

From: Adam Guy [mailto:aguy@professionalsaustralia.org.au]
Sent: Monday, 15 May 2017 4:04 PM
To: AMOD; Brent.Ferguson@aigroup.com.au; athomas@cfmeu.com.au; michael.nguyen@amwu.org.au
Cc: Trent.Sebbens@ashurst.com; Adrian.Morris@ashurst.com; Elysse.Lloyd@ashurst.com; Chambers - Ross J
Subject: RE: AM2014/47 - 4 yearly review of modern awards - Annual leave - Shutdown clause [BD-CM.30002560.02-3000-0722] [SEC=UNCLASSIFIED]

Dear Ms Luby,

I refer to the above matter and your email of today's date. I have discussed the above matter with the CFMEU and write on behalf of both the CFMEU and APESMA.

I can confirm that APESMA and the CFMEU oppose the revised shut down clause as it exists in its current form. APESMA and the CFMEU are of the view that issues remain with the proposed revised shut down clause in relation to leave without pay service, the concept of 'unpaid annual leave' and the requirement that employees are required to take annual leave in advance.

I trust that this email satisfies your enquiry, if however there is anything further you wish to discuss in relation to this matter, please contact me by return email or on the below details.

Regards,

Adam Guy
Legal Officer

Collieries' Staff and Officials Association
Level 1, 491 Kent Street
Sydney NSW 2000



www.collieries.org.au
P: 02 9269 0688

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From: AMOD [mailto:AMOD@fwc.gov.au]
Sent: Monday, 15 May 2017 9:37 AM
To: Brent.Ferguson@aigroup.com.au; Adam Guy <aguy@professionalsaustralia.org.au>; athomas@cfmeu.com.au; michael.nguyen@amwu.org.au
Cc: Trent.Sebbens@ashurst.com; Adrian.Morris@ashurst.com; Elysse.Lloyd@ashurst.com; Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>

Subject: FW: AM2014/47 - 4 yearly review of modern awards - Annual leave - Shutdown clause [BD-CM.30002560.02-3000-0722] [SEC=UNCLASSIFIED]

Good morning

As you are aware a [Proposed revised shutdown clause](#) was submitted by the Coal Mining Industry Employer Group (CMIEG) on Friday 12 May. The Full Bench would like the other parties (Ai Group, CFMEU, APESMA and AMWU) to confirm that they do not oppose the replacement of clause 25.10 of the *Black Coal Mining Industry Award 2010* with this proposed clause.

Please provide your response in writing to amod@fwc.gov.au by 4.00pm today (Monday 15 May 2017).

Regards

CATHERINE LUBY

Member Support

Fair Work Commission

Tel: 03 8656 4704

catherine.luby@fwc.gov.au

11 Exhibition St, Melbourne Victoria 3000

GPO Box 1994, Melbourne Victoria 3001

www.fwc.gov.au

From: Trent.Sebbens@ashurst.com [<mailto:Trent.Sebbens@ashurst.com>]

Sent: Friday, 12 May 2017 5:23 PM

To: AMOD; Sydney Registry

Cc: Adrian.Morris@ashurst.com; Elysse.Lloyd@ashurst.com; Brent.Ferguson@aigroup.com.au; aguy@professionalsaustralia.org.au; athomas@cfmeu.com.au; michael.nguyen@amwu.org.au

Subject: AM2014/47 - 4 yearly review of modern awards - Annual leave - Shutdown clause [BD-CM.30002560.02-3000-0722]

Dear Registrar

AM2014/47 - 4 yearly review of modern awards - Annual leave

We confirm we act for the Coal Mining Industry Employer Group (**CMIEG**) in respect of the Black Coal Mining Industry Award 2010.

We refer to the hearing before the Full Bench on 5 May 2017. Arising from the hearing, on behalf of the CMIEG, we **attach** a proposed amended shutdown clause dealing with certain of the points raised by the Full Bench at the hearing.

We have corresponded with the AiGroup, CFMEU, APESMA and AMWU to provide this proposed revised clause. The representatives for each of those organisation are also copied to this email.

Yours faithfully

Trent Sebbens

Partner

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