

**From:** Stephen Bull [<mailto:Stephen.Bull@unitedvoice.org.au>]

**Sent:** Thursday, 4 August 2016 2:04 PM

**To:** AMOD

**Cc:** Phillip Ryan; Chambers - Hatcher VP; Stefan Russell-Uren; Michael Robson; Simon Blewett; Helen Carayannis; [richard@tai.org.au](mailto:richard@tai.org.au); David McElrea

**Subject:** AM2014/196 and Am2014/197

Dear Amod

We note the direction of Vice President Hatcher of 29 July 2016 and we advise accordingly. This advice concerns our witnesses in the response to claims by the Australian Hotels Association and the Clubs Industrial to the part time employment clauses in the *Hospitality Industry (General) Award 2010* and the *Registered and Licenced Clubs Award 2010* and our witnesses in support of our claim for over time under the aforementioned awards and the *Restaurant Industry Award 2010* and the one response witness (Ms Wregg).

We understand that there are some employee witnesses '*left over*' from the July sittings and in relation to the Wine Industry Awards. My colleagues responsible for these matters will short advise Amod in accordance with the direction.

### **Witness required for cross examination**

Jenny Wregg has made a statement dated 24 June 2016 which was filed by the Australian Hotels Association in response to our claim for over time for casuals. Ms Wregg is required for cross examination.

### **Locations**

In relation to our witnesses we note the following:

- Dr Damian Oliver will attend the Commission in Sydney, if required for cross examination.
- Dr Olav Muurlink can give his evidence by video link from the Brisbane premises of the Commission, if he is required for cross examination.
- Keith Harvey can give his evidence by video link from the Melbourne premises of the Commission, if he is required for cross examination.
- Ms Phoebe Dean can give her evidence by video link from the Brisbane premises of the Commission, if he is required for cross examination.
- The statement filed by Joanna Malicki is withdrawn.
- Elena Marsiglia can give her evidence by video link from the Adelaide premises of the Commission, if she is required for cross examination.
- Padcrijona Hilario Alvero can give her evidence by video link from the Canberra premises of the Commission, if she is required for cross examination.
- Shayne Dennis can give his evidence by video link from the Adelaide premises of the Commission, if he is required for cross examination.
- Jack Gibney can give his evidence from the Brisbane premise of the Commission, if he is required for cross examination.
- The statement filed by Alexandra Kindness is withdrawn.
- Marilyn Whitfield can attend the Commission in Sydney, if she is required for cross examination.
- The AHA has consented to the tender of the statement of our confidential witness.

### **Conciliations**

In relation to the mooted conciliation of claims by the Australian Hotels Association and the Clubs Industrial to the part time employment clauses in the *Hospitality Industry (General) Award 2010* and the *Registered and Licenced Clubs Award 2010*, we note the following.

Our understanding is the conciliations should concern the Australian Hotels Association and Clubs Industrial and should be separate. The conciliations could be held on the same day consecutively. The following dates would be convenient for United Voice:

- All day 10 and 11 August 2016
- After 2pm on 15 August 2016

United Voice will ensure competent representatives attend at any time that is convenient for the Commission.

We trust that this assists.

Stephen Bull

**Industrial Coordinator/Legal Practitioner**

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