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5 May 2017

By Email: amod@fwc.gov.au

President Ross
Fair Work Commission
10/80 William Street
EAST SYDNEY NSW 2011

Dear President Ross

**Re: AM2014/286 Supported Employment Services Award
Submissions**

We refer to the above and acknowledge your statement dated 18 April 2017.

AED is an interested party in the matter identified at Item 5 of Annexure A to the statement at [2017] FWC 2189. We consider that s. 622 of the Fair Work Act requires the President to appoint another member pursuant to s. 622(3), the statutory conditions stated in s. 622(1)(a) and (b) having been enlivened due to the resignation of Vice President Watson.

The status column of Annexure A referable to Item 5 states that "Booth DP has been conducting conferences about these matters". These conferences have now been ongoing for some 3 years and AED submits that there is no further utility in further conferences in relation to this review. It is our submission that another member of the Commission ought to be appointed as a matter of priority to ensure the review progresses from this point as expeditiously as is possible.

A key issue in the review is the presence in the Award of a term that purports to fix minimum wages for disabled employees (as defined) by reference to certain wages tools that AED contends discriminate. AED will propose deletion of these tools. We understand that other participants to the review also have proposals for amendment. Accordingly, we consider that the next steps in the matter once another Commission member is appointed ought to be the making of programming orders.

If you have any queries in relation to the above, please email us at noni.lord@aed.org.au or leave a voicemail message on (03) 9639 4333 with some convenient times for us to return your call.

Yours sincerely



Kairsty Wilson
Principal Legal Practitioner
AED Legal Centre