



The Australian Industry Group
51 Walker Street
North Sydney NSW 2060
PO Box 289
North Sydney NSW 2059
Australia
ABN 76 369 958 788

20 May 2020

Deputy President Gostencnik
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: chambers.gostencnik.dp@fwc.gov.au

Dear Deputy President,

Re. AM2020/1 Application to vary the *Nurses Award 2010* – Request for further extension of time

We refer to the above matter.

On 2 April 2020, the Fair Work Commission (**Commission**) amended its previously issued directions. The amended directions require that the Australian Industry Group (**Ai Group**) and any party supporting its application file submissions and evidence in support of it by 5pm on 22 May 2020.

Regrettably, Ai Group will not be in a position to file its material in accordance with the Commission's directions and respectfully requests a further extension of two weeks to file its material. The basis for its request is set out hereunder.

In correspondence to the Commission on 1 April 2020, Ai Group identified the impact of the COVID-19 pandemic (**Pandemic**) on its capacity to prepare its material in relation to this matter and the capacity of the various associations representing private hospitals who support our application and who we represent in these proceedings.

The circumstances there described have continued to subsist since that time. Ai Group has additionally been involved in a number of Commission proceedings concerning variations to awards in relation to the Pandemic including the *Fast Food Industry Award 2010*¹, the *Social, Community, Home Care and Disability Services Industry Award 2010*², the *Vehicle Manufacturing, Repair, Services and Retail Award 2010*³, proceedings instituted on the Commission's own motion regarding a significant number of modern awards⁴, and a union claim to introduce paid pandemic leave into a range of health sector awards⁵.

¹ AM2020/20.

² AM2020/18.

³ AM2020/22.

⁴ AM2020/12.

⁵ AM2020/13.



The Australian Industry Group
51 Walker Street
North Sydney NSW 2060
Australia
ABN 76 369 958 788

In the circumstances, we respectfully request that the Commission vary the directions by delaying each of deadlines at paragraphs (1) – (4) by a period of two weeks. This would see the material contemplated by paragraph (4) being filed on 21 August 2020, leaving six working days until the hearing scheduled for 1 September 2020.

We understand that the Australian Nursing and Midwifery Federation does not oppose the proposed amendment to the directions.

We thank the Commission for its consideration of our request.

Yours sincerely,

Brent Ferguson
National Manager – Workplace Relations
Advocacy and Policy

Ruchi Bhatt
Senior Adviser – Workplace Relations
Policy