

**STRONGER
TOGETHER**

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IN THE FAIR WORK COMMISSION

Matter no: AM2016/23

Section 156 – Fair Work Act 2009 – 4 yearly review of modern awards –
Construction Awards

SUBMISSION OF THE AUSTRALIAN WORKERS' UNION

APPLICATION FOR PERMISSION TO BE REPRESENTED BY A LAWYER

Lodged by: Roushan Walsh
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Date of document: 29 March 2017
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1. This application of the Australian Workers' Union (AWU) is made pursuant to section 596(1) of the *Fair Work Act 2009* ('the FW Act').
2. The AWU seeks permission to be represented by Stephen Crawford (Principal – Crawford de Carne Lawyers) at the hearing listed to commence on Monday 3 April 2017 in the matter AM2016/23.
3. Section 596(2) refers discretion to the Fair Work Commission to grant permission for legal representation provided one of the requirements set out at this section is satisfied. Accordingly, the AWU submits that the assistance of a lawyer will enable the matter to be dealt with more efficiently taking into account the complexity of this matter. The AWU submit this is sufficient to grant permission.
4. The hearing will require representatives to navigate complex issues including the presentation and examination of:
 - 4.1. a large amount of witness evidence including consideration of the admissibility of evidence; and
 - 4.2. a large number of claims involving significant and complex conditions such as the fares and travel patterns allowance and the industry specific redundancy scheme; and
 - 4.3. the technical interaction between safety laws and awards; and
 - 4.4. complex claims regarding award coverage.
5. For the reasons set out and in all of the circumstances, the AWU submits permission for it to be represented by a lawyer may be granted because section 596 (2) (a) of the FW Act is satisfied.



NATIONAL LEGAL OFFICER
Australian Workers' Union