

**TASMANIAN INDUSTRIAL COMMISSION**  
Industrial Relations Act 1984

T Nos 5455 and 6585 of 1996

**IN THE MATTER OF** applications by the  
Automotive, Food, Metals, Engineering,  
Printing and Kindred Industries Union to  
vary the Automotive Industries Award

re restructuring of the conditions  
component of the award; and the insertion  
of the Supported Wage System clause

PRESIDENT

HOBART, 13 December 1996  
continued from 25/11/96

**TRANSCRIPT OF PROCEEDINGS**

Unedited

PRESIDENT: Any changes in appearances? No?

Before we proceed we will just go off the record for a moment.

#### **OFF THE RECORD**

PRESIDENT: Mr Baker.

- 5 MR BAKER: Thank you, sir. First of all, I must apologise for my delay - I am sorry, my absence this morning of the scheduled starting time - I was unavoidably delayed at another matter.

10 Insofar as this is concerned we have progressed the matter somewhat further since we were before you on the last occasion by the circulation of a further draft document which has been circulated to all parties who are respondent to the award by the employer and the employee.

Indeed, sir, I understand we have, in fact, sent you a copy of that document as well for your information.

PRESIDENT: That's the one dated the 5<sup>th</sup> of December?

- 15 MR BAKER: The 5 December 1996. We made sure we put a stamp on this one because I think we were up to - I am not sure what number it was but I made sure there was a stamp on the front of this one.

The document has been circulated and we have received responses both from the TCCI and as late of yesterday afternoon from the VACC who are representing the TACC.

- 20 Sir, I would submit that the document that is headed, 'Draft 5.12.996' is ready to be presented to the commission as a final document.

There are some changes which need to be made both in drafting terms and also insofar as perhaps some of the structure is concerned. But they are really issues, if you like, administrative matters as opposed to matters of substance.

- 25 There remains, I suppose, between the parties - particularly between the TCCI and ourselves - a philosophical difference insofar as the composition of some of the matters are concerned within the document, but we are not going to resolve those issues before us and, as I have indicated to the commission previously, they will be the matter of arbitration in the new year.

- 30 But I do believe that it is important, though, as a first step that we have a document that will replace the existing Automotive Industries Award as it is; because, as I have indicated to the commission previously, the award in many respects is pretty well unenforceable and that needs to be addressed as a matter of urgency.

- 35 I would submit to the commission, and I am open to comments both from yourself, sir, and from the other parties, as to the process to be followed today but, certainly, sir, I believe that perhaps a conference between us may in fact resolve those issues which can be fixed up as far as, if you like, the administrative matters are concerned, numbering, headings, the inclusion of a missed paragraph or two here and there. Like, one of the issues that we have left out, sir, is a page relating to apprenticeships and  
40 adult apprenticeships I mean, the page has been re-added.

I do apologise to the commission. I would have in fact had all that completed today but, unfortunately half of our office staff have been struck down with the flu and we

have been down to a sort of a skeleton staff in recent days and, unfortunately, we have been unable to sort of attend to it.

5 But that's really where we are at, and I don't know whether you would like me to go through those issues which have been demonstrated to us where the document has been short by the TCCI and the VACC or whether we just simply have a conference and go through them and make sure they are all covered and, pending anything else, we would be in a position very early next week to give you a complete document.

10 PRESIDENT: I think it might be worthwhile just going through those changes to your draft of 5 December. I don't know what the other - how do the other parties react to that, particularly you, Jenny?

MS THOMAS: I think we could attempt to go as far as we can today. I don't have a problem with that. A lot of the issues we have raised with Mr Baker are ones relating to drafting. There may be some remaining items, however, but I think we could proceed as far as we could go today. I have no problem with that.

15 PRESIDENT: Yes. On the record?

MS THOMAS: I think it would be tidier to take it off record.

PRESIDENT: Take it off record?

MS THOMAS: Because, I mean, I sent Mr Baker a 3.1/2 page letter suggesting various amendments, and so forth, so -

20 PRESIDENT: Okay. Well, so long as we don't get it lost, that's all I am concerned about.

MS THOMAS: Right.

PRESIDENT: Okay.

MR BAKER: I have no intention of losing it at this later stage of the day.

25 PRESIDENT: All right.

**OFF THE RECORD**

**NO FURTHER PROCEEDINGS RECORDED.**

**HEARING ADJOURNED**