



Ai GROUP WORKPLACE LAWYERS

51 Walker Street
North Sydney NSW 2060
PO Box 94
North Sydney NSW 2059
Australia
Ai Group Legal Unit Trust ABN 68 671 268 671

27 November 2017

PRIVATE & CONFIDENTIAL

Associate to President Iain Ross
Fair Work Commission
Level 4, 1 Exhibition Street
Melbourne VIC 3000

By email: amod@fwc.gov.au

Dear Associate

**FWC Matter No. AM2017/49
4 YEARLY REVIEW OF MODERN AWARDS
SUBSTANTIVE CLAIMS – FAST FOOD INDUSTRY AWARD 2010**

We refer to the above matter and the Directions of the Fair Work Commission dated 9 November 2017 (**Directions**).

The Directions provide the following timetable:

1. 1 December 2017 – Conference in Melbourne before Commissioner Lee;
2. 7 February 2018 – The Australian Industry Group (**Ai Group**) and SDA to file draft variations, submissions and evidence in support;
3. 28 February 2018 – Parties to file submissions and evidence in reply; and
4. 6 March 2018 – Hearing (**Timetable**).

With the consent of the SDA, Ai Group requests an additional hearing day and further, for the dates in the that the Timetable be deferred to later dates on the basis that:

1. Ai Group intends to lead survey evidence, and requires an appropriate timeframe to administer the survey;
2. Ai Group further intends to lead expert evidence in support of the survey evidence, which requires briefing of an expert and report preparation time. The availability of expert witnesses is limited by the Christmas, New Year and Australia Day period;
3. The current hearing of one day does not allow sufficient time for survey and expert evidence to be heard;
4. Senior Counsel for The Australian Industry Group is not available for the hearing date on 6 March 2018;
5. Counsel has extremely limited availability during the Christmas, New Year and Australia Day period which is likely to hamper the preparation of evidence and prejudice the ability of Ai Group to meet the current dates in the Timetable; and
6. Lay witnesses have limited availability during the Christmas, New Year and Australia Day period.



Ai GROUP WORKPLACE LAWYERS

51 Walker Street
North Sydney NSW 2060
Australia

Ai Group Legal Unit Trust ABN 68 671 268 671

We thank the Commission for consideration of this request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Katie-Maree O'Brien'.

Katie-Maree O'Brien

Lawyer

Ai Group Workplace Lawyers