

From: Simon Spence [<mailto:simon.spence@ccer.catholic.org.au>]
Sent: Tuesday, 19 June 2018 8:43 AM
To: Chambers - Hatcher VP
Cc: michal.roucek@ablawyers.com.au; Michael Wright; Equal Remuneration Case _ Early Learning Teachers and Childcare_CCER SYDNEY Email
Subject: FW: C2013/6333 - Application by the IEU for an Equal Remuneration Order - Amended Confidentiality Orders [ABLAW-ImanageDocs.FID162488] [IWOV-Client.FID21591]
Importance: High

Dear Associate,

These amended confidentiality orders have been sent on to me.

CCER consented to the IEU Draft Orders provided to us yesterday, which provided access to Carol Matthews and Michael Wright of the IEU to ACA's outline of submissions, but not to the bundle of documents which were the subject of the Notice to Produce. I understand that Ms Saunders put this consent position between the IEU and CCER to the Commission following the adjournment.

The amended confidentiality orders appear to provide Carol Matthews and Michael Wright of the IEU with access to all of the confidential information, which is contrary to our understanding of the consent position reached, and CCER would urgently seek to be heard in relation to the amended orders.

Regards



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PR606299



AMENDED ORDER

*Fair Work
Act 2009*

s 302 - Application for an equal remuneration order

Application by the Independent Education Union of Australia

(C2013/6333)

VICE PRESIDENT HATCHER

SYDNEY, 18 JUNE 2018

Confidentiality Order.

Pursuant to s 594(1) of the *Fair Work Act 2009*, the Commission orders as follows:

[1] The following orders are made in respect of any documents, and any information contained therein, produced in response to the orders requiring production of documents by:

- a) ~~Catholic Education Office~~ Sydney Catholic Schools Limited as trustee for the Sydney Catholic Schools Trust,
- b) Department of Education and Training Victoria,
- c) Langdale Consultants,
- d) Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn,
- e) ~~York Civil Pty Ltd,~~

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(the Confidential Information).

[2] Access to the Confidential Information is restricted to the legal representatives of the parties to the proceedings and to Ms Carol Matthews and Dr Michael Wright of the IEU.

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[3] The Confidential Information is to be kept confidential by the parties and the Commission and not disclosed or published, subject to and until further order of the Commission.

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[4] Documents containing or referring to the Confidential Information filed by any party are to be marked as such, and treated (to the extent necessary) as confidential by the parties and the Commission, subject to and until further order of the Commission.

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[5] The parties have liberty to apply to vary these orders on three (3) days²² notice.

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VICE PRESIDENT

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AMENDED ORDER

Fair Work Act 2009

s.302 - Application for an equal remuneration order

Independent Education Union of Australia

(C2013/6333)

VICE PRESIDENT HATCHER

SYDNEY, ~~183 JUNE MAY~~ 2018

Confidentiality Order – York Civil Pty Ltd.

A. Pursuant to s.594(1) of the *Fair Work Act 2009* (the Act), the Fair Work Commission orders as follows:

1. In respect of the following documents and any information contained therein, produced by York Civil Pty Ltd in response to the Order to Produce issued on 4 April 2018:

- (a) Payment Certificate (Adelaide Freight Terminal Office Upgrade Project);
- (b) Payment Certificate (Construction of Structures at Bank J);
- (c) Payment Certificate (Construction Main South Road Upgrade, Malpas Road);
- (d) Payment Certificate (Construction of Structures at Margaret Dowling); and
- (e) Extracts from York Civil Pty Ltd Accounts Trading Statement for period ending 31 December 2017

(collectively, the **Confidential Information**), the following orders are made.

2. Access to the Confidential Information is restricted to the legal representatives of the parties to the proceedings and to Ms Carol Matthews and Dr Michael Wright of the IEU-

3. The Confidential Information is to be kept confidential by the parties and the Commission and not disclosed or published, including in any decision of the Commission.

4. Documents containing or referring to the Confidential Information filed by any party are to be marked as such, accompanied by versions redacting the Confidential Information suitable for publication where necessary, and treated (to the extent necessary) as confidential by the parties and the Commission.

5. If it is necessary to refer to any part of the Confidential Information during the course of the hearing of the matter, whether in evidence or otherwise the hearing will be held in private to the extent necessary to deal with the Confidential Information, and otherwise will be held in public.

6. The parties have liberty to apply to vary these orders on seven (7) days' notice, with York Civil Pty Ltd to be given notice of any such application.

B. This Order operates on and from 3 May 2018.



VICE PRESIDENT

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