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By email: amod@fwc.gov.au

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Dear Sir/Madam

AM2014/196, AM2014/197, AM2014/227 – Casual minimum engagement under the Fitness Industry Award 2010

We refer to the application made by Gymnastics Australia on 27 May 2015 for a variation to the *Fitness Industry Award 2010* such that casual employees classified at Level 5 may be engaged for a minimum period of one hour's work, as provided for casual employees classified at Levels 2 to 4.

The Summary of Proposed Variations published by the Commission on 24 February 2016 did not contain a reference to the Part-time and Casuals Full Bench in relation to this issue. However, the Summary of Proposed Variations published by the Commission on 24 March 2016, at item 1, third row, notes that this issue has been referred to the Part-time and Casuals Full Bench in AM2014/196 and AM2014/197. We are not clear on the reason for this change.

This issue was dealt with at the Directions Hearing on 14 December 2015, at PN503 to PN511 of the transcript. We understood that, due to the isolated nature of the claims relating to the minimum one hour engagement of casuals and the circumstances of the sector, the issue would remain with the Bench constituted to deal with the Group 3 Awards. President Ross J stated at PN511 that this was the course the Commission would adopt.

On the basis of the above, is the Commission able to confirm that this issue will be dealt with by the Bench constituted to deal with the Group 3 Awards?

Yours faithfully



Michaela Moloney
Partner