

**IN THE FAIR WORK COMMISSION
SYDNEY REGISTRY**

Matter No: B2022/1726

Re Svitzer Australia Pty Limited

OUTLINE OF ANTICIPATED EVIDENCE OF JARROD MORAN

The AMOU anticipates calling Mr Moran to give evidence to the following effect.

1. I am a Senior Industrial Officer employed by the Australian Maritime Officers' Union.
2. Since around mid-July 2022, I have had carriage of enterprise bargaining negotiations with Svitzer on behalf of the AMOU and its members.
3. There is no getting around the fact that the negotiations have been extremely difficult. However, that does not necessarily mean that they are doomed to fail.
4. On three prior occasions the parties have come very close to settling the enterprise bargaining dispute. The first was before COVID-19, the second was in May 2022 and the third was in September/October 2022.
5. At present the parties are not very close to settling the enterprise bargaining dispute. That is because the Applicant has recently shifted its position including by "going backwards" in relation to significant parts of the dispute that had previously been agreed.
6. However, because we were very close quite recently and because we were quite close before, I believe there is a strong likelihood that a negotiated settlement could be achieved, quickly, if good faith negotiations were to resume. My confidence would be heightened if those negotiations would be facilitated by the Commission because, in my experience, this helps to ensure that all parties play by the rules and adhere to their position on agreed matters.
7. The AMOU undertakes not to organise protected industrial action until 1 January 2022, in order to facilitate bargaining of the kind mentioned in the previous paragraph. Indeed, the AMOU has already withdrawn all existing notified actions, by email to the Applicant dated 16 November 2022. The other two unions have done the same.

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