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NEW SOUTH WALES  
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## CONTENTS

Vol. 353, Part 6

16 September 2005

Pages 874 - 977

	Page
Awards and Determinations -	
Awards Made or Varied -	
Chikadee Foods Pty Ltd (Lisarow Site)	(AIRC) 874
Canteen, &c., Workers (State)	(VIRC) 892
Industrial Committees -	
Agricultural Employees (State)	968
Amenity Tree Industry (State)	898
Asphalt Makers (State)	966
Building, Construction and Related Callings (State)	899
Butchers Animal Meat Retail (State)	965
Butchers Wholesale (Country)	963
Butchers, Retail (State)	964
Butchers, Wholesale (Newcastle and Northern)	962
Butter, &c., Factory Employees (Newcastle and Northern)	961
Cement Workers, &c., (State)	958
Cement, &c., Pipe Making (State)	959
Chemical Workers (State)	956
Cleaning Contractors (State)	955
Clerical and Administrative Employees (State)	954
Clerical and Administrative Employees Legal Industry (State)	953
Club Employees (State)	952
Coachmakers, &c., Road (State) and Perambulator Manufacturers Consolidated (State)	951
Cold Storage, &c., Employees (Northumberland)	949
Cold Storage, &c., Employees (State)	950
Cotton Ginning, &c. (State)	948
Crown Employees (Skilled Tradesmen)	946
Fish Wholesale Marketing (State)	944
Furnishing Trades (State)	943
Gangers (State)	941
Glass Workers (State)	940
Government Railways (Building Trades)	939
Government Railways (Permanent Way)	937
Hairdressing and Beauty Treatment (State)	936
Horticultural and Garden Employees (State)	935
Landscape Gardeners, &c. (State)	933
Laundry Employees (State)	932
Margarine Makers (State)	931
Meat Preservers, &c. (State)	930
Metal and Engineering Industry (New South Wales)	929
Metalliferous Miners &c., General (State)	927
Nut Food Makers (State)	897
Oyster Farms &c., (State)	926
Pastoral Employees (State)	925

Pest Control Industry (State)	924
Photographers (State)	923
Potato Crisp Makers (State)	922
Poulterers (State)	921
Public Hospital Nurses' (State)	920
Sawmillers, &c. (State)	919
Smallgoods Manufacturers (State)	918
Soap and Candle Makers (State)	917
Sugar Field Workers (State)	916
Surveyors' Assistants (State)	914
Sydney Harbour Bridge Employees	913
Toymakers' Employees (State)	912
Transport Industry Wholesale Butcher (Country)	911
Enterprise Agreements Approved by the Industrial Relations Commission	969
INDEX FOR VOLUME 353	974
END OF VOLUME 353 OF THE N.S.W. INDUSTRIAL GAZETTE	

(1086)

**SERIAL C3847****CHICKADEE FOODS PTY LTD (LISAROW SITE) AWARD**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Meat Industry Employees' Union, Newcastle and Northern Branch, industrial organisation of employees.

(No. IRC 3081 of 2005)

Before The Honourable Mr Deputy President Harrison

24 June 2005

**AWARD****PART A****1. Arrangement**

Clause No.	Subject Matter
2.	Title
3.	Parties
4.	Parent Award
5.	Objectives
6.	Labour Hire Employees
7.	Apprentice Employees
8.	Australian Workplace Agreements
9.	Rostered Days Off
10.	Time Off in Lieu of Overtime
11.	Public Holidays
12.	State Personal/Carers Leave
13.	Compassionate Leave
14.	Unpaid leave
15.	Sick Leave
16.	Annual Leave
17.	Leave to Attend Union Business
18.	Trade Union Training Leave
19.	Wages
20.	Training
21.	Workplace Change
22.	Redundancy
23.	Superannuation
24.	Salary Sacrifice Superannuation Contributions
25.	Occupational Health and Safety
26.	Union Recognition
27.	Induction of New Employees
28.	Right of Entry
29.	Disciplinary Procedure
30.	Dispute Resolution Procedure
31.	Security
32.	Renegotiation
33.	Area Incidence and Duration

**PART B****Monetary Rates**

Annexure A - Redundancy Agreement  
Annexure B - Drug & Alcohol Policy  
Annexure C - Counselling & Disciplinary - Policy and Procedures

**2. Title**

This award is known as the "Chickadee Foods Pty Limited (Lisarow Site) Award".

**3. Parties**

The parties to this award are:

Chickadee Foods Pty Ltd (ACN 000 508 225) located at Cutrock Road, Lisarow in the state of New South Wales ("the Company"), The Australasian Meat Industry Employees' Union (Newcastle and Northern) Branch, Electrical Trades Union, Australian Manufacturing Workers Union, New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union

**4. Parent Awards**

The parent awards are as follows:

Poultry Industry Preparation (State) Award (334 IG 322), as varied;

Clerical and Administrative Employees (State) Award (296 IG 619), as varied;

Metals and Engineering Industry (NSW) Interim Award (264 IG 536), as varied;

Electricians &c. (State) Consolidated Award (270 IG 950)

Electricians &c. (State Wage Case)(State) Consolidated Award (301 IG 1076).

**5. Objectives**

The objectives of this award are:

to achieve improved performance throughout all functional areas of the company;

to recognise the contributions of all employees to improvements in productivity and efficiency;

to provide flexible working conditions in relation to sick leave, overtime and public holidays;

to adopt a participatory approach to implementing increased and sustained productivity improvements across all functional areas of the company.

**6. Labour Hire Employees**

- 6.1 The company may use labour that is employed by another commercial entity which contracts with the company to provide labour ("labour hire"); provided that the company consults with the union prior to appointing labour hire providers.
- 6.2 Subject to satisfactory performance, employees of labour hire companies may be engaged up to a maximum of twenty-four weeks' (24) before being transferred to the Company's employment. This does not apply to members of the casual pool.

6.3 Labour hire providers will be contractually bound to apply the wages provided by this award.

6.4 The Company will attempt to utilise its own casual employees before engaging labour hire employees.

### **7. Apprentice Employees**

The Company is committed to engaging apprentice employees where it deems it is applicable and appropriate.

### **8. Australian Workplace Agreements**

The Company will not engage employees on Australian Workplace Agreements whose employment is regulated by this award.

### **9. Rostered Days Off**

9.1 Subject to clause 9.3, Rostered Days Off ("RDO's") must be taken within one (1) month of the RDO falling due at a time agreed between the Company and the Employee.

9.2 The taking of RDO's will be determined within each department. Where agreement cannot be reached on the taking of the RDO's a grievance should be raised in accordance with Clause 30, Disputes Resolution Procedure.

9.3 At the company's discretion RDOs may be banked during periods of peak production or high production demands only. Banked RDOs may be taken at a time by agreement between the Company and the employee. In accordance with clause 9.2, an employee may not have more than four (4) RDO's banked at any one time.

### **10. Time Off in Lieu of Overtime**

Where an employee performs duty on overtime the employee may, at his/her request and with the agreement of the company subsequently be released from duty in ordinary hours, subject to the following conditions:

- (a) The company will not make the request
- (b) The agreement will be in writing and be kept with the time and wages records.
- (c) Where an employee takes time off in lieu of overtime, it will be paid for at the rate of time and one-half.
- (d) Payment for time off in lieu of overtime may be made by the company in the pay period during which the time off is taken.
- (e) An employee may not accumulate more than seventy-six (76) hours of equivalent time off, which will be taken within four (4) weeks of its accrual. Where such time off is not taken, the period(s) of overtime will be paid for in the next relevant pay period at the appropriate overtime rate.

### **11. Public Holidays**

11.1 The parties are committed to flexibility in the taking of public holidays designated by the applicable parent award.

11.2 All full time employees will receive the number of public holidays prescribed by the parent award without loss of pay per year. Part-time employees will receive a proportionate number of days depending on their rostered hours.

11.3 The company may reschedule any public holiday to another day, provided that employees are given a paid day off in lieu and the following procedure is followed:

1. The company will notify the union and employees eight (8) weeks prior to a public holiday it wishes to reschedule.
  2. If 65 per cent of employees in the work unit(s) affected agree to the re-scheduling, the employer may call for volunteers to work on the day of the public holiday.
  3. The Company will not pressure employees to work on the public holiday.
- 11.4 Employees working on a public holiday under subclause 11.3 are to be paid at ordinary rates for the day. Other employees directed to work on the public holiday will not receive a paid day off in lieu, but are to be paid public holiday rates as provided for in the parent award.

## **12. State Personal/Carers Leave**

### 12.1 Use of Sick Leave -

1. An employee, other than a casual employee, with responsibilities in relation to a class of person set out in subclause 12.1.3(ii) who needs the employee's care and support, shall be entitled to use, in accordance with this subclause, any current or accrued sick leave entitlement provided for by the parent award, for absences to provide care and support for such persons when they are ill. Such leave may be taken for part of a single day.
2. The employee shall, if required, establish either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person. In normal circumstances, an employee must not take carer's leave under this subclause where another person has taken leave to care for the same person.
3. The entitlement to use sick leave in accordance with this subclause is subject to:
  - (i) the employee being responsible for the care of the person concerned; and
  - (ii) the person concerned being:
    - (a) a spouse of the employee; or
    - (b) a de facto spouse who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide basis although not legally married to that person; or
    - (c) a child or adult child (including an adopted child, stepchild, a foster child or an ex-nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse or de facto spouse of the employee; or
    - (d) a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
    - (e) a relative of the employee who is a member of the same household where, for the purposes of this subparagraph:
      - (1) "relative" means - a person related by blood, marriage or affinity;
      - (2) "affinity" means - a relationship that one spouse, because of marriage, has to blood relatives of the other; and
      - (3) "household" means - a family group living in the same domestic dwelling.

4. An employee shall, wherever practicable, give the company notice, prior to the absence of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the employee to give prior notice of absence, the employee shall notify the company by telephone of such absence at the first opportunity on the day of absence.
- 12.2 Unpaid leave for Family Purposes - An employee may elect, with the consent of the company, to take unpaid leave for the purpose of providing care and support to a member of a class of persons set out in subclause 12.1.3(ii), who is ill.
- 12.3 Annual leave -
1. An employee may elect, with the consent of the company and subject to the *Annual Holidays Act* 1944, to take annual leave not exceeding five days in single day periods, or part thereof, in any calendar year at a time or times agreed.
  2. Access to annual leave, as prescribed in subclause 12.3.1, shall be exclusive of any shutdown period provided for elsewhere under this award.
  3. An employee and the company may agree to defer payment of the annual leave loading in respect of single-day absences until at least five consecutive annual leave days are taken.
- 12.4 Time off in Lieu of Payment for Overtime -
1. For the purposes only of providing care and support for a person in accordance with subclause 12.1 and despite the provisions of Clause 10, Time Off in Lieu of Overtime, the following provisions will apply:
  2. An employee may elect, with the consent of the company, to take time off in lieu of payment for overtime at a time or times agreed with the company within 12 months of the said election.
  3. Overtime taken as time off during ordinary-time hours shall be taken at the ordinary-time rate, that is, an hour for each hour worked.
  4. If, having elected to take time as leave in accordance with paragraph 12.4.2 of this subclause, the leave is not taken for whatever reason, payment for time accrued at overtime rates shall be made at the expiry of the 12-month period or on termination.
  5. Where no election is made in accordance with the said paragraph 12.4.2, the employee will be paid overtime rates in accordance with the award.
- 12.5 Make Up Time -
1. An employee may elect, with the consent of the company, to work "make-up time", under which the employee takes time off ordinary hours and works those hours at a later time during the spread of ordinary hours provided in the award, at the ordinary rate of pay.
  2. An employee on shift work may elect, with the consent of the company, to work "make-up time" (under which the employee takes time off ordinary hours and works those hours at a later time), at the shift work rate which would have been applicable to the hours taken off.
- 12.6 Rostered Days Off -
1. An employee may elect, with the consent of the company, to take rostered days off (RDO's) at any time other than periods of peak production and subject to the requirements set out in Clause 9.
  2. An employee may elect, with the consent of the company, to take RDO's in part-day amounts.



3. An employee may elect to draw from the bank of the RDO's in accordance with Clause 9 to take at a time mutually agreed between the company and the employee, or subject to reasonable notice by the employee or the company.

### **13. Compassionate Leave**

- 13.1 An employee, other than a casual employee, will be entitled to take compassionate leave on each occasion and on the production of satisfactory evidence of the death of near relatives.
- 13.2 For the purposes of this clause, "near relatives" include but are not limited to husband and wife (including de facto and same sex partner), father, mother, stepfather, stepmother, child, step child, brother, sister, parent-in-law, brother/sister-in-law, grandparents and grandchildren. Each situation will be assessed on its merits and the relationship of the employee to the deceased will be the principal consideration in determining the amount of leave granted which will vary from 1 to 5 days.
- 13.3 An employee will not be entitled to compassionate leave if the leave coincides with any other type of paid leave.

### **14. Unpaid Leave**

- 14.1 Full time employees may apply for unpaid leave for specified periods only for the purpose of coping with a personal or family matter provided that they may not seek or be engaged in employment during an unpaid leave period.
- 14.2 The Company will require evidence of the reason for the leave prior to the leave being granted.
- 14.3 A period of unpaid leave in accordance with subclause 14.1 which is in excess of four (4) weeks will not be regarded as service for the purpose of computing sick leave, annual leave or long service leave. Such periods of unpaid leave will not constitute a break in the employees continuity of service
- 14.4 Extended periods of unpaid leave will be subject to review by the company.

### **15. Sick Leave**

- 15.1 Employees are required to notify the company of their absence due to sickness prior to the commencement of rostered work, unless it is impractical to do so.
- 15.2 Employees will be required to provide medical certificates:
  - (a) to the company on the day before and after a public holiday; or
  - (b) when sick leave is taken on two (2) consecutive days.

A medical certificate may be required for any absence if the employee is counselled under the company's disciplinary policy and procedure.

- 15.3 Sick leave may accumulate from year to year to a maximum of thirty (30) day's sick leave.
- 15.4 The parties recognise additional sick leave provisions contained within an exchange of letters dated 21 June 1995 and the updated version of 20 December 2001.

### **16. Annual Leave**

- 16.1 Annual leave entitlements will apply in accordance with the applicable provisions of the parent award and the *Annual Holidays Act 1944* (as amended) with the following additional provisions -
  - (a) Annual leave may be taken in blocks of five or more days;

- (b) On reasonable grounds (including as provided in Clause 12.3) and by agreement with the company, annual leave may be taken as single days;
  - (c) Annual leave must be taken within one and a half years of its accrual.
- 16.2 Employees who have accrued 6 weeks will be required to take the annual leave by the giving of one month's notice. (i.e. Annual leave accruals must not exceed 6 weeks).

### **17. Leave to Attend Union Business**

- 17.1 Leave of absence from work to attend any union business will be allowed by the company to any employee who is a member of the union, provided fair and reasonable notice is given to the company.
- 17.2 Provided that such leave will be restricted to one employee at a time, who will be paid for the time he or she is absent from work.

### **18. Trade Union Training Leave**

Employees will be entitled to paid trade union training leave in accordance with the provisions of this clause:

- 18.1 Leave is to be confined to workplace union delegates who have held such or similar positions for a period of not less than three months including broken periods of employment.
- 18.2 Leave is to be confined to five (5) days per year for each employee and is not to be cumulative.
- 18.3 The courses for which leave is granted are those which are conducted by the union (or its agent) and approved by the union and the company as being relevant to the industry.
- 18.4 The leave will be paid for in accordance with Clause 20, Wages, for the relevant skill level.
- 18.5 Applications for leave must be made to the company three (3) weeks before the course commences.
- 18.6 The granting of leave is subject to the company being able to make proper staffing arrangements for the relevant period.
- 18.7 The union will nominate no more than five (5) delegates to take leave at the same time.
- 18.8 Leave may only be granted where the courses to be attended are such as to improve the employee's knowledge of industrial relations or related issues.

### **19. Wages**

- 19.1 The weekly wages for work in each skill or classification level are those set out in Table 1 - Wages, of Part B, Monetary Rates. Wage increases will take effect from the first full pay period in January 2004, and January 2005.
- 19.2 The wages contained in this award are wages negotiated at the enterprise level and are above rates of pay provided by the relevant parent award. However, if the rates of pay contained in the relevant parent award exceed the rates of pay in this award, this award will be varied to reflect the rates of pay in the parent award.

### **20. Training**

- 20.1 Commitment to Training

The Company is committed to enhancing the skills and capacity of its workforce through the provision of training. The principal objectives of training are to improve efficiency and productivity and to provide employees with opportunities for career development and increased job satisfaction.

## 20.2 Employees covered by the Poultry Industry Preparation (State) Award

Within one year of the making of the Award, the Company, in consultation with the relevant union, will consider a skills based classification structure, which rewards employees for skills required as they move through the levels in the classification structure.

The skills based classification structure will be based upon the acquisition and use of skills required by the Company. An employee's rate of pay will recognise the skills required to be applied on the job

## 20.3 Maintenance Tradesperson Competency based structure

In implementing the classification system for maintenance tradespersons, the parties will have reference to the National Metal and Engineering Competency Standards Implementation Guide distributed by the Manufacturing, Engineering and Related Services Industry Training Advisory Body and referred to in the Metal Engineering & Associated Industries Award 1998.

## **21. Workplace Change**

In order to meet the demands of the competitive nature of the industry, the company will continue to examine the performance of its business functions.

If the company is considering changes in the workplace, it is committed to having discussions with the relevant unions and employees concerned prior to any changes being implemented.

Prior to making a definite decision to make changes in the workplace, the company will consider any alternatives including training to improve performance in particular areas.

## **22. Redundancy**

In the event of a position being made redundant, the parties agree to observe the Redundancy Agreement contained in Annexure A of this award.

## **23. Superannuation**

23.1 The company will make contributions to complying superannuation funds in accordance with the applicable legislation.

23.2 Company contributions will be made to any of the following complying funds (MLC, MIESF, NRMA, St George, AMP and GIO) provided that no employee may have contributions made to more than one fund.

## **24. Salary Sacrifice Superannuation Contributions**

### 24.1 Objective

The objective of this clause is to enable employees to make pre-tax contributions to complying superannuation funds through a salary sacrifice arrangement

### 24.2 Superannuation Guarantee Charge

The company will continue to make employer contributions to nominated complying superannuation funds in accordance with relevant superannuation guarantee legislation (employer contributions).

### 24.3 Salary Sacrifice Provisions

1. An employee may request that the company make additional contributions to the superannuation fund to which, at the date this award is made, employer contributions are being made on his or her behalf. These contributions are distinct from and in addition to employer contributions as

defined at Clause 24.2. For the purposes of this clause, these additional contributions will be known as "Salary Sacrifice Contributions", and are treated as additional employer contributions under superannuation legislation.

2. All arrangements for Salary Sacrifice Contributions are subject to the company's approval.
3. On each occasion on which the company makes a Salary Sacrifice Contribution, that employee's gross earnings shall be reduced by an amount equal to the salary sacrifice contribution. For the purpose of this subclause "occasion" means the calculation and processing of the payroll in accordance with the applicable pay period.
4. No employee may have Salary Sacrifice Contributions at a level in excess of 50% of their pre-Salary Sacrifice Contribution gross weekly all purpose rate of pay.
5. Employees may arrange to have Salary Sacrifice Contributions made at a set weekly dollar amount.
6. Other than in pressing personal circumstances, an employee may not vary their Salary Sacrifice Contributions more than once per annum.

#### 24.4 Record of Salary Sacrifice Contribution Arrangements

Where an employee elects to enter into a Salary Sacrifice Contribution arrangement, the details of the arrangement will be produced in writing and calculated in accordance with the appropriate form.

#### 24.5 Changes to Applicable Law

In the event that the law governing taxation and superannuation changes in such a way as to render the Objectives of this clause unattainable or ineffective or, in the opinion of the company, inappropriate, the company and the union will review this provision and amend if appropriate.

#### 24.6 Resolution of Disputes and Grievances

Where an employee wishes to raise a grievance in relation to this clause in its operation, he or she shall contact the company's human resource office.

Any grievance that cannot be resolved at the local level shall be resolved in accordance with Clause 30, Disputes Resolution Procedure.

### **25. Occupational Health and Safety**

- 25.1 The company recognises safety as an integral part of the organisation's business aims and is committed to providing a safe and healthy workplace for all employees and others on site.
- 25.2 The parties agree to adhere to the Company Drug and Alcohol Policy as contained in Annexure B.
- 25.3 The parties are committed to working towards a drug free workplace and in doing so agree to work with the Occupational Health and Safety Committee in developing and implementing strategies to achieve a drug free work environment.

### **26. Union Recognition**

- 26.1 The company recognises the unions outlined in Clause 3, Parties, as being the unions that will have exclusive representation of employees in the skills or classification levels covered by this award.
- 26.2 All employees will be given an application form to join the union at the point of recruitment.

- 26.3 The company will deduct from the wages of each employee who has authorised its membership fees at the amount from time to time decided by the Committee of Management of the union. The company will forward these deductions to the Secretary of the Union.

### **27. Induction of New Employees**

- 27.1 The company will implement an induction program for all new employees, which will include training on occupational health and safety, workers' compensation and union membership.
- 27.2 The union delegate will be given paid time off to speak to all new employees inducted during the induction process.
- 27.3 The new employees will be paid for attendance, whether during working hours or not.
- 27.4 A suitable training room and facilities will be provided for the purpose of the meeting between new employees and the delegates.
- 27.5 The company will notify the union office seven (7) days in advance of the meeting taking place and invite an official of the union to attend.

### **28. Right of Entry**

The Company accepts and respects the legitimate role of union organisers to represent the interests of members on site.

The company expects union organisers to play a constructive role on site and to assist the company in the detection and correction of issues before they become problems that could affect the business. In the same spirit, the company will work closely with union organisers ensuring that, where possible, employee and business needs are balanced.

Delegates will advise the main gate and the company of any visits planned by organisers, and organisers will comply with all safety and sign-in requirements when visiting the premises.

### **29. Disciplinary Policy**

The disciplinary policy is designed to assist the company in working with employees to resolve circumstances, which inhibit the ability of the company and employees to achieve their goals and objectives. The primary objective of the policy is to improve and maintain workplace and team relationships and assist the employee in reaching an expected standard of performance or conduct.

The parties agree that, subject to the circumstances of each individual matter the Company Counselling and Disciplinary Policy as varied from time to time, will be followed when dealing with such matters.

### **30. Dispute Resolution Procedure**

The parties agree that, subject to the provisions of the *Industrial Relations Act 1996*, all grievances, claims or disputes will be dealt with in the following manner so as to ensure the orderly settlement of the matters in question:

- (i) Any grievance or dispute, which arises, will, where possible, be settled by discussion on the job between the employee(s) and the immediate supervisor.
- (ii) If the matter is not resolved at this level, it will be further discussed between the affected employee(s) and the union delegate or, where appropriate, another nominated representative and the employer. Both the employer's industrial relations representative and the employee's union representative may be notified.

- (iii) If no agreement is reached within a reasonable time period, the union Secretary or his/her representative or, where appropriate, a nominated representative, will discuss the matter with the employer's nominated industrial relations representative.
- (iv) Whilst the foregoing procedure is being followed, work will continue normally. No party will be prejudiced as to the final settlement by the continuance of work in accordance with this subclause.
- (v) Should the matter still not be resolved within a reasonable time period, it may be referred by either party to the Industrial Relations Commission of New South Wales for settlement.
- (vi) The parties will, at all times, confer in good faith and without undue delay.
- (vii) During the discussions the status quo will remain and work will proceed normally in accordance with this award and without stoppage or the imposition of any ban, limitation or restriction. "Status quo" will mean the situation existing immediately prior to the dispute or the matter giving rise to the dispute.
- (viii) Where a safety issue is involved that threatens the security and safety of an employee, the above will not apply. Employees will leave the unsafe area and be utilised elsewhere, if possible, until the unsafe area is made safe to the satisfaction of the Occupational Health and Safety Committee or its representative. The remainder of the plant and its employees will proceed as normal.

### **31. Security**

The parties recognise the value of surveillance in improving personal and product safety. Surveillance cameras will be placed in the car park and exterior perimeters of the plant.

### **32. Renegotiation**

The parties will schedule negotiations to vary or renew the award no later than three (3) months prior to the nominal expiry date of the award. The new award will be negotiated using a single bargaining unit including representatives of the company, the Union and the employees.

The rates of pay in this award include the adjustments payable under All State Wage Cases up until the date of this Award. These adjustments may be offset against:

- (a) Any equivalent over award payments and/or
- (b) Award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments

This award is for a fixed term and there shall be no further adjustments of wages or other conditions of employment during this term other than as provided for in the award itself.

### **33. Area Incidence and Duration**

- 33.1 This award will apply to all employees of the company employed in a skill or classification level contained in Table 1, Rates of Pay of Part B Monetary Rates, who are employed by the company to work at Cutrock Road, Lisarow.
- 33.2 This award partially regulates the terms and conditions of employment also regulated by the parent awards. This award shall be read and interpreted wholly in conjunction with the parent awards. Where there is any inconsistency between this award and the parent awards, this award will take precedence to the extent of any inconsistency.
- 33.3 This award rescinds and replaces the Chickadee Foods (Lisarow Site) Award, which was published on 15 April 2005 (350 IG 91).

33.4 This award shall take effect on and from 1 January 2004 and will remain in force until 1st January 2006.

## PART B

### MONETARY RATES

**Table 1 - Rates of Pay**

Skill or Classification Level	4% Increase effective 01/01/04 (hourly rate) \$	Weekly wage effective 01/01/04 \$	4% Increase effective 01/01/05 (hourly rate) \$	Weekly wage effective 01/01/05 \$
<b>Process Employees</b>				
Level 1	14.0805	535.06	14.6437	556.46
Level 2	14.4429	548.83	15.0206	570.78
Level 3	15.1041	573.96	15.7083	596.92
Level 4	15.5773	591.94	16.2004	615.62
Level 5	15.8860	603.67	16.5214	627.81
Level 6	16.3121	619.86	16.9646	644.65
<b>Leading Hand</b>				
Less than or equal to 20 employees	16.3807	622.47	17.0359	647.36
More than 20 employees	17.6045	668.97	18.3087	695.73
<b>Mechanical Employees</b>				
Mechanical Tradesperson 1	20.2733	770.38	21.0842	801.20
Mechanical Tradesperson 2	21.2869	808.90	22.1384	841.26
Mechanical Tradesperson 3	22.3004	847.42	23.1924	881.31
Mechanical Tradesperson 4	23.3144	885.95	24.2470	921.39
<b>Electrical Employees</b>				
Electrical Tradesperson 1	20.3710	774.10	21.1858	805.06
Electrical Tradesperson 2	21.1720	804.54	22.0189	836.72
Electrical Tradesperson 3	22.7049	862.79	23.6131	897.30
Electrical Tradesperson 4	23.2095	881.96	24.1379	917.24
Advanced Elect Tradesperson 1	23.7183	901.30	24.6670	937.35
Advanced Elect Tradesperson 2	24.2277	920.65	25.1968	957.48
<b>Clerical Employees</b>				
Clerical Grade 1	14.6987	558.55	15.2866	580.89
Clerical Grade 2	15.5699	591.66	16.1927	615.32
Clerical Grade 3	15.8609	602.71	16.4953	626.82
Clerical Grade 4	16.9790	645.20	17.6582	671.01
Clerical Grade 5	19.1804	728.86	19.9476	758.00

## ANNEXURE A

### REDUNDANCY AGREEMENT

#### 1. Definitions

- (a) Rates of pay used to calculate one week's pay for weekly employees will be the all-purpose rate currently paid excluding overtime but including penalty rates, and shift premiums and all allowances.
- (b) The rate of pay used to calculate one week's pay for part-time employees shall be as described in (a) averaged over the period of employment.

- (c) Casual employee means an employee who is employed on an hourly basis and who has no reasonable expectations of regular work. A casual employee is not entitled to any termination payments pursuant to this agreement.
- (d) Work area means a discrete functional or geographical part of the Company's operations. The determination of a work area is by reference to the management structure and accountabilities, award/agreement classification and/or union coverage.
- (e) Redundancy means a situation where the Company proposes to permanently cease operating all or part of its business; and this cessation results in one or more full-time or part-time employees becoming surplus to the Company's labour requirements.

Redundancy does not include:

Termination of employment pursuant to clause 29, Dispute Resolution Procedure, provided that such termination is not directly related to the Company's requirement to reduce its labour requirements;

Termination of employment due to retirement;

Situations where full-time or part-time employees become surplus to the Company's labour requirements due to industrial action taken by employees which affects the Company's ability to continue normal operations;

Variations to rosters or shifts as a result of restructuring or changes in customer demands or operation requirements. Such roster or shift changes shall be made in consultation with the union/s and employees. Where employees are genuinely forced to terminate their employment as a result of such changes, the employee will be entitled to a redundancy benefit pursuant to this agreement. "Genuinely forced to terminate" employment does not include financial disadvantage as a result of changed entitlements to shift allowances or overtime;

Situations where part-time or full-time employees are not prepared to undertake training or transfer as a result of technological or operational changes which require such training or transfer; provided that the proposed training or transfer is agreed by the Company and the union is reasonably within the employee's capability.

## **2. Steps for Redundancies**

- (a) Eliminate or minimise contractors where the work falls within the area of coverage of applicable awards or agreements. Eliminate the use of employees of labour hire companies.
- (b) Reduce the hours worked by casual employees.
- (c) Reduce the number of casual employees.
- (d) Review acceptable alternative positions which full-time or part-time employees could perform.
- (e) Reduce the number of full-time or part-time employees.
- (f) No severance payment will be payable where an acceptable alternative role is offered to the employee.

## **3. Selection for Redundancies**

- (a) Voluntary redundancies will only be offered in the work areas affected.
- (b) If there are insufficient volunteers or the Company's operational requirements will not be met by the termination of employment of volunteers, the Company will determine who is to become redundant using the following criteria:



- (c) Where possible, the work area where redundancies are required will be the area in which employees are selected for redundancy;
- (d) long-term operational requirements as to employee's skills, experience and potential; and considerations of seniority, equity and fairness.
- (e) In the event that there are more volunteers for redundancy than are required by the Company, the Company will determine who is to become redundant using the following criteria:
- (f) Where possible, the work area where redundancies are required will be the area in which employees are selected for redundancy;
- (g) The Company's medium and long-term skill requirements; and, other things being equal, those employees with the longest service shall have first preference for redundancy.

#### **4. Notice of Redundancy**

Employees to be made redundant will receive notice or be paid in lieu of notice the following:

Less than 5 years' service	3 weeks
More than 5 years' service	4 weeks
Over 45 years with a minimum of 2 years' service	5 weeks

#### **5. Payments on Termination of Employment**

- (a) On the last day of employment, redundant employees will receive a termination payment based on four weeks for every year of service capped at 48 weeks. Employees over 45 will receive an additional four weeks' severance pay.
- (b) Sick leave to be paid as per the Company agreement, i.e. accrued sick leave less the current year.
- (c) Pro rata long service leave after five years and annual leave in accordance with the *Annual Holidays Act 1944*.
- (d) Payment of untaken rostered days off at the normal rate.
- (e) Severance payments will be paid on years of service with the Company.

#### **6. Recall**

In the event that the Company's operational requirements are such that more employees are required, then the following principles shall apply for a period of 12 months:

- (a) Those employees who were required to take redundancy as determined by the Company shall be the first in line to be offered re-employment in their work areas.
- (b) Those employees who chose to take a voluntary redundancy shall stand behind those employees made redundant by the Company.
- (c) In areas that require formal qualifications, e.g. Maintenance, Drivers, recall shall be determined by consultation and agreement between the Company and the union.

## ANNEXURE B

### DRUG & ALCOHOL POLICY

#### Introduction

Drug and alcohol use in the workplace can create a range of problems including:

Injury to employees and others

Loss of jobs and friendships

Problems with punctuality and absenteeism

Poor work performance and low morale

Low productivity and lost time from accidents

Inefficiency and damage to plant, equipment and other property.

Chickadee Foods Pty Limited, by virtue of the *Occupational Health and Safety Act 2000*, has a duty of care to its employees, and others who come on site. The Act requires that:

Employers ensure the health, safety and welfare of their employees and others;

Employees take reasonable care of the health and safety of others and co-operate with employers in their efforts to comply with occupational health and safety requirements. Hence, employees must ensure their performance and actions are not impeded by the use of drugs (either legal or illegal) or alcohol. It is the responsibility of all employees to report any incidents or, if it is suspected that an employee is under the influence of drugs or alcohol, to their Supervisor.

At Chickadee Foods Pty Limited, we wish to maintain a workplace free of drugs and alcohol. This is done with the assistance of all employees. Together, we can all reduce the effect of drugs and alcohol by maintaining a workplace that is free of harassment and victimisation, that fosters open communication and cohesiveness between teams and team members by supporting and encouraging each other, and by being co-operative and polite to one another.

#### Aim

This policy aims to promote a workplace free of alcohol and drugs by regulating behaviour of employees.

#### Scope

This policy applies to all employees of Chickadee Foods Pty Limited.

#### Code of Behaviour

Employees are required to present themselves to work and be available during all working hours to carry out their standard operating procedures to an acceptable level.

Where an employee is required to take drugs prescribed by a medical practitioner, they should notify their Supervisor before commencing work what the drug is and the possible effects of the drug. If the drug has effects which include, for example, drowsiness, feeling tired, poor concentration, etc., the employee will be asked not to work and to proceed to and remain in the first aid room until they are able to drive safely or transport is arranged.

#### Disciplinary Action

Any employee found to be in possession of illegal drugs or consuming alcohol on the company premises will be instantly dismissed.

#### Alcohol

Where an employee reports for duty and, in the opinion of the Supervisor, is under the influence of alcohol, the employee will be driven home and employment will be suspended for one week and/or subject to possible demotion. If the employee disputes the Supervisor's assessment, a BAC count may be conducted from an on-site breathalyser unit. If a reading of 0.05 or below is recorded, then the employee may continue working. In the case of a driver, if a reading of 0.02 or below is recorded, then the employee may continue working.

The employee can refuse a BAC test. If this occurs, the Supervisor, Manager or Human Resources Department must make a decision based on their observations about the person and put those observations to the employee to obtain their feedback.

#### Drugs

Where an employee reports for duty and, in the opinion of the Supervisor, is under the influence of drugs, the employee will be driven home and employment will be suspended for one week and/or subject to possible demotion. If the employee disputes the Supervisor's assessment, arrangements can be made for the employee to have a drug test conducted by a medical practitioner (at no cost to the employee). A medical examination can also be requested to establish their capability to perform their normal duties.

The employee can refuse a drug test by the medical practitioner. If this occurs, the Supervisor, Manager or Human Resources Department must make a decision based on their observations about the person and put those observations to the employee to obtain their feedback.

Suspension will constitute an official reprimand and will be recorded on personnel files. The decision to suspend will only be made after the first step of the disciplinary policy has been implemented and it has been determined that the person is intoxicated with drugs, alcohol or both.

If there is a second occurrence within a period of twelve months, then the employee will be terminated.

Counselling can be arranged for the employee by the Human Resources Manager. If an employee agrees to attend counselling, then termination may be avoided.

## ANNEXURE C

### COUNSELLING & DISCIPLINARY POLICY AND PROCEDURES

#### Disciplinary Procedure

The disciplinary procedure is designed to assist the company in working with employees to resolve circumstances, which inhibit the ability of the company and employees to achieve their goals and objectives. The primary objective of the procedure is to improve and maintain workplace and team relationships and assist the employee in reaching an expected standard of performance or conduct.

Subject to the circumstances of each individual matter and with reference to the Reprimand Policy as varied from time to time, the disciplinary procedure is outlined below.

There are four levels of the disciplinary procedure:

- \* Counselling/Verbal Warning
- \* First Written Warning
- \* Final Written Warning
- \* Termination

The application of the procedure may vary according to individual circumstances. There may be instances where in the circumstances it would not be appropriate to observe the procedure strictly.

At all steps of the procedure the supervising/manager must organise the Human Resource Manager or relevant Senior Manager to be present. The employee must also be offered the opportunity to have a union delegate or other representative present at the disciplinary meeting.

At all steps, the company must advise the employee of any unsatisfactory performance or conduct and detail the appropriate standard of performance or conduct. Previous counselling meetings may be referred to. The employee must be offered an opportunity to respond to the concerns and explain his/her behaviour and/or performance.

On the basis of the matters discussed in the meeting at each step of the procedure, the company will decide the most appropriate action to take, including to take no further action, provide counselling or other learning for the employee, issue a written warning, suspend the employee while further investigations are carried out, terminate the employment with notice, terminate the employment without notice or take some other action. The employee must be advised of the decision as soon as possible.

After any disciplinary meeting a written record must be made of the meeting detailing any specific statement of the expected performance or conduct standard of the employee, any explanation or significant comment offered by the employee and the review period and measures to be implemented during the review period.

#### \* Counselling/Verbal Warning

Counselling will normally be in the form of a conversation between the employee and his/her immediate supervisor.

The objective of counselling is to assist the employee reach the expected standard of performance or conduct. During the counselling process the company should ensure that the employee has been properly trained for the position, and, any genuine obstacles impeding the employee's ability to perform/carry out the inherent requirements of the position are removed.

On the basis of the matters discussed in this meeting, if the company decides to issue a verbal warning, reasonable support must be given to the employee to assist in reaching and maintaining the standard. A review period must be provided to allow the supervisor/manager to monitor the employee's performance. It may be appropriate that measures be implemented during the review period to assist in monitoring the performance.

#### \* First Written Warning

A formal warning may be given where counselling has not been successful in improving or maintaining an employee's performance and/or conduct at expected standards, or, where an employee's unsatisfactory performance and/or conduct is sufficiently serious to warrant a warning.

A written warning may lead to termination of employment.

The written warning must detail the specific issues, expected improvements in performance and/or conduct and the consequences of not meeting expected standards in the future. The written warning should also detail a review period and measures to be implemented during the review period where appropriate (for example, further training). The employee should sign and acknowledge receipt of the warning.

#### \* Final Written Warning

A final written warning may be issued by the Personnel Department and supervisor/manager when circumstances surrounding unsatisfactory performance and/or conduct are sufficiently serious. Certain circumstances may be considered so serious as to warrant proceeding directly to the final warning.

The final written warning must detail the specific issues, expected improvements in performance and/or conduct and the consequence of termination should the employee fail to meet the expected standards. The final written warning should also detail a review period and measures to be implemented during the review period

where appropriate (for example, further training). The employee should sign and acknowledge receipt of the warning.

\* Termination

Termination of employment may occur due to:

The employee's performance and/or conduct has failed to meet the required standard, despite prior counselling and warnings;

Serious and wilful misconduct by the employee;

The company making a decision that there is no reasonable alternative but to terminate the employment.

During the meeting to discuss potential termination of employment, the company must detail the allegations of unsatisfactory performance and/or conduct or circumstances relating to serious and wilful misconduct. The employee must be clearly advised that termination of employment is being considered. The employee must be given an opportunity to respond to any allegations and the company must give due consideration to such response.

Any termination must be confirmed with a termination letter signed by the Human Resources Manager or appropriate Senior Manager. The letter will include the reason for the termination.

Termination without notice may occur in circumstances of serious and wilful misconduct or where it is unreasonable for the company to continue the employment during a notice period. In these circumstances, prior to the termination the company may suspend the employee with pay in order to investigate the surrounding circumstances.

R. W. HARRISON *D.P.*

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**CANTEEN, &c., WORKERS (STATE) AWARD**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 1922 of 2005)

Before The Honourable Mr Justice Staff

27 June 2005

**VARIATION**

1. Delete Clause 29, Redundancy of the award published 17 March 2000 (314 I.G. 155), as varied and insert in lieu thereof the following:

**29. Redundancy and Technological Change**

## 29.1 Application

29.1.1 This Clause shall apply in respect to full time and part time persons employed in the classifications specified by Clause 3, Classification Structure.

29.1.2 In respect to employers who employ 15 or more employees immediately prior to the termination of employment of employees, in the terms of Clause 29.5.

29.1.3 Notwithstanding anything contained elsewhere in this Clause, this Clause shall not apply to employees with less than one year's continuous service and the general obligation on employers shall be no more than to give such employees an indication of the impending redundancy at the first reasonable opportunity, and to take such steps as may be reasonable to facilitate the obtaining by the employees of suitable alternative employment.

29.1.4 Notwithstanding anything contained elsewhere in this Clause, this Clause shall not apply where employment is terminated as a consequence of conduct that justifies instant dismissal, including malingering, inefficiency or neglect of duty, or in the case of casual employees, apprentices or employees engaged for a specific period of time or for a specified task or tasks, or where employment is terminated due to the ordinary and customary turnover of labour.

## 29.2 Introduction of Change - Employer's Duty to Notify

29.2.1 Where an employer has made a definite decision to introduce major changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the employer shall notify the employees who may be affected by the proposed changes and the Union to which they belong.

29.2.2 "Significant effects" include termination of employment, major changes in the composition, operation or size of the employer's workforce or in the skills required, the elimination or diminution of job opportunities, promotion opportunities or job tenure, the alteration of hours of work, the need for retraining or transfer of employees to other work or locations and the restructuring of jobs.

Provided that where this award makes provision for alteration, it shall be deemed not to have significant effect.

## 29.3 Employer's Duty to Discuss Change

- 29.3.1 The employer shall discuss with the employees affected and the Union to which they belong, inter alia, the introduction of the changes referred to in subclause 29.2 above, the effects the changes are likely to have on employees and measures to avert or mitigate the adverse effects of such changes on employees, and shall give prompt consideration to matters raised by the employees and/or the Union in relation to the changes.
- 29.3.2 The discussions shall commence as early as practicable after a definite decision has been made by the employer to make the changes referred to in subclause 29.2 of this Clause.
- 29.3.3 For the purpose of such discussions, the employer shall provide to the employees concerned and the Union to which they belong all relevant information about the changes, including the nature of the changes proposed, the expected effects of the changes on employees and any other matters likely to affect employees, provided that any employer shall not be required to disclose confidential information the disclosure of which would adversely affect the employer.

#### 29.4 Redundancy - Discussions Before Terminations

- 29.4.1 Where an employer has made a definite decision that the employer no longer wishes the job the employee has been doing to be done by anyone pursuant to subclause 29.2.1, and that decision may lead to the termination of employment, the employer shall hold discussions with the employees directly affected and with the Union to which they belong.
- 29.4.2 The discussions shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provision of subclause 29.4.1 and shall cover, inter alia, any reasons for the proposed terminations, measures to avoid or minimise the terminations and measures to mitigate any adverse effects of any termination on the employees concerned.
- 29.4.3 For the purpose of the discussion the employer shall, as soon as practicable, provide to the employees concerned and the Union to which they belong all relevant information about the proposed terminations, including the reasons for the proposed terminations, the number and categories of employees likely to be affected, and the number of employees normally employed and the period over which the terminations are likely to be carried out. Provided that any employer shall not be required to disclose confidential information the disclosure of which would adversely affect the employer.

#### 29.5 Termination of Employment - Notice for Changes in Production, Programme, Organisation or Structure

This subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from production, program, organisation or structure, in accordance with subclause 29.2.1.

- 29.5.1 In order to terminate the employment of an employee, the employer shall give to the employee the following notice:

Period of Continuous Service	Period of Notice
Less than one year	1 week
1 year and less than 3 years	2 weeks
3 years and less than 5 years	3 weeks
5 years and over	4 weeks

- 29.5.2 In addition to the notice above, employees over 45 years of age at the time of the giving of the notice, with not less than two years' continuous service, shall be entitled to an additional week's notice.

- 29.5.3 Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

#### 29.6 Notice for Technological Change

This subclause sets out the notice provisions to be applied to termination by the employer for reasons arising from technology in accordance with subclause 29.2.1 of this award:

- 29.6.1 In order to terminate the employment of an employee, the employer shall give to the employee three months' notice of termination.
- 29.6.2 Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment shall be terminated by part of the period of notice specified and part payment in lieu thereof.
- 29.6.3 The period of notice required by this subclause to be given shall be deemed to be service with the employer for the purposes of the *Long Service Leave Act 1955*, the *Annual Holidays Act 1944*, or any Act amending or replacing either of these Acts.

#### 29.7 Time Off During the Notice Period

- 29.7.1 During the period of notice of termination given by the employer, an employee shall be allowed up to one day's time off without loss of pay during each week of notice, to a maximum of five weeks, for the purpose of seeking other employment.
- 29.7.2 If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment the employee shall, at the request of the employer, be required to produce proof of attendance at an interview or the employee shall not receive payment for the time absent.

#### 29.8 Employee Leaving During the Notice Period

If the employment of an employee is terminated (other than for misconduct) before the notice period expires, the employee shall be entitled to the same benefits and payments under this Clause to which the employee would have been entitled had the employee remained with the employer until the expiry of such notice. Provided that in such circumstances the employee shall not be entitled to payment in lieu of notice.

#### 29.9 Statement of Employment

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee a written statement specifying the period of the employee's employment and the classification of or the type of work performed by the employee.

#### 29.10 Notice to Centrelink

Where a decision has been made to terminate employees, the employer shall notify CentreLink thereof as soon as possible, giving relevant information, including the number and categories of the employees likely to be affected and the period over which the terminations are intended to be carried out.

#### 29.11 Centrelink Employment Separation Certificate

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee an Employment Separation Certificate in the form required by CentreLink.



## 29.12 Transfer To Lower-Paid Duties

Where an employee is transferred to lower-paid duties for reasons set out in subclause 29.2, the employee shall be entitled to the same period of notice of transfer as the employee would have been entitled to if the employee's employment had been terminated, and the employer may, at the employer's option, make payment in lieu thereof of an amount equal to the difference between the former ordinary-time rate of pay and the new ordinary-time rates for the number of weeks of notice still owing.

## 29.13 Severance Pay

29.13.1 Where an employee is to be terminated pursuant to subclause 29.5, subject to further order of the Industrial Relations Commission of New South Wales, the employer shall pay the employee the following severance pay in respect of a continuous period of service.

If an employee is under 45 years of age, the employer shall pay in accordance with the following scale:

Years of service	Under 45 years of age Entitlement
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	7 weeks
3 years and less than 4 years	10 weeks
4 years and less than 5 years	12 weeks
5 years and less than 6 years	14 weeks
6 years and over	16 weeks

29.13.2 Where an employee is 45 years old or over, the entitlement shall be in accordance with the following scale:

Years of service	45 years of age and over entitlement
Less than 1 year	Nil
1 year and less than 2 years	5 weeks
2 years and less than 3 years	8.75 weeks
3 years and less than 4 years	12.5 weeks
4 years and less than 5 years	15 weeks
5 years and less than 6 years	17.5 weeks
6 years and over	20 weeks

29.13.3 "Week's pay" means - the all-purpose rate for the employee concerned at the date of termination and shall include, in addition to the ordinary rate of pay, over award payments, shift penalties and allowances paid pursuant to this award.

## 29.14 Incapacity to Pay

Subject to an application by the employer and further order of the Industrial Relations Commission of New South Wales, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause 29.13 above.

The Commission shall have regard to such financial and other resources of the employer concerned as the Commission thinks relevant, and the probable effect of paying the amount of severance pay in subclause 29.13 of this Clause will have on the employer.

29.15 Alternative Employment

Subject to an application by the employer and further order of the Commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause 29.13 above if the employer obtains acceptable alternative employment for an employee.

2. This variation shall commence from the first full pay period on or after 27 June 2005.

C. G. Staff *J.*

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**SERIAL C3711****NUT FOOD MAKERS (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 387 &amp; 388 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Nut Food Makers (State) Industrial Committee published 26 April 1996 (292 I.G. 358), be dissolved.
2. There be established a new Nut Food Makers & c. (State) Industrial Committee for the Industries and Callings of:-

Employees engaged in the manufacture of nut foods and accessories in the State, excluding the County of Yancowinna;

Excepting-

Engine Drivers and Firemen, greasers, trimmers, cleaners and pumpers engaged in or about the driving of engines, electrical crane, winch and motor drivers;

Carters, grooms, stablemen, yardmen, and drivers of motor and other power-propelled vehicles;

Watchmen, caretakers, and cleaners;

Storemen and packers; and clerks.

And excepting employees within the jurisdiction of the Watchmen and Gatekeepers (Waterfront) Industrial Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 1 by Employers First and 1 by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers Union, New South Wales,
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3771**

## **AMENITY TREE INDUSTRY (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Employers First, an industrial organisation and State Peak Council for Employers.

(No. IRC 2273 of 2005)

Before The Honourable Justice Kavanagh

19 May 2005

### **ORDER**

The Commission orders that -

1. There be established a new Amenity Tree Industry (State) Industrial Committee for the industries and callings of -

Employees working with trees, including but not limited to: arborists, tree climbers, tree loppers, tree workers, site clearers, firewood contractors' employees, tree transplanters, stump grinders and wood chippers; and any person who assists the foregoing, and any person undertaking a traineeship or apprenticeship related to the foregoing, in the State;

*excepting* the maintenance of electric power distribution lines;

*also excepting* employees engaged in commercial forestry;

*also excepting* employees of -

Shire and Municipal Councils;

Federal or State Government departments, statutory bodies and authorities and State owned corporations

*also excepting* employees within the jurisdiction of the following industrial committees -

Labourers, Railway and Road Construction, &c., (State) Industrial Committee;  
Landscape Gardeners, &c. (State) Industrial Committee;  
Miscellaneous Gardeners, &c. (State) Industrial Committee;  
Horticultural and Garden Employees (State) Industrial Committee;

2. The said committee shall consist of two representatives of employers and two representatives of employees.
3. The representatives of employers shall be appointed, upon nomination as prescribed, by Employers First.
4. The representatives of employees shall be appointed, upon nomination as prescribed, by the Australian Workers' Union, New South Wales.
5. This order shall take effect on and from 19 May 2005.

T. M. KAVANAGH J.

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**SERIAL C3832**

**BUILDING, CONSTRUCTION AND RELATED CALLINGS (STATE)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch), an industrial organisation of employees.

(No. IRC 1372, 1373, 1374, 1376, 1377, 1378, 1381, 1382 & 1384 of 2005)

Before Mr Deputy President Sams

23 June 2005

**ORDER**

The Commission orders that: -

1. The following Industrial Committees be dissolved:

Builders Labourers Industrial Committee, published

Carpenters, Bricklayers Industrial Committee, published

Carpenters, Bridge and Wharf Industrial Committee, published

Painters &c Industrial Committee, published

Plasterers &c Industrial Committee, published

Slaters &c Industrial Committee, published

Stonemasons &c Industrial Committee, published

Tilelayers Industrial Committee, published

2. There be established a new Building, Construction and Related Callings (State) Industrial Committee for the Industries and Callings of: -

**A. Builders' Labourers**

Labourers employed in the erection, alteration or demolition of buildings, and labourers (except ironworkers' labourers and assistants) engaged in the erection of lifts, or of scaffolds for lifts in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

South Maitland Railways Pty Limited;

The Broken Hill Proprietary Company Limited at Newcastle;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Pty Limited, at Port Kembla;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

Sydney Electricity;

The Northern Rivers County Council;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Water Board;

The Hunter District Water Board;

The Australian Gas Light Company Limited;

Australian Wire Industries Pty Limited at its Sydney Wiremill;

Australian Wire Industries Pty Limited at its Newcastle Wiremill;

and excepting employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;

and excepting also employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Port Kembla;

Australian Wire Industries Pty Limited - Newcastle Ropery;

John Lysaght (Australia) Limited Unanderra;

Tubemakers of Australia Limited, Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Cement Workers, &c. (State);

Breweries, &c. (State);

Milk Treatment, &c., and Distribution (State);

Googong Dam Project;

University Building Maintenance Employees (State);

and excepting also -

Carters, grooms, stablemen, yardmen, drivers of motor and other power-propelled vehicles, and whip drivers;

Employees in or about metalliferous and limestone mines, in or in connection with mining for minerals other than coal or shale, in or about diamond and gem-bearing mines, mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works;

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them.

#### **B. Carpenters and Bricklayers**

Carpenters, joiners, bricklayers and tuckpointers in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;  
The Northern Rivers County Council;

Sydney Electricity;

The Electricity Commission of New South Wales trading as Pacific Power;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Australian Gas Light Company;

John Lysaght (Australia) Limited Port Kembla, within the jurisdiction of the John Lysaght (Australia) Limited Port Kembla Industrial Committee;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;

Prospect Electricity;

and excepting employees within the jurisdiction of the following Industrial Committees-

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Shortland County Council;

John Lysaght (Australia) Limited Newcastle;

Australian Wire Industries Pty Ltd - Newcastle Ropery;

John Lysaght (Australia) Limited Unanderra;

Tubemakers of Australia Limited Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Cement Workers, &c. (State);

Milk Treatment, &c., and Distribution (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

Crown Employees (Skilled Tradesmen);

University Building Maintenance Employees (State);

and excepting also -



Employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;  
Handymen on farms or stations doing rough carpentry;

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them;

Bridge and wharf carpenters;

All persons engaged in or in connection with mining for minerals other than coal or shale, and all persons engaged in or about diamond and gem-bearing mines, mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works;

Employees engaged in the coach building trades; persons employed in or about metalliferous and limestone mines;

Bricklayers and tuckpointers employed in or in connection with hospitals, mental hospitals, public charitable institutions or ambulance work;

and excepting also persons coming within the jurisdiction of the Public Hospital (Skilled Tradesmen) Industrial Committee and also the Maritime Services Board (Building and Construction Tradesmen) Industrial Committee.

### **C. Carpenters, Bridge and Wharf**

Bridge and wharf carpenters (including foremen and sub-foremen bridge and wharf carpenters) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;  
The Council of the City of Newcastle;

Sydney Electricity;

The Northern Rivers County Council;

The Electricity Commission of New South Wales, trading as Pacific Power;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Commissioner for Main Roads engaged in the maintenance of the Sydney

Harbour Bridge;

The Australian Gas Light Company;

C.R.M. Division of Lysaght Works Pty Limited within the jurisdiction of the John Lysaght (Australia) Limited Port Kembla Industrial Committee;

and excepting also -

Handymen on farms and stations doing rough carpentry;

Foremen and sub-foremen employed by the Crown or by any person or corporation on behalf of the Government of the State of New South Wales;

Employees within the jurisdiction of the Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited) Industrial Committee and the Cement Workers, &c. (State) Industrial Committee;

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen) Industrial Committee.

#### **D. Painters, &c.**

Painters (excepting coach painters and painters in the porcelain enamelling industry, and in the manufacture and repair of sporting goods), paperhangers, decorators, signwriters and persons engaged in or assisting in the operation of silk screen process printing in or working in association with signwriters in signwriting workshops, designers and/or letterers of price tickets and show cards (excluding workers in retail shops carrying out this class of work for their employers' own use, but not for resale) and ship painters and decorators (other than those classed as ship painters and dockers) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;  
The Electrolytic Refining and Smelting Company of Australia Proprietary Limited;

Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Northern Rivers County Council;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;

The Australian Gas Light Company;

and excepting also employees -

In or about metalliferous mines and all persons engaged in or in connection with mining for minerals other than coal or shale; in or about diamond and gem-bearing mines; in or about mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works; in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;

and excepting also -

Persons employed in or by The United Dental Hospital of Sydney;

Handymen on farms or stations doing rough painting;

and excepting also employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Shortland County Council;

John Lysaght (Australia) Limited Port Kembla;

John Lysaght (Australia) Limited Newcastle;  
John Lysaght (Australia) Limited Unanderra;

Australian Wire Industries Pty Ltd - Newcastle Ropery;

Tubemakers of Australia Limited, Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Milk Treatment, &c., and Distribution (State);

Cement Workers, &c. (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

and excepting also -

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen) Industrial Committee;

Persons within the jurisdiction of the University Building Maintenance Employees (State) Industrial Committee;

Persons coming within the jurisdiction of the Public Hospital (Skilled Tradesmen) Industrial Committee.

#### **E. Plasterers, &c.**

Plasterers and fibrous plaster fixers, and shop hands and casters in the plastering trade and fixers of gypsum plaster board and other employees engaged in or in connection with the manufacture of fibrous plaster products in the State, including all persons engaged in the carrying out of the work of plastering, fibrous plaster fixing, or fixing gypsum plaster board when such work is performed in connection with the erection or construction of any building or in connection with the repair, alteration or maintenance of a building not used as a residence, and where such work is being carried out under a contract between the owner or occupier of the premises and such persons, but excluding persons who are bona fide contractors employing labour on such work, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

Sydney Electricity;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Broken Hill Proprietary Company Limited;  
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Council of the City of Newcastle;

The Australian Gas Light Company;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;

and excepting employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Smelting, &c. (Electrolytic R. & S. Company, &c.);

Smelting and Fertilizers Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Port Kembla;

Milk Treatment, &c., and Distribution (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

Crown Employees (Skilled Tradesmen);

University Building Maintenance Employees (State);

Public Hospital (Skilled Tradesmen);

Maritime Services Board (Building and Construction Tradesmen) Industrial Committee.

#### **F. Slaters, &c.**

Slaters, roof tilers and shinglers, and all persons employed as fixers of sisalkraft, pabcotite and similar materials used for or in connection with sarking and/or roofing, in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;  
Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

The Council of the City of Sydney;

Sydney Electricity;

The Electricity Commission of New South Wales, trading as Pacific Power;

Australian Iron and Steel Proprietary Limited within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Australian Gas Light Company;

and excepting also -

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them;

Employees within the jurisdiction of the Cement Workers, &c. (State) Industrial Committee and the University Building Maintenance Employees (State) Industrial Committee.

#### **G. Stonemasons, &c.**

Monumental masons and their assistants, polishers, polishing machinists, float machinists, and saw machinists engaged in monumental work, stonemasons, rubble masons, stone machinists and all other employees engaged in the preparation of stone for use in the erection of buildings, quarrymen and labourers employed in and about dimension stone quarries in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Limited;

Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Council of the City of Sydney;  
Shire and municipal councils;

Sydney Electricity;

The Broken Hill Proprietary Company Limited;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Australian Gas Light Company;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Council of the City of Newcastle;

and excepting also -

Employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district; carters, grooms, stablemen, yardmen and drivers of motor and other power-propelled vehicles;

Employees within the jurisdiction of the Cement Workers, &c. (State) Industrial Committee;

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen Industrial Committee and the University Building Maintenance Employees (State) Industrial Committee.

#### **H. Tilers &c.**

Tilers and tilers (other than roof tilers) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Council of the City of Sydney;

Sydney Electricity;

The Council of the City of Newcastle;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Australian Gas Light Company;

and excepting employees within the jurisdiction of the following Industrial Committees-

Shoalhaven Scheme;

Googong Dam Project;

University Building Maintenance Employees (State).

3. The said committee shall consist of one representative of employers and one representative of employees, except in the case of the Carpenters and Bricklayers and the Carpenters, Bridge and Wharf industries and callings, where it shall consist of two representatives of employees and two representatives of employers.
4. The representative of employers shall be appointed, upon nomination as prescribed, in respect of the following industries and callings as detailed above:
  - A. Builders' Labourers: The Master Builders' Association of New South Wales
  - B. Carpenters and Bricklayers: Employers First and Australian Business Industrial
  - C. Carpenters, Bridge and Wharf: Employers First and The Master Builders' Association of New South Wales
  - D. Painters, &c.: Master Painters, Decorators and Signwriters' Association of New South Wales
  - E. Plasterers, &c.: The Master Builders' Association of New South Wales
  - F. Slaters, &c.: Master Slaters, Tilers and Shinglers' Association of New South Wales
  - G. Stonemasons, &c.: The Master Builders' Association of New South Wales
  - H. Tilelayers &c.: Australian Business Industrial
5. The representatives of employees shall be appointed, upon nomination as prescribed, by The Construction, Forestry Mining Energy Union, (New South Wales Branch).
6. This order shall take effect on and from 7 June 2005 and shall remain in force for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3261**

**TRANSPORT INDUSTRY WHOLESALE BUTCHERS (COUNTRY)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, industrial organisation of employees.

(No. IRC 269 of 2005)

Before The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that -

1. The Transport Industry Wholesale Butchers (Country) Industrial Committee published 12 July 1996 (293 I.G. 1096), be dissolved.
2. This order shall take effect on and from 9 March 2005.

R. W. HARRISON *D.P.*

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**SERIAL C3915**

**TOYMAKERS' EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, an industrial organisation of employees.

(No. IRC 381 & 384 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that -

1. The Industrial Committee, known as the Toymakers' Employees (State) Industrial Committee, published 26 April 1996 (292 I.G. 355) be dissolved.
2. There be established a new Toymakers' Employees (State) Industrial Committee for the industries and callings of: -  
  
Employees engaged in the manufacture of toys (other than those made of sheet metal) in the State, excluding the County of Yancowinna;  
  
Excepting storemen and/or packers.
3. The said Industrial Committee shall consist of one (1) representative of employers and one (1) representative of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, by Australian Business Industrial.
5. The representative of employees shall be appointed, upon nomination as prescribed, by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3702**

**SYDNEY HARBOUR BRIDGE EMPLOYEES INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 1364 of 2005)

Before The Honourable Mr Deputy President Sams

1 April 2005

**ORDER**

The Commission orders that:-

1. The Sydney Harbour Bridge Employees Industrial Committee published 17 September 1993 (276 I.G. 678), be extended for a further period of three (3) years.
2. This order shall take effect on and from 1 April 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3911**

## **SURVEYORS' ASSISTANTS (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, an industrial organisation of employees.

(No. IRC 396 & 397 of 2005)

The Honourable Justice Backman

21 February 2005

### **ORDER**

The Commission orders that -

1. The Industrial Committee, known as the Surveyors' Assistants (State) Industrial Committee, published 26 April 1996 (292 I.G. 343) be dissolved.
2. There be established a new Surveyors' Assistants (State) Industrial Committee for the industries and callings of: -

Surveyors' Assistants in the State, excluding the County of Yancowinna;

Excepting employees of -

Rail Corporation of New South Wales;

State Transit Authority of New South Wales;

Sydney Water;

Hunter Water;

The Council of the City of Sydney;

Energy Australia;

Shire and Municipal Councils;

The Electricity Commission of New South Wales, trading as Pacific Power;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron and Steel Proprietary Limited) Industrial Committee;

Broken Hill Proprietary Company Limited

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

Blue Circle Southern Cement Limited;

The Council of the City of Newcastle;

The Australian Gas Light Company;

Roads and Traffic Authority of New South Wales

*and excepting also* employees within the jurisdiction of the following Industrial Committees;

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Crown Employees (General) (Other Than Surveyors' Labourers);

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Unanderra;

Cement Workers, &c., (State)

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 1 by Employers First and 1 by the Department of Infrastructure, Planning and Natural Resources.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3597**

## **SUGAR FIELD WORKERS (STATE) INDUSTRIAL COMMITTEE**

### **INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES**

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 356 of 2005)

Before The Honourable Justice Schmidt

17 February 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Sugar Field Workers (State) Industrial Committee published 26 April 1996 (292 I.G. 347), be extended for a period of three (3) years.
2. Delete the reference to Employers Federation of New South Wales in the Industries & Callings and parties with nominating rights of the said Committee and insert in lieu thereof the following:  
  
"Employers First."
3. This order shall take effect from 17 February 2005 for a period of three (3) years.

M. SCHMIDT J.

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**SERIAL C3707**

## **SOAP AND CANDLE MAKERS (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 371 & 372 of 2005)

Before The Honourable Justice Backman

21 February 2005

### **ORDER**

The Commission orders that:-

1. The Soap and Candle Makers (State) Industrial Committee published 15 March 1996 (291 I.G. 393), be dissolved.
2. There be established a new Soap and Candle Makers (State) Industrial Committee for the Industries and Callings of:-  
  
Soap and Candle Makers and their assistants and detergent makers and their assistants in the State, excluding the County of Yancowinna;  
  
Excepting-  
  
Engine drivers and firemen, greasers, trimmers, cleaners and pumpers, engaged in or about the driving of engines, electrical crane, winch and motor drivers;  
Storemen and packers engaged in the work of storing and packing for transport.
3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 1 by Employers First and 1 by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3723**

**SMALLGOODS MANUFACTURERS (STATE) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 274 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Smallgoods Manufacturers (State) Industrial Committee published 14 June 1996 (293 I.G. 370), be extended for a further period of three (3) years.
2. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3598**



## **SAWMILLERS, &c. (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Timber Trade Industrial Association, industrial organisation of employers.

(No. IRC 719 of 2005)

Before The Honourable Justice Schmidt

21 February 2005

### **ORDER**

The Commission orders that -

1. The Sawmillers, &c. (State) Industrial Committee published 7 July 2000 (316 I.G. 1319), be extended for a further three (3) years.
2. Delete the representatives of employers and insert in lieu thereof the following:  

The representatives of employers shall be appointed, upon nomination as prescribed, one by the Timber Trade Industrial Association and one jointly by Australian Business Industrial and Employers First.
3. This order shall take effect from 21 February 2005 for a period of three (3) years.

M. SCHMIDT J.

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**SERIAL C3757**

**PUBLIC HOSPITAL NURSES' (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, an industrial organisation of employees.

(No. IRC 2206 of 2005)

Before The Honourable Justice Boland

9 May 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Public Hospital Nurses (State) Industrial Committee published 30 June 2000 (316 I.G. 1098), be extended for a further period of four months.
2. This order shall take effect from 9 May 2005 and shall expire on 9 September 2005.

R. P. BOLAND *J.*

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**SERIAL C3721**

## **POULTERERS (STATE) INDUSTRIAL COMMITTEE**

### **INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES**

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 278 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

### **ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Poulterers (State) Industrial Committee published 5 July 1996 (293 I.G. 880), be extended for a further period of three (3) years.
2. Delete the representatives of employers and insert in lieu thereof the following:  
  
The representatives of employers shall be appointed, upon nomination as prescribed, two by Employers First, one by the Meat and Allied Trades' Federation of Australia (New South Wales Division) and one by Australian Business Industrial.
3. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3710**

**POTATO CRISP MAKERS (STATE) INDUSTRIAL COMMITTEE**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 378 & 380 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Potato Crisp Makers (State) Industrial Committee published 15 March 1996 (292 I.G. 392), be dissolved.
2. There be established a new Potato Crisp Makers (State) Industrial Committee for the Industries and Callings of:-  
  
Employees engaged in the manufacture, preparation and packing of crisps or extrusions, processed from potato and/or cereals, being snack foods of the nature of potato crisps, corn chips, expanded and shaped extruded cereal snack foods or the like, excepting employees in grain and /or cereal food mills within the State, excluding the County of Yancowinna.
3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, 1 by Australian Business Industrial and 1 by Employers First.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3575**

## **PHOTOGRAPHERS (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop Assistants and Warehouse Employees' Federation of Australia, Newcastle and Northern, New South Wales, industrial organisation of employees, and another.

(Nos. IRC 334 & 346 of 2005)

Before The Honourable Justice Marks

16 February 2005

### **ORDER**

The Commission orders that -

1. The Photographers (State) Industrial Committee published 21 May 1993 (275 I.G. 153), be extended for a further three years.
2. This order shall take effect on and from 16 February 2005.

F. MARKS *J.*

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**SERIAL C3693**

## **PEST CONTROL INDUSTRY (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 393 of 2005)

Before The Honourable Justice Boland

21 February 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Pest Control Industry (State) Industrial Committee published 20 May 1994 (279 I.G. 1324) be extended for a period of three (3) years.
2. Delete the reference to Employers Federation of New South Wales in the Employer Nominating Rights of the said Committee and insert in lieu thereof the following:  
  
"Employers First."
3. This order shall take effect from 21 February 2005 for a period of three (3) years.

R. P. BOLAND *J.*

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**SERIAL C3568**

## **PASTORAL EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 395 of 2005)

Before The Honourable Justice Schmidt

11 February 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Pastoral Employees (State) Industrial Committee published 24 May 1996 (292 I.G. 1078) to be extended for a period of three (3) years.
2. This order shall take effect from 11 February 2005 for a period of three (3) years.

M. SCHMIDT J.

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**SERIAL C3593**

**OYSTER FARMS &c. (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 379 of 2005)

Before The Honourable Justice Schmidt

17 February 2005

**ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Oyster Farms &c. (State) Industrial Committee published 23 June 2000 (316 I.G. 875), be extended for a period of three years.
2. This order shall take effect from 7 February 2005 for a period of three (3) years.

M. SCHMIDT *J.*

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**SERIAL C3576**



**METALLIFEROUS MINERS, &c., GENERAL (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(Nos. IRC 193 &amp;194 of 2005)

The Honourable Justice Boland

21 February 2005

**ORDER**

The Commission orders that -

1. The Metalliferous Miners, &c., General (State) Industrial Committee published 3 December 1993 (277 I.G. 605), be dissolved.
2. There be established a new Metalliferous Mining (State) Industrial Committee for the Industries and Callings of: -

All persons employed by metalliferous miners and all labourers in or about metalliferous mines; employees engaged in or in connection with mining for minerals other than coal or shale; in or about diamond and gem-bearing mines; in or about mining dredges, ore sluicing processes, ore smelting, refining, treatment, and reduction works, in the State, excluding the County of Yancowinna;

excepting -

All employees engaged in or in connection with mining for minerals or metals (other than coal or shale) in or about floating bucket dredges, and including, in connection with such mining, the concentration, extraction and preparation of the said minerals or metals;

excepting also employees of -

Blue Circle Southern Cement Limited;  
The Kandos Cement Company Limited;  
Southern Portland Cement Limited;  
Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Austral Standard Cables Proprietary Limited, at Port Kembla;  
The Council of the City of Sydney;  
Sydney Electricity; and of Australian Iron and Steel Proprietary Limited, within jurisdiction of the Iron and Steel Workers employees (Australian Iron and Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

excepting also employees within the jurisdiction of the following Industrial Committee -

Quarries, Magnesite, Dolomite and Gypsum (State);  
Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);  
Cement Workers, &c. (State).

3. The said Industrial Committee shall consist of four (4) representatives of employers and four (4) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, four (4) by the Australian Mines and Metals Association.

5. The representatives of employees shall be appointed, upon nomination as prescribed, two (2) by The Australian Workers' Union, New South Wales, one (1) by Electrical Trades Union of Australia, New South Wales Branch; and one (1) by Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union (New South Wales Branch).
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

R. P. BOLAND *J.*

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**SERIAL C3715**

**METAL AND ENGINEERING INDUSTRY (NEW SOUTH WALES)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Motor Traders' Association of New South Wales, an industrial organisation of employers.

(No. IRC 214 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Metal and Engineering Industry (New South Wales) Industrial Committee published 4 October 1996 (295 I.G. 125), be extended for a further period of three (3) years.
2. Delete the representatives of employers and insert in lieu thereof the following:  
  
The representatives of employers shall be appointed, upon nomination as prescribed, one by the Metal Trades Industry Association of Australia, one by Employers First and one by Australian Business Industrial.
3. Delete the representatives of employees and insert in lieu thereof the following:  
  
The representatives of employees shall be appointed, upon nomination as prescribed, two by the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, and one by The Australian Workers' Union, New South Wales.
4. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3718**

## **MEAT PRESERVERS, &c. (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 263 of 2005)

The Honourable Justice Backman

21 February 2005

### **ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Meat Preservers, &c. (State) Industrial Committee published 3 December 1993 (277 I.G. 578), be extended for a further period of three (3) years.
2. Delete the reference to Employers Federation of New South Wales in the employer nominating rights of the said Committee and insert in lieu thereof the following:  
  
"Employers First."
3. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3712**

## **MARGARINE MAKERS (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 365 & 366 of 2005)

The Honourable Justice Backman

21 February 2005

### **ORDER**

The Commission orders that:-

1. The Margarine Makers (State) Industrial Committee published 15 March 1996 (291 I.G. 395), be dissolved.
2. There be established a new Margarine Makers (State) Industrial Committee for the Industries and Callings of:-  
  
All persons employed in the manufacture of margarine in the State, excluding the County of Yancowinna;  
  
Excepting employees in abattoirs, meat works, slaughterhouses and meat preserving works in the County of Cumberland;  
  
And excepting also engine drivers and firemen, greasers, trimmers, cleaners and pumpers engaged in or about the driving of engines, electrical crane, winch and motor drivers.
3. The said Industrial Committee shall consist of one (1) representative of employers and one (1) representative of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, by the Australian Business Industrial.
5. The representative of employees shall be appointed, upon nomination as prescribed, by The Australian Workers' Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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Printed by the authority of the Industrial Registrar.

**SERIAL C3566**

## **LAUNDRY EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 401 of 2005)

Before Mr Deputy President Sams

14 February 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Laundry Employees (State) Industrial Committee published 9 July 1993 (275 I.G. 1068) be extended for a period of three (3) years.
2. This order shall take effect from 14 February 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3694**

**LANDSCAPE GARDENERS, &c. (STATE) INDUSTRIAL COMMITTEE**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 363 & 364 of 2005)

Before The Honourable Justice Boland

21 February 2005

**ORDER**

The Commission orders that -

1. The Industrial Committee, known as the landscape Gardeners &c. (State) Industrial Committee published 28 May 1993 (275 I.G. 280), be dissolved.
2. There be established a new Landscape Gardeners &c. (State) Industrial Committee for the Industries and Callings of:-

Employees of landscape or master gardeners engaged in designing, preparing, planting and/or maintaining lawns, gardens, parklands, recreation areas, and paths in connection therewith in the state, excluding the County of Yancowinna;

Excepting employees of -

The Council of the City of Sydney;  
The Council of the City of Newcastle, and all municipal, shire and county councils;  
The Australian Gas Light Company;  
The Broken Hill Proprietary Company Limited at Newcastle;  
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Roads and Traffic Authority engaged in the maintenance of the Sydney Harbour Bridge, other than employees engaged in the maintenance of the pavement of the roadway and footpaths of the bridge;

And excepting employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal mines and shale mines west of Sydney;

And excepting also -

Rockchoppers, sewer miners'  
Surveyors' labourers;  
Labourers employed in or in connection with the manufacture of cement, monier and/or concrete pipes by hand or machines in factories;  
Labourers employed in the erection, alternation, or demolition of buildings;  
Carters, grooms, stablemen, yardmen and drivers of motor and other power-propelled vehicles;  
Labourers employed in the maintenance of privately owned railways;

And also excepting within the jurisdiction of the following Industrial Committees -

Crown Employees (General);  
Race Clubs, &c., Employees (Cumberland and Newcastle);  
Race Clubs, &c. (Country);  
Showground, &c., Employees (State);  
Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited).

3. The said Industrial Committee shall consist of one (1) representative of employers and one (1) representative of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, by the Landscape Contractors Association of New South Wales.
5. The representative of employees shall be appointed, upon nomination as prescribed, by The Australian Workers' Union, New South Wales.
5. This order shall take effect from 21 February 2005 for a period of three (3) years.

R. P. BOLAND *J.*

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**SERIAL C3596**



## **HORTICULTURAL AND GARDEN EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 375 & 651 of 2005)

Before The Honourable Justice Schmidt

17 February 2005

### **ORDER**

The Commission orders that -

1. The Industrial Committee, known as the Horticultural and Garden Employees (State) Industrial Committee published 21 May 1993 (275 I.G. 145), be dissolved.
2. There be established a new Horticultural Industry Employees (State) Industrial Committee for the industries and Callings of:-

All employees employed on farms, orchards, agricultural holdings, flower or vegetable market gardens in connection with the sowing, raising, harvesting or treating of horticultural products and crops, without limiting the generality of the foregoing including fruit, vegetables and potatoes; or at clearing, fencing, trenching, draining or otherwise preparing land for any of the abovementioned purposes; within the State, excepting persons within the jurisdiction of the:

Wine industry Consolidated (State) Award  
Nurseries Employees (State) Award  
Fruit Packing Houses Employees (State) Award  
Mushroom Industry (State) Award  
Pastoral Employees (State) Award  
Cotton Ginning Employees (State) Award  
Cotton Growing Employees (State) Award  
Oyster Farms Employees (State) Award

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, two (2) by Employers First.
5. The representatives of employees shall be appointed, upon nomination as prescribed, two (2) by The Australian Workers' Union, New South Wales.
6. This order shall take effect from 17 February 2005 for a period of three (3) years.

M. SCHMIDT J.

Printed by the authority of the Industrial Registrar.

**SERIAL C3589**

**HAIRDRESSING AND BEAUTY TREATMENT (STATE) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 374 &amp; 653 of 2005)

Before Mr Deputy President Sams

4 March 2005

**ORDER**

The Commission orders that -

1. The Industrial Committee, known as the Hairdressing and Beauty Treatment (State) Industrial Committee published 26 April 1996 (292 I.G. 365), be dissolved.
2. There be established a new Hairdressing and Beauty Therapy (State) Industrial Committee for the Industries and Callings of:-  
  
Hairdressers, barbers, wigmakers, hair workers and their assistants, chiropodists and receptionists employed in connection therewith, beauty therapists and teachers of beauty therapy or any component thereof in beauty salons or clinics, electrologists, aromatherapists, beauticians, manicurists, and all persons engaged in or in connection with beauty treatment, and their assistants, excepting employees exclusively engaged in the sale of goods or exclusively engaged in the manufacture of beauty preparations; telephonists, cashiers and office assistants in the State, excluding the County of Yancowinna.
3. The said Industrial Committee shall consist of three (3) representatives of employers and three (3) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 1 by Australian Retailers Association, New South Wales Division, 1 by Professional Hairdressers Association and 1 by Employers Association of Beauty Therapy (New South Wales).
5. The representatives of employees shall be appointed, upon nomination as prescribed, 3 by the Australian Workers' Union, New South Wales.
6. This order shall take effect from 4 March 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3785**

## GOVERNMENT RAILWAYS (PERMANENT WAY) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, an industrial organisation of employees.

(No. IRC 373 & 652 of 2005)

Before Mr Deputy President Sams

21 April and 7 June 2005

### ORDER

The Commission orders that -

1. The Industrial Committee, known as the Government Railways (Permanent Way) Industrial Committee published 16 April 1993 (274 I.G. 761) be dissolved.
2. There be established a new Government Railways (Permanent Way) Industrial Committee for the industries and callings of: -

All persons in the employment of Rail Corporation NSW and the State Transit Authority of New South Wales on the wages staff of the Way and Works Branch and the Signal and Telegraph Branch, on and in connection with the Railways of the State:

*Excepting-*

Employees engaged in the manufacture, fitting, overhauling, repairing, or installing of electrical apparatus or installations, or persons employed in the maintenance of electrical apparatus or installations, or in running electrical plant, or their assistants engaged in such industries, other than those who, in the running or assisting in running electrical plant, require little or no practical knowledge, and are mainly workers of a different class;

Engine drivers and firemen, greasers, trimmers, cleaners and pumpers, engaged in or about the driving of engines, electrical crane, winch and motor drivers;

Carpenters and joiners;  
Stonemasons and rubblemasons;  
Bricklayers and tuckpointers;  
Plasterers;  
Plumbers and Gasfitters and their assistants;  
Painters;

Wood machinists and other employees in saw mills and timberyards, timber getters;

Cabinet makers, wood turners, French polishers and upholsters employed in sawmills and timberyards, and in the coach making industry;

Engineers, fitters, turners, blacksmiths, coppersmiths, patternmakers, and their assistants;

Boilermakers and their assistants;

Moulders and their assistants;

Coachmakers and their labourers and their assistants, coach painters, and lifters other than loco. Lifters.

3. The said Industrial Committee shall consist of three (3) representatives of employers and three (3) representatives of employees.

4. The representatives of employers shall be appointed, upon nomination as prescribed, 3 by Rail Corporation NSW.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Rail, Tram and Bus Industry Union, NSW Branch, and 1 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 4 March 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3703**

**GOVERNMENT RAILWAYS (BUILDING TRADES) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 1367 of 2005)

Before The Honourable Mr Deputy President Sams

1 April 2005

**ORDER**

The Commission orders that:-

1. The Government Railways (Building Trades) Industrial Committee published 6 August 1993 (276 I.G. 79), be extended for a further period of three (3) years.
2. This order shall take effect on and from 1 April 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3704**

## **GLASS WORKERS (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 1368 of 2005)

Before The Honourable Mr Deputy President Sams

1 April 2005

### **ORDER**

The Commission orders that:-

1. The Glass Workers (State) Industrial Committee published 20 August 1993 (276 I.G. 319), be extended for a further period of three (3) years.
2. This order shall take effect on and from 1 April 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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Printed by the authority of the Industrial Registrar.

**SERIAL C3706**

**GANGERS (STATE) INDUSTRIAL COMMITTEE**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 370 & 654 of 2005)

Before The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Gangers (State) Industrial Committee published 26 April 1996 (292 I.G. 352), be dissolved.
2. There be established a new Gangers (State) Industrial Committee for the Industries and Callings of:-

Gangers, timekeepers, storekeepers, transport officers, foreman and sub-inspectors and all assistants employed in connection with any such callings, engaged in the construction and/or maintenance of railways, tramways, roads, bridges, water conservation and irrigation works, and harbour and reclamation works, aerodromes, airstrips, water and sewerage reticulation, construction work on civil and/or mechanical engineering projects, in the state, excluding the municipality of Broken Hill;

Excepting employees of-

Rail Corporation of New South Wales;  
State Transit Authority of New South Wales;  
Sydney Water;  
Hunter Water;  
The Council of the City of Sydney;  
Energy Australia;  
Shire and Municipal Councils;  
The Electricity Commission of New South Wales, trading as Pacific Power;  
Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron and Steel Proprietary Limited) Conciliation Committee and the Quarries (Australian Iron and Steel Pty Limited) Conciliation Committee;  
Broken Hill Proprietary Company Limited;  
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;  
Blue Circle Southern Cement Limited;  
The Council of the City of Newcastle;  
The Australian Gas Light Company;

and excepting also employees in or about coal or shale mines west of Sydney;

and excepting also employees within the jurisdiction of the following industrial committees;

Race Clubs, &c., Employees (State);  
Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);  
Labourers, Pastures Protection Board and Dingo Destruction Boards (State);  
Carpenters, Bridge and Wharf (State);  
Tubemakers of Australia Limited, Newcastle;  
Showgrounds, &c., Employees (State);  
County Councils (Electricity Undertakings) Employees;  
John Lysaght (Australia) Limited Newcastle;  
John Lysaght (Australia) Limited Port Kembla;  
John Lysaght (Australia) Limited Unanderra;  
Tubemakers of Australia Limited, Yennora;

Cement Workers, &c., (State).

And excepting also timekeepers, storekeepers, and foreman employed by the Crown or by any person or corporation on behalf of the Government of the State of New South Wales.

3. The said Industrial Committee shall consist of one (1) representative of employers and one (1) representative of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, 1 by the Master Builders Association of New South Wales.
5. The representative of employees shall be appointed, upon nomination as prescribed, 1 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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Printed by the authority of the Industrial Registrar.

**SERIAL C3717**



## **FURNISHING TRADES (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 820 of 2005)

The Honourable Justice Backman

16 March 2005

### **ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Furnishing (State) Industrial Committee published 8 October 1993 (276 I.G. 1076), be extended for a further period of three (3) years.
2. Delete the reference to the Chamber of Manufacturers, New South Wales (Industrial) in the employer nominating rights of the said Committee and insert in lieu thereof the following:  
  
"Australian Business Industrial."
3. Delete the reference to Employers Federation of New South Wales in the employer nominating rights of the said Committee and insert in lieu thereof the following:  
  
"Employers First."
4. This order shall take effect from 16 March 2005 for a period of three (3) years.

BACKMAN J.

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Printed by the authority of the Industrial Registrar.

**SERIAL C3708**

## **FISH WHOLESALE MARKETING (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 382 & 404 of 2005)

The Honourable Justice Boland

16 March 2005

### **ORDER**

The Commission orders that:-

1. The Fish Wholesale Marketing (State) Industrial Committee published 6 August 1996 (276 I.G. 89), be dissolved.
2. There be established a new Fish Wholesale Marketing (State) Industrial Committee for the Industries and Callings of:-

All employees in or in connection with the market selling by wholesale of fish, as defined by the Fisheries Management Act 1994, including crustacea and oysters, and all marine, estuarine and freshwater animal life, and including persons employed in processing, packing and the treatment of fish, which includes crumbing and battering and activities associated therewith, in connection with such marketing or selling by wholesale in the State;

excepting-

Employees in seagoing trawlers and on coal hulks or lighters;  
Watchmen, caretakers, cleaners and gatekeepers;  
Employees in freezing or cold storage works or chambers;  
Carters, grooms, stablemen, yardmen and drivers of motor and other power-propelled vehicles;  
Employees of the Crown, permanent and temporary, whether under the Public Service Acts or otherwise graded in the clerical division of the Public Service or engaged in work substantially similar in character to persons so graded;  
Employees of the Council of the City of Sydney;

and excepting

Employees within the jurisdiction of the Watchmen and Gatekeepers (Waterfront) Industrial Committee;  
Persons within the jurisdiction of the Clerical and Administrative Employees (State) Industrial Committee;  
Persons within the jurisdiction of the Fish Marketing Authority Industrial Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 2 by Employers First.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers' Union, New South Wales.
6. This order shall take effect from 16 March 2005 for a period of three (3) years.

R. P. BOLAND *J.*

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Printed by the authority of the Industrial Registrar.

**SERIAL C3786**

## **CROWN EMPLOYEES (SKILLED TRADESMEN) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch), an industrial organisation of employees.

(No. IRC 1370 of 2005)

Before Mr Deputy President Sams

7 June 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Crown Employees (Skilled Tradesmen) Industrial Committee published 3 December 1993 (277 I.G. 588), be extended in terms of the following constitution: -
2. The Industrial Committee will cover employees employed in accordance with the Crown Employees (Skilled Trades) Award as varied or replaced.
3. Where a person is employed under a different instrument which directly derives rates of pay or conditions of employment from the Crown Employees (Skilled Trades) Award the Committee will have coverage only with respect to those matters directly derived from the Award.
4. The Committee shall consist of two members representing the employers and two members representing the employees, with a Conciliation Commissioner as Chairperson.
5. The representatives of employers shall be appointed, upon nomination as prescribed, by the Public Employment Office. Where a matter before the Committee concerns only rates of pay or conditions of employment of employees of The TAFE Commission or a particular agency, The TAFE Commission or the particular agency shall have alternate nominating rights to sit as a member of the Committee in place of the member appointed upon the nomination of the Public Employment Office.
6. The representatives of employees shall be appointed, upon nomination as prescribed, jointly by the Construction Forestry Mining and Energy Union (NSW Branch), and the Electrical Trades Union of Australia (New South Wales Branch).
7. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of the Construction Forestry Mining and Energy Union (NSW Branch), the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon the joint nomination of The Construction Forestry Mining and Energy Union, New South Wales Branch and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, New South Wales Branch.
8. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of the New South Wales Automotive Food Metals Engineering Printing and Kindred Industries Union, the said organisation shall have alternative nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon the joint nomination of the Construction Forestry Mining and Energy Union New South Wales Branch and the Electrical Trades Union of Australia (New South Wales Branch).

9. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of the Australian Workers Union, Greater New South Wales Branch, the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon the joint nomination of the Construction Forestry Mining and Energy Union, New South Wales Branch, and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, New South Wales Branch.
10. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of the Public Service Association of New South Wales, the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon the joint nomination of The Construction, Forestry Energy and Mining Union, New South Wales Branch, and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, New South Wales Branch.
11. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of the members of the Automotive Food Metals Engineering Printing & Kindred Industries Union, New South Wales the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon nomination of The Construction Forestry Energy and Mining Union, New South Wales Branch and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, New South Wales Branch.
12. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of The Construction Forestry Energy and Mining Union, New South Wales Branch, the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon nomination of The Construction Forestry Energy and Mining Union (New South Wales Branch) and the Electrical Trades Union of Australia (New South Wales Branch).
13. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of The Communications, Electrical & Plumbing Union, New South Wales Branch, the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon nomination of The Construction Forestry Energy and Mining Union (New South Wales Branch) and the Electrical Trades Union of Australia (New South Wales Branch).
14. Where a matter before the Industrial Committee concerns only rates of pay or conditions of employment of employees who are members of the Australian Service Union, New South Wales and ACT (Services) Branch, the said organisation shall have alternate nominating rights to sit as a member of the Industrial Committee in place of the member appointed upon the joint nomination of The Construction Forestry Energy and Mining Union (New South Wales Branch) and the Electrical Trades Union of Australia (New South Wales Branch).
15. This order shall take effect from 7 June 2005.

P. J. SAMS *D.P.*

**SERIAL C3567**

**COTTON GINNING, &c. (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 367 of 2005)

Mr Deputy President Sams

14 February 2005

**ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Cotton Ginning, &c. (State) Industrial Committee published in Supplement to 282 I.G. at 45, be extended for a period of three (3) YEARS.
2. This order shall take effect from 14 February 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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**SERIAL C3700**

**COLD STORAGE, &c., EMPLOYEES (NORTHUMBERLAND)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, industrial organisation of employees.

(No. IRC 268 of 2005)

Before The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that -

1. The duration of the Cold Storage, &c., Employees (Northumberland) Industrial Committee published 5 July 1996 (293 I.G. 885), be extended for a further three (3) years.
2. This order shall take effect on and from 9 March 2005.

R. W. HARRISON *D.P.*

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**SERIAL C3734**

**COLD STORAGE, &c., EMPLOYEES (STATE) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 276 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Cold Storage, &c., Employees (State) Industrial Committee published 14 June 1996 (293 I.G. 364), be extended for a further period of three (3) years.
2. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3716**

**COACHMAKERS, &c., ROAD (STATE) AND PERAMBULATOR  
MANUFACTURERS CONSOLIDATED (STATE) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Motor Traders' Association of New South Wales, an industrial organisation of employers.

(No. IRC 820 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Coachmakers, &c., Road (State) and Perambulator Manufacturers Consolidated Industrial Committee published 18 June 1993 (275 I.G. 698), be extended for a further period of three (3) years.
2. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN *J.*

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**SERIAL C3594****CLUB EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers' Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 595 of 2005)

Before The Honourable Justice Schmidt

17 February 2005

**ORDER**

The Commission orders that -

1. The Clubs Employees (State) Industrial Committee published 23 June 2000 (316 I.G. 883), be dissolved.
2. There be established a new Club Employees (State) Industrial Committee for the industries and callings of -  
  
Employees in clubs in the State, excluding the County of Yancowinna;  
  
excepting -  
  
Engine drivers and firemen, greasers, trimmers, cleaners and pumpers, engaged in or about the driving of engines, electrical crane, winch and motor drivers;  
  
Persons, not including bingo callers and assistants, within the jurisdiction of the Actors, &c., (State) Industrial Committee;  
  
Persons within the jurisdiction of the Musicians (State) Industrial Committee;  
  
Persons within jurisdiction of the Club Managers and Secretaries (State) Industrial Committee;
3. The said committee shall consist of one representative of employers and one representative of employees.
4. The representative of the employers shall be appointed, upon nomination as prescribed, by the Registered Clubs' Association of New South Wales.
5. The representative of employees shall be appointed, upon nomination as prescribed, by the Australian Liquor, Hospitality and Miscellaneous Workers Union, Liquor and Hospitality Division, New South Wales Branch.
6. This order shall take effect on and from 17 February 2005.

M. SCHMIDT J.

**SERIAL C3696**

**CLERICAL AND ADMINISTRATIVE EMPLOYEES LEGAL  
INDUSTRY (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Law Society of New South Wales.

(No. IRC 551 of 2005)

Before The Honourable Justice Staunton

18 February 2005

**ORDER**

The Commission orders that -

1. The Clerical and Administrative Employees Legal Industry (State) Industrial Committee published 23 June 2000 (316 I.G. 876), be extended for a further three (3) years.
2. This order shall take effect from 18 February 2005 and shall remain in force for a period of three (3) years until 17 February 2008.

P. J. STAUNTON J.

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**SERIAL C3595**

**CLERICAL AND ADMINISTRATIVE EMPLOYEES (STATE)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, industrial organisation of employees.

(No. IRC 780 of 2005)

Before The Honourable Justice Schmidt

21 February 2005

**ORDER**

The Commission orders that -

1. The Clerical and Administrative Employees (State) Industrial Committee published 20 April 2001 (324 I.G. 222), be extended for a further three (3) years.
2. This order shall take effect from 21 February 2005 for a period of three (3) years.

M. SCHMIDT J.

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Printed by the authority of the Industrial Registrar.

**SERIAL C3573**

**CLEANING CONTRACTORS (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Building Services Contractors Association of Australia, industrial organisation of employers.

(No. IRC 320 of 2005)

Before The Honourable Justice Marks

16 February 2005

**ORDER**

The Commission orders that: -

1. The duration of the Industrial Committee, known as the Cleaning Contractors (State) Industrial Committee published 15 December 1995 (289 I.G. 1441), be extended for a further three (3) years.
2. This order shall take effect from 16 February 2005 for a period of three years.

F. MARKS *J.*

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SERIAL C3714

**CHEMICAL WORKERS (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 359 &amp; 360 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Chemical Workers (State) Industrial Committee published 15 November 1996 (295 I.G. 978), be dissolved.
2. There be established a Chemical Workers (State) Industrial Committee for the Industries and Callings of:-

Employees engaged in the manufacture of chemicals, chemical compounds, fungicides and insecticides (other than pharmaceutical chemicals and other than medicinal and household chemicals in drug warehouses or drug factories), gases, patent manures, or fertilizers, and including employees other than storemen and packers, engaged in loading and unloading vehicles, and all employees engaged in the manufacture of synthetic resins, ellitane or other moulding powders, including employees other than storemen and packers, engaged in loading and unloading vehicles in the State, excluding the County of Yancowinna;

excepting employees of-

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufacturers Limited, Australian Fertilizers Limited and Austral Standards Cables Proprietary Limited, in and about the works of the said companies at Port Kembla, including employees employed by Australian Fertilizers Limited on the bone crushing and fertilizer mixing and bagging plant at Granville, and in the manufacture of acids, chemicals and fertilizers at Villawood;

The Broken Hill Proprietary Company Limited.  
The Council of the City of Sydney  
Energy Australia  
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;  
Blue Circle Southern Cement Limited;  
The Council of the City of Newcastle;  
The Australian Gas Company;  
James Hardie and Company Proprietary Limited;  
Wunderlich Limited;  
Asbestos Products Limited;

and excepting also-

Employees in or about metalliferous and limestone mines, in or in connection with mining for minerals other than coal or shale, in or about diamond and gem bearing mines, mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works; and

Employees engaged in the manufacture of moulding powders in the rubber industry or in an industry which manufactures goods by plant and equipment which are normal to the rubber industry;

Employees within the jurisdiction of the Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited) Industrial Committee and the Cement Workers, &c. (State) Industrial Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 2 by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 1 by The Australian Workers Union, New South Wales and 1 by the Australian Liquor, Hospitality and Miscellaneous Worker Union New South Wales Branch.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3705**

## **CEMENT WORKERS, &c., (STATE) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 376 & 377 of 2005)

Before The Honourable Justice Backman

7 March 2005

### **ORDER**

The Commission orders that:-

1. The Cement Workers, &c., (State) Industrial Committee published 31 May 1996 (292 I.G. 1252), be dissolved.
2. There be established a new Cement Workers, &c. (State) Industrial Committee for the Industries and Callings of:-

All persons employed by Cement Australia Holdings Pty Ltd.

Excepting employees within the jurisdiction of the Clerical and Administrative Employees (State) Industrial Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees. There shall also be four (4) representatives of employees with alternate nominating rights.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 2 by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 1 by The Australian Workers Union, New South Wales and 1 by the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch.

Members (alternate nominating rights):

1 by Electrical Trades Union of Australia, New South Wales Branch  
1 by Construction, Forestry, Mining and Energy Union (New South Wales Branch)  
1 by The New South Wales Plumbers and Gasfitters Employees Union  
1 by Transport Workers' Union of New South Wales

6. This order shall take effect from 7 March 2005 for a period of three (3) years.

BACKMAN J.



**CEMENT, &c., PIPE MAKING (STATE) INDUSTRIAL COMMITTEE**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 361 & 362 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Cement, &c., Pipe Making (State) Industrial Committee published 9 July 1993 (275 I.G. 1072), be dissolved.
2. There be established a new Cement, &c., Pipe Making (State) Industrial Committee for the Industries and Callings of:-

All labourers employed in or in connection with the manufacture of cement, monier and/or concrete pipes by hand or machine, in factories, and also all labourers in factories engaged in the manufacture of cement, monier and/or concrete tubs, baths, sinks, ventilating shafts, troughs, blocks, rollers, tiles, slabs, gutter bridges, plates, pile armours, bridge plies, and similar articles, and preparing reinforcement of steel or wire for use in making such articles in the State, excluding the County of Yancowinna;

Excepting employees of-

Rail Corporation New South Wales  
State Transit Authority of New South Wales  
Roads and Traffic Authority of New South Wales  
Sydney Water Corporation  
Hunter Water Corporation  
The Council of the City of Sydney  
Shire or Municipal Councils  
The Electrolytic Refining and Smelting Company of Australia Limited, Metal Manufacture Limited and Australian Fertilizers Proprietary Limited, at Port Kembla;  
Blue Circle Southern Cement Limited;  
The Kandos Cement Company Limited;  
Australian iron and Steel Proprietary Limited, within the jurisdiction of the iron and Steel works Employees (Australian Iron & Steel Proprietary Limited) Conciliation Committee and the Quarries (Australian Iron and Steel Pty Limited) Conciliation Committee;  
The Australian Gas Light Company;  
The Broken Hill Proprietary Company Limited at Newcastle; and of Australian Wire Industries Pty Ltd at its Newcastle Wiremill;  
South Maitland Railways Pty Ltd

And excepting employees-

In or about coal mines north of Sydney, in or about coal mines in the South Coast District, in or about coal and shale mines west of Sydney.

And excepting also-

Carters, grooms, stablemen, yardmen, and drivers of motors and other power propelled vehicles;  
Employees within the jurisdiction of Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited) Industrial Committee and the Cement Workers, &c. (State) Industrial Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representative of employers shall be appointed, upon nomination as prescribed, 2 by Australian Business Industrial.
5. The representative of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers' Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3722**

**BUTTER, &c., FACTORY EMPLOYEES (NEWCASTLE AND  
NORTHERN) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 275 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Butter, &c., Factory Employees (Newcastle and Northern) Industrial Committee published 14 June 1996 (293 I.G. 362), be extended for a further period of three (3) years.
2. Delete the representatives of employers and insert in lieu thereof the following:  
  
The representatives of employers shall be appointed, upon nomination as prescribed, one by Australian Business Industrial, one by Employers First and one by Australian Co-operative Foods Limited.
3. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3733**

**BUTCHERS, WHOLESALE (NEWCASTLE AND NORTHERN)  
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 280 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Butchers, Wholesale (Newcastle and Northern) Industrial Committee published 14 June 1996 (293 I.G. 368), be extended for a further period of three (3) years.
2. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3719**

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**BUTCHERS, WHOLESALE (COUNTRY) INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 264 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Butchers, Wholesale (Country) Industrial Committee published 14 June 1996 (293 I.G. 374), be extended for a further period of three (3) years.
2. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3724**

## **BUTCHERS, RETAIL (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch, an industrial organisation of employees.

(No. IRC 272 of 2005)

The Honourable Mr Deputy President Harrison

9 March 2005

### **ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Butchers, Retail (State) Industrial Committee published 14 June 1996 (293 I.G. 372), be extended for a further period of three (3) years.
2. This order shall take effect from 9 March 2005 for a period of three (3) years.

R. W. HARRISON *D.P.*

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**SERIAL C3720**

**BUTCHERS, ANIMAL MEAT - RETAIL (STATE) INDUSTRIAL  
COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 265 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The duration of the Industrial Committee, known as the Butchers, Animal Meat - Retail (State) Industrial Committee published 14 June 1996 (293 I.G. 358), be extended for a further period of three (3) years.
2. Delete the reference to Employers Federation of New South Wales in the employer nominating rights of the said Committee and insert in lieu thereof the following:  
  
"Employers First."
3. This order shall take effect from 21 February 2005 for a period of three (3) years.

BACKMAN J.

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**SERIAL C3709**

**ASPHALT MAKERS (STATE) INDUSTRIAL COMMITTEE**

## INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 392 & 394 of 2005)

The Honourable Justice Backman

21 February 2005

**ORDER**

The Commission orders that:-

1. The Asphalt Makers (State) Industrial Committee published 21 June 1996 (293 I.G. 560), be dissolved.
2. There be established a new Asphalt Makers (State) Industrial Committee for the Industries and Callings of:-

Labourers engaged in the manufacture or preparation of bitumen emulsion, asphalt emulsion, bitumen or asphalt preparations, hot pre-mixed asphalt, cold paved asphalt and mastic asphalt, used in the construction or maintenance of building railways, tramways, roads, bridges, water conservation and irrigation works and harbour and reclamation works, other than such labourers engaged in such work on works in progress of construction within the State, excluding the County of Yancowinna;

Excepting the employees of:

The Council of the City of Sydney;  
Energy Australia  
Shire or municipal councils  
Australian Iron and Steel Proprietary Limited;  
The Broken Hill Proprietary Company Limited at Newcastle;  
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;  
The Australian Gas Light Company;  
The Council of the City of Newcastle;

And excepting also:

All person engaged in the making of gas and paint; and

All persons engaged in the making of bituminous roofing and flooring fabrics and bituminous preparations used in connection with the laying, sealing and maintenance of such fabrics within the jurisdiction of the Bituminous Materials Manufacture, &c. (State) Conciliation Committee.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, 1 by Employers First and 1 by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, 2 by The Australian Workers Union, New South Wales.
6. This order shall take effect from 21 February 2005 for a period of three (3) years.



BACKMAN *J.*

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**SERIAL C3565**

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## **AGRICULTURAL EMPLOYEES (STATE) INDUSTRIAL COMMITTEE**

### INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 403 of 2005)

Before Mr Deputy President Sams

14 February 2005

### **ORDER**

The Commission orders that -

1. The duration of the Industrial Committee, known as the Agricultural Employees (State) Industrial Committee published 9 July 1993 (275 I.G. 1068) be extended for a period of three (3) years.
2. This order shall take effect from 14 February 2005 for a period of three (3) years.

P. J. SAMS *D.P.*

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## ENTERPRISE AGREEMENTS APPROVED BY THE INDUSTRIAL RELATIONS COMMISSION

(Published pursuant to s.45(2) of the *Industrial Relations Act 1996*)

### EA05/232 - McKey Distribution (Transport Workers) Raymond Terrace Agreement 2005

**Made Between:** McKey Distribution Pty Limited t/as McKey Distribution -&- the Transport Workers' Union of New South Wales.

**New/Variation:** Replaces EA02/242.

**Approval and Commencement Date:** Approved and commenced 8 July 2005.

**Description of Employees:** The agreement applies to all employees employed by McKey Distribution Pty Limited, t/a McKey Distribution, located at Raymond Terrace, NSW establishment who are employed in transport and warehouse activities, duties and classifications who fall within the coverage of the Transport Industry - Mixed Enterprises Interim (State) Award.

**Nominal Term:** 31 Months.

### EA05/233 - Hymix Australia Pty Limited Concrete Cartage Agreement

**Made Between:** Hymix Australia Pty Limited -&- the Transport Workers' Union of New South Wales.

**New/Variation:** Replaces EA03/218.

**Approval and Commencement Date:** Approved 25 February 2005 and commenced 11 October 2004.

**Description of Employees:** The agreement applies to all employees employed by Hymix Australia Pty Limited, engaged to cart premixed concrete or batched materials at the Company's Mayfield, Toronto, Rutherford and Belmont Concrete Plants. The agreement relates to the classification of Concrete Agitator Vehicle Driver and employees who fall within the coverage of the Transport Industry - Mixed Enterprises Interim (State) Award; Transport Industry (State) Superannuation Award; and Transport Industry - Redundancy (State) Award.

**Nominal Term:** 24 Months.

**EA05/234 - Trueways Transport Pty Limited - Transport Workers Enterprise Bargaining Agreement**

**Made Between:** Trueway Transport Pty Ltd -&- the Transport Workers' Union of New South Wales.

**New/Variation:** New.

**Approval and Commencement Date:** Approved 14 June 2005 and commenced 10 November 2005.

**Description of Employees:** The agreement applies to all employees employed by Trueways Transport Pty Ltd, located at 21 Carbine Close Maryland NSW 2287, who fall within the coverage of the Transport Industry (State) Award.

**Nominal Term:** 24 Months.

**EA05/235 - Hanson Construction Materials Ltd Wallgrove Quarry Enterprise Agreement 2005**

**Made Between:** Hanson Construction Materials Pty Ltd -&- The Australian Workers' Union, New South Wales .

**New/Variation:** Replaces EA02/128.

**Approval and Commencement Date:** Approved 14 July 2005 and commenced 16 February 2005.

**Description of Employees:** The agreement applies to all employees employed by Hanson Construction Materials Pty Ltd, located at Level 5, 75 George Street, Parramatta NSW 2150, who fall within the coverage of the Quarries, &c. (State) Award.

**Nominal Term:** 15 Months.

**EA05/236 - Lubrizol International, Inc. Enterprise Agreement 2005**

**Made Between:** Lubrizol International, Inc -&- the National Union of Workers, New South Wales Branch.

**New/Variation:** Replaces EA01/107.

**Approval and Commencement Date:** Approved and commenced 21 July 2005.

**Description of Employees:** The agreement applies to all employees employed by Lubrizol International, Inc. engaged as Plant Operators carrying out work at 28, River Street, Silverwater and at any other locations as directed by Lurizol International, Inc. from time to time, who fall within the coverage of the Storemen and Packers, General (State) Award.

**Nominal Term:** 36 Months.

**EA05/237 - Spicers Station Group Enterprise Flexibility Agreement Kingsgrove 2004**

**Made Between:** Spicers Stationery Group -&- the National Union of Workers, New South Wales Branch.

**New/Variation:** Replaces EA02/326.

**Approval and Commencement Date:** Approved 21 July 2005 and commenced 30 June 2004.

**Description of Employees:** The agreement applies to all employees employed by Spicers Stationery Group, located at 133, Vanessa Street, Kingsgrove NSW 2208, who fall within the coverage of the Storemen and Packers General (State) Award.

**Nominal Term:** 24 Months.

**EA05/238 - Logistics Management Services (NSW) a division of DHL Danzas Air & Ocean (Australia) Pty Ltd Certified Agreement 2004**

**Made Between:** DHL Danzas Air & Ocean (Australia) Pty Ltd -&- the Transport Workers' Union of New South Wales.

**New/Variation:** New.

**Approval and Commencement Date:** Approved and commenced 28 July 2005.

**Description of Employees:** The agreement applies to all employees employed by DHL Danzas Air & Ocean (Australia) Pty Ltd, and the Transport Workers Union of Australia NSW Branch (TWU), who are engaged to perform work under this agreement in the State of NSW, save and except for those employees engaged under a salary arrangement, who fall within the coverage of the Transport Industry (State) Award.

**Nominal Term:** 24 Months.

**EA05/239 - Atlas Copco Australia Pty Limited Blacktown Warehouse Enterprise Agreement 2005**

**Made Between:** Atlas Copco Australia Pty Limited -&- the National Union of Workers, New South Wales Branch.

**New/Variation:** Replaces EA03/189.

**Approval and Commencement Date:** Approved 2 August 2005 and commenced 1 April 2005.

**Description of Employees:** The agreement applies to all employees employed by Atlas Copco Australia Pty Limited, located at 3, Bessemer Street, Blacktown NSW 2148, who fall within the coverage of the Storemen and Packers, General (State) Award.

**Nominal Term:** 24 Months.

**EA05/240 - Cement Australia Packaged Products Pty Ltd - Clyde NSW - Enterprise Agreement 2005 - 2007**

**Made Between:** Cement Australia Packaged Products Pty Limited -&- the National Union of Workers, New South Wales Branch.

**New/Variation:** Replaces EA03/135.

**Approval and Commencement Date:** Approved 2 August 2005 and commenced 1 April 2005.

**Description of Employees:** The agreement applies to all employees employed by Cement Australia Packaged Products Pty Ltd, engaged in the bagging, warehousing and distribution of cement products and other products in the Cement Australia Packaged Products range, who fall within the coverage of the Storemen and Packers General (State) Award.

**Nominal Term:** 24 Months.

**EA05/241 - Northern Suburbs Cemetery and Crematorium Trust Trading as Macquarie Park Cemetery Enterprise Agreement 2005**

**Made Between:** Northern Suburbs Cemetery and Crematorium Trust -&- The Funeral and Allied Industries Union of New South Wales Branch.

**New/Variation:** Replaces EA02/357.

**Approval and Commencement Date:** Approved 11 August 2005 and commenced 1 July 2005.

**Description of Employees:** The agreement applies to all employees employed by Northern Suburbs Cemetery & Crematorium trading as Macquarie Park Cemetery, who fall within the coverage of the Cemetery and Crematoria Employees (State) Award.

**Nominal Term:** 36 Months.

**EA05/242 - Iplex Pipelines Australia Chipping Norton Enterprise Bargaining Agreement 2005**

**Made Between:** Iplex Pty Ltd -&- the National Union of Workers, New South Wales Branch.

**New/Variation:** Replaces EA02/109.

**Approval and Commencement Date:** Approved 6 June 2005 and commenced 6 February 2005.

**Description of Employees:** The agreement applies to all employees employed by Iplex Pipelines Australia, located at 18, Childs Road, Chipping Norton NSW 2170, who fall within the coverage of the Storemen and Packers, General (State) Award.

**Nominal Term:** 24 Months.

**EA05/243 - Clean Fuels (Kurnell Refinery) Project Agreement 2004**

**Made Between:** Parsons Energy & Chemicals Group Incorporated -&- the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Construction, Forestry, Mining and Energy Union (New South Wales Branch), Electrical Trades Union of Australia, New South Wales Branch, The Australian Industry Group New South Wales Branch, The Australian Workers' Union, New South Wales, The New South Wales Plumbers and Gasfitters Employees' Union, Transport Workers' Union of New South Wales, Unions NSW.

**New/Variation:** New.

**Approval and Commencement Date:** Approved 29 October 2004 and commenced 1 September 2004.

**Description of Employees:** The agreement applies to all employees employed by Parsons Energy & Chemicals Inc. who are engaged to work on the Project at the Caltex Refinery, Solander Street, Kurnell NSW 2231, who fall within the coverage of the Building and Construction Industry (State) Award, Metal Engineering and Associated Industries (State) Award, Electrical, Electronic and Communications Contracting Industry (State) Award, Mobile Crane Hiring Award 1996, Transport Industry (State) Award, Transport Industry - Excavated Materials, Contract Determination, Plumbers and Gasfitters (State) Award.

**Nominal Term:** 21 Months.

**INDUSTRIAL GAZETTE****VOLUME 353****INDEX**

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**Key to Abbreviations Used:**

<i>(ACC)</i>	—	<i>Award of Conciliation Commissioner/Committee.</i>
<i>(AIC)</i>	—	<i>Award of Industrial Commission.</i>
<i>(AIRC)</i>	—	<i>Award of Industrial Relations Commission.</i>
<i>(AR)</i>	—	<i>Award Reprint (Consolidation).</i>
<i>(ART)</i>	—	<i>Award of Retail Trade Industrial Tribunal.</i>
<i>(CD)</i>	—	<i>Contract Determination.</i>
<i>(ERR)</i>	—	<i>Erratum.</i>
<i>(OCC)</i>	—	<i>Order of Conciliation Commissioner.</i>
<i>(OIC)</i>	—	<i>Order of Industrial Commission.</i>
<i>(OIRC)</i>	—	<i>Order of Industrial Relations Commission.</i>
<i>(OIR)</i>	—	<i>Order of Industrial Registrar.</i>
<i>(RIRC)</i>	—	<i>Reviewed Award.</i>
<i>(RVIRC)</i>	—	<i>Variation - Reviewed Award.</i>
<i>(VCC)</i>	—	<i>Variation by Conciliation Commissioner/Committee.</i>
<i>(VCD)</i>	—	<i>Variation of Contract Determination.</i>
<i>(VIC)</i>	—	<i>Variation by Industrial Commission.</i>
<i>(VIR)</i>	—	<i>Variation by Industrial Registrar.</i>
<i>(VIRC)</i>	—	<i>Variation by Industrial Relations Commission.</i>
<i>(VRT)</i>	—	<i>Variation by Retail Trade Industrial Tribunal.</i>
<i>(VSW)</i>	—	<i>Variation following State Wage Case.</i>



## Index

		Page
Awards and Determinations -		
Awards Made or Varied -		
Aerated Waters, &c. (State)	(VSW)	857
Animal Food Makers, &c. (State)	(ERR)	633
Australian Inland and Electrical Trades Union Industrial Enterprise Award 2004	(AIRC)	16
Australian Inland Consent Award 2004	(AIRC)	458
AWU-AMR Enterprise Award 2004	(AIRC)	214
Biscuit and Cake Makers (State)	(ERR)	634
Blue Collar Recruitment - NUW (NSW) Consent Award 2005	(AIRC)	299
Boral Prospect Quarry Transition to Closure (State)	(AIRC)	64
Broken Hill Commerce and Industry Agreement Consent Award 2001	(RIRC)	677
Butchers, Retail (State)	(VSW)	120
Canteen, &c., Workers (State)	(VIRC)	892
Caterers Employees (State)	(VIRC)	863
Chikadee Foods Pty Ltd (Lisarow Site)	(AIRC)	874
Community College Principals (New South Wales)	(RVIRC)	852
Country Energy Enterprise Award 2004	(AIRC)	584
Crown Employees (Health Care Complaints Commission, Medical Advisers)	(AIRC)	114
Crown Employees (NSW Department of Lands - Conditions of Employment) Award 2004	(AIRC)	542
Crown Employees (NSW Department of Tourism, Sport and Recreation Centres and Academy Managers) Award 2005	(RIRC)	663
Crown Employees (NSW Food Authority - Food Safety Officers)	(RIRC)	635
Crown Employees (Operational Staff - NSW Agriculture)	(RIRC)	647
Crown Employees (Roads and Traffic Authority of New South Wales - Traffic Signals Staff)	(AIRC)	803
Crown Employees (Roads and Traffic Authority of NSW - School Crossing Supervisors)	(AIRC)	787
Crown Employees Division Controllers (State Emergency Service 2005)	(RIRC)	672
Entertainment And Broadcasting Industry - Film And Video Production (State)	(AIRC)	227
Entertainment and Broadcasting Industry - Live Theatre and Concert (State)	(AIRC)	73
Footwear Manufacturing Industry (State)	(VSW)	859
GIST Operations (NSW) Award 2005	(AIRC)	284
Health Employees' (State)	(VIRC)	621
Health Employees' Dental Technicians (State)	(VIRC)	629
Health Employees' Pharmacists (State)	(VIRC)	627
Health Employees' Technical (State)	(VIRC)	623
Health Professional and Medical Salaries (State)	(VIRC)	625
Ice Cream Carters and Van Salespersons (State)	(VSW)	123
Journalists, etc. (Australian Consumers Association Limited)	(VSW)	855
Lend Lease Parramatta Railway Station Project	(AIRC)	193
Lend Lease University of NSW - NMDZ Project Award	(AIRC)	263
Macquarie Generation Employees (State) Award 2002	(VIRC)	517
Macquarie Generation Employees (State) Award 2005	(AIRC)	362
Meter Readers and Field Officers (State)	(AIRC)	522

Miscellaneous Workers SDN Children's Services Long Day Care Centres (Conditions of Employment) (State) Award	(RVIRC)	617
Newcastle City Council Employees' Award 2003	(VIRC)	868
Northcott (State) Award, The	(AIRC)	413
NSW Port Corporations Award 2001	(RIRC)	561
Parliamentary Reporting Staff (Salaries)	(AIRC)	107
Private Medical Imaging (State) Award 2004	(AIRC)	311
Public Hospital (Career Medical Officers) (State)	(AIRC)	1
Public Hospitals Dental Assistants (State)	(VIRC)	632
Refinery Operators Shell Refining (Australia) Pty Ltd Award 2003	(AIRC)	131
Refinery Operators Shell Refining (Australia) Pty Ltd Award 2004	(AIRC)	160
SDN Children's Services (Inc) Early Childhood Long Day Care Centres (State)	(RVIRC)	303
Storemen and Packers Bond and Free Stores (State)	(VSW)	515
Teachers (Catholic Early Childhood Service Centres and Pre-Schools) (State)	(RVIRC)	854
Transport Industry - Concrete Haulage Contract Determination	(VCD)	862
Transport Industry - Motor Bus Drivers and Conductors (State)	(AIRC)	760
Union Street Project Award 2005	(AIRC)	342
Unions NSW & A W Edwards Pty Limited Resmed Campus Development Stage 2 Project	(AIRC)	435
University of Newcastle Union Food and Beverage Staff (State)	(VSW)	619
Vehicle Industry - Repair Services and Retail (State)	(RVIRC)	850

## Industrial Committees -

Agricultural Employees (State)	968
Amenity Tree Industry (State)	898
Asphalt Makers (State)	966
Building, Construction and Related Callings (State)	899
Butchers Animal Meat Retail (State)	965
Butchers Wholesale (Country)	963
Butchers, Retail (State)	964
Butchers, Wholesale (Newcastle and Northern)	962
Butter, &c., Factory Employees (Newcastle and Northern)	961
Cement Workers, &c., (State)	958
Cement, &c., Pipe Making (State)	959
Chemical Workers (State)	956
Cleaning Contractors (State)	955
Clerical and Administrative Employees (State)	954
Clerical and Administrative Employees Legal Industry (State)	953
Club Employees (State)	952
Coachmakers, &c., Road (State) and Perambulator Manufacturers Consolidated (State)	951
Cold Storage, &c., Employees (Northumberland)	949
Cold Storage, &c., Employees (State)	950
Cotton Ginning, &c. (State)	948
Crown Employees (Skilled Tradesmen)	946
Fish Wholesale Marketing (State)	944
Furnishing Trades (State)	943
Gangers (State)	941
Glass Workers (State)	940
Government Railways (Building Trades)	939
Government Railways (Permanent Way)	937
Hairdressing and Beauty Treatment (State)	936
Horticultural and Garden Employees (State)	935

Landscape Gardeners, &c. (State)	933
Laundry Employees (State)	932
Margarine Makers (State)	931
Meat Preservers, &c. (State)	930
Metal and Engineering Industry (New South Wales)	929
Metalliferous Miners &c., General (State)	927
Nut Food Makers (State)	897
Oyster Farms &c., (State)	926
Pastoral Employees (State)	925
Pest Control Industry (State)	924
Photographers (State)	923
Potato Crisp Makers (State)	922
Poulterers (State)	921
Public Hospital Nurses' (State)	920
Sawmillers, &c. (State)	919
Smallgoods Manufacturers (State)	918
Soap and Candle Makers (State)	917
Sugar Field Workers (State)	916
Surveyors' Assistants (State)	914
Sydney Harbour Bridge Employees	913
Toymakers' Employees (State)	912
Transport Industry Wholesale Butcher (Country)	911
Enterprise Agreements Approved by the Industrial Relations Commission	125 304 518 969
Contract Agreements Approved by the Industrial Relations Commission	310