

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 2757 of 1990

IN THE MATTER OF an application by
the Association of Draughting,
Supervisory and Technical
Employees, Tasmanian Branch for
the making of a new award

re Metal & Engineering Industry
(Tasmania) Award

COMMISSIONER WATLING

HOBART, 15 November 1991
Continued from 27/8/91

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER WATLING: - T.2757 which is an application for the making of the Metal and Engineering Industry (Tasmania) Award.

MR P. BAKER: Sir, I appear on behalf of the Association of Draughting, Supervisory and Technical Employees, P. BAKER.

COMMISSIONER WATLING: Good, thank you.

MR J. LONG: Sir, I appear on behalf of the Federated Ironworkers' Association of Australia, LONG J.

COMMISSIONER WATLING: Good.

MR D. PYRKE: If the Commission pleases, DARRYL PYRKE appearing on behalf of the Association of Professional Engineers, Australia. Sir, that organisation seeks leave to intervene.

COMMISSIONER WATLING: Good, thank you.

MR M. TELHA: Sir, if the commission pleases, TELHA M. appearing on behalf of the Building Workers' Industrial Union and the Federated Engine Drivers' and Firemen's Association.

COMMISSIONER WATLING: Good, thanks, Mr Telha.

MR S. CLUES: If it pleases the commission, I appear on behalf of the Tasmanian Confederation of Industries, CLUES S.

COMMISSIONER WATLING: Good, thank you. Mr Baker?

MR BAKER: Thank you, sir. Sir, this matter arose out of an earlier decision of this commission in matters T.2317, T.2376, T.2553, T.2611 and T.2613 of 1990 concerning the Mechanical Engineers and Founders Award where the parties agreed, as part of the ongoing process of award restructuring, that we would seek the creation of a new Metals and Engineering (Tasmania) Award. That award, sir, would in fact take the place of the Mechanical Engineers and Founders Award. The scope would greatly be increased and it would also encompass, perhaps, the Electrical Engineers Award and also the Draughting and Technical Officers Award.

Sir, we would seek that the matter be adjourned to allow discussions to occur between the parties, that is the unions that may wish to become respondent to the award and also the TCI, in particular we would give attention to the scope clause and the persons and parties bound. Thank you, sir.

COMMISSIONER WATLING: All right. Just in passing - I know you want to discuss it, but I notice it also does include shipbuilding and repairing in your application. Would that mean that you would also be looking at the future of the

specific Shipbuilding Award?

MR BAKER: I hadn't considered that, sir. That may well be. The proposed scope clause is as per the scope clause which currently applies in the federal metals award.

COMMISSIONER WATLING: Yes, well we understand that we do have a specific award relating to shipbuilding.

MR BAKER: I understand that, sir, yes.

COMMISSIONER WATLING: So if anything was to happen we'd have to be fairly careful here because if your application was successful we would be looking at introducing a new award and at the same time repealing other awards. So those arguments and questions have to be looked at as well. There may be an argument for a simultaneous operative date so people aren't left award free and all that type of stuff. I notice it also looks in the motor industry area and I wonder whether that might conflict with the Automotive Engineers Award.

MR BAKER: I think, sir, they're the sort of questions that the parties need to, sort of, have a look at.

COMMISSIONER WATLING: Fair enough.

MR BAKER: it was just simply something to, sort of, get the thing moving.

COMMISSIONER WATLING: Right. No, I understand. Right. I just thought I'd make the point because we're going to have to address that question somewhere in the submissions in relation to what happens to other awards that this may or may not overrun. Obviously when it comes to shipbuilding, for example, well I know that there is a registered agreement in the commission in relation to one particular place therefore probably the award wouldn't prevail until such time as the agreement expired or did something of that nature, but there still is an award. Right, there's an application for adjournment to enable discussions to take place. Any disagreement with that?

MR CLUES: On behalf of the Tasmanian Confederation of Industries, we have no objection to the seeking of an adjournment.

COMMISSIONER WATLING: Right. Well I'll adjourn this application also to enable discussions to take place and I'll rely on Mr Baker to inform me when the discussions are finished and when you want the matter relisted. These matters now stand adjourned.

HEARING ADJOURNED