



TRANSCRIPT OF PROCEEDINGS
Fair Work Act 2009

JUSTICE ROSS, PRESIDENT

AM2014/305

s.156 - 4 yearly review of modern awards

**Four yearly review of modern awards
(AM2014/305)**

Sydney

1.02 PM, TUESDAY, 28 MARCH 2017

PN28634

JUSTICE ROSS: Please be seated. Could I have the appearances in Sydney please? Probably just remain seated otherwise it creates havoc.

PN28635

MR C ACEV: Your Honour, my name is Acev, A-c-e-v, initial C. I am from the Liquor and Hospitality Division of United Voice.

PN28636

JUSTICE ROSS: Thank you.

PN28637

MR BULL: If the Commission pleases, my name is Bull. I appear for United Voice with our counsel in Melbourne, Mr Dowling and Ms Burke.

PN28638

JUSTICE ROSS: Yes, thank you.

PN28639

MS R WALSH: If it pleases, Walsh, initial R. I'm appearing for the Australian Workers Union in regards to the Registered and Licensed Clubs Award.

PN28640

MR P LONERGAN: Lonerger, P. I appear for the Restaurant and Catering Industry Association.

PN28641

JUSTICE ROSS: Mr Lonerger.

PN28642

MR B FERGUSON: If the Commission pleases, Ferguson, initial B, for the Australian Industry Group, appearing on behalf of Hair and Beauty Australia Industry Association, only in relation to the Hair and Beauty Industry Award.

PN28643

JUSTICE ROSS: Yes.

PN28644

MR T McDONALD: If it pleases, McDonald, initial T, solicitor. I appear for the Clubs Australia Industrial.

PN28645

JUSTICE ROSS: Thank you.

PN28646

MS S WELLARD: If it pleases, Wellard, initial S, for the Australian Hotels Association and the Accommodation Association of Australia.

PN28647

JUSTICE ROSS: Thank you.

PN28648

MS L PIKE: Pike, initial L, from Clubs Australia Industrial.

PN28649

JUSTICE ROSS: Thank you.

PN28650

MS P IMBER: Imber, initial P. I appear for the Club Managers Association in relation to the Registered and Licensed Clubs Award.

PN28651

JUSTICE ROSS: Thank you. In Melbourne I think I have Mr Dowling and Ms Burke for United Voice.

PN28652

MR DOWLING: That's correct, Your Honour.

PN28653

JUSTICE ROSS: Is it Mr Fleming for the ACTU?

PN28654

MR FLEMING: Yes, Your Honour.

PN28655

JUSTICE ROSS: Is it Mr Dalton for the RSL Victoria. Is that right?

PN28656

MR DALTON: Yes, Your Honour.

PN28657

JUSTICE ROSS: Are there any other appearances in Melbourne?

PN28658

MR N TINDLEY: Yes, Your Honour. Tindley, initial N, of FCB Group, I seek permission to appear on behalf of - and this is not to be confused with Mr Ferguson, the Hair and Beauty Industry Association.

PN28659

JUSTICE ROSS: Right. Anybody else?

PN28660

MR DOWLING: Your Honour, it's Mr Dowling here. Can I just let you know that we have two screens down here, one of which we can see the Bar table in Sydney and the other one we can see ourselves but we can't see you, Your Honour.

PN28661

JUSTICE ROSS: Did you pay extra for that, Mr Dowling or is that just how it's worked out? Well I'm not sure - we'll try and fix that. I can see you if that's any consolation.

PN28662

MR DOWLING: Thank you.

PN28663

JUSTICE ROSS: Are there any other appearances in Melbourne? No. I have read the material that's come in and I think the easiest way of dealing with this matter might be to go through the three issues that are before us, and if I can clarify my understanding of where each of those matters are up to, and you'll have an opportunity to add anything you wish to add when we get to those points.

PN28664

As the notice of listing mentions, it's to deal with the matters identified in paragraphs 246, 250 and 262 of the 23 February 2017 penalty rates decision. The first of those issues is in respect of the Clubs Award. As you know, in the penalty rates decision the Full Bench concluded that CAI had not established a merit case sufficient to warrant the variation of the Clubs Award. At paragraph 244 of the decision, the Full Bench identified two options in respect of the future conduct of the review of that award.

PN28665

Option 1 involved the revocation of the Clubs Award and the extension of the coverage of the Hospitality Award. Option 2 provided a further opportunity to advance a properly based merit case. The Bench expressed the provisional view that option 1 had merit and warranted further consideration. An opportunity was provided to interested parties to express a view about the future conduct of that matter.

PN28666

As I understand it, option 1, that is the revocation of the Clubs Award and varying the coverage of the Hospitality Award is opposed by United Voice, the Club Managers Association, RSL Victoria and the hospitality employers AHA and the AAA. CAI is requesting a conciliation conference to work through some of these issues, and that course is not opposed by RSL Victoria.

PN28667

I should say, Mr Dowling, I haven't overlooked your submission that not only shouldn't there be a revocation of the Clubs Award but if I can use the vernacular, they've had their opportunity and that's it, so they shouldn't get option 2 either. Where we seem to be at the moment is that CAI hasn't really crystallised what it wants to do in terms of options, whether it wants to proceed at all with option 2 or whether it favours option 1. It's seeking a conciliation conference before a member of the Bench. Is there any opposition to that course to have a conference in respect of that matter and see where it goes, Mr Dowling?

PN28668

MR DOWLING: Well, Your Honour, we're a little concerned as to what that conciliation might address.

PN28669

JUSTICE ROSS: I don't know.

PN28670

MR DOWLING: Clubs Australia don't express a view as to option 2, whether they propose to take it up or don't take it up. That might guide the conciliation about that view.

PN28671

JUSTICE ROSS: Sure. I rather got the impression from their correspondence, unless their position has changed that they might not have worked out their view yet. They might want to discuss a range of options in a conference and see where that matter goes. Your participation in a conference would not, I should make clear, prejudice what I see as your primary position if you like. That is, that they shouldn't have another go at any of it. So if that's the concern, I can address that. It's really just I think they want a discussion amongst the parties.

PN28672

MR DOWLING: Yes, well that is a primary concern of ours, Your Honour.

PN28673

JUSTICE ROSS: Yes.

PN28674

MR DOWLING: And we would reserve our rights in that respect.

PN28675

JUSTICE ROSS: Of course.

PN28676

MR DOWLING: But we hear what you've said about that, yes. Otherwise we can only say that we think it might be a more useful process if there was some indication as to - - -

PN28677

JUSTICE ROSS: Indeed. Are you in a position to give any indication about that now?

PN28678

MR McDONALD: Your Honour, we'd prefer not to be drawn on that at this stage if the conciliation is going to occur. We see both options as being on the table. Both options raise significant issues and we'd like to canvass those and I suppose we'd be guided by our future position as to how those discussions proceed.

PN28679

JUSTICE ROSS: Right. I think - I mean Mr Dowling makes a good point though that the discussions are likely to be a bit more productive if your position's able to be clarified. So I think you should at least go to the first conference with a pretty clear idea about where your organisation wants to go.

PN28680

MR McDONALD: Most certainly, Your Honour. Yes.

PN28681

JUSTICE ROSS: If there is the opportunity to do it then to foreshadow that with correspondence to the other interested parties, so that they can have some idea and it might be a more productive conference.

PN28682

MR McDONALD: Yes.

PN28683

JUSTICE ROSS: If there's no opposition to the course, I propose to - yes?

PN28684

MR ACEV: If I may, I'd like to formally table my organisation's provisional objection to the conciliation, that we oppose - - -

PN28685

JUSTICE ROSS: What's your organisation again?

PN28686

MR ACEV: I'm from the Liquor and Hospitality Division of United Voice.

PN28687

JUSTICE ROSS: Well, you've just heard United Voice counsel - - -

PN28688

MR BULL: It's a sub-branch so - - -

PN28689

MR AVEC: It's a sub-branch, so we are - - -

PN28690

JUSTICE ROSS: Well, why are you opposed?

PN28691

MR AVEC: On the basis of - for the very reason I think was raised before, that there has been a throw of the dice and the decision has been made.

PN28692

JUSTICE ROSS: Sure, but it's not prejudicing your position to run that argument in the event that the matter proceeds.

PN28693

MR AVEC: We accept that qualification, Your Honour, but we table that opposition if we may.

PN28694

JUSTICE ROSS: Well, yes. Your position is different to Mr Dowling's then.

PN28695

MR AVEC: I speak on behalf of the division, yes.

PN28696

JUSTICE ROSS: Who speaks on behalf of United Voice these days?

PN28697

MR BULL: Well, we do. Mr Dowling does as our advocate. I don't think - - -

PN28698

JUSTICE ROSS: United Voice is the party in the proceeding, not the division.

PN28699

MR BULL: Not the division but there is a separate New South Wales Liquor and Hospitality Division which has chosen to appear this afternoon and - - -

PN28700

JUSTICE ROSS: Sure. Look, I'll talk to - - -

PN28701

MR BULL: Their position is not materially different to the position of United Voice. We will accept obviously your decision but we are opposed to conciliation because we believe that as Mr Acev says, the dice has been thrown, nothing more should happen.

PN28702

JUSTICE ROSS: No, look, if - sure, but I think there are two issues here though. If you're opposed to conciliation we won't have it. It would just be a waste of time. If you're prepared to attend a conference and reserving your rights and your position that they should not be given a further opportunity, then we will go ahead with it and you can hear what they say.

PN28703

MR BULL: Well, we're not frankly prepared to attend a conciliation for a number of reasons. We don't know what we're conciliating and we have a principal objection to a further - - -

PN28704

JUSTICE ROSS: Do you want a short adjournment have a discussion with Mr Dowling and you can sort out - - -

PN28705

MR BULL: Yes, I think that might be useful.

PN28706

JUSTICE ROSS: I'd rather hear one voice from United Voice rather than three, and if you're not prepared to then just tell me. I don't - - -

PN28707

MR BULL: I think it would be useful because I've been told some things - - -

PN28708

JUSTICE ROSS: No, no, that's fine. I understand the position you're in, that's fine. We'll come to that. Let's deal with the other issues because they're perhaps more straight forward than that one and then - - -

PN28709

MR BULL: Are these other issues that don't involve us?

PN28710

JUSTICE ROSS: No, they do involve you.

PN28711

MR BULL: We won't - - -

PN28712

JUSTICE ROSS: Yes. The second issue involves the Restaurants Award and we indicated that RCI had not established a merit case sufficient to warrant varying the Sunday penalty rates in that award, and there was a proposition that RCI be given a further opportunity to deal with the issue. RCI was directed at paragraph 2050 to provide an indication as to whether it wishes to press its claim. RCI has confirmed its intention to press its claim, noting the observation that we've made that that may not be a risk free exercise, if I can put it that way, for your organisation. Because if you put it on the table, you're putting all of the rates on the table, including those that have already been varied in the earlier restaurant proceedings in the transitional review.

PN28713

As long as you fully understand that you might come out of that with a very different result to the one you're seeking, the Commission is not bound by your claim. I just want to be very clear that you understand where that's going. I thought it was clear in the decision but just in case you think it was a subliminal message that might not have got through, let me reiterate it.

PN28714

United Voice submits that the Full Bench should not invite or permit RCI to re-litigate as what is described as their failed claim for variation to penalty rates. What I propose to do in relation to this issue is constitute a Full Bench to deal with RCI's proposition that it be given a further opportunity and wants to run its case. That decision to constitute a Full Bench does not involve any rejection implicit or otherwise of the position put by United Voice. It's just that United Voice's submission will have to be dealt with as a preliminary matter by somebody, and it's appropriate that it be dealt with by the Full Bench constituted to hear whatever RCI wants to put.

PN28715

That's how I would propose to deal with that matter. The presiding member of that Full Bench would convene a mention, seek the views of the parties about directions. In the meantime I would encourage RCI and United Voice to have discussions about those directions, which would involve the determination probably as a threshold issue but it's a matter for the Full Bench, of United Voice's point about you not being a further opportunity to re-litigate the matter. Is there anything RCI wants to say?

PN28716

MR LONERGAN: Well, other than sort of pointing to the judgment where the judgment itself indicated quite clearly that the opportunity was going to be afforded under section 156.

PN28717

JUSTICE ROSS: Sure, yes. But RCI has taken a different view. There was no -
- -

PN28718

MR LONERGAN: Sorry, United Voice.

PN28719

JUSTICE ROSS: Sorry, United Voice has taken a different view, and I suppose it is a review process. It's really a question of well how many goes do you get.

PN28720

MR LONERGAN: Sure.

PN28721

JUSTICE ROSS: United Voice could advance the proposition that they weren't given an opportunity to comment on that proposal, whereas the Clubs one is a provision view and if they want to re-agitate that point that will be a matter for them and you can address it then, and the Full Bench can decide the question.

PN28722

MR LONERGAN: If I understand what your Honour is saying, United Voice, there will be a review of their application to estop our claim for review.

PN28723

JUSTICE ROSS: I don't know they're running on an estoppel point, but - - -

PN28724

MR LONERGAN: But of like, yes.

PN28725

JUSTICE ROSS: But my understanding of their submission - and Mr Dowling can correct me if this is wrong - is that they're taking the threshold point, that you ought not be given an opportunity to re-litigate the matter. And that issue will obviously have to be decided at the commencement, or before you get underway, type of thing. So it's how do you determine that question? Well, I will constitute a Bench and the Bench will have a - and then you will be heard on it, et cetera. All right?

PN28726

MR LONERGAN: If the court pleases.

PN28727

JUSTICE ROSS: Anything from you, Mr Dowling?

PN28728

MR DOWLING: No, your Honour.

PN28729

JUSTICE ROSS: All right. The last issue is for Hair and Beauty Award. I might get some clarification of your role in this, Mr Tindley, but you will recall the is the expression of view at 2058, 2059 that the existing weekend penalty rates in

this award appear to raise issues about the level of Sunday penalty rates and the penalty rates applicable to casual employees. The Bench observed at 2061 that:

PN28730

There are significant practical impediments in the Commission acting on its own motion to obtain relevant lay evidence, and that a proponent for change and a contradictor would be a useful means for ensuring that all of the relevant considerations were appropriately canvassed.

PN28731

And in correspondence dated 22 March 2017 Ai Group indicated their preparedness to take on the proponent role in a review of penalty rates within the Hair and Beauty Industry Award. So I think that's where we're up to. Who would be the contradictor? I had assumed the SDA.

PN28732

MR FERGUSON: It's the AWU as well. Sorry, your Honour.

PN28733

JUSTICE ROSS: Yes, okay.

PN28734

MR FERGUSON: But I'm not sure they're appearing today in these proceedings.

PN28735

JUSTICE ROSS: No, it probably doesn't matter to this extent because my question is really: what are you proposing in relation to the future conduct of this matter; and what is Mr Tindley's role in all this?

PN28736

MR FERGUSON: We've not spoken to Tindley specifically about what - - -

PN28737

JUSTICE ROSS: You might need an adjournment, too, to go and have a chat and work out what you're doing.

PN28738

MR FERGUSON: Yes, that's right. But I will clarify that they are separate associations that are represented. There's another Hair and Beauty Industry Association.

PN28739

MR TINDLEY: Your Honour, if I can - - -

PN28740

JUSTICE ROSS: No, it's all right, Mr Tindley. I think it might be better if I don't get involved in - just as I've got no desire to get involved in United Voice's internal. You can have a discussion with Mr Ferguson and sort out where you're both going - - -

PN28741

MR FERGUSON: To clarify, they are different associations, so there are two very similar - - -

PN28742

JUSTICE ROSS: But are they both going to be running a case, or what?

PN28743

MR FERGUSON: We're going to run a case.

PN28744

JUSTICE ROSS: For both?

PN28745

MR FERGUSON: No, for the Hair and Beauty Australia Industry Association, which is a registered association.

PN28746

JUSTICE ROSS: What are you doing, Mr Tindley?

PN28747

MR TINDLEY: The Hair and Beauty Association has not reached a determination about its part in the process, so my appearance here is to note that that association's interest. And so what I was going to suggest, your Honour, is that Mr Ferguson can propose directions, given he's the proponent, and we will reach a final position in line with those directions.

PN28748

JUSTICE ROSS: Okay. Coincidentally, I was going to suggest the same thing. Mr Ferguson, will you talk to Mr Tindley and sort out what you're both doing; put forward draft directions, have a discussion with the SDA and the AWU about those draft directions. You don't necessarily need to reach an agreement, but I would rather you sort it out between yourself if you can; then you would file them, and we will publish them as draft directions, and parties will be invited to comment at that point as well; and then a Bench will determine the directions and future conduct of the matter. Okay?

PN28749

MR FERGUSON: Yes.

PN28750

JUSTICE ROSS: Probably when you're thinking about directions, you might think about the scope of the case, number of witnesses, some indication of that. That's why it would be useful, then, to have a discussion with the relevant unions.

PN28751

MR FERGUSON: I appreciate that.

PN28752

JUSTICE ROSS: Okay. Are you content with that course?

PN28753

MR FERGUSON: Yes, your Honour.

PN28754

JUSTICE ROSS: Everyone content with that course?

PN28755

MR McDONALD: Yes, your Honour.

PN28756

MS WALSH: Yes, your Honour. I did want to briefly state our interest for the Clubs Award, if now would be the appropriate time.

PN28757

JUSTICE ROSS: No, that's fine. I understood that when you - and that's the greenkeepers and the like, that the AWU has coverage over?

PN28758

MS WALSH: Yes. We do have broad coverage in Queensland - - -

PN28759

JUSTICE ROSS: Yes, of course you do.

PN28760

MS WALSH: - - - and national coverage of maintenance and horticulture employees.

PN28761

JUSTICE ROSS: Yes.

PN28762

MS WALSH: So to the extent that either of those options will affect those employees, it would be incredibly important to us to hear from CAI prior to the conciliation conference, if that does go ahead.

PN28763

JUSTICE ROSS: We're still finding out if we're going ahead with that.

PN28764

MS WALSH: And of course we will follow, I think, what United Voice say about the (indistinct) itself.

PN28765

JUSTICE ROSS: Perhaps - I've got a couple of other matters to deal with, but once I've dealt with those, I will adjourn, and then if you remain in place, we will just wait until United Voice gets back. You might want to have a chat with them as well. It will be useful to get some unified view from the unions involved in the club support. There are only two other matters I wanted to raise. Are you still there, Mr Dowling?

PN28766

MR DOWLING: Yes, your Honour.

PN28767

JUSTICE ROSS: This is really a SDA issue, but I will put it on the record. I don't think it's controversial, if it is - I will have my associate forward it to the SDA in any event. You might recall there were a couple of proposed variations to the Fast Food Award. These are dealt with at paragraphs 2034 to 2038 of the penalty rates decision. At paragraph 58 of its submissions Ai Group supports the provisional view expressed at 2036 of the penalty rate decision; that's the compounding issue, I think. And the SDA is not opposed to that variation; it notes that at paragraph 29 of its submissions.

PN28768

The second variation, the one that seeks to remove some words, that's the provisional view expressed at 2037, is supported by the Ai Group but opposed by the SDA. What we would propose to do is publish a draft determination in respect of the variation that's supported by both parties; and in relation to the other matter, we're going to leave that, and if a party wants to raise it, they can raise it during the award review - the award stage of the review.

PN28769

So the second provisional view will go to the award stage; the first one, which is not opposed by either party, we will publish a draft determination. Okay? Is there anything you want to say about that, Ms Ferguson?

PN28770

MR FERGUSON: I only appear in these proceedings to the extent of the Hair and Beauty Industry issues arises. Ai Group Workplace Lawyers has been working for Ai Group in relation to that matter.

PN28771

JUSTICE ROSS: Yes. In any event, we will publish the draft determination. You can send them the transcript, too, and if anyone is agitated by any of that, they can just let my Chambers know.

PN28772

MR FERGUSON: Thank you. That would assist.

PN28773

JUSTICE ROSS: The second issue is the proposed change in terminology. I don't think the hospitality - well, the hospitality employers seem to be wanting to still press this. I'm not sure what the position is of the Pharmacy Guild. It was opposed by a number of other employer organisations in the substantive proceedings.

PN28774

I think we had said in the decision a statement would be published and directions, but I think the - on reflection, before we do that, it would be useful if the hospitality employers and the Pharmacy Guild for that matter, were to file just correspondence indicating how do they propose this issue is going to be determined; what's their suggestion for the resolution of it?

PN28775

It would seem to be a matter that logically, if you do it for some awards, it is likely to apply, then, across the award system, so it's a matter about which a broad range of parties will have an interest. It also seems to be a matter that could lend itself to being determined on the papers, unless an oral hearing was sought specifically by any party.

PN28776

So I would ask the hospitality employers to, in their correspondence, submit draft directions; to discuss those directions, certainly with the interested parties in these proceedings - principal interested parties, so I think we can just go with the SDA, United Voice, probably the ACTU for the moment as well - and the relevant employer interests, and see what they all say; I think that will facilitate directions in relation to the matter, because I had understood you still wanted to press it.

PN28777

I don't know the position of the Pharmacy Guild, but let's find out a bit more about it. Rather than have me launch off with a statement, I think I would rather give you the opportunity to have some discussions, see if you can reach an agreed position about how you deal with it. Are you happy with that?

PN28778

MS WELLARD: Yes, your Honour.

PN28779

JUSTICE ROSS: Okay. Anyone else want to say anything about that? No. Mr Fleming, I haven't gone to you. Is there anything you wanted to say in relation to any of these matters?

PN28780

MR FLEMING: No, your Honour.

PN28781

JUSTICE ROSS: Okay. I will stand the matter down for 10 minutes until we can see where the clubs matter goes. If we don't have a conciliation conference and - these things are facilitative. If parties don't want to turn up, there's not much point in us wasting the energy on it - then it will really be a matter for your organisation to clarify its position, and then it can be brought back on at that point. But let's stand down for at least 10 minutes - - -

PN28782

MR DOWLING: Your Honour - my apologies, your Honour. I've taken instructions whilst you've been dealing with the other matters - - -

PN28783

JUSTICE ROSS: Yes, sure. Okay, let's deal with it now.

PN28784

MR DOWLING: - - - so I can avoid the need for that, if it assists.

PN28785

JUSTICE ROSS: Yes.

PN28786

MR DOWLING: The position of United Voice is - the united position of United Voice is that they will hold discussions with each of the relevant employer organisations involved and interested in the Clubs Award in the next coming days to determine what it is they propose to be conciliated; and then before the end of this week, what we propose is that those employer parties will advise what they propose to conciliate, and United Voice will advise whether it is willing to participate.

PN28787

JUSTICE ROSS: All right.

PN28788

MR DOWLING: If that's suitable, your Honour.

PN28789

JUSTICE ROSS: Yes. No, that's fine. Do you have any questions about that?

PN28790

MR FERGUSON: No, your Honour.

PN28791

JUSTICE ROSS: No? All right, that's because we will adopt, Mr Dowling. I can leave it to United Voice and Clubs Australia to jointly advise my Chambers as to whether or not - I don't need to be flooded with correspondence from each side, it will be simply if it's consented to or not opposed to have a conciliation conference at the end of your discussions, then just let my Chambers know and we will get a member. All right?

PN28792

MR DOWLING: Thank you, your Honour. Can I mention one other matter very briefly whilst I'm on my feet, and I should have done so when you were dealing with restaurants. It doesn't strictly fall into the category of things to be dealt with today, but just to bring it to your attention: there was a draft determination published in respect of the Restaurant Industry Award for the implementation of the change in public holiday rates, and submissions were called upon. That's dealt with in the reasons at 2023 to 2025.

PN28793

We dealt with the implementation of that in our submissions, but what we didn't deal with is this draft determination that proposes an implementation date of 27 March 2017, which on our reading, we think was an error.

PN28794

JUSTICE ROSS: Yes. No, I think that's right. I think there's likely to be a conference between Hampton C about all of the public holiday draft determinations because some of them are not without a degree of complexity, so that will take place. We won't be making any of those determinations until that conference; and as you pointed out, both United Voice and the SDA and some others oppose the 1 July implementation date and wish to be heard about that.

PN28795

MR DOWLING: Thank you, your Honour.

PN28796

JUSTICE ROSS: Yes. In any event, there's no particular rush from our end. We will hear you and make a decision about it, and then publish the order subsequently. But it would be useful to have a conference to deal with just the - reserving your position about operative date and phasing and any of those issues, but the translation of the decision to reduce from 250 225 for full timers, retain it at 250 for casuals is not straightforward in some of these awards because some of the awards are not clear about what casuals currently are entitled to.

PN28797

MR DOWLING: Yes, your Honour.

PN28798

JUSTICE ROSS: So that's really the process. But rest assured, Mr Dowling, we won't be issuing any of those determinations without going through a further process. Does that deal with your concern?

PN28799

MR DOWLING: It does, yes. Thank you.

PN28800

JUSTICE ROSS: Anything else?

PN28801

MS WALSH: Your Honour, the AWU will just have to ask to be included in those discussions over the next couple of days with United Voice and the relevant employer parties.

PN28802

JUSTICE ROSS: That's really - I'm not convening a - you will need to talk to them about that. That's a matter for you to sort out between yourselves.

PN28803

MS WALSH: Okay.

PN28804

JUSTICE ROSS: Okay. Nothing further? All right. Thanks for your attendance. I will adjourn.

ADJOURNED INDEFINITELY

[1.31 PM]