



14 May 2019

Vice President Hatcher
Fair Work Commission
80 William Street
East Sydney NSW

By email: Chambers.Hatcher.VP@fwc.gov.au.

Dear Vice President

Re. AM 2019/5 – 4 Yearly Review of Modern Awards – *Professional Employees Award 2010*

We write in relation to the above matter.

On 11 April 2019 Your Honour made [Directions](#) for the programming of the matter.

The parties advancing the substantive claims relating to these proceedings are Ai Group and APESMA. Ai Group and APESMA have had a longstanding approach over many years when claims have been pursued by either party to vary the *Professional Employees Award 2010* and predecessor awards, of making a concerted effort to reach agreement before matters are arbitrated.

Ai Group and APESMA are engaged in constructive discussions about the substantive claims and have programmed a series of fortnightly meetings to work through the issues in detail with the objective of narrowing the differences between the parties and, ideally, reaching an agreed position on at least some of the claims. The issues relating to each of the claims are complex, with a large number of relevant current and historical factors.

Both parties are of the view that the discussions will be more fruitful if the parties are not simultaneously focussing their resources on preparing evidence and submissions pursuant to the current Directions.

Accordingly, both Ai Group and APESMA respectfully request that the Commission vary the Directions by pushing back all of the dates in the Directions by four weeks. Given the possibility that the differences between the parties will be narrowed if this occurs, the four days of scheduled hearings could be reduced to two days.

We also request that that the proposed amended Directions provide for the parties to request the assistance of a Commission Member in Conciliation, if needed during the discussions.

We thank the Commission for considering this request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Smith', written in a cursive style.

Stephen Smith
Head of National Workplace Relations
Policy

Michael Butler
Director Professionals Australia /
APESMA