

TASMANIAN INDUSTRIAL COMMISSION
Industrial Relations Act 1984

T No. 5455 of 1995

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

re restructure conditions component of
award

COMMISSIONER GOZZI

HOBART, 14 August 1995
continued from 19/6/95

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER GOZZI: Could I have - are there any changes in appearances in that matter? Probably can't remember, can you? The 19th June - well we'll just take appearances again for the record.

5 **MR P. BAKER:** Sir, I appear on behalf of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union - P. BAKER.

COMMISSIONER GOZZI: Yes, thank you, Mr Baker.

MR J. LONG: If the commission pleases, JEFF LONG, and I appear on behalf AWU-FIME Amalgamated Union.

COMMISSIONER GOZZI: Thank you, Mr Long.

10 **MR R. JOYCE:** If the commission pleases, I appear for the Tasmanian Automobile Chamber of Commerce - JOYCE, R.

COMMISSIONER GOZZI: Thank you, Mr Joyce.

15 **MR A. FLOOD:** Thank you, Mr Commissioner, ANDREW FLOOD, appearing for the Tasmanian Chamber of Commerce and Industry and also the Metal Industry Association of Tasmania.

COMMISSIONER GOZZI: Thank you, Mr Flood.

MRS H.J.DOWD: If the commission pleases, I appear on behalf of the Australian Municipal, Administrative, Clerical and Services Union - DOWD, H.J.

COMMISSIONER GOZZI: Thank you, Mrs Dowd.

20 **MR P. NOONAN:** If the commission pleases, I appear on behalf of the Shop, Distributive and Allied Employees' Association, Tasmanian Branch - NOONAN, P.

COMMISSIONER GOZZI: Thank you, Mr Noonan. Mr Baker, where are we with this?

25 **MR BAKER:** Well we have made some progress and we hope to make some more today. As I indicated on the last occasion, it was my intention to prepare a document which would act as a discussion paper and to that end I did spend some time and prepared a lengthy document which I circulated to the parties.

COMMISSIONER GOZZI: Is this the one, exhibit B.1, or was there -

MR BAKER: Oh, no, no, no -

COMMISSIONER GOZZI: - a later one than that?

30 **MR BAKER:** - there was a later one than that -

COMMISSIONER GOZZI: Yes. Right.

MR BAKER: - which became, a, if you like, an amalgam of both the federal and state awards -

COMMISSIONER GOZZI: Right.

35 **MR BAKER:** - and that was circulated to the parties. I have had discussion with both the ASU and the SDA concerning its content and I've some numerous amendments to make to the document.

I also understand both the employer organisations have had discussions with their respective members and are in a comment to - sorry - are in a position today to offer some comment.

5 Unfortunately it was not possible for us to all to get together in the last couple of weeks. Time actually caught up with us and we were unable to sort of get together to have a discussion as to exactly where we're at. We were and remain hopeful that in fact at the conclusion of these proceedings this morning that we will in fact do that today - that we will go through it and see where those - where we - if we have any major disagreements relating to the documentation at all. No doubt that will not be the
10 case and there will be some differences between us but I am hopeful that we can very quickly bring the matter to some form of fruition - conclusion, I should say.

COMMISSIONER GOZZI: A fruitful conclusion?

MR BAKER: Yes, to a fruitful conclusion - yes. But we did in fact prepare a, as I said, a very lengthy document which runs to some 155 pages, although I think we took out
15 the first 55 pages which led to - I beg your pardon - it's not 155 pages - it's 75 pages - I was reading the code on it. So there is a new document which I can make available for your file, if you like, sir, but it's really only a draft at the present time and it's there for us to discuss. So what I would suggest, sir, is that the matter be adjourned into a conference and we'll have a discussion this morning as to - as to where we're at.

20 COMMISSIONER GOZZI: All right, thanks, Mr Baker. Anyone else? Mr Long.

MR LONG: Oh, I've got nothing further to add but I'll support the - Mr Baker's submission in regards to an adjournment.

COMMISSIONER GOZZI: All right, thank you. Mrs Dowd or Mr Noonan - anything further?

25 MRS DOWD: We just concur in relation to having an adjournment and conference, Mr Commissioner.

COMMISSIONER GOZZI: Thank you. Mr Flood.

MR FLOOD: Thank you, Mr Commissioner. I also would agree to Mr Baker's suggestion to have this matter adjourned for conference. The document provided by
30 the AMWU in general I feel that we will be able to reach agreement on most matters today. There are a few omissions which I would hope are not deliberate omissions. But yes, certainly we would support an adjournment at this stage.

COMMISSIONER GOZZI: All right. Thanks. Mr Joyce.

MR JOYCE: Yes, commissioner, very briefly I think an adjournment is an excellent
35 idea. It will give us some opportunity to go through the document that has been provided for by the metals Thank you.

COMMISSIONER GOZZI: Well I'll adjourn the parties into conference on that particular issue. I suppose you'll keep in mind the need to resolve these other draft orders, and with respect to a report back, when do you propose to do that? Do you
40 expect to come back on the record today following your in conference discussions?

MR BAKER: Well I think we can give a report back at 3:00 this afternoon, can't we? Are we proposing to have a -

COMMISSIONER GOZZI: Well you only need to be back at three o'clock if you can't - well you don't need to be back at all unless you particularly want to argue work related

allowances this afternoon after you've got together and you can't agree. However, my view in respect to the other matter is that if you agree you simply let me have the draft orders, in which case everything we've done this morning stands. If you can't agree the matter is adjourned sine die.

5 MR BAKER: Well I -

COMMISSIONER GOZZI: So there's no need to come back.

MR BAKER: No. Well in that case I don't think there's much point, sir.

10 COMMISSIONER GOZZI: All right. Okay. So in respect to this last matter then, that is adjourned sine die. You may as well get a date when you're ready to proceed. Thank you.

HEARING ADJOURNED SINE DIE