



25 May 2016

Associate to Vice President Hatcher  
Fair Work Commission

By email: [chambers.hatcher.vp@fwc.gov.au](mailto:chambers.hatcher.vp@fwc.gov.au)

Dear Associate,

**AM2014/196 & 197 – 4 yearly review of modern awards – part-time and casual employment**

We refer to the proceedings above. We respectfully request that the Fair Work Commission exercise its power to inform itself under s 590 (2) of the *Fair Work Act 2009*.

Our member, Elizabeth Anne Nicholls, is a witness in the Four Yearly Review of Modern Awards. She will give evidence to assist the Full Bench of the Fair Work Commission conducting the four yearly review of the part time employment clause of the *Social, Community, Home Care and Disability Services Industry Award 2010*. We believe that certain documents in the possession of her employer, Care Options Inc, will help the Fair Work Commission to understand parts of Ms Nicholls evidence.

On 9 May 2016, United Voice wrote to Care Options Inc requesting the following documents:

1. Any letter of engagement, employment contract or any other document describing the agreed hours of work of Elizabeth Anne Nicholls at the commencement of her employment.
2. Any letter of engagement, employment contract or any other document describing a variation to the agreed hours of work of Elizabeth Anne Nicholls at any time during her employment.
3. Rosters for Elizabeth Anne Nicholls for the period between 15 June 2015 to 9 February 2016.

As of this date, we have had no response from Care Options Inc.

We request that the Fair Work Commission make an order in terms similar to the attached draft order which will require Care Options Inc to provide copies of the documents and records described above. Please find attached a draft *Form F52 Order Requiring Production of Documents etc. to the Fair Work Commission*.

Thank you in advance for considering this request.

Yours sincerely,

Michael Robson  
**National Industrial Officer**  
**United Voice**

**Form F52      Order Requiring Production of Documents etc. to the Fair Work Commission**

*Fair Work Act 2009, s.590(2)(c)*

*Fair Work Commission Rules 2013, Rule 54*

**FAIR WORK COMMISSION**

**Commission Matter No:**      Part Time Employment – AM2014/196

**Applicant:**                      St Ives Group Pty Ltd; Australian Business Industrial

**Respondent:**                  United Voice

**TO:**                                **Care Options Incorporated**  
4 Civic Boulevard  
Rockingham, WA 6168

Pursuant to s.590(2) of the *Fair Work Act 2009* you are **ORDERED** to provide to the Fair Work Commission the documents, records and other information specified in the Schedule to this order before the Fair Work Commission at the following time, date and place:

Time:      4.00pm  
Date:      Tuesday, 1 June 2016  
Place:      Fair Work Commission  
              80 William Street  
              Sydney NSW 2000

Dated:

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Member of the Fair Work Commission

Note:

- This order has been issued at the request of United Voice.
- You can apply to have this order set aside or varied.
- Instead of attending to provide the documents etc. covered by this order at the time and place specified above, you may produce them to an officer of the Commission at the place specified above not later than 4.00 pm on the day before the day mentioned above.
- If you have any queries in relation to this order please contact the associate to  
on .

## **Schedule**

1. Any letter of engagement, employment contract or any other document describing the agreed hours of work of Elizabeth Anne Nicholls at the commencement of her employment.
2. Any letter of engagement, employment contract or any other document describing a variation to the agreed hours of work of Elizabeth Anne Nicholls at any time during her employment.
3. Rosters for Elizabeth Anne Nicholls for the period between 15 June 2015 to 9 February 2016.