

From: Michelle Anthony [<mailto:mAnthony@professionalsaustralia.org.au>]

Sent: Tuesday, 5 December 2017 10:36 AM

To: Katrina Murphy; Chambers - Catanzariti VP; Mark Helm; AMOD

Cc: Rachel Liebhaber; Lucy Fisher; jbandara@hmblaw.com.au; dwilkinson@myadvantage.com.au; Keiran Brown; employmentrelations@nswact.lasa.asn.au; 'David Reid'; 'Anna-Maria Wade'; 'Andrew McCarthy'; hepworthl@ramsayhealth.com.au; Leigh Svendsen; newerair@gmail.com; 'Ruchi Bhatt'; Jenna Field

Subject: RE: FWC Matter No. 2016/31 - 4 Year Review of the Health Professionals and Support Services Award 2010

Dear Mr Martin

In response to the email from Ms Murphy below and by way of clarification, I confirm on behalf of APESMA that on 29 November 2017 I sent an email to all of the parties advising we supported the proposal to vacate 14 December 2017 and in relation to APESMA witnesses advised as follows:

“We are also of the understanding that no APESMA witnesses will be required to be available for cross-examination at the hearing of the Health Professionals and Support Services Award 2010 (HPSS AWard). Please be aware that APESMA will be tendering and relying upon all of our witness statements in the proceedings, as those witnesses are not needed by any parties for cross-examination.”

Regards,

Michelle Anthony

National Legal Officer



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Hours of work: Monday, Tuesday, Thursday, Friday 9:30am – 4.30pm

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From: Katrina Murphy [<mailto:katrina@kmir.com.au>]

Sent: Monday, 4 December 2017 6:07 PM

To: Chambers - Catanzariti VP <chambers.catanzariti.vp@fwc.gov.au>; Mark Helm <markh@lasa.asn.au>; AMOD <amod@fwc.gov.au>

Cc: Rachel Liebhaber <rachel@hsu.net.au>; Lucy Fisher <lucyf@phaq.org>; jbandara@hmblaw.com.au; dwilkinson@myadvantage.com.au; Michelle Anthony <mAnthony@professionalsaustralia.org.au>; Keiran Brown <keiran.brown@nswact.lasa.asn.au>; employmentrelations@nswact.lasa.asn.au; 'David Reid' <david.reid@acsa.asn.au>; 'Anna-Maria Wade' <annamaria.wade@acsa.asn.au>; 'Andrew McCarthy'

<andrew@anmf.org.au>; hepworthl@ramsayhealth.com.au; Leigh Svendsen <leighs@hsu.net.au>;
newerair@gmail.com; 'Ruchi Bhatt' <ruchi.bhatt@aigroup.com.au>; Jenna Field
<jenna.field@nswact.lasa.asn.au>

Subject: Re: FWC Matter No. 2016/31 - 4 Year Review of the Health Professionals and Support Services Award 2010

Dear Mr Martin,

The previous programme submitted by DHAA on 26 October 2017 as per Directions by Vice President Catanzariti, was subject to extensive consultation between the parties and was based on a logical substantive theme basis.

Today's submission from Mr Helm on behalf of Aged Care Employers, has omitted the APESMA witnesses, (which currently number 4 or 5.) I acknowledge that Mr Helm may have had discussions with APESMA, (he has not had any discussions with DHAA). Accordingly, APESMA may have indicated to Mr Helm that they no longer wish to present witness evidence.

One of the two DHAA witnesses, Dr Carol Tran is only available on Monday 11 December. Given that my understanding was that the programme was settled, I have confirmed that she is required only on Monday afternoon. Dr Melanie Hayes has also arranged to be available on Monday 11 December.

Hence DHAA respectfully submits that a change to a two day programme of Tuesday and Wednesday will not suit DHAA, at this late stage of proceedings.

We request that the scheduling stay as is, on Monday 11th December and Tuesday 12th December. Whether or not the third day of Wednesday 13th December (currently scheduled) is required, is a matter to be determined by the brevity or otherwise of the parties as to their opening submissions, and how many parties do in fact intend to make opening submissions.

As far as DHAA is aware, AI Group is the only party to date who has communicated to the parties that they will not be making an opening submission. Hence, we would suggest that it would be imprudent to vacate the third day at this stage.

We do agree with Mr Helm, as per the DHAA programme of 26 October 2017 that a fourth day is unlikely to be needed.

Regards,
Katrina Murphy
Managing Director
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