From: Andrew Molnar <<u>andrew@afap.org.au</u>> Sent: Thursday, 6 February 2020 4:49 PM To: Chambers - Catanzariti VP <<u>Chambers.Catanzariti.VP@fwc.gov.au</u>> Cc: Simon Lutton <<u>simon@afap.org.au</u>>; <u>keira.nelson@nortonwhite.com</u>; jennifer.andrews@nortonwhite.com; ruchi.bhatt@aigroup.com.au; dtrindade@claytonutz.com; ahudson@claytonutz.com; Kathy.Srdanovic@ashurst.com; Lucy.Jedlin@ashurst.com; Liz.Grey@ashurst.com; 'Jill Hignett' <<u>j.hignett@hrlawyers.com.au</u>> Subject: RE: AM2018/14 - Air Pilots Award 2010

Dear Associate

We refer to the telephone conference on in the above matter on 5 February 2020.

In relation to the second issue raised by the Commission, we propose the following sub-clause H:

No amount can be recovered in the case of redundancy, loss of medical licence by the pilot, termination of employment by the employer (except where the termination is because of serious misconduct and there is no later finding by a court or tribunal or acceptance by the employer that the employee did not engage in the serious misconduct on which the termination was based) or where the Pilot fails the training course.

Regards

Andrew Molnar Legal Counsel



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