proposed during the hearing, namely:

- to clarify the definition of PC1s/PC2s in Schedule A.5;
- to provide for transitional arrangements in relation to the district allowance in Schedule H.8;
- to address the different span of hours issue in Schedule J.9.1.(b)(i);

- to delete study cost allowance in Schedule L10.1; and
- to delete financial assistance to approved students in Schedule N.8.

The Commissioner anticipates that the Full Bench will be able to issue the Order and reasons for its decision soon after the filing of the amended version of the *AGIA*.

Kind regards,

**BASEL HOUCAR**

Associate to Commissioner Johns

**Fair Work Commission**

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