

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T Nos 4727 and 4728 of 1993

IN THE MATTER OF applications by
the Australasian Meat Industry
Employees Union to vary the Meat
Trades Award and the Abattoirs
Award

re call back, Saturday work,
standing by, transport of
employees, and travelling time

COMMISSIONER GOZZI

HOBART, 12 April 1994
continued from 25/1/94

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER GOZZI: Any changes in appearances? If not, I'd like to indicate in respect of provisions dealing with call back, Saturday work, standing by, transport of employees in travelling time, in order to facilitate the processing of the applications, I did refer them - these matters to the president who has written back to me saying that I am at liberty to deal with these matters in accordance with the special case principle. So having taken care of this little administrative quirk, we're now back where we were - whenever it was - in January. So who would like to go first? Mr Edwards?

MR EDWARDS: Yes. If it please commission, it's been determined between Mr Swallow and myself that I would report to the commission where we're at in respect of this matter. You may recall that last time we were before you we did indicate two matters, the first being that there was that administrative quirk which has now been satisfactorily resolved; and the second being that the parties wished the opportunity to discuss the matter between themselves with the prospect of reaching some agreement being, in our minds at least, fairly high.

That appears to be the case that we have been able to it seems resolve the issues. There is agreement 'in principle' - you'll understand, commissioner, that I'm going to use some words here that are fairly carefully framed, deliberately so, and you'll understand why in just a moment, if you could bear with me; that there is agreement 'in principle' to update the award provisions going to the question of call back, Saturday work, standing by, transport of employees, and travelling time.

Notwithstanding that agreement 'in principle', the parties wish to indicate to the commission that we need further time to ourselves to negotiate on the form of order that will be required to translate that agreement of principle into the award. The purpose being that there are in place at some of the major works in the state certain preexisting arrangements made between management and employees that are satisfactory to both parties, and it's not Mr Swallow's intention to disturb those arrangements by this application. It is therefore important that the parties talk with those major players on both sides to ensure that our agreement 'in principle' does not disturb those arrangements.

And that is the agreement we've reached and I'm deliberately not being specific, commissioner, and we'd like to come back to the commission with an agreed package of variations at a time convenient to the commission in the future once we've settled those few administrative things which are particularly important to both the employers and Mr Swallow's members.

And as I indicate, commissioner, I've been particularly

cautious in the way I've selected by words so that I am not committing anyone to anything specific but there is agreement 'in principle' that the award does need to be varied on all of those issues.

COMMISSIONER GOZZI: So say all of us.

MR EDWARDS: Yes. I'm only talking about these specific issues at the moment, commissioner.

COMMISSIONER GOZZI: Oh, right.

MR EDWARDS: I wouldn't want to be misconstrued into other areas at this stage.

COMMISSIONER GOZZI: No, you were very specific in respect of the five items you mentioned.

MR EDWARDS: Thank you, commissioner.

COMMISSIONER GOZZI: Yes.

MR EDWARDS: I'd like to leave my submission at that point. We would, when we came back to the commission, address the question of the special case principle and how the arrangements we've reached between us do fit in.

COMMISSIONER GOZZI: Right.

MR EDWARDS: If it please the commission.

COMMISSIONER GOZZI: Mr Edwards, that's your submission in respect of both awards, isn't it, because they -

MR EDWARDS: It is, commissioner.

COMMISSIONER GOZZI: - T.4727 and T.4728 - I'm not sure whether I joined them last time. I think I may have.

MR EDWARDS: You did, sir, yes.

COMMISSIONER GOZZI: Okay. Well they are joined. Now what about the other ones? Are they - Oh, okay - yes, that's another matter. Okay. Yes.

MR EDWARDS: That's what I said; I didn't want to confuse the two.

COMMISSIONER GOZZI: Yes. Okay.

MR EDWARDS: But I think, commissioner, if I can just blur the edges marginally, I think when you hear the report from Mr Swallow as to what he has in mind in respect of the next couple of applications to be called, you will see that the

submission I have made in respect of this matter, which is T.4727 and T.4727 is in respect of both awards and that will become clearer once Mr Swallow has reported on the next matter.

COMMISSIONER GOZZI: All right.

MR EDWARDS: If it please the commission.

COMMISSIONER GOZZI: Thank you, Mr Edwards. Mr Swallow?

MR SWALLOW: Mr Commissioner, that's - the report that Mr Edwards has given is what - exactly what the position is and we'd get back to you at a later date - possibly we could set a date.

COMMISSIONER GOZZI: Yes, we will. Thanks, Mr Swallow. We'll go off the record for a moment.

OFF THE RECORD

COMMISSIONER GOZZI: All right. On the basis of the outline presented to me, the applications are adjourned to 10.30 am on the 25th of May. Thank you.

HEARING ADJOURNED