

From: Ben Redford <ben.redford@unitedworkers.org.au>
Sent: Tuesday, June 13, 2023 4:54 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>
Cc: Michael Wright <michael@ieu.asn.au>; 'Cara Nightingale' <cara.nightingale@aeuvic.asn.au>;
justin.mullaly@aeuvic.asn.au; Nigel Ward <[REDACTED]>; Laura Stevens
<[REDACTED]>; Tabitha Pearson <[REDACTED]>
Subject: Application for the FWC's approval of a supported bargaining authorisation - B2023/538

Dear Associate

This matter is listed for Mention tomorrow, 14 June 2023.

Ahead of that hearing, I attach the following:

1. Draft Directions

- a. These draft Directions are the product of discussions between the parties. I have spoken with each party about them, and have circulated this draft this afternoon, to which none have objected.

2. Short note

- a. I intend to refer to this Short Note in the Mention tomorrow. The note is simply a list of the Respondents mentioned in the Application, but numbered for convenience of reference.

Regards

Ben Redford
Director – Strategic Power
United Workers Union

P: (03) 9235 7777
E: ben.redford@unitedworkers.org.au
W: unitedworkers.org.au



Email disclaimer: unitedworkers.org.au/emaildisclaimer

DRAFT DIRECTIONS

Fair Work Act 2009

s.242 - Application for a supported bargaining authorisation

Application by United Workers' Union, Australian Education Union and Independent Education Union of Australia

(B2023/538)

JUSTICE HATCHER, PRESIDENT

SYDNEY, **XX** JUNE 2023

Application for a supported bargaining authorisation – early childhood education and care sector

The Commission directs as follows:

- [1] The Applicants are to file and serve on the Respondents full written submissions and any evidence it wishes to rely upon by no later than **4.00pm on Friday 28 July 2023**.
- [2] The Respondents are to file and serve on the Applicants full written submissions and any evidence it wishes to rely upon by no later than **4.00pm on Friday 28 July 2023**.
- [3] Given the potential significance of this matter, we propose to draw this application to the attention of peak councils (as invited by the Commission) and the Commonwealth, and to grant them leave to be heard on the operation of section 243 and section 244 of the *Fair Work Act 2009* (Cth) if they wish to do so. Any such party is required to file and serve full written submissions it wishes to rely upon by no later than **4.00pm on Friday 28 July 2023**.
- [4] All parties are to file and serve any reply submissions by no later than **4:00pm on Friday 4 August 2023**.
- [5] The matter will be listed for hearing, on a day between **7 August 2023 and 28 August 2023** as determined by the Commission; with an additional day reserved for hearing if necessary.
- [6] All documents and submissions should be filed and served electronically and filed in both Word and PDF format to chambers.hatcher.j@fwc.gov.au.
- [7] Liberty to apply.

<<**XXXX**>>

IN THE FAIR WORK COMMISSION

Application by United Workers' Union, Australian Education Union and Independent Education Union of Australia

Matter No: (B2023/538)

Short note – United Workers Union

1. This matter is listed for Mention on 14 June 2023. During the Mention, United Workers Union intends to refer to the following note, which is a numbered list of the Respondents.

		Legal name of business	Trading name of business	Bargaining representative
GROUP ONE	1	DMP Child Care Association Inc	DMP Early Learning	Nigel Ward and Paul Mondo
	2	3 Bears Cottage Pty Ltd	3 Bears Cottage Early Education Service	Nigel Ward and Paul Mondo
	3	CBF CHILDCARE PTY LTD	Daws Road Early Learning Centre	Nigel Ward and Paul Mondo
	4	WINDYBANKS PTY LTD	Unley Early Learning Centre	Nigel Ward and Paul Mondo
	5	Starfish Childcare Pty Ltd T/As Starfish Early Learning Centre	Starfish Early Learning	Nigel Ward and Paul Mondo

Lodged by Telephone: (03) 9235 7777
The Respondent, the United Workers Union

Address for service: Fax: N/A
833 Bourke Street Email: industrial@unitedworkers.org.au
Docklands VIC 3008

		Legal name of business	Trading name of business	Bargaining representative
	6	Starfish Childcare Nunawading Pty Ltd As Trustee for Starfish Nunawading Trust T/As Starfish Early Learning Centre (Nunawading)	Starfish Early Learning	Nigel Ward and Paul Mondo
	7	Starfish Childcare Springvale Pty Ltd T/As Starfish Early Learning Centre (Springvale)	Starfish Early Learning	Nigel Ward and Paul Mondo
	8	Starfish Childcare Clayton Pty Ltd As Trustee for Starfish Clayton South Trust T/As Starfish Early Learning Centre (Clayton South)	Starfish Early Learning	Nigel Ward and Paul Mondo
	9	Starfish Childcare Reservoir Pty Ltd As Trustee for Starfish Reservoir Trust T/As Starfish Early Learning Centre (Reservoir)	Starfish Early Learning	Nigel Ward and Paul Mondo
	10	Starfish Childcare Essendon Pty Ltd As Trustee for Starfish Essendon Trust T/As Starfish Early Learning Centre (Essendon)	Starfish Early Learning	Nigel Ward and Paul Mondo
	11	Thomanders Pty Ltd	Essence Early Learning	Nigel Ward and Paul Mondo
	12	Midi Property Investment Pty Ltd	Coolamon School of Early Learning and Warriapendi Early Learning	Nigel Ward and Paul Mondo
	13	S and A Chemello Pty Ltd	Malvern Springs Early Learning and Ellenbrook School of Early Learning	Nigel Ward and Paul Mondo
	14	P and A Chemello Nominees Pty Ltd	Kingsway Afterschool care	Nigel Ward and Paul Mondo
	15	Peacock Street Long Day Care Pty Ltd	Peacock Street Long Day Care	Nigel Ward and Paul Mondo
			Bindook Cottage	

		Legal name of business	Trading name of business	Bargaining representative
			Peek-A-Boo Cottage	
	16	Mondo Corp Pty Ltd ATFThe Mondo Family Trust	Bimbi Early Learning and Kindergarten	Nigel Ward and Paul Mondo
	17	Village Kids Childrens Centre - Domain Pty Ltd	Educating Kids Early Learning Centre- Domain	Nigel Ward and Paul Mondo
	18	Village Kids Childrens Centre - Townsville Pty Ltd	Educating Kids Early Learning Centre - Townsville	Nigel Ward and Paul Mondo
	19	Educating Kids Childrens Centre Pty Ltd	Educating Kids Early Learning Centre - Kirwan	Nigel Ward and Paul Mondo
	20	Wispsinn Pty Ltd	Childcare First trading as Bela Babes Early Learning Centre	Nigel Ward and Paul Mondo
	21	Child Care Services Australia Pty Ltd	Highway Child Care & Early Learning Centre	Nigel Ward and Paul Mondo
			Lockleys Child Care & Early Learning Centre	
	22	Child Care Services SA Pty Ltd	Angaston Child Care & Early Learning Centre	Nigel Ward and Paul Mondo
			Kapunda Child Care & Early Learning Centre	
	23	Bear Childcare Pty Ltd	Barfa Bear Child Care	Nigel Ward and Paul Mondo
	24	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (NERANG) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	25	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (ASHMORE) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo

		Legal name of business	Trading name of business	Bargaining representative
	26	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (YATALA) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	27	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (STAPYLTON) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	28	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (DECEPTION BAY) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	29	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (REDLAND BAY) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	30	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (BURLEIGH) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	31	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (REDLAND BAY SOUTH) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	32	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (GEORGE ST) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	33	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (PACIFIC PINES) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	34	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (ORMEAU) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	35	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (ORMEAU 2) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo

		Legal name of business	Trading name of business	Bargaining representative
	36	LITTLE SCHOLARS SCHOOL OF EARLY LEARNING (ORMEAU VILLAGE) PTY LTD	The Scholars Group Pty Ltd	Nigel Ward and Paul Mondo
	37	Organic Seedlings Education Pty Ltd	Organic Seedlings Education	Nigel Ward and Paul Mondo
	38	Landsdale School of Early Learning	Early Years Learning and Development Pty Ltd	Nigel Ward and Paul Mondo
	39	Radium Early learning Pty Ltd	Sagewood Early Learning Dayton	Nigel Ward and Paul Mondo
	40	North Epping Early Learning Pty Ltd	Cressy Road Early Learning	Nigel Ward and Paul Mondo
	41	Clovel Childcare & Early Learning Centre Granville Pty Ltd	Clovel Childcare, Early Learning & OOSH Services	Nigel Ward and Paul Mondo
GROUP TWO	42	Ashwood Children's Centre Inc.	Ashwood Children's Centre	Community Child Care Association
	43	Coburg Children's Centre Incorporated	Coburg Childrens Centre Childcare and Kindergarten	Community Child Care Association
	44	Derby Street Children's Centre Incorporated	Derby Street Children's Centre	Community Child Care Association
	45	Lady Gowrie Child Centre (Melbourne) Inc	Gowrie Victoria	Community Child Care Association
	46	Hawthorn Early Years Incorporated	Hawthorn Early Years Education and Care	Community Child Care Association
	47	Hillbank Community Children's Centre Incorporated	Hillbank Community Childcare centre	Community Child Care Association
	48	Unley Community Child Care Centre Inc.	Unley Community Child Care Centre Inc.	Community Child Care Association

		Legal name of business	Trading name of business	Bargaining representative
	49	Yawarra Children's Services	Yawarra Children's Services Pookara Community Early Education and Care	Community Child Care Association
GROUP THREE	50	Amy Hurd Early Learning Centre Inc	Amy Hurd Early Learning Centre Inc	Community Early Learning Australia
	51	Balranald Early Learning Centre Inc	Balranald Early Learning Centre Inc	Community Early Learning Australia
	52	Believe Playschool Pty Ltd	Believe Playschool	Community Early Learning Australia
	53	Bermagui Preschool Co-operative Society Ltd.	Bermagui Preschool Co-Op Soc ltyd	Community Early Learning Australia
	54	The Trustee for Ross-Clarke Family Trust	Cheeky Cherubs Preschool	Community Early Learning Australia
	55	Childcare Australia United Ltd	Bonnet Bay Child Care Centre	Community Early Learning Australia
	56	Kirrawee Child Care Centre Pty Ltd	Kirrawee Child Care Centre	Community Early Learning Australia
	57	Little Mate Pty Ltd	Cobbers Child Care Centre	Community Early Learning Australia
	58	Edgeworth Child Care Centre Inc	Edgeworth Child Care Centre Inc	Community Early Learning Australia
	59	Glendale Early Education Centre Inc.	Glendale Early Education Centre	Community Early Learning Australia
	60	Koala Long Day Care - Sutherland Hospital Ltd.	Koala Long Day Care - Sutherland Hospital	Community Early Learning Australia

		Legal name of business	Trading name of business	Bargaining representative
	61	The Trustee for S&N Clayton Family Trust	Bellingen Burrow Long Day Care Centre Young Explorers Pre-school and Long Day Care	Community Early Learning Australia
GROUP FOUR	62	G8 Education Limited	G8 Education	G8 Education Limited

Filed on behalf of the

United Workers Union

13 June 2023