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Sent: Thursday, 25 March 2021 2:21 PM

To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; 'Ian Booth' <ian.booth@nana.com.au>; 'Sue-Anne Burnley' <sue-anne@sda.org.au>; 'Gerard Dwyer' <gerard@sda.org.au>; 'steve.baker@awu.org.au' <steve.baker@awu.org.au>; 'marie.brown@mga.asn.au' <marie.brown@mga.asn.au>; 'jos.debruin@mga.asn.au' <jos.debruin@mga.asn.au>; 'Daniel Walton' <daniel.walton@nat.awu.net.au>; Luis Izzo <luis.izzo@ablawyers.com.au>; 'Tamsin Lawrence' <Tamsin.Lawrence@australianchamber.com.au>; 'Brent Ferguson' <Brent.Ferguson@aigroup.com.au>; Nick Tindley <nrt@fcbgroup.com.au>; 'Lindsay Carroll' <l.carroll@nra.net.au>; Sophie Ismail <sismail@actu.org.au>; 'a.millman@nra.net.au' <a.millman@nra.net.au>; 'Stephen Crawford' <stephen.crawford@nat.awu.net.au>; 'Sunil Kempfi' <skempfi@actu.org.au>; 'Durbin, Alison' <Alison.Durbin@ag.gov.au>; 'Hiranya Ekanayake' <hekanayake@raffwu.org.au>; 'Josh Cullinan' <jcullinan@raffwu.org.au>; 'Peter Strong' <ceo@cosboa.org.au>

Cc: AMOD <AMOD@fwc.gov.au>

Subject: Re: AM2021/7 - Award Flexibility - GRIA - Decision

Dear Associate,

Re: Award Flexibility - General Retail Industry Award 2020 - Part-time hours - AM2021/7

We refer to the Full Bench's reasons for decision in the above matter delivered yesterday.

We note that as part of the next steps for progressing these matters, it is proposed that there will be a further conference presided over by Commissioner Hampton between interested stakeholders directed towards addressing particular issues identified by the Full Bench in its decision.

It is noted that the Full Bench has directed that the conference process be concluded by not later than Friday 9 April 2021 with a provisional draft variation anticipated to be published in the week commencing Monday, 12 April 2021 and with an opportunity for further submissions thereafter by interested persons.

We are instructed that the SDA as a lead applicant in relation to the Joint application to which the AWU and MGA as parties (and as supported by the ACTU and COSBOA) would wish to take an active role in the scheduled conference and the matters there to be canvassed.

Unfortunately, none of the SDA's officers who have had carriage to date of the proceedings are available to attend and participate in a conference process until Wednesday, 14 April 2021.

On that basis, we are instructed to respectfully seek the indulgence of the Full Bench and Commissioner Hampton in accommodating a request to schedule the conference for Wednesday, 14 April 2021, notwithstanding the Full Bench's indicated preference that such discussion be concluded by not later than 9 April 2021.

We have copied this correspondence to the other parties to the above proceedings but have not as yet ascertained whether any objection is taken to the course of action proposed by the SDA.

As noted by the Full Bench, the publication of a draft provisional variation will require a timetable for the filing of further submissions which could, if necessary, take account of any initial delay in the scheduling of the conference.

We would be grateful for an indication of the Full Bench's position at its earliest convenience.

Yours faithfully,

A J MACKEN & CO.