

From: Robert Seals [<mailto:robert@ieu.asn.au>]

Sent: Friday, 15 June 2018 12:19 PM

To: Michal Roucek; Chambers - Hatcher VP

Cc: Luis Izzo; Sophie Margaret Whish; Michael Wright; 'lucy.saunders@greenway.com.au'

Subject: Re: C2013/6333 Application by IEU for an Equal Remuneration Order: Confidentiality Orders in respect of ACA Material [ABLaw-ImanageDocs.FID165140]

Dear Associate,

The IEU seeks to file proposed confidentiality orders as **attached** with respect of the ACA material filed. Further, the IEU will seek to the extent necessary the variation of the two standing interim orders in order to accommodate our proposal. For the purpose of listing the matter, counsel has indicated general availability next week other than the morning of Monday 18 June 2018.

Kind regards,

Robert Seals | Industrial Officer



Independent
Education Union
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DRAFT ORDER



Fair Work Act 2009

s.302 - Application for an equal remuneration order

Independent Education Union of Australia

(C2013/6333)

VICE PRESIDENT HATCHER

SYDNEY, 14 JUNE 2018

Confidentiality Order – Australian Childcare Alliance Inc.

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

1. The ACA is to provide to the Commission and all parties copies of its material containing the ACA Confidential Information and the Third Party Confidential Information identifying:
 - a. The ACA Confidential Information in yellow highlighted text, and
 - b. The Third Party Confidential Information in blue highlighted text,by close of business, Friday 15 June 2018.
2. Access to the ACA Confidential Information and the Third Party Confidential Information is restricted to:
 - i. the legal representatives of parties to this Application and in the case of the IEU its legal representatives and Dr Michael Wright and Ms Carol Matthews; and
 - ii. any witness, or prospective witness, in the proceedings for the purposes of preparing evidence in reply, subject to the witnesses, or prospective witness being provided with a copy of these Orders.
3. The ACA Confidential Information and the Third Party Confidential Information is to be kept confidential by the Commission and the persons referred to in Orders 1(a) and (b) above and is not to be disclosed or published, including in any decision of the Commission.
4. The persons listed in Order 2 above must not disclose any part of the Confidential Information to any other person not referred to in Order 2 and may not use the Confidential Information for any purpose other than the conduct of these proceedings.
5. Documents containing or referring to the Confidential Information or Additional Confidential Information filed by any party are to be marked as such, with references to the ACA Confidential Information or Third Party Confidential Information identified as described in Order 1 above, and accompanied by versions redacting the Confidential Information or Additional Confidential Information for publication on the Commission website where necessary, and treated (to the extent necessary) as confidential by the parties and the Commission.

6. In the event that any party wishes to refer to the ACA Confidential Information during the course of the hearing of the proceedings, the party must notify the ACA in advance in sufficient time to allow the ACA to make any application to have the hearing closed.

B. The **ACA Confidential Information** means the redacted portions of:

1. Australian Childcare Alliance Inc - Outline of Submissions dated 25 May 2018 other than the Third Party Confidential Information.
2. Statement of Alexandra Hands dated 21 May 2018;
3. Statement of Gary Carroll dated 23 May 2018;
4. Statement of Jae Dean Fraser dated 25 May 2018;
5. Statement of Jennifer Mary Kearney dated 23 May 2018;
6. Statement of Karthika Viknarasah dated 23 May 2018;
7. Statement of Merran Edith Toth dated 16 May 2018;
8. Statement of Nicola Susanne Johnson dated 23 May 2018;
9. Statement of Shelley Prendergast dated 25 May 2018;
10. Reply Statement of Sarah Louise O'Donnell dated 7 May 2018; and
11. Reply Statement of Anne-Maree Wulff dated 21 May 2018.

C. The **Third Party Confidential Information** means the redacted sections of the Australian Childcare Alliance Inc - Outline of Submissions dated 25 May 2018 which refer to the material covered by the Fair Work Commission orders [INSERT ORDER NUMBER].

D. This Order operates on and from 14 June 2018.

[Insert Fair Work Commission Seal and Signature]