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Sent: Thursday, 17 October 2019 9:42 AM
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Subject: AM2018/26 Social, Community, Home Care and Disability Services Industry Award 2010 - draft directions

Dear Associates,

We refer to the above matter.

As directed by the Full Bench, the parties appearing in the proceedings this week have engaged in discussions regarding the future conduct of the matter. It is Ai Group's understanding that the parties' broadly support the following course of action:

1. The proceedings presently listed on 21 – 23 October 2019 be vacated.
2. Subject to the Commission's availability, a conference to deal with the 24 hour care issue arising from the Tranche 1 decision be listed for conference on one of those days.
3. The Commission issue directions in the terms proposed in the **attached** draft directions. The draft directions contemplate the publication by the Commission of a Background Paper, as foreshadowed by Justice Ross during the proceedings earlier this week.
4. The matter be listed for two days of final hearings, during which interested parties have an opportunity to make closing submissions.

Ai Group can speak to the proposed course of action and draft directions during the proceedings later today if it assists the Commission.

Yours sincerely,

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DRAFT DIRECTIONS

Fair Work Act 2009

s.156 - 4 yearly review of modern awards

4 yearly review of modern awards – Social, Community, Home Care and Disability Services Industry Award 2010

(AM2018/26)

JUSTICE ROSS, PRESIDENT
DEPUTY PRESIDENT CLANCY
COMMISSIONER LEE

SYDNEY, 17 OCTOBER 2019

4 yearly review of modern awards – Social, Community, Home Care and Disability Services Industry Award 2010 – Tranche 2.

The following directions are made by the Fair Work Commission:

[1] Interested parties may file an outline of submissions within four weeks of the publication by the Fair Work Commission of a Background Paper regarding the proceedings, that:

- A. Deals with the evidence adduced during the proceedings on 15 – 18 October 2019, including by identifying the findings that they say should be made in light of the evidence.
- B. Responds to the amended claims filed by Australian Business Industrial, the NSW Business Chamber, Aged & Community Services Australia and Leading Age Services Australia on 15 October 2019.
- C. Responds to the ‘remote response’ claim filed by the ASU on 19 September 2019 and any written submissions filed in support of it.
- D. Identifies any concerns with the summary of submissions contained in the Background Paper.

[2] The matter will be listed for a further hearing on [insert dates] to hear oral submissions.

[3] Parties are granted liberty to apply to vary these directions.

[4] All submissions should be filed via email to amod@fwc.gov.au.

PRESIDENT

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