



INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Matter No: 2024/409276

Re Dispute regarding HSU Awards

DIRECTIONS (BY CONSENT)

1. The matter is listed for Further Conciliation before Commissioner Howell on 11 March 2026 commencing at 10am, in person at the Commission's Parramatta court complex.
2. The matter is listed for Further Conciliation before Commissioner Howell on 16 March 2026 commencing at 10am, in person at the Commission's Parramatta court complex (it is anticipated the Conciliation will be directed to core conditions claims).
3. The matter is listed for Further Conciliation before Commissioner Howell on 23, 24 and 25 March 2026 commencing at 10am each day, in person at the Commission's Parramatta court complex (it is anticipated the Conciliation will be directed to outstanding issues regarding conciliation allied health claims).
4. The HSU is to serve final draft awards on the Secretary by 5pm, Monday 6 April 2026.
5. The parties are to confer in person respect of the draft awards by no later than Monday, 20 April 2026.
6. By 5pm, Monday 4 May 2026, the HSU is to file draft awards that it seeks to be made in resolution of the proceedings. The draft Awards shall identify:
 - a. agreed text in black;
 - b. text proposed by the HSU and not agreed by the Secretary in blue;
 - c. text proposed by the Secretary and not agreed by the HSU in red.

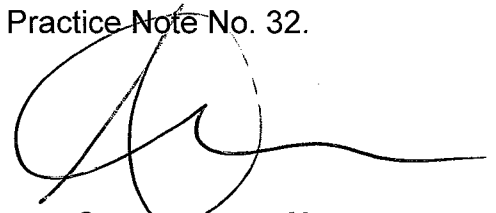
7. The HSU is to serve a proposed Agreed Statement of Facts on the Secretary by 5pm, 4 May 2026.
8. In the event that the HSU forms the view it cannot comply with order 7 above:
 - a. The HSU may by no later than 5pm, 30 April 2026 write to the chambers of Commissioner Howell seeking an extension of time by consent.
 - b. Absent consent, the HSU must write to the chambers of Commissioner Howell by no later than 5pm, 30 April 2026 advising of the foreshadowed non-compliance. The matter will be listed for Directions on 4 May 2026 (or as soon as reasonably practicable thereafter).
9. By 5pm, Monday 25 May 2026 the parties are to file a joint document in the nature of a Watts Schedule identifying:
 - a. Each contested claim being advanced by either the HSU or the Secretary; and
 - b. Each parties' position in respect of each contested claim. The parties position is to include a detailed summary of:
 - i. the basis for the parties' position in respect of each contested claim; and
 - ii. The evidence the party anticipates they would lead in relation to each contested claim.
10. The Secretary is to serve an amended agreed statement of facts, including the reasons for any areas of disagreement, on the HSU by 1 June 2026.
11. The parties are to meet in person to confer about the agreed statement of facts in the week of 1 June 2026.
12. In the event that the Secretary forms the view she cannot comply with order 10 above:

- a. She may by no later than 5pm, Thursday 28 May 2026 write to the chambers of Commissioner Howell seeking an extension of time by consent.
 - b. Absent consent, the Secretary must write to the chambers of Commissioner Howell by no later than 5pm, Thursday 28 May 2026 advising of the foreshadowed non-compliance. The matter be listed for directions on 1 June 2026 (or as soon as reasonably practicable thereafter).
13. The parties are to file and serve:
 - a. their evidence in chief for claims positively advanced by them; and
 - b. any amended proposed Award clauses;by 5pm, Monday 6 July 2026.
14. The matter is listed for a compliance check before Commissioner Howell at 9.15am, Tuesday 7 July 2026 (via Webex). This listing will be vacated if the parties comply with order 13.
15. The parties are to file and serve:
 - a. Any evidence in reply to the claims positively advanced by the other party; and
 - b. Any further amended proposed Award clauses;by 5pm, Monday 28 September 2026.
16. The matter is listed for a compliance check before Commissioner Howell at 9.15am, Tuesday 29 September 2026 (via Webex). This listing will be vacated if the parties comply with order 15.
17. The parties are to file and serve further reply evidence by 5pm, Monday 15 October 2026.

18. The matter is listed for a compliance check at 9.15am, Tuesday 13 October 2026.
19. Evidence in the proceedings will be given by way of signed statements or affidavits along with relevant documents filed and served by a party.
20. Subject to 19(a) - (c) below, the parties must comply with Practice Note No. 32, including the page limits and other requirements of Annexure A - *Requirements for length, presentation and formatting of documents*. Any request for leave to depart from the requirements of Practice Note No. 32 should be made in writing no less than 48 hours before the relevant document is due to be filed.
 - 19a. The parties have anticipated filing an Agreed Tender Bundle and a document described as a Watts Schedule (which will be updated as the proceedings progress). Any Agreed Tender Bundle or Watts Schedule is exempt from any page limitation imposed by Schedule A to Practice Note 32.
 - 19b. The parties have anticipated (in their respective cases) a Tender Bundle of documents (to which statements and/or affidavits may or may not refer). Any Tender Bundle filed by a party is exempt from any page limitation imposed by Schedule A to Practice note 32.
 - 19c. The page limitation imposed on the outline of written submissions in Annexure A2 of Practice Note 32 is waived.
21. Without the leave of the Commission, cross examination of a witness will not be allowed unless, at least one week prior to the hearing, notice has been given to the opposing party that a witness is required for cross-examination.
22. Without prior leave of the Commission, no summons for the production of documents may be made returnable less than 3 weeks prior to the date set for the hearing of the matter.
23. The HSU is to serve the Secretary with a draft index for a Court Book by 5pm, 26 October 2026.

24. The Secretary is to advise the HSU of any objection or proposed alteration to the draft Court Book index by 5pm, 2 November 2026.
25. The matter is listed for a compliance check before Commissioner Howell at 9.15am, Tuesday, 3 November 2026 via Webex.
26. By 5pm, Monday 9 November 2025 the parties are to file:
 - a. An agreed (or if there be no agreement, a competing) updated Watts Schedule (including references to filed evidence so far as practicable); and
 - b. An agreed (or if there be no agreement, a competing) electronic Court Book. The Court Book should be comprised of one or more electronic documents in PDF format:
 - i. with each PDF document to be no larger than 500mb;
 - ii. to be numbered with the first page of the PDF starting at 1 (consecutive numbering, if desired by a party, can separately be included);
 - iii. to be digitally bookmarked in a manner which clearly identifies each separate document within the PDF document;
 - iv. to be OCR searchable; and
 - v. shall not, unless necessary, contain duplicate documents (including as annexures).
27. Subject to confirmation from the President, the matter will be listed for hearing before a Full Bench (for the purpose of taking evidence) in person at the Commission's city premises commencing at 10am each day as follows:
 - a. 11, 12, 13 November 2026;
 - b. The week commencing 16 November 2026 (sitting Tuesday to Friday)
 - c. The week commencing 23 November 2026 (sitting Tuesday to Friday)
 - d. The week commencing 30 November 2026 (sitting Tuesday to Friday)
 - e. The week commencing 7 December 2026 (sitting Tuesday to Friday)

- f. The week commencing 14 December 2026 (sitting Tuesday to Friday).
28. By 5pm, Monday 9 February 2027 the parties will file:
- a. An agreed (or if not agreed, competing) Watts Schedule updated so as to include transcript references; and
 - b. Written outlines of submissions.
29. The parties outline of submissions should summarise, plainly, concisely and directly:
- a. the important facts pertaining to each claim advanced by the party;
 - b. the primary legal grounds for the relief sought in relation to each claim advanced by the party;
 - c. any legal or factual issue in dispute between the parties in relation to each claim that is disputed by the party; and
 - d. why the relief sought from the Commission should not be granted in respect of each disputed claim.
30. Subject to confirmation by the President, the matter is listed for hearing of submissions before the Full Bench in person at the Commission's city premises commencing at 10am on 16, 17, 18 and 19 February 2027.
31. Any application to vary these orders must be made in writing, after consulting with the other party or parties, in accordance with Practice Note No. 32.



COMMISSIONER HOWELL
(ON DELEGATION BY THE PRESIDENT)
27 FEBRUARY 2026