

McNALLY JONES STAFF

LAWYERS

LEVEL 10, 179 ELIZABETH STREET, SYDNEY N.S.W. 2000

ABN 71 011 954 118

TELEPHONE: (02) 9233 4744 FACSIMILE: (02) 9223 7859 DX: 283 EMAIL: law@mcnally.com.au www.mcnally.com.au

6 October 2017

Our Ref:MB: 1410029

Associate to Vice President Hatcher
Fair Work Commission
80 William Street
EAST SYDNEY NSW 2011

Email: chambers.hatcher.vp@fwc.gov.au
amod@fwc.gov.au

Dear Associate,

AM2014/196 & 197 - 4 YEARLY REVIEW OF MODERN AWARDS CASUAL AND PART TIME EMPLOYMENT

STEVEDORING INDUSTRY AWARD 2010

I refer to your email dated 28 September 2017. In response to Direction 1 in [2017] FWCFB 3541 (**Decision**) and the comments of the Full Bench at [282] of the Decision in relation to the *Stevedoring Industry Award 2010* (**Stevedoring Award**) we filed a submission on behalf of the MUA on 3 August 2017 attaching a draft determination proposal for a casual conversion clause for the Stevedoring Award.

Given the Full Bench's particular reference to the Stevedoring Award we would be grateful for the opportunity to make short oral submissions and field questions from the Full Bench regarding the MUA's proposal if it would assist the Commission.

Please note that it would be our intention to address issues relating solely to the Stevedoring Award. As for the casual conversion common issue as a whole, the MUA maintains its reliance on, and adoption of, the submissions of the ACTU at first instance and reply.

PRINCIPALS:

- D T TRAINOR Acc.Spec. (Personal Injury)
- M E JALOUSSIS LLB, B.Com. (Industrial Relations) • R F BRENNAN
- N KEATS LLB, BSc, Acc. Spec. (Employment & Industrial Law) • D. HILL LLB, BBus

CONSULTANTS:

- W G McNALLY Acc. Spec. (Employment & Industrial Law)
- THE HON CONRAD STAFF
- THE HON LANCE WRIGHT QC

SENIOR ASSOCIATE:

- M BURNS LLM, BSc, Acc. Spec. (Employment & Industrial Law)



Liability limited by a scheme approved under Professional Standards Legislation.

The MUA's proposed casual conversion clause is based on the Full Bench's model clause articulated at [381] of the Decision. Any modifications the Full Bench makes to the final model clause should therefore flow on to the Stevedoring Award, subject to minor modifications consistent with those proposed by the MUA for the Stevedoring Award in our 3 August 2017 submission.

Please contact the writer with any queries.

Yours faithfully,

McNALLY JONES STAFF



MICHAEL BURNS

Email: michael.burns@mcnally.com.au