



The Australian Industry Group
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10 September 2020

Deputy President Gostencnik
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By email: chambers.gostencnik.dp@fwc.gov.au

Dear Deputy President,

Re. AM2020/1 Application to vary the *Nurses Award 2010* – Extension request

We refer to the above matter.

On 21 August 2020, the Fair Work Commission (**Commission**) issued amended directions (**Amended Directions**), requiring the Australian Industry Group (**Ai Group**) to file submissions in reply by 5pm on 14 September 2020. In addition, the matter was listed for hearing on 20 October 2020 (**Hearing**).

We are regrettably not in a position to file our submissions in accordance with the Amended Directions and write to respectfully request that we be afforded an extension of time to do so until 5pm on 28 September 2020. A period of three weeks would then remain until the Hearing.

The impact of the COVID-19 pandemic (**Pandemic**) and measures implemented to mitigate its spread has resulted in our ongoing and extensive involvement in:

- (a) Numerous Commission proceedings concerning award variations proposed by interested parties in light of the Pandemic and, more recently, work associated with further potential changes to awards in light of a statement issued by Justice Ross on 31 August 2020.
- (b) Each of the five working groups established by the Attorney-General and Minister for Industrial Relations regarding proposed industrial relations reform.
- (c) Providing urgent advice and assistance to industry and individual members.

The aforementioned consequences of the Pandemic continue to dramatically reduce our scope to prepare our reply submissions. We note in particular that both representatives of Ai Group involved in this matter are also involved in working groups tasked with urgently discussing proposed industrial relations reform, as described above. Since the Commission issued the Amended Directions, we have been required to expend an unforeseen and significant amount of time preparing material and participating in various discussions / conferences at short notice as part of that process. We anticipate that this will continue into next week.



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We have been advised by the Australian Nursing and Midwifery Federation (**ANMF**) that it does not oppose the extension of time sought.

We acknowledge that we have requested and been granted various amendments to the directions issued by the Commission in this matter. We apologise unreservedly for any inconvenience this may have caused and are grateful for the Commission's indulgences and the ANMF's cooperation.

We thank the Commission for its consideration of this further request.

Yours sincerely,

Brent Ferguson
National Manager – Workplace Relations
Advocacy and Policy

Ruchi Bhatt
Senior Adviser – Workplace Relations
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