

Form F1 – Application (no specific form provided)

Fair Work Commission Rules 2013, subrule 8(3) and Schedule 1

This is an application to the Fair Work Commission.

The Applicant

Name	Australian Childcare Alliance Inc		
Postal address	C/- Australian Business Lawyers & Advisors Level 15, 140 Arthur Street		
Suburb	North Sydney		
State or territory	NSW	Postcode	2060
Phone number	(02) 9458 7431	Fax number	(02) 9954 5029
Email address	Sophie.whish@ablawyers.com.au		

If the Applicant is a company or organisation please also provide the following details

Legal name of business	Australian Childcare Alliance Inc
Trading name of business	Australian Childcare Alliance
ABN/ACN	74 486 086 142
Contact person	Paul Mondo

How would you prefer us to communicate with you?

Email (you will need to make sure you check your email account regularly)

Post

Does the Applicant have a representative?

Yes – Provide representative's details below

No

Applicant's representative

Name of person	Luis Izzo, Managing Director - Sydney Workplace		
Contact Person	Sophie Whish, Senior Associate		
Firm, union or company	Australian Business Lawyers & Advisors		
Postal address	Level 15, 140 Arthur Street		
Suburb	North Sydney		
State or territory	NSW	Postcode	2060
Phone number	(02) 9458 7431	Fax number	(02) 9954 5029
Email address	Sophie.whish@ablawyers.com.au		

The Respondents

Name	Independent Education Union of Australia		
Postal address	GPO Box 116		
Suburb	Sydney		
State or territory	NSW	Postcode	2001
Phone number	(02) 8202 8900	Fax number	
Email address	michael@ieu.asn.au		

Name	United Voice		
Postal address	303 Cleveland St		
Suburb	Redfern		
State or territory	NSW	Postcode	2016
Phone number	(02) 8204 3048	Fax number	
Email address	Natalie.dabarera@unitedvoice.org.au Stephen.Bull@unitedvoice.org.au		

Name	Isabelle Arrabalde		
Email address	bellearrabalde@hotmail.com		

1. The Application

1.1 Please set out the provision(s) of the Fair Work Act 2009 (or any other relevant legislation) under which you are making this application.

Section 594 of the Fair Work Act 2009 (Cth).

2. Order or relief sought

2.1 Please set out the order or relief sought.

The Australian Childcare Alliance seeks an order from the Commission in the form set out in Annexure A.

2.2 Please set out grounds for the order or relief sought.

1. United Voice and the Independent Education Union have separately requested documents be produced by witnesses of the Australian Childcare Alliance Inc (**Requests**).
2. The Australian Childcare Alliance Inc requests that the documents that are voluntarily produced in accordance with those Requests be kept confidential on the basis that they contain content which is confidential and commercially sensitive or contain personal information. Specifically, the documents contain either:
 - a. confidential internal remuneration details;
 - b. confidential financial information about the business (including financial reports);
 - c. personal information including employee names, the names of children and families;
 - d. personal information including medical certificates and other personal reasons for employees changing rosters last minute; and
 - e. the specific financial costing of various changes to the employer’s business.

3. The employer

3.1 What is the industry of the employer?


Early Childhood Education and Care

4. Industrial instrument(s)

4.1 Please set out any modern award, agreement or other industrial instrument relevant to the application and their ID/Code number(s) if known.

Not applicable.

Signature

Signature	
Name	Luis Izzo
Date	29 April 2019

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

[number]



ORDER

Fair Work Act 2009
s 156 - 4 yearly review of modern awards

4 yearly review of modern awards-Award stage-Group 4 awards- Substantive Issues (AM2018/18 and AM2018/20)

JUSTICE ROSS, PRESIDENT

SYDNEY, 30 APRIL 2019

Confidentiality Order

Pursuant to s 594(1) of the *Fair Work Act 2009*, the Commission orders as follows, in respect of the documents produced in response to the United Voice requests for documents dated 12 April 2019 and 23 April 2019 (**UV Requests**) and the Independent Education Union request for documents dated 26 April 2019 (**IEU Request**) (together the **Requested Documents**):

- [1] Access to the Requested Documents is restricted to the parties.
- [2] The Requested Documents are to be kept confidential by the parties and the Commission and not disclosed or published, subject to and until further order of the Commission.
- [3] Documents containing or referring to the Requested Documents filed by any party are to be marked as such, and treated (to the extent necessary) as confidential by the parties and the Commission, subject to and until further order of the Commission.
- [4] The parties have liberty to apply to vary these orders on three (3) days' notice.

PRESIDENT