

TASMANIAN INDUSTRIAL COMMISSION
Industrial Relations Act 1984

T No. 5316 of 1995

IN THE MATTER OF an application by the
Australasian Meat Industry Employees
Union, Tasmanian Branch for the making of
the Meat Industry Award

COMMISSIONER WATLING

HOBART, 23 August 1996
continued from 16/7/96

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER WATLING: I'll take appearances please.

MR J. SWALLOW: SWALLOW, J., AMIEU.

COMMISSIONER WATLING: Yes.

5 **MR G. COOPER:** If the commission pleases, I appear on behalf of the Australian Workers' Union, Tasmania Branch, COOPER, G.

COMMISSIONER WATLING: Good. Thank you.

MR T. BENSON: If the commission pleases, TONY BENSON. I appear on behalf of the Construction, Forestry and Mining Union, Tasmania Branch.

COMMISSIONER WATLING: You're seeking leave to intervene, are you, Mr Benson?

10 **MR BENSON:** No, sir.

COMMISSIONER WATLING: I beg your pardon?

MR BENSON: No, sir. We're simply parties to the award, commissioner, and we wish to remain such.

15 **COMMISSIONER WATLING:** Sorry. I thought we were dealing with the Meat Industry Award. We are making a new award and the new award is called the Meat Industry Award. You're not a party to that award.

MR BENSON: Not to the new award, commissioner, but the consolidation of that new award - my understanding is will incorporate other awards we are parties to.

20 **COMMISSIONER WATLING:** Yes, but you haven't got an interest at this moment in this award, so you'd either be seeking leave to intervene, or you'd be seeking to get an interest in it but you don't have an interest in it at the moment.

MR BENSON: Well, we seek to have an interest it, sir.

COMMISSIONER WATLING: Well, it doesn't happen this way. You have to make -

MR BENSON: An application.

25 **COMMISSIONER WATLING:** Through other channels and other areas and then run a case to get an interest in it. You may well have been involved with the Meat Trades Award and the -

MR BENSON: The Abattoirs Award.

30 **COMMISSIONER WATLING:** - Abattoirs Award, but certainly you haven't got an interest in this Meat Industry Award.

MR BENSON: At this stage.

COMMISSIONER WATLING: Well, you're right, at this stage. But that doesn't pre-suppose that you'll get an interest at a later stage either.

MR BENSON: I understand that.

COMMISSIONER WATLING: But that'll have to be run and won at the time. So, in this matter you'd have to be seeking leave to intervene and then I'd want to know why are you seeking leave to intervene.

MR BENSON: Well, at this stage I don't seek leave to intervene, commissioner.

5 COMMISSIONER WATLING: Right. Good.

MR T.J. EDWARDS: If it please the commission, EDWARDS, T.J. With me, **MS J. THOMAS** from the TCCI.

COMMISSIONER WATLING: Thank you.

10 **MR M.J. FLYNN:** FLYNN, Michael Dennis, from the National Meat Association of Australia, Tasmanian Division, Mr Commissioner.

COMMISSIONER WATLING: Thank you. Right. Have the parties any submissions on how they wish to proceed this morning, in relation to this matter?

15 MR EDWARDS: If it pleases the commission, when this matter was last before you, the parties undertook to go away and have some further discussions amongst themselves with a view to trying to address firstly, the suggested matters put forward by Mr Swallow at that time, as a way in which he saw perhaps the Meat Industry Award could be progressed, given the fairly lengthy period of inactivity resulting from a lack of ability of the parties to finalise the matter at an earlier date.

20 We have in fact met privately as the parties to the award and as a consequence, as a result of some issues raised by Mr Flynn's members, we have come up with an alternative way of trying to deal with this question.

25 I have provided a copy of that formally to the commission in preparation for today's proceedings. I have also circulated that proposal, sir, to the AMIEU and the AWU and also the National Meat Association and as I understand the situation, the parties are agreed that we will ask for an adjournment into conference under your chairmanship this morning to more fully explore that proposal which was prepared reasonably hastily and I understand that there is likely to be some fine tuning necessary. Certainly, Mr Swallow has put forward a suggestion this morning that we're prepared to explore in that conference and I think that's really where we're at.

30 It was seen by the parties as a result of some difficulties with Mr Flynn's - some of Mr Flynn's members, that the pursuit of the Meat Industry Award, as it was, was perhaps being a little bit too optimistic and too large a task for the parties to deal with in one go and it's possible therefore, we may end up with an alternative solution, which we'll put to the commission in a more formal sense by way of application at a later date,
35 depending on the outcome of this morning's proceedings.

I think that's as much as we need report at this point in time, commissioner.

COMMISSIONER WATLING: Good. Thank you. Mr Swallow and Mr Cooper, have you any view?

40 MR SWALLOW: I think that's an excellent idea of Mr Edwards', under your chairmanship to discuss the hiving off of one particular section.

COMMISSIONER WATLING: Does that view express that we go into conference? Are you supporting that view, Mr Cooper?

MR COOPER: Yes, sir. I think that's appropriate at this point in time, given the late developments.

COMMISSIONER WATLING: Right. Well, I'm going to go into conference then. Mr Benson, I'm afraid we'll have to ask you to leave at this stage.

5 **INTO CONFERENCE**

NO FURTHER PROCEEDINGS RECORDED

HEARING ADJOURNED