

**From:** Chambers - Gostencnik DP <Chambers.Gostencnik.DP@fwc.gov.au>  
**Sent:** Friday, 4 September 2020 5:29 PM  
**To:** Justin Le Blond <Justin.LeBlond@kennedyslaw.com>  
**Cc:** Mianna Jones <Mianna.Jones@kennedyslaw.com>; AMOD <AMOD@fwc.gov.au>; Persephone Forster <Persephone.Forster@kennedyslaw.com>  
**Subject:** RE: Four Yearly Review Of Modern Awards [KEN-Legal\_APAC.FID177744]

Dear Mr Le Blond

The Deputy President notes your response however maintains his request for an explanation as to why the NATSIHWA's application for an extension of time was not made before the time had elapsed.

Kind regards

**Abbey Sultan**

Associate to Deputy President Gostencnik

**Fair Work Commission**

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The **Fair Work Commission** acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples. We acknowledge their continuing connection to country and pay our respects to their Elders past present and emerging.



Your ref AM2018/12 - Aboriginal Community Controlled  
Health Services Award 2010

Our ref AUSN117-869617 (JZLB)

# Kennedys

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4 September 2020

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Dear Associate

**FOUR YEARLY REVIEW OF MODERN AWARDS  
ABORIGINAL COMMUNITY CONTROLLED HEALTH SERVICES AWARD 2010  
FAIR WORK COMMISSIONS PROCEEDING NUMBER: AM2018/12 (PROCEEDINGS)**

We refer to your email dated 1 September 2020, our letter dated 1 September 2020 (adopting earlier abbreviations) and the Decision.

We confirm that NATSIHWA respectfully seeks further time to respond for the following reasons:

1. the Decision is critically important to NATSIHWA's members, being Aboriginal or Torres Strait Islander Health Workers and Health Practitioners;
2. NATSIHWA has taken the 'lead' in the Proceedings, continuously exercising diligence and attention to detail in both consultation with its members and its dealings with the Commission;
3. NATSIHWA has a significant contribution to make and wants to assist the Commission in resolving the outstanding matters arising from the Decision;
4. NATSIHWA has required time to carefully consider the Decision (comprising of 84 pages), consult with its members and obtain advice about the Decision. This process has been adversely impacted by COVID-19 restrictions (including office closures), geographical constraints and persons working remotely; and
5. we see no prejudice caused to any active interested party, by reason of the short extension respectfully sought (noting that the Full Bench hearing was last on 26 July 2019 and the Decision was handed down on 22 July 2020).

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Should you have any queries in relation to the above, please do not hesitate to contact Persephone Forster, Special Counsel on +61 2 8215 5908.

Yours sincerely



*Checked and electronically signed*

**Justin Le Blond**  
Partner  
for Kennedys