

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 4927 of 1994

IN THE MATTER OF an application by
the Tasmanian Chamber of Commerce
and Industry Limited to vary the
Cement Makers Award

re Definitions, wage rates

COMMISSIONER IMLACH

HOBART, 28 March 1994
continued from 23/2/94

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER IMLACH: Any change in appearances?

MR A. GRUBB: If the commission pleases, GRUBB, A.J., on behalf of the Australian Municipal, Administrative, Clerical and Services Union.

MR G. ADAMS: ADAMS, G.D. I appear on behalf of the Automotive, Food, Metals and Engineering Union.

MR B. BEST: BEST, B.R., appearing for the Construction, Forestry, Mining and Engineering Union.

COMMISSIONER IMLACH: Right. Who is going to kick off?

MR TARGETT: Thank you, commissioner. Following the adjournment of proceedings on the last hearing date, we were approached by a number of unions to have meetings to discuss a range of issues in relation to our application. We have since that time met with all unions and discussions a number of the issues revolving the application what we have made and various proposals have gone back and forth between us at those meetings.

At this stage we've undertaken to provide certain information to the unions in relation to our application. The unions have also been given the opportunity to come back to us with some discussions on certain issues which they still have some concerns with and as a result of that, I propose to seek an adjournment of today's proceedings to enable further discussions to take place between the parties to see if agreement can be reached.

I understand the unions which to have the next hearing take place closer to Railton - either at Railton or nearby - to enable delegates of the unions to attend those proceedings. If that is their request during today's proceedings I would advise that we have no objections to that request, being agreed to by the commission.

On that basis, and subject to any comments to be made by the unions, I would ask that these proceedings be adjourned to a date to be set now within the next 2 or 3 weeks. If it please the commission.

COMMISSIONER IMLACH: Thanks, Mr Targett. Now, Mr Cooper?

MR COOPER: Commissioner with respect to those submissions by Mr Targett we would first of say that we do agree to an adjournment of today's proceedings. We also do agree to hearings being held closer to Devonport, in or around Railton, if possible; if not, closer to the site, the reason being that we did ask for paid leave and travelling time to be granted to our delegates to attend the hearings, and the company wasn't in a position to agree that request which makes it a little

We've also discussed the very important issue of job security and how implementation of a structure such as the one proposed by the company will impact on employees in terms of their job security. We see that as a fundamental tenet to award restructuring, that people know that they're not going to go into a situation where they become more productive and lose a work mate as a result of that, and that's something we have discussed with the company, and we're further discussing.

We have also agreed that in terms of the structure that's been put up by the company - in some respects that structure can be simplified which will allow for great multiskilling or enhance multiskilling in respect to some discrete sections of the plant and we are further developing those proposal.

We also want to have a look how the impact - or what impact the implementation of the new structure will have on current employees in respect to their earning capacities as time goes by and that's something else that needs to be considered because it's a very relevant point, how such a structure could impact on future earning capacity because we don't want to see a reduction in living standards for any of our members, and I'm sure none of the other unions do as well.

There were a number of anomalies that did arise in respect to the proposal that the company put up, and they are being clarified at the present, in respect to some of the grades. As I've already made mention to the commission, we also discussed representation at hearing by those people that are considered to be delegates of unions, and whilst the company advised that any impost in respect to people having leave is something that needs to be considered. We view it as very important that union members do actually participate in the hearings so that it does enhance report back in terms of me going back as an official as opposed to me going back with a couple of delegates and they can actually confirm what was said and we think that enhances proceedings in terms of: (a) correct reporting back; and (b) reliability of delegates to report back on a eye witness basis.

We have agreed to align the structure with the metal industry standard and I think that's important as well, but that metal industry standard does need to be varied somewhat to meet the circumstances of the site. It also agreed that one fundamental issue that needs to be understood is the application of the merit principle as it does apply to job classifications and that issue, while it does cause some concern, is one that we are prepared to work through as well.

I do foreshadow at these hearings, commissioner, that we will be making application as a result of a request from our members for the commission to conduct a work value in respect to shift workers as they operate at the plant. That work value would go to implementation of new plant on site and also

colleagues on this side of the table and would just indicate the opportunity that the unions have had in the last couple of weeks have been positive because I think prior to previous hearing, there was a lack of understanding of really needs to happen. It's not just simply an exercise in saying: we'll pick up the metal industry structure and then apply that to the Goliath site. There are some in-depth things which all parties need to take into consideration when going through such an exercise.

I would also, on behalf of the trade unions, support the adjournment and I think it will allow all parties to quickly try and resolve the issues which needed some detailed discussion. That's all I've got at this moment, sir.

COMMISSIONER IMLACH: Thanks, Mr Adams.

MR BEST: Yes, Mr Commissioner. Again, re-emphasising some of the points that have been made. I just appreciate the opportunity to report back on where we're at as far as discussions that have taken place and meetings. I'd just like to table if I can, the resolution that came out of the 17th of March, just by way if giving you some information as to where we see ourselves in rectifying some of these matters. This was a resolution that came from a joint meeting of the CFMEU, Transport Workers' Union on the 17th of March -

COMMISSIONER IMLACH: We'll call that exhibit B.1.

MR BEST: - where our members requested clarification and information on a skill audit of employees. Explanation as to the proposal levels, including - it's got written here: inspection of indicative tasks. What we're referring to obviously is those indicative tasks as they fit with the site and the proposed new structure. To ensure identification of the proposed levels; complete outline of the company's understanding as to what has been agreed during the restructuring process because we understood some points, although very limited, there were some points that were agreed; complete point by point translation of the company's 23rd of February 1994 proposal on wage levels, contrasted with the current individual classification levels, ie, wage increase proposal. What exactly that is in terms of minimal increase.

Confirmation of the company's approach to the best practice work place reform including key performers, productivity measures - probably somewhere down the track, but nevertheless, an important issue from our perspective in regards to job security and those issues.

The company be advised that a full paid stop work meeting of all employees be convened to allow company representatives to explain their recent proposal and future attitude for change,

on Friday. I would like to report to the commission that the discussions we had on Friday were positive and that it would appear that we have some preliminary understandings with regards to procedure, but nevertheless there still are some issues that we are obviously going to need time, as Mr Targett pointed out, to resolve.

Those issues, of course, is the Goliath - proposed Goliath level structure and determining exactly where those people line and transfer to and of course, the matter of the wages levels which is to be formed which we're talking about is reflective of current status with people on the site. And of course the site trade rates where they're reflective in the Goliath level structure.

Also Goliath level structure to be compatible with the metal industry structure in terms of general definitions and progression. We have had a position reached, as I said; previously there were some limited understandings that were reached during the process last year, one of those was of course that the metal industry structure would be the one in which production quarry areas work from and there are some definition changes that need to be cleared up in that the company's proposal seems to alter, although it has different words, it seems to alter from the metal industry general definitions.

Other areas which we seem to have agreement is the in charge of plant allowance to be retained in the wages component for plant operators, and the area of the leading hand rate which is applied to the loader operator or the truck driver on shift and the relief leading hand rate will remain.

The other matter of course which may be determined some down the track which may be set aside from this issue is the matter of work value in that there may be people picking up extra skills. Even though they might be considered on certain levels of the career path, they may be required to do additional work through the proposed changes and there may be some argument there as to what their full participation is and what that's worth in terms of productivity.

So, apart from that - and the other issue on what people will actually receive when the minimum wage is - well what the minimum wages increase in terms of 2 per cent or what that may be, we agree that there is - we need time to have further meetings and we support the adjournment and would just like to put those points in regards to our report back. Thank you.

COMMISSIONER IMLACH: Thanks, Mr Best. I wonder what Mr Covington said when you told him that you were going to have a full paid stop work meeting.

don't really mind where they're held. If the commission pleases.

COMMISSIONER IMLACH: Yes. Thanks, Mr Cooper. Well I just make the point, if anyone wants to meet elsewhere, they should indicate to the commission well in advance. It's really not the commission's - how will I put it - I shouldn't say 'preference', but certainly I just want to make that point very clearly, that if any party feels that they are compromised, they should advise the commission and we will meet elsewhere, otherwise the commission will lead the way, shall we say, and accept the company's offer. Are we clear? All right. Well this matter is adjourned until I hear from the parties, in particular Mr Targett, as to a date to be fixed.

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