

4 August 2017

Associate to Vice President Hatcher

Fair Work Commission
80 William Street
EAST SYDNEY NSW 2011

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amod@fwc.gov.au

Dear Associate,
**AM2014/196 & 197- 4 YEARLY REVIEW OF MODERN AWARDS CASUAL
AND PART TIME EMPLOYMENT**

The Australian Meat Industry Council (AMIC) writes concerning, what we perceive, to be an important matter.

As well known, the Full Bench handed down on 5 July 2017 a decision that dealt with, inter alia, casual conversion for modern awards. At para 902 the Full Bench called for further submissions for the common claims as a result of the decision.

In accordance with the directions AMIC filed submissions, uplifted 2 August. In those submissions, under the heading Next Steps (para 18 -23) AMIC noted that the Full Bench called for submissions, not evidence. AMIC also noted that if documents were filed, that purported to be evidence, *'it would prejudice parties, including AMIC, who have no right of reply to any new evidentiary material.'*

On 2 August the Australasian Meat Industry Employees Union (AMIEU) filed submissions and evidence. The AMIEU of course took no direct part in the hearing of AM2014/196 and AM2014/197 from the first mention date to 5 July 2017. Even when AMIC filed evidence in February 2016 the AMIEU did not announce a direct appearance nor, at any subsequent stage, file evidence.

At this point, AMIC has not called for any further hearing as outlined in paragraph 903 of the FB decision. However, no doubt the Full Bench will read documents filed and perhaps reach a view and/or issue further statements on the basis of the documents filed. One can easily see how AMIC's position is compromised and prejudiced.

Yours sincerely

A handwritten signature in black ink, appearing to read "K. McKell". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

Ken McKell
Human Resources Manager
Australian Meat Industry Council