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8 December 2016

The Hon. Justice Ross, President
Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

Dear Justice Ross,

Re. AM2014/47 Annual Leave; AM2014/252 Air Pilots Award 2010 and AM2014/253 Aircraft Cabin Crew Award 2010

We refer to the above matters and decisions issued by the Full Bench constituted to deal with the annual leave common issues on 23 May 2016 ([2016] FWCFB 3177) and 22 September 2016 ([2016] FWCFB 6836). In those decisions, the Full Bench determined to defer its consideration as to whether the *Air Pilots Award 2010* and the *Aircraft Cabin Crew Award 2010* should be varied to insert the model 'excessive leave' clause. This aspect of the Commission's decision was in response to submissions made by the Australian Industry Group regarding the pre-existence of award clauses that deal with the taking of annual leave (clauses 27.4 and 25.5 respectively).

The aforementioned awards have been listed for conference before Deputy President Gostencnik on 9 February 2017. We respectfully request that the matter we have identified above, arising from the annual leave common issues proceedings, be referred to the Deputy President for the purposes of discussion at that conference. We consider that this would provide interested parties with an opportunity to identify their position, ventilate relevant considerations and discuss the manner in which the matter should proceed.

We thank the Commission for its consideration of our request.

Yours sincerely,

Stephen Smith
Head of National Workplace Relations Policy