

**From:** Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

**Sent:** Tuesday, 26 October 2021 1:18 PM

**To:** Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>

**Cc:** Nigel Ward <Nigel.Ward@ablawyers.com.au>; Simon Spence <simon.spence@ccer.catholic.org.au>; Jack Kenchington-Evans <jkenchingtonevans@aeufederal.org.au>; Shue Yin Lo <shue.yin.lo@afei.org.au>; John Gunn <John.Gunn@ccsa.org.au>; Reeves, Stephen <Stephen.Reeves@ags.gov.au>; Rawson, Craig <Craig.Rawson@ags.gov.au>; Michael Carter <MCarter@aisnsw.edu.au>; Isabelle Arrabalde <bellearrabalde@hotmail.com>; Christopher Owens <christopher.owens@cer.catholic.org.au>; AMOD <AMOD@fwc.gov.au>; Carol Matthews <carol@ieu.asn.au>; Michael Wright <michael@ieu.asn.au>

**Subject:** RE: AM2018/9 - Application to vary Education Services (Teachers) Award 2020 on work value grounds – amended submissions re Clause 14.5 of Draft Determination

OFFICIAL

Dear Ms Lombardelli,

I refer to the above matter and the email below.

Can the ACA/ABI please confirm that they agree to the proposed amendment to clause 14.5 as outlined in the IEU's submission dated 26 October 2021.

Kind Regards,

**Eirinn Hayes**

Associate to Vice President Hatcher

**Fair Work Commission**

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**From:** Michael Wright <[michael@ieu.asn.au](mailto:michael@ieu.asn.au)>  
**Sent:** Tuesday, 26 October 2021 11:09 AM  
**To:** Chambers - Hatcher VP <[Chambers.Hatcher.VP@fwc.gov.au](mailto:Chambers.Hatcher.VP@fwc.gov.au)>  
**Cc:** Nigel Ward <[Nigel.Ward@ablawyers.com.au](mailto:Nigel.Ward@ablawyers.com.au)>; Simon Spence <[simon.spence@ccer.catholic.org.au](mailto:simon.spence@ccer.catholic.org.au)>; Jack Kenchington-Evans <[jkenchingtonevans@aeufederal.org.au](mailto:jkenchingtonevans@aeufederal.org.au)>; Shue Yin Lo <[shue.yin.lo@afei.org.au](mailto:shue.yin.lo@afei.org.au)>; John Gunn <[John.Gunn@ccsa.org.au](mailto:John.Gunn@ccsa.org.au)>; Reeves, Stephen <[Stephen.Reeves@ags.gov.au](mailto:Stephen.Reeves@ags.gov.au)>; Rawson, Craig <[Craig.Rawson@ags.gov.au](mailto:Craig.Rawson@ags.gov.au)>; Michael Carter <[MCarter@aisnsw.edu.au](mailto:MCarter@aisnsw.edu.au)>; Isabelle Arrabalde <[bellearrabalde@hotmail.com](mailto:bellearrabalde@hotmail.com)>; Christopher Owens <[christopher.owens@cer.catholic.org.au](mailto:christopher.owens@cer.catholic.org.au)>; Michael Wright <[michael@ieu.asn.au](mailto:michael@ieu.asn.au)>; AMOD <[AMOD@fwc.gov.au](mailto:AMOD@fwc.gov.au)>; Carol Matthews <[carol@ieu.asn.au](mailto:carol@ieu.asn.au)>  
**Subject:** AM2018/9 - Application to vary Education Services (Teachers) Award 2020 on work value grounds – amended submissions re Clause 14.5 of Draft Determination

Dear Associate,

**Re.: AM2018/9 - Application to vary Education Services (Teachers) Award 2020 on work value grounds – amended submissions re Clause 14.5 of Draft Determination**

We refer to the above-mentioned matter and the IEU and ACA/ABL submissions with respect to the Draft Determination.

Following discussions with ACA/ABL, the IEU suggests an amended correction with respect to clause 14.5 which the IEU and ACA/ABL agree is a more appropriate correction.

Accordingly, attached for filing are the IEU's amended submissions regarding clause 14.5 of the Draft Determination (in both Word and PDF format).

The parties to this matter are copied into this email by way of service.

Thank you.

Regards,

Michael Wright

26 October 2021

Vice President Hatcher  
Fair Work Commission

By Email: chambers.hatcher.vp@fwc.gov.au

Dear Vice President Hatcher,

**Re. AM2018/9 - Application to vary Education Services (Teachers) Award 2020 on work value grounds – submissions re terms of draft determination - Clause 14.5**

Following the Union's correspondence dated 21 October 2021 suggesting a number of corrections under s.602 of the *Fair Work Act 2009* and the submissions of Australian Childcare Alliance (ACA) and Australian Business Industrial (ABI) dated 25 October 2021, the parties have discussed the proposed wording of subclause 14.5(a)(i).

The IEU agrees with the submissions of ACA/ABI in paragraphs 5-8.

Following discussions, both parties are of the view that the best way to give effect to the decision, in light of those submissions, would be to delete all of the words after "...proficient teacher".

Accordingly, the parties jointly suggest the following amended minor correction (pursuant to s.602 of the Act) to clause 14.5(a)(i):

- (i) *the employee works in a State or Territory where there is no requirement applicable to the employee to be accredited or registered as a proficient teacher and ~~there is capacity for the employee to voluntarily obtain such accreditation or registration;~~ and*

If required the Union is able to make further submissions and/or attend a conference convened by the Commission. A copy of this correspondence has been emailed to the other parties.

Yours faithfully



Dr. Michael Wright  
**Senior Industrial Officer**