



TRANSCRIPT OF PROCEEDINGS

Fair Work Act 2009

1053490

JUSTICE ROSS, PRESIDENT

AM2014/75 AM2014/203

s.156 - 4 yearly review of modern awards

Four yearly review of modern awards

(AM2014/75) *Manufacturing and Associated Industries and Occupations Award 2010*

(AM2014/203) *Graphic Arts, Printing and Publishing Award 2010*

Sydney

1.00 PM, FRIDAY, 13 MAY 2016

PN1

JUSTICE ROSS: The purpose of the brief mention is to discuss or propose directions in respect of this matter. Ai Group has sent in some draft directions. Have the parties had the opportunity to see those?

PN2

SPEAKER: Yes.

PN3

SPEAKER: Yes.

PN4

JUSTICE ROSS: Okay. Does anyone have any objection to those directions, and if so, what is the nature of the objection?

PN5

MS TAYLOR: Your Honour, this is Sally Taylor from the AMWU.

PN6

JUSTICE ROSS: Yes, Ms Taylor.

PN7

MS TAYLOR: (Indistinct) the draft directions with the other unions on the teleconference and also the CFMEU, and as I've also (indistinct) the AiG, I understand there is no objection from the AiG, that paragraph 3 be varied to delete - I think it's "8 August".

PN8

JUSTICE ROSS: Yes.

PN9

MS TAYLOR: And insert "19" in lieu thereof, and that is just to assist the parties by (indistinct) half the date when the (indistinct) case is listed for hearing.

PN10

JUSTICE ROSS: That is fine. It wouldn't have been listed at the same time as the casual conference anyway, Ms Taylor. I would have looked at the calendar. I have advised all presiding members to check the award review calendar before listing anything, but I think it's useful to put it in the directions just to ensure that that occurs.

PN11

Does anyone have an objection to the proposal put by the AMWU? No. Is there anything else in relation to the proposed directions with that amendment?

PN12

MS BHATT: Yes, there is, your Honour. It's Ms Bhatt from Ai Group.

PN13

JUSTICE ROSS: Yes.

PN14

MS BHATT: It has very recently come to our attention that the issue that we have identified (indistinct) the Manufacturing Award and the Graphic Arts Award.

PN15

JUSTICE ROSS: Arises in the food manufacturing, is that - - -

PN16

MS BHATT: Yes, it does, your Honour.

PN17

JUSTICE ROSS: Yes. That was the next matter I was going to raise.

PN18

MS BHATT: We do intend to seek a variation to that award to (indistinct) your Honour.

PN19

JUSTICE ROSS: Yes.

PN20

MS BHATT: And we can undertake to file (indistinct) draft determination later today or Monday (indistinct).

PN21

JUSTICE ROSS: Yes.

PN22

MS BHATT: We will consider that it is appropriate that it too be dealt with with these other two awards.

PN23

JUSTICE ROSS: Okay. It does seem to raise the same issue. I think the provisions are in largely the same terms, and I had intended to raise that award with the parties in any event. I think it's desirable that all of the awards where this issue arises are dealt with together. If you can file that advice, Ms Bhatt, and the variation determination by close of business Monday, do I take it then that the directions would stand that you would then file your comprehensive written submissions and witness statements, et cetera, by 17 June, so there would be no change to those dates.

PN24

MS BHATT: No, your Honour, that's correct.

PN25

JUSTICE ROSS: All right. Yes?

PN26

MS TAYLOR: Sorry, Sally Taylor again.

PN27

JUSTICE ROSS: Yes, that's all right.

PN28

MS TAYLOR: Given that the AMWU (indistinct) the Food Manufacturing Award as well.

PN29

JUSTICE ROSS: Yes.

PN30

MS TAYLOR: And (indistinct) and any evidence in relation to that award as well as the other two, we seek some additional time in paragraph 2 (indistinct).

PN31

JUSTICE ROSS: How much time do you think you will need, Ms Taylor? I don't think it matters much to the other parties because the matter is not going to be heard until the 19th, so providing you with an extra week or 10 days isn't going to make much difference.

PN32

MS BHATT: That would be sufficient time, your Honour. Ten days would be fine.

PN33

JUSTICE ROSS: All right. I will adjust that date by 10 days. Is there anything else? No? All right.

PN34

Thank you very much for attending. I will constitute the Bench and issue the directions early next week. Thanks a lot.

ADJOURNED UNTIL THURSDAY, 19 MAY 2016

[1.04 PM]