

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

s.23 application for award or variation of award

**Australasian Meat Industry Employees Union  
Tasmanian Branch  
(T.4059 of 1992)**

**MEAT TRADES AWARD**

**COMMISSIONER R K GOZZI**

**HOBART 2 December 1992**

Award variation - structural efficiency exercise in the retail section of the Meat Industry

**REASONS FOR DECISION**

In this matter the Australasian Meat Industry Employees Union of Australia, Tasmanian Branch (AMIEU) sought the assistance of the Commission to undertake a structural efficiency review of the Retail Section of the Meat Trades Award.

In addressing the application Mr Swallow for the AMIEU indicated that it was his intention to seek a separate award for this part of the industry,. In that regard it is important to take into account that the central focus of the Structural Efficiency Principle (SEP) is that the parties to an award "have co-operated positively in a fundamental review of that award"<sup>1</sup>. That premise has not altered and this was the subject of discussion in the proceedings held on 6 November 1992. Mr Edwards said:

*"...we do not necessarily agree that the most appropriate way to proceed with structural efficiency in the Meat Trades Award is to deal with the retail shops area first. This is the same argument that I understand is perplexing the parties at a national level where the AMIEU request is to do retail, then smallgoods, then processing."*

*Transcript p.5*

Mr Edwards also contended that the variation of the retail section of the award would be "unduly restrictive"<sup>2</sup>. It was submitted by Mr Edwards

1. S.W.C. T.2146, T.2147, T.2152 and T.2167 of 1989 - Structural Efficiency - Attachment A p V

2. Transcript p.5

that the classification structure should be, "if possible ....a single integrated classification structure for each award. In other words, there should be one structure in the Meat Trades Award not three or four or five.

Mr Swallow agreed with the comments made by Mr Edwards and he said:

*"It seems to be ridiculous in this modern day and age to have an award like we have got."*

*Transcript p.6*

Notwithstanding the position of the AMIEU, its intention was to seek the establishment of a new Retail Meat Trades Award.

In the proceedings the AMIEU application was amended, at the suggestion of the Commission, in the following terms:

*"To carry out a structural efficiency exercise in the Meat Trades Award to -*

- 1. create a new Retail (Meat) Trades Award based upon but not in any way limited to the Retail Section of that award, and*
- 2. the other parts of the Meat Trades Award to be also subject to structural efficiency measures."*

It may be that this amendment does not precisely meet the requirement of the applicant or indeed the other parties to these proceedings. Whilst the framing of an application is the prerogative of the applicant, I recommend in the interests of the application properly reflecting the intention of the parties that they consult on the terms of the application prior to the hearing scheduled for 15 December 1992. It goes without saying that the subject matter of the application should be clear and this will assist the proceedings to properly focus on the issues.



Appearances:

Mr J Swallow for the Australasian Meat Industry Employees Union, Tasmanian Branch.

Mr T Edwards for the Tasmanian Confederation of Industries.

Mr M Flynn for the Meat and Allied Trades Federation of Australia, Tasmanian Division.

Date and Place of Hearing:

1992  
November 6  
Hobart