

**From:** Ruchi Bhatt [<mailto:Ruchi.Bhatt@aigroup.com.au>]  
**Sent:** Thursday, 8 September 2016 6:04 PM  
**To:** Chambers - Hatcher VP; AMOD  
**Cc:** David Bliss  
**Subject:** AM2014/196 and AM2014/197 Casual and Part-time Employment - SDA claim

Dear Associate,

We refer to the above matters.

The SDA is seeking variations to the following four awards, which have been referred to the casual and part-time employment common issues Full Bench for determination:

- the *Pharmacy Industry Award 2010*;
- the *General Retail Industry Award 2010*;
- the *Fast Food Industry Award 2010*; and
- the *Hair and Beauty Industry Award 2010*.

The variations sought, in broad terms, relate to the entitlement of casual employees to overtime rates and related matters. The SDA filed submissions in support of its claims on 13 May 2016. It has not called any evidence.

The SDA's submissions in support of its claims were filed after the deadline set by the Commission in its directions of 29 June 2015 for the filing of material in opposition (that being 22 February 2016). Accordingly, the Australian Industry Group (**Ai Group**) has not yet filed material in response to the union's claims. Further directions for the filing of such material have not been issued. This matter was raised by Ai Group during proceedings before Vice President Hatcher on 5 August 2016. His Honour directed Ai Group to confer with the SDA and propose an agreed timetable (PN190 – PN196).

Accordingly, please find attached draft directions that address the above issue. We understand that the SDA consents to the issue of directions in the terms proposed.

Kind regards,  
Ruchi.

**Ruchi Bhatt**  
**Adviser – Workplace Relations Policy**



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# DRAFT DIRECTIONS

*Fair Work Act 2009*  
s.156 - 4 yearly review of modern awards

## **4 yearly review of modern awards – Casual Employment** (AM2014/197)

VICE PRESIDENT HATCHER  
SENIOR DEPUTY PRESIDENT HAMBERGER  
DEPUTY PRESIDENT KOVACIC  
DEPUTY PRESIDENT BULL  
COMMISSIONER ROE

SYDNEY, 8 SEPTEMBER 2016

*4 yearly review of modern awards – casual employment – SDA claim.*

The Commission directs that:

- [1] Any interested party that opposes the SDA's claims identified in its submissions of 17 July 2015 and 13 May 2016 is to file comprehensive submissions and any evidence in reply by close of business on **7 October 2016**.
- [2] Any interested party that seeks an opportunity to make oral submissions or cross-examine any witnesses called are to advise the Commission by close of business on **17 October 2016**.
- [3] Parties are granted liberty to apply to vary these directions.
- [4] All submissions and evidence are to be sent to [amod@fwc.gov.au](mailto:amod@fwc.gov.au).

VICE PRESIDENT

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