

From: Chambers - Catanzariti VP <Chambers.Catanzariti.VP@fwc.gov.au>

Sent: Tuesday, 3 September 2019 5:09 PM

To: caitlin.babington@au.kwm.com

Cc: Chambers - Catanzariti VP <Chambers.Catanzariti.VP@fwc.gov.au>

Subject: AM2016/31 Health Professionals and Support Services Award

Dear Ms Babington,

Further to your conversation with the Associate to Deputy President Booth last Thursday, 29 August 2019, I write to you to confirm the Full Bench's decision in relation to the requests made during that call.

In that conversation last Thursday you informed the Associate that your client sought to make submissions on aspects of the review of the *Health Professionals and Support Services Award 2010* (Award), namely, clauses 23.4(a) and 23.4(b) which relate to the span of hours for private medical imaging practices.

The Full Bench has considered the request on behalf of your client and has determined that it is not prepared to consider these issues at this stage in the Award review. This is because the only outstanding matters to be determined being those that were flagged in the Full Bench's decisions of 3 December 2018 and 9 January 2019.

The Full Bench notes that it is open to your client to make an application to vary the Award pursuant to the *Fair Work Act 2009* (Cth) (ss.157-158).

Kind regards,

Alyce Lia

Associate to Vice President Catanzariti AM

Fair Work Commission

Tel: (02) 9308 1810

chambers.catanzariti.vp@fwc.gov.au

Level 10, 80 William Street

East Sydney NSW 2011

www.fwc.gov.au