

**From:** Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>  
**Sent:** Thursday, 28 April 2022 4:44 PM  
**To:** Nick White <nwhite@gordonlegal.com.au>; AMOD <AMOD@fwc.gov.au>; Mirella Franceschini <Mirella.FRANCESCHINI@fwc.gov.au>  
**Cc:** Ben Redford <Ben.Redford@unitedworkers.org.au>; Nigel Ward <Nigel.Ward@ablawyers.com.au>; Jordan Lombardelli <jordan.lombardelli@ablawyers.com.au>; Alana Rafter <Alana.Rafter@ablawyers.com.au>; Alex Grayson <AGrayson@mauriceblackburn.com.au>; 'Penny Parker' <PParker@mauriceblackburn.com.au>; Philip Gardner <pgardner@gordonlegal.com.au>  
**Subject:** RE: AM2020/99, AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

OFFICIAL

Dear Mr White,

I refer to your below correspondence.

Justice Ross has requested that the Parties provide a *draft order* for his review.

Kind regards,

**Madeleine Castles**

Associate to the Hon. Justice IJK Ross, President



**Fair Work Commission**  
Australia's national workplace relations tribunal

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

**This email was sent from Wurundjeri Woi Wurrung Country.**

**From:** Nick White <[nwhite@gordonlegal.com.au](mailto:nwhite@gordonlegal.com.au)>  
**Sent:** Thursday, 28 April 2022 3:59 PM  
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**Subject:** AM2020/99, AM2021/63 & AM2021/65 – Work value case – Aged Care Industry

Dear Associate

We refer to the Full Bench Statement of 24 April 2022 in which it has determined that the evidence of the 81 Union lay witnesses is to be heard by a single member of the Full Bench, Commissioner O'Neill, who is to provide a Report to the Full Bench.

The parties identified below jointly consider that, in that light, it is desirable (for abundant caution) that the President formalise the position by way of a written direction, under section 616(3D)(b), section 582(2) and/or section 590, to the effect that Commissioner O'Neill hear the evidence of the Union lay witnesses and prepare a report for the Full Bench.

This is a joint position as between all unions and ABLA's clients, with all representatives copied to this email.

Regards

**Nick White**

Principal Lawyer

Accredited Specialist (Workplace Relations)



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