Workplace Relations Act 1996

C2001/

IN THE MATTER of The Vehicle Industry Award 2000 as varied, and

IN THE MATTER of The Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union (Applicant) and

Australian Industry Group and others (Respondent)

AND IN THE MATTER of an Application to vary the above Award

Re: Safety Net Review – Minimum Wages

APPLICATION TO VARY

Filed by: Alix Sachinidis

National Office
AFMEPKIU Vehicle Division
3rd Floor
440 Elizabeth Street
MELBOURNE VIC 3000
Tele: (03) 9230 5888
Fax: (03) 9230 5887

asachinidisa/2002/LWC/VIA 5
FORM R6

Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

APPLICATION TO SET ASIDE OR VARY AN AWARD

C2001/565927

IN the matter of: The Vehicle Industry Award, 2000

Application is made by the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union for variation of the abovementioned Award as set out in the attached Schedule ‘A’.


The grounds upon which this application is made are set out in Schedule ‘A’.

DATED 6th November 2001

For and on behalf of the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union

Ian Jones
Federal Secretary
AFMEPKIU – Vehicle Division

TO THE PERSONS & ORGANISATIONS BOUND BY THE ABOVEMENTIONED AWARD

You are hereby notified that the abovementioned application will be heard by

at [a.m./p.m.] on the day of

at

and that you may appear and be heard at the time and place so fixed.

DATED 2001

MEMBER OF COMMISSION
OR REGISTRAR
SCHEDULE ‘A’

THE VEHICLE INDUSTRY AWARD 2000

A. That the above Award be varied in the following respects:

1. By deleting the wage rates specified in paragraph 5.1.1(b)(i) and inserting the following:

<table>
<thead>
<tr>
<th>Classification - Wage Group Level</th>
<th>Proposed Weekly Rate ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level V1</td>
<td>438.40</td>
</tr>
<tr>
<td>Level V2</td>
<td>455.10</td>
</tr>
<tr>
<td>Level V3</td>
<td>477.60</td>
</tr>
<tr>
<td>Level V4</td>
<td>498.50</td>
</tr>
<tr>
<td>Level V5</td>
<td>532.20</td>
</tr>
<tr>
<td>Level V6</td>
<td>553.10</td>
</tr>
<tr>
<td>Level V7</td>
<td>573.90</td>
</tr>
<tr>
<td>Level V8</td>
<td>594.80</td>
</tr>
<tr>
<td>Level D1</td>
<td>506.80</td>
</tr>
<tr>
<td>Level D2</td>
<td>514.30</td>
</tr>
<tr>
<td>Level D3</td>
<td>522.30</td>
</tr>
<tr>
<td>Level D4</td>
<td>531.70</td>
</tr>
</tbody>
</table>

2. By adjusting the rates applicable to junior apprentices and juniors, other than apprentices, to reflect the new minimum weekly award rates specified in sub-clause 5.1.1(b)(i).

3. By adjusting all allowances, special rates and loadings, however expressed in relation to the new minimum weekly rates as prescribed in sub-clause 5.1.1(b)(i).

4. Any other consequential variations and/or increases necessary to give proper effect to the new minimum weekly rates as prescribed in sub-clause 5.1.1(b)(i).

B. Items A. 1, 2, 3, and 4 to have effect from 1 May 2002.

THE GROUNDS upon which the application is made are as follows:

1. To give effect to the objects of the Workplace Relations Act 1996 ["The Act"], Part I, Section 3(a) and 3(d)(ii), by:

   • Encouraging the pursuit of high employment, improved living standards, low inflation and international competitiveness through higher productivity and a flexible and fair labour market [s3(a)]; and
• Ensuring the maintenance of an effective award safety net of fair and enforceable minimum wages and conditions of employment [3(d)(ii)].

2. To give effect to the Objects of Part VI, Workplace Relations Act 1996, provided for in Section 88A, by ensuring that:

• Wages and conditions of employment are protected by a system of enforceable awards established and maintained by the Commission [s88A(a)]; and

• Awards act as a safety net of minimum wages and conditions of employment [s88A(b)]; and

• The Commission’s functions and powers in relation to making and varying awards are performed and exercised in a way that encourages the making of agreements between employers at the workplace or enterprise level [s88A(d)].

3. To give effect to Section 88B(2), Workplace Relations Act 1996, by ensuring that a safety net of fair minimum wages and conditions of employment is established and maintained, having regard to:

• The need to provide fair minimum standards for employees in the context of living standards generally prevailing in the Australian community; and

• Economic factors, including levels of productivity and inflation, and the desirability of attaining a high level of employment, and

• When adjusting the safety net, the needs of the low paid.

4. To give effect to Section 90, Workplace Relations Act 1996, that:

"In the performance of its functions, the Commission shall take into account the public interest, and for that purpose shall have regard to:

(a) the objects of this Act, and, in particular, the objects of this Part; and

(b) the state of the national economy and the likely effects on the national economy of any award or order that the Commission is considering, or is proposing to make, with special reference to the likely effects on the level of employment and on inflation."

5. To provide protection against inflation for low paid workers and to ensure low paid workers share in growth of national prosperity, by raising minimum rates of pay.

6. To provide protection for low paid workers whose living standards have fallen relative to those of other groups in the Australian community since introduction from July 2000 of the goods and services tax package, by raising minimum rates of pay.
7. To maintain skill-based career paths in awards as determined by the Industrial Relations Commission [*Workplace Relations Act 1996 Section 89A(2)(a)*].

8. To provide simple, equitable and enforceable minimum rates of pay.

9. To facilitate equal remuneration for work of equal value and viable flexible work arrangements.