

BEFORE THE FAIR WORK COMMISSION

AG2022/5615

Application by Justin Gusset – Application to terminate the *Apple Retail Enterprise Agreement 2014*

Reply Statement of Wilda Fong

I, Wilda Fong, make the following statement based on my knowledge and belief unless otherwise stated.

1. I have previously made a statement in these proceedings (**First Statement**). I continue to rely on that statement, unless otherwise indicated.

Affidavit of Reshaad Bader

2. I have read the affidavit of Reshaad Bader made on 8 June 2023. Where I do not comment on a matter raised in that statement, it should not be taken to mean that I agree with it.
3. I firstly comment on paragraph [83], which refers to Reshaad's comments in relation to the cuts in hours in paragraphs [62], and [20] – [26] of his statement. Reshaad asserts that no employees at the Brisbane store have received 'cuts' to their rostered hours, although employees did receive lower hours in January 2023 following the busy December period which was similar to previous years. I disagree.
4. For example, in January 2021 I was rostered from Tuesday to Saturday for a total of 96.5 hours. I did not pick up any extra shifts. In January 2022 I was regularly rostered from Tuesday to Saturday for a total of 134 hours, and I also did not pick up any extra shifts. In contrast, in January 2023 I worked from Tuesday to Saturday in the first week and was only provided with three shifts in the second and third week. I also picked up extra shifts on 16, 17 and 18 January and worked shift extensions, for a total of 100.75 hours. Because of the way the rosters display in WorkJam, I am not able to see which shifts were rostered and which were picked up, but I estimate that approximately 20% were extra hours that I picked up.

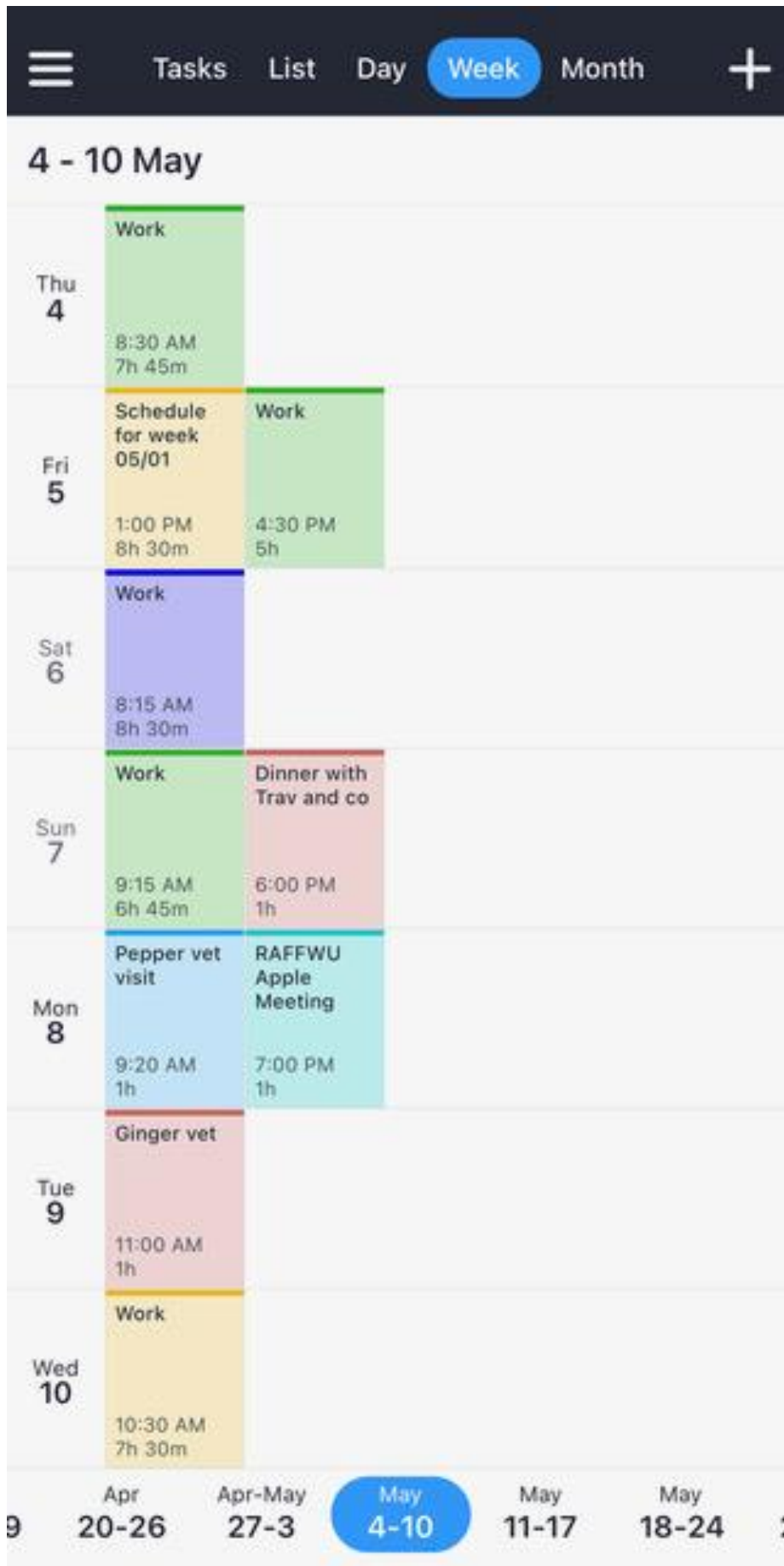
5. In May 2021, I worked 128.5 hours and did not pick up any extra shifts and may have been asked on occasion to extend my shift; In May 2022, I worked 96 hours and did not pick up any extra shifts and may have been asked on occasion to extend my shift and took 9 days of paid annual leave. In May 2023, I was rostered 89.5 hours. I added an additional 77.5 hours by extending my shifts or picking up extra shifts on the 4th 5th, 7th 11th 14th, 18th, 19th, 20th, 21st, 25th and 28th of May 2023. I annex **RWF-2** a copy of screen shots taken of my calendar for this period which denotes the blue dates are rostered hours, the green dates denotes the shifts I've picked up and the yellow dates denotes shifts that have been extended on my existing rostered hours or shifts that I've picked up.
6. Regarding paragraph [93], I reiterate my comment at paragraph [12] of my First Statement that I often experience a delay in released shifts being approved by Apple in WorkJam and experience uncertainty as to my shift times, and further say that I would not raise these issues with Reshaad in any event. Reshaad sits on the top of the hierarchy of the management team at the Brisbane store. My interactions with him are infrequent, and I do not see him on the floor when I am working much at all. If I raised the issue with anyone it would be with a lower-level manager for example, Asher, Ainsley, Hendrik or a leader Joe or Taner depending on who is available.
7. Regarding paragraph [111] –[112], I would not raise my specific need to get an extra shift on a particular week with Reshaad. As I have said, Reshaad is at the top of the management hierarchy at the Brisbane store. I would instead approach a lower-level manager or leader for this issue. For example, I recently asked Ainsley to approve a 5-hour shift I picked up to work on 7 June 2023 and merged it with my existing 5-hour shift, and on 10 June I picked up another 5-hour shift to merge it with my existing 5-hour shift with approval from Taner. On 21 June 2023, I picked up another 5-hour shift to merge it with my existing 4.5-hour shift with help from Asher to approve it.
8. Regarding paragraph [113], I would not speak to Reshaad about my financial situation and personal circumstances outside of work. I have never told him that I am “financially comfortable”. I have bills and daily expenses that often worry me and require having to look for any extra hours where I can get them. The uncertainty I face at work regarding my hours often contributes to these concerns.
9. Regarding paragraph [116] – [118], on accessing the 'MyPage' site Reshaad refers to, the only information I can see regarding my level is that I am a 'Support 2'. I cannot see any information that I am a Level 1 employee anywhere on MyPage. I annex as **RWF-2** a

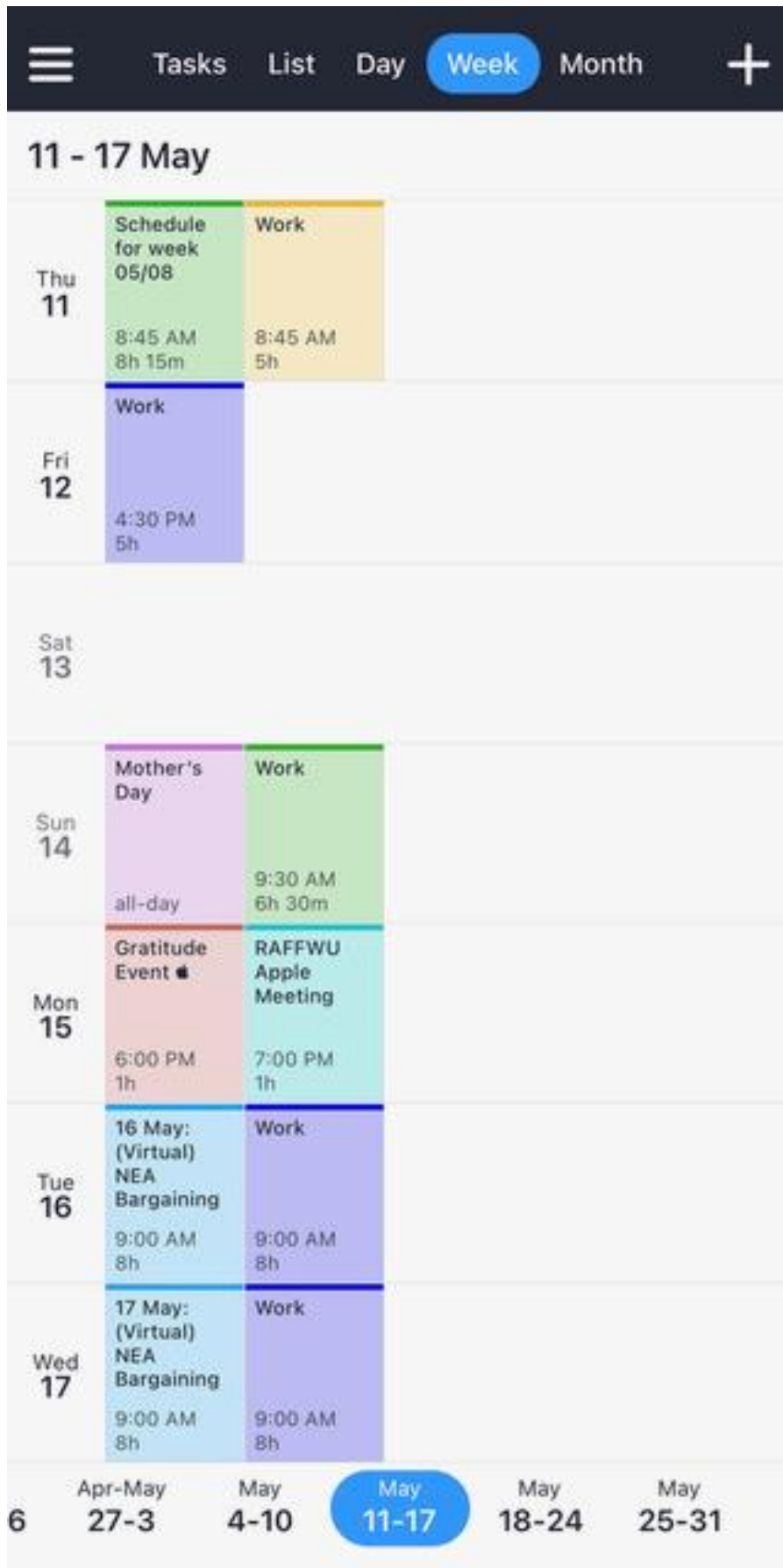
screenshot taken on 21 June 2023 which shows the 'Job Level' information displayed to me.

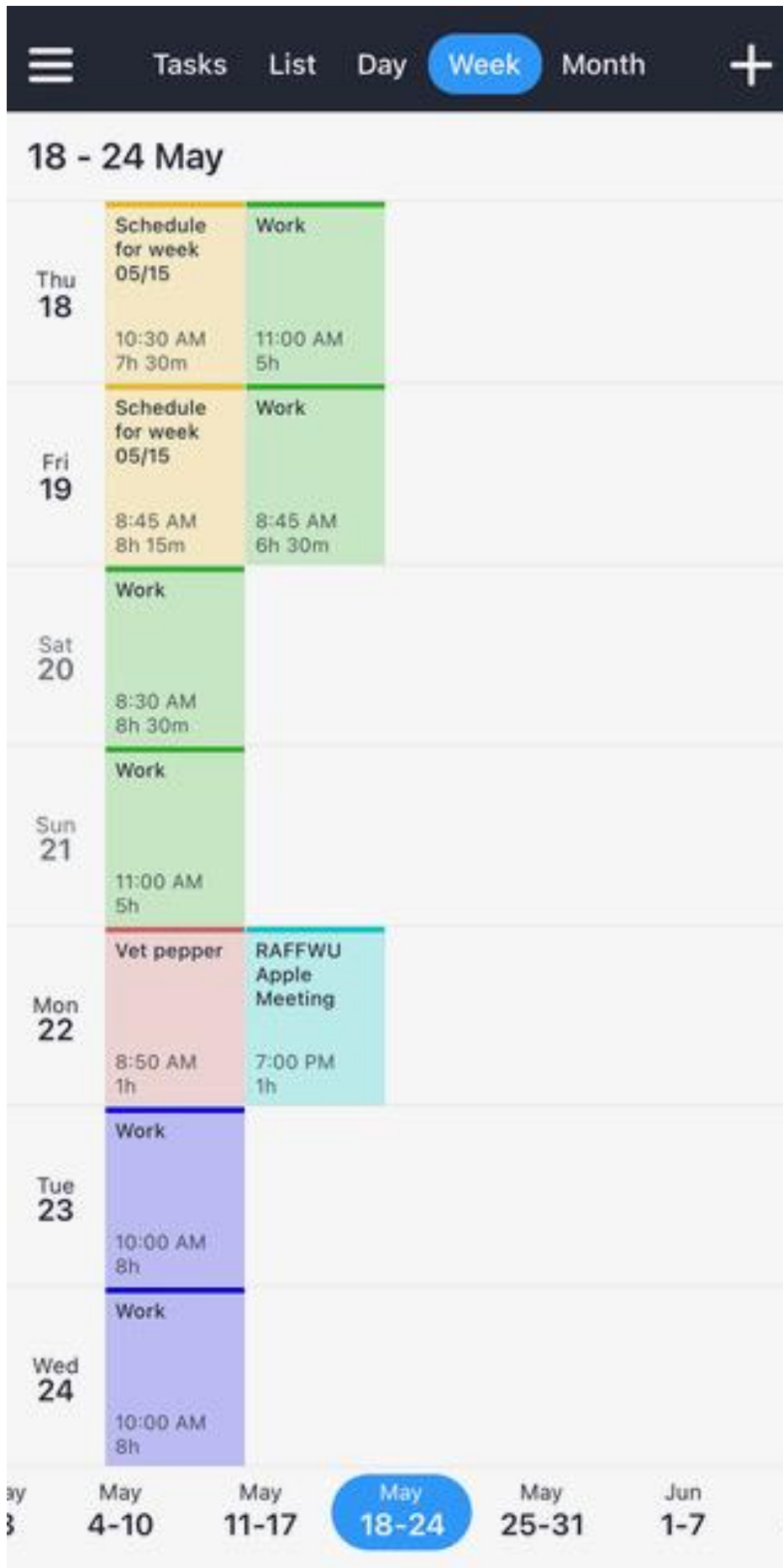


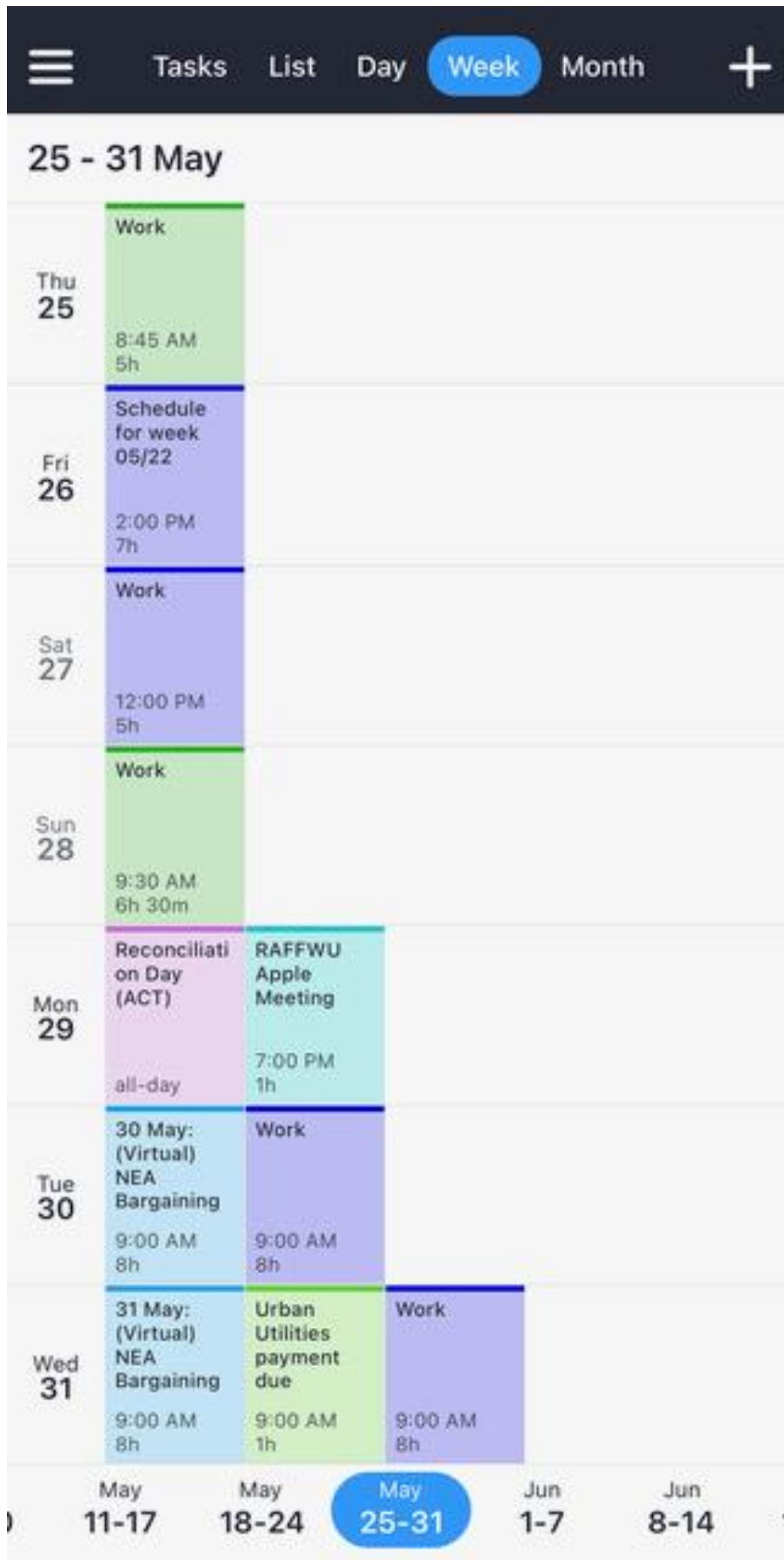
Wilda Fong
22 June 2023











Job Level	Support 2
Date of Hire *	Oct 2, 2018
Div./Dept.	0082/6966