



TRANSCRIPT OF PROCEEDINGS
Fair Work Act 2009

JUSTICE HATCHER, PRESIDENT

AM2023/29

s.158 - Application to vary or revoke a modern award

**Application by Contreras Martinez
(AM2023/29)**

Hospitality Industry (General) Award 2020

Sydney

2.00 PM, TUESDAY, 27 FEBRUARY 2024

Continued From 13/02/2024

PN1

THE PRESIDENT: All right. Firstly, can I apologise for not having video but I'm unwell, so I'm trying to do this from home. But we'll do the best we can. So, I understand the only appearance is you, Ms Butters, from the Australian Hotels Association?

PN2

MS BUTTERS: That's correct, your Honour.

PN3

THE PRESIDENT: All right. For the record can I say that we have listed this matter a second time because

PN4

Mr Martinez did not attend the first time. We thought there might have been a possibility that he was unaware of the directions hearing the first time. However, he was aware today. My Associate contacted him shortly before the hearing was due to begin and he said he would join but he has not despite a number of further phone calls.

PN5

In the circumstances, Ms Butters, I won't detain you for much longer or at this stage require you to come back yet again. In due course I will write to the applicant asking him to identify an acceptable explanation for his

PN6

non-attendance today, and with the failure of a response or an adequate response I'll simply dismiss the application.

PN7

Is there anything else you wish to raise, Ms Butters?

PN8

MS BUTTERS: No, thank you. That's all fine.

PN9

THE PRESIDENT: All right. Sorry to have wasted your time again, Ms Butters but that's as far as we can take it and we'll now adjourn.

ADJOURNED INDEFINITELY

[2.21 PM]