

9 April 2020

Gordon  
Legal

IT'S PERSONAL

Nicholas White

Senior Associate

E: [nwhite@gordonlegal.com.au](mailto:nwhite@gordonlegal.com.au)

Legal Administrator: Niki Prasad

E: [nprasad@gordonlegal.com.au](mailto:nprasad@gordonlegal.com.au)

Associate to the Honourable Justice Ross AO  
Fair Work Commission  
Level 4, 11 Exhibition Street  
MELBOURNE VIC 3000

By email: [chambers.ross.j@fwc.gov.au](mailto:chambers.ross.j@fwc.gov.au)

Our Ref: 006612 Your Ref: AM2020/12

Dear Associate

**AM2020/12: Variation of awards on the initiative of the Commission (additional measures during COVID-19 pandemic)**

We confirm that we act for the Victorian Ambulance Union Incorporated.

We refer to the above matter, our client's submissions dated 6 April 2020 and the Decision dated 8 April 2020 ([2020] FWCFB 1837).

In paragraphs [52]-[59] of the Decision, the Commission referred to some of the submissions that had been made in relation to 'paid pandemic leave' for health care workers. We refer to paragraphs 15 to 21 of our client's submissions and note that, in addition to the ACTU, ANMF, APESMA and HSU, our client also made submissions in relation to a proposed paid pandemic leave entitlement.

As noted in paragraph 16 of our client's submissions, members of our client will be giving consideration to making an application under section 158 of the *Fair Work Act 2009* (Cth) to vary the *Ambulance and Patient Transport Industry Award 2020* ("the relevant award") so that it provides for paid pandemic leave. On that basis, our client respectfully submits that it should be invited to participate in the conference of interested parties referred to in paragraph [59] of the Decision.

Our client has about 4,500 members in the ambulance and patient transport industry. It has been in a unique position to consult extensively with its members about the impact, and the potential impact, of the COVID-19 pandemic on their working relationships.

If our client has the opportunity to be heard through the separate process that has been foreshadowed by the Commission, the question of paid pandemic leave in the relevant award may be addressed more expeditiously than if the Commission is required to entertain a separate application by one or more of our client's members.

If the Commission is prepared to invite our client to participate in the proposed conference, please direct the invitation to Alessandra Moussa, Senior Industrial Officer and Lawyer for the Victorian Ambulance Union Incorporated. Her email address is [alessandra.moussa@vicambounion.org](mailto:alessandra.moussa@vicambounion.org).

If our client is not going to be invited to the conference, please let us know so that its members can consider their position in relation to their foreshadowed application under section 158 of the Act.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'N White', with a horizontal line underneath the signature.

Nicholas White  
Senior Associate  
**GORDON LEGAL**