

The Shop, Distributive and Allied Employees' Association

A: Level 6, 53 Queen Street, Melbourne, VIC 3000 P: 03 8611 7000 E: general@sda.org.au W: sda.org.au ABN: 99 789 302 470

NATIONAL PRESIDENT

Joe de Bruyn

NATIONAL SECRETARY

Gerard Dwyer

Associate to President Ross
Fair Work Commission
Level 4
11 Exhibition St,
Melbourne VIC 3000

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Via email: chambers.ross.j@fwc.gov.au

Dear Associate,

Re AM2015/305 - 4 Yearly Review of Modern Awards (Penalty Rates) – (SDA claims re late night and Saturday penalty rates for casual employees under the *General Retail Industry Award 2010*)

We refer to the above matter and the directions made in relation to the SDA's claims in respect of late night and Saturday penalty rates for casual employees under the *General Retail Industry Award 2010* (the **Casuals Claims**).

In light of the SDA's intention to seek judicial review of any determinations made by the Commission which give effect to its decision in *Four Yearly Review of Modern Awards – Penalty Rates* [2017] FWCFB 1001 (as advised in our letter of today's date in relation to transitional arrangements), the SDA is of the view that further consideration of the Casuals Claims should be deferred until its foreshadowed judicial review application is heard and determined.

Given the above, we request that the direction made on 6 April 2017 for the SDA to file an outline of submissions in respect of the Casuals Claims be vacated and the further directions also be vacated.

Yours sincerely,



Gerard Dwyer
National Secretary-Treasurer