



MARCH 2022 EDITION

Everybody Out is an industry newsletter produced by the Australian Public Transport Industrial Association (APTIA), the industrial arm of the Bus Industry Confederation (BIC). The editor of this newsletter is Ian MacDonald, National IR Manager of the BIC. Enquiries relating to the contents of this newsletter can be directed to:

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Wayne Patch
APTIA Chairman

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- APTIA breakfasts – Brisbane (Thursday 7 April 2022), Melbourne (Wednesday 6 July 2022), Sydney (Tuesday 4 October 2022).
- QBIC Annual Conference – Saturday, 9 April 2022.
- TasBus Annual Conference – Saturday, 4 June 2022.
- BAV Maintenance Conference – Thursday, 7 & Friday, 8 July 2022.
- Australasian Bus and Coach Expo, Sydney – Wednesday, 5 & Thursday, 6 October 2022.
- APTIA AGM – Sunday 13 November 2022 (Brisbane)
- BIC National Conference – Monday 14 November 2022 to Wednesday 16 November 2022.

MEMBERSHIP NEWS

APTIA's National IR Seminar



The Australian Public Transport Industrial Association held a virtual National IR seminar on Wednesday 23 March 2022.

Over 75 passenger transport industry delegates attended the National IR seminar titled:

"IR- where to next?"

With a federal election in the wind, Senator, the Hon Amanda Stoker, Asst. Attorney General and Asst. Minister for Industrial Relations and for Women, LNP and Senator Tony Sheldon, ALP, outlined their political party's industrial relations policies.

Senator Stoker spoke about the troubling times that covid – 19 tossed up but referenced that fact that unemployment figures were at record lows.

The Senator spoke about the disappointment that the Government felt when the Opposition opposed the full sweep of reforms in the **Fair Work Amendment (Supporting Australia's Job and Economic Recovery) Bill 2021**.

Whilst the issues relating to casual employment were passed into law, the Senator referred to the other issues, such as creating flexibility in modern Awards, making approval of Enterprise Agreements more accessible, extending the timeframe for Greenfield Agreements to cover the length of a project and important enforcement and compliance provision to protect employees against underpayment of wages, which were not passed but which would be revisited in a new Parliament.

The Senator also flagged that her government was reconsidering those recommendations from the recent "Respect at Work" report on sexual harassment, that were not included in the **Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021**.

Senator Tony Sheldon, who has recently chaired a Senate Select Committee into Insecure Employment, highlighted that his Party in Government would seek to address the elephant in the room which was to ensure that wages growth met the cost of living which had spiralled well ahead of any wage's growth. Senator Sheldon gave an analogy of 'starvation equals starvation wages.'

The Senator also spoke about some of the recommendations from the Select Committee report which preferred a different, more expansive definition of casuals to reflect the actual nature of the employment, not the initial agreed contractual arrangement. Senator Sheldon flagged changes to the Fair Work Act 2009 to reflect this position.

The Senator was very critical of working in the gig economy and with labour hire. The Senator stated that workers in these circumstances were clearly disadvantaged by not having the same protection that was afforded to employees who undertook the same work but as part of their employment.

The Senator made it clear that his Party, in Government, would look to provide laws in which same work meant same pay and conditions.

Vice President Adam Hatcher, SC gave an overview of the workings of the Fair Work Commission and the rapid transformation of Commission practices, especially in relation to the development of online hearings. The Vice President described online hearings as ‘the new normal’.

Vice President Hatcher gave an insight into the continuing challenges in the Commission against the public health orders mandating vaccinations. The Vice President highlighted a number of decisions and the reasons for them.

Professor Andrew Stewart, the John Bray Professor of Law at Adelaide University gave his overview of both the major parties approach to industrial relations.

Professor Stewart stated that he had not hear a single policy commitment from Senator Stoker but was convinced that the Opposition would target security at work and wages growth as the basis of their IR policies.

Professor Stewart also flagged that during this next term of Government the current President of the Fair Work Commission would retire, and the Government of the day would need to appoint a new President.

Finally, Nikki Britt, a well-respected health expert and a director of worker compensation insurers, Employers Mutual Insurance (EML) spoke about the mental health issues that had arisen as a consequence of the pandemic.

Ms Britt highlighted the responsibility for employers to understand the psychosocial issues that may impact on an employee in the workforce.

Ms Britt also spoke about how employers could attract employees in the bus industry and, most importantly, how to keep those employees. Ms Britt has been an advisor to the Bus and Coach industry for over ten years.

The meeting was scheduled to last for two hours but the interest engendered by the speakers and the Q & A sessions meant that the seminar went for three hours.

Nobody complained.

Note:

A video recording of the presentation of each speaker, the Hon Senator Amanda Stoker LNP, Senator Tony Sheldon ALP, Vice President Adam Hatcher SC, Professor Andrew Stewart, and Ms Nikki Britt can be found on the APTIA website www.aptia.com.au/industry/news

In addition, presentations by Professor Stewart, Adam hatcher SC and Nikki Britt can also be found at the same website.

Anthony (Tony) Hopkins



The Council of the Bus Industry Confederation recently held its Annual General Meeting, in Canberra, at which long standing, Chairperson Wayne Patch stood down as Chair and handed the reins over to Tony Hopkins, the Chief Executive Officer, Regional Australia Division of Comfort DelGro, Australia (CDC).

Tony's election was very well received and APTIA looks forward to working closely with Tony.

Wayne Patch, for the time being remains the Chairperson of APTIA. Elections for Council and Office Bearers of APTIA are required to be held by 24 August 2022.

APTIA Breakfasts



APTIA will hold its first industrial relations breakfast, hosted by Piper Alderman, solicitors in their office in the Riparian Plaza in Brisbane on 7 April.

Invitees have received a brief outline of those issues which they will discuss over an informal breakfast.

Issues include:

How are you handling the Pandemic?

Whilst the major restrictions of the Pandemic are over it has not gone away and for public transport, in most instances, States have enacted public health orders with respect to travelling on public transport, especially the wearing of masks. The issue for bus operators continues to be:

- Ensuring a safe place to work with policies that deal with hygiene, wearing of masks, social distancing, reporting outbreaks and isolation requirements.
- There have been a number of cases determined in the FWC that deal with the need for proper consultation in providing directions to the workforce regarding the requirement to be vaccinated (Mt Arthur Coal case), the extent to which an exemption from vaccination or wearing a mask can defeat a direction (Qantas case; Edward's case) and the enforceability of public health orders (Hazzard case).
- The issue of the role that a bus driver plays in enforcing the wearing of masks on their buses.

What is your view about additional paid leave entitlements such as portable long service leave, paid sick leave for casuals, paid family, and domestic violence leave?

The Victorian Government has introduced a scheme, whereby a casual employee is entitled to 5 days paid sick leave each year, which is not cumulative. The scheme allows a casual employee to claim the basic wage rate (\$20.33 an hour) for up to 5 days.

The entitlement will be funded by the Victorian Government on a 2-year trial. The Union movement has already called for other States and the Federal Government to introduce similar schemes. The scheme is limited to a small number of industries i.e., hospitality, cleaning, sales, and aged care.

At the same time NSW, Queensland, Victoria, and Western Australia have introduced portable long service leave schemes for specific industries such as construction and cleaning services. These schemes are regulated and managed by LSL Corporations and in some cases are funded direct by employers in the same way as super is paid or in some States by a levy on all construction work. LSL is a national employment standard, and it has been mooted for some time that the Federal Government should legislate a uniform system for all industries.

Finally, the Fair Work Commission is currently reviewing the current requirement to provide up to 10 days unpaid leave for family and domestic violence leave. The ACTU proposal and the various reviews have all advocated at least for 5 days paid family and domestic violence leave. A hearing is set for 8 April.

Where are wages heading? What is now a reasonable wage increase, what will the minimum wage award, the LPI and CPI be this financial year?

This is an unknown factor but what we do know is that the cost of living is tracking upwards. The annual CPI is 3.5% and is tipped to reach 4.5% by end of June. Wage rates are heading towards 3% by the end of the year and the LPI is tipped to reach at 2.75% by the end of September. This year's minimum wage determination which is released early June will give a good indication of where wage rates are heading.

Last year in a depressed market the MWD was 2.5%.

If the responsibility was upon employers to prohibit sexual harassment in the workplace, what steps would you take to comply?

The Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021 has introduced a new definition of Sex based harassment as unwelcome conduct of a seriously demeaning nature by reason of the person's sex, in circumstances which a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated.

Sexual harassment is now a basis to dismiss an employee for serious misconduct and the FWC has the power to grant orders prohibiting continued sexual harassment.

Further developments include the Government's consideration of further recommendations from the Respect at Work report to place the onus of proof onto employers to prove that sexual discrimination did not occur in their workforce and to make sexual harassment prohibited behaviour for which sanctions may apply.

INDUSTRY NEWS – What you need to know?

The Budget – what does it mean for employment in our industry?

Wages growth

The Federal Government is forecasting in its 2022-23 Budget that wage growth will increasingly outpace consumer price inflation for the next four financial years, after lagging badly in the current 12 months.

Treasury says that in the current financial year, the CPI will rise by 4.25%, while the Wage Price Index will increase by just 2.75%.

But this will turn around in the financial years beyond, it says, with CPI of 3% and WPI of 3.25% in 2022-23, 2.75% and 3.25% in 2023-24, 2.75% and 3.5% in 2024-25 and 2.5% and 3.5% in 2025-26.

However, Treasury forecasts have been wildly wrong in recent years, so the latest forecast needs to be viewed in that light.

Unemployment

Unemployment, hovering around historic lows of 4% will fall further to 3.75% next financial year and stay there for the following two years, Treasury says.

The Government says in a paper published alongside the Budget that "unemployment is expected to reach 3.75 per cent in 2022, nearly 3 percentage points below the Budget forecast from two years ago and the lowest level in close to 50 years, driving wages growth to their fastest pace in almost a decade".

The ACTU says that after almost a decade in power, "the Morrison Government is still missing in action on wage growth for Australian workers".

It says the average worker "went backwards by \$800 in 2021" and the Budget has confirmed "that these losses are accelerating – the Morrison Government's own projections show workers' wages will go backwards in the first six months of this year by an average of \$500".

Changes to the NES

Redundancy for women

The Morrison Government's 2022-23 Budget has revealed plans to discuss changes to the National Employment Standards to boost redundancy payouts for women and to extend unpaid leave entitlements to foster and kinship carers.

IR Minister said in a statement that the Government will consult with key stakeholders on amending the NES.

She said the changes would aim to "ensure fairness and equity in redundancy payouts, particularly for women", and to recognise the contribution made by foster and kinship carers to vulnerable children.

The NES redundancy provisions largely deal with entitlements accrued by years of service and Budget Paper 2 says the government will consider changes to redundancy payment calculation methods to "ensure that redundancy payments more fairly reflect average working hours over the course of a person's employment".

Paid Parental Leave

In his Budget speech, Federal Treasurer John Frydenberg said that an extension of paid parental leave would mean that more families would be able to access 20 weeks of PPL, including single parent families, and decide how they share it.

The paper says the changes will roll "Dad and Partner Pay" into Parental Leave Pay to create a single paid entitlement of up to 20 weeks, which would be fully flexible and shareable for eligible working parents.

"The Paid Parental Leave can be taken any time within 2 years of the birth or adoption of their child," it says.

"The income test will also be broadened to have an additional household income eligibility test.

"These changes will not result in any existing eligible claimants being worse off."

The changes to the scheme include removing disincentives for fathers to take up parental leave by enabling them to take government PPL in conjunction with employer-funded leave, in the same manner available to women.

"Practically, this means eligible families will have full control over how they choose to use up to 20 weeks of PPL, empowering them to make caring decisions that work for them."

"With more women in work and earning more than ever before, the Government is broadening the PPL income test to include a household income threshold of \$350,000 per year."

Paid Leave for casuals

The Victorian Government has finalised its trial proposal to provide paid sick leave to casual employees, in a range of industries, including hospitality, security, retail, cleaning, aged and disability care. The scheme has commenced and is

fully funded by the Victorian Government, through taxpayers' funds, and is on trial for 2 years and does not apply in our passenger transport industry.

The Trade Union movement has called upon the Federal Government to amend the National Employment Standards to include paid sick leave for casuals, which would then apply to all industries.

The Victorian trial allows for up to 5 days, paid sick leave to casuals, at the basic wage hourly rate, currently \$20.33 an hour. The 5 days is not cumulative.

At the same time the Fair Work Commission is reviewing the current 5 days, unpaid family, and domestic violence leave, which is available for all employees. The ACTU has called for a F&DV leave scheme which would see 10 days paid leave available for all employees. This leave would also not to be cumulative.

Rest assured that APTIA and Passenger Transport members, looking ahead, will need to consider how they approach potential, proposed changes to the NES, which:

- Provides for paid sick leave for casuals
- Provides for paid family and domestic violence law for all employees

Minimum wage increases by 6% across the ditch

In a potential signal ahead of this year's annual wage review, New Zealand will next month raise its minimum wage by 6% on the back of higher-than-expected inflation.

Announcing the increase to \$NZ21.20 (\$A19.93), New Zealand Workplace Relations and Safety Minister Michael Wood last month said many minimum wage earners had gone "above and beyond" in the nation's pandemic response, while the rise would also have a stimulatory effect on the economy.

"With the arrival of Omicron, we are once again calling on many of our frontline workers – such as cleaners, supermarket workers, and security guards – to keep the country running as the virus spreads and cases begin to increase," he said.

"Raising the minimum wage will directly benefit approximately 300,000 workers and will help many households that have been most impacted by the effects of COVID.

"For someone working a 40-hour week on the minimum wage, this increase will see them earning an extra \$48 a week, and almost \$2,500 more each year."

New Zealand's "starting-out" and training minimum wage will also increase from NZ\$16 to \$16.96 (A\$15.94) per hour from April 1.

The increases follow annual inflation spiking to 5.9% for the final quarter last year.

Despite the increase, the minimum wage will remain lower than New Zealand's living wage hourly rate of \$22.75 (\$A21.38), which came into effect on September 1 last year.

Independently calculated each year by the New Zealand Family Centre Social Policy Unit, the Living Wage is the hourly wage a worker needs to pay for the necessities of life and participate as an active citizen.

The government is also moving to introduce a Fair Pay Agreements system (see Related Article), which will allow employers and unions within a sector to bargain for minimum terms and conditions for all employees in that industry or occupation.

The New Zealand Council of Trade Unions welcomed the decision to increase the minimum wage to \$21.20 an hour from \$20 an hour, arguing it ensured that minimum wage workers do not fall further behind other workers and means that their incomes are protected in real terms.

However, NZCTU president Richard Wagstaff said unions were disappointed the government did not choose to increase the minimum wage to the Living Wage, as requested by a petition of thousands of front-line workers.

"We feel that this would have genuinely changed how we view Minimum Wage workers, and how we value the impact they make," he said.

"The CTU is calling for a conversation as a country as to how we lift the minimum wage in the future, and how we go about making that decision."

With the Federal budget being delivered on March 29, the FWC's timetable for the minimum wage review is for initial and post-budget submissions closing on April 1, with final reply submissions due on June 7.

Last year, the FWC approved a 2.5% increase in all award rates, increasing the minimum wage from \$19.84 an hour to \$20.33 from July 1, with deferred increases for groups of sectors such as retail, aviation, tourism, and fitness.

While the most recent ABS figures have inflation tracking at about 3%, the impact of floods and oil prices have many predicting a sharp rise in the March quarter.

Trends in Federal Enterprise Bargaining

Bargained pay rises in the December quarter remained flat in the private sector at 2.7% a year, equal to one of the measures of underlying inflation, while they dropped to 2.3% in the public sector, dragging the economy-wide rise down to 2.6%, according to the Attorney-General's Department.

Bargained private sector rises, like the December quarter Wage Price Index of 2.4% annually, are now well behind headline consumer price inflation of 3.5% a year and closely aligned to underlying inflation of 2.6% (trimmed mean) or 2.7% (weighted median – see Related Article).

The Department's Trends in Federal Enterprise Bargaining Report shows that the private sector average annualised wage increase of 2.7% is unchanged from the previous quarter and only slightly ahead of the COVID-19 low of 2.6% over three successive quarters in 2020 and 2021.

The increase applied to 105,500 private sector employees covered by 1077 agreements with an average term of 2.6 years.

Large private sector deals included the Ramsay Health Care Australia Pty Limited and NSW Nurses & Midwives' Association and ANMF NSW Branch Enterprise Agreement 2021-2023, which paid a 2.1% AAWI to 5512 employees) and the Japara Administration Pty Ltd Victorian Aged Care Employees Enterprise Agreement 2021, which paid an AAWI of 3.4% to 4004 employees.

The AAWI for the public sector plummeted from a near three-year high of 2.7% a year in the September quarter to 2.3% in the December quarter.

The 67 public sector agreements approved in the quarter paid an average of 2.3% annually to 43,100 employees over an average term of 1.7 years.

Large public sector agreements approved in the December quarter 2021 include the TAFE Commission of NSW Teachers and Related Employees Enterprise Agreement 2021, which paid an AAWI of 2% to 10,806 employees and the ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2021-2022, which paid a 2.7% AAWI to 10,352 employees.

Across the economy, the AAWI dropped from 2.7% in the September quarter to 2.6% in the December quarter.

The 1144 agreements approved in the December quarter provided that increase to 148,600 employees over an average term of 2.3 years.

The department could not quantify pay rises in 17.7% of December quarter agreements covering 16.5% of employees.

IMPORTANT DECISIONS

Reinstated after sexual harassment complaint

Daniel Matthews v Qantas Airways Limited [2022] FWC 654 (24 March 2022)

The FWC has ordered Qantas to reinstate a trainer accused of inappropriately staring at a female employee's breasts during a "distinguishably lewd" safety demonstration, while taking aim at a "ludicrous" video it used to demonstrate sexual harassment.

A participant in the "recurrent aviation medical and security" course complained that the trainer leaned towards her and stared into her eyes for about 10 seconds before gazing at her chest for up to 20 seconds.

She said the trainer stated, "you can look into a person's eyes to see if they are responsive", before sniggering or laughing and saying words to the effect of "and then you may have noticed that I was deliberately staring at [the participant's] chest to see if she was breathing".

The participant told Qantas that she told him to stop and move on as he was making her feel uncomfortable.

But she said he disregarded her request and when she blushed said "Oh look, [the participant's] face is the same colour as [another participant's] top" (assumed to be the red in the blue, red and fuchsia/pink of Qantas' uniform).

Qantas dismissed the trainer in August last year after rejecting some aspects of the participant's complaints but substantiating others, including that he looked at her chest and made personal comments about it while delivering a medical and security aviation course.

Finding his comments drew unwanted attention to her and made her feel embarrassed, it said his actions were "unwelcome, unwanted, and caused offence, intimidation and humiliation and arguably could constitute sexual harassment".

Commissioner Donna McKenna in finding that Qantas lacked a valid reason for dismissal, noted that the trainer, the participant, and witnesses gave "inconsistent and/or incompatible" accounts of what went on, yet the airline chose not to call any of the witnesses to give evidence.

Rejecting Qantas' submission that the "Commission knows exactly what those witnesses would have said had they been called", she noted "imponderables" such as "how a participant seated in the third row behind the complainant might have seen the face mask-wearing complainant blush" at the same time the trainer was looking at her chest.

On this particular point, Commissioner McKenna considered a *Jones v Dunkel* inference could be drawn, adverse to the airline's case, in light of the trainer's evidence that he was talking about potentially being able to identify allergies if a person's skin is red.

Preferring the trainer's version, she noted his Power Point slides guided his words and the order in which he said such things as "looking at the face you are looking for eye condition. . ." and "when assessing breathing, LOOK for breathing", before asking participants what else they would observe and being told "colour".

With the participant recalling the trainer "gazing" into her eyes and his use of the phrase "you can look into a person's eyes to see if they are responsive", she described the situation as "distinguishably lewd".

But Commissioner McKenna held that any such comments were made "in the context of first aid instruction and in an entirely innocuous way – and not as, for example, some form of *double entendre* as the complainant seemed to suggest".

Nor did she accept the participant's claim that the trainer asked the class whether they noticed he deliberately stared at her chest to see "if she was breathing", as opposed to something related to observing breathing or the rate of breathing.

Commissioner McKenna found the participant misapprehended what he said, just as she conceded she misheard the "alleged snigger or laugh and – as her evidence otherwise indicated – she had a distorted sense of time in connection with what was unfolding".

She further found that the participant did not say "please stop, you are making me feel uncomfortable", but only asked the trainer to move on, a request he took to mean that she simply wanted to get the session over and done with quickly.

Although the trainer did not ask for a volunteer before selecting the participant & the trainer apparently because COVID-19 restrictions meant he would not be touching her & the trainer the commissioner said it was a "brief, physically well-distanced demonstration involving essentially fleeting, first aid-specific observations".

"The [trainer] did not, for example, physically demonstrate the Heimlich manoeuvre on a class participant without first asking for a volunteer or seeking permission."

She gave Qantas three weeks to reinstate the trainer, with continuity of employment.

Commissioner McKenna also took aim at a sexual harassment Qantas training video that, while not relevant to her determination, "just cannot go unremarked".

Referring to the video, the trainer said the "standard of conduct that Qantas has set, apparently for decades, is that a man who continues touching a woman on the leg and thigh after she has twice asked him to stop, has not engaged in 'harassment' because, to paraphrase, the woman in question initially invited the conduct through 'provocative dancing' and the man eventually stopped when asked".

The commissioner said, "evidence showed what seemed to be a decades-old training video, but one which, nonetheless, was still being shown to its employees around the time of the dismissal as part of a work-related sexual harassment training module used by Qantas".

"The video and what the training module identified as to the correct responses in relation to it were, frankly, ludicrous in terms of contemporary notions of what constitutes sexual harassment (and should have been recognised as ludicrous even in its day in its descriptive references to, for example, a woman dancing 'provocatively' and the repeated, unwanted conduct of the man in the video)," she said.

Although not relevant in determining a remedy, she said it instead indicated the trainer "personally has a proper appreciation of appropriate standards expected of him", including in relation to sexual harassment "and this was so notwithstanding this unfortunate training module that he had apparently undertaken in the course of his employment" with Qantas.

FWC suspends protected action

Nyrstar Port Pirie Pty Ltd T/A Nyrstar Port Pirie v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia [2022] FWC 449 (2 March 2022)

The FWC has brought the shutter down on protected industrial action at a smelter after determining that its "organic" nature gave the business little chance of safely preparing for its impact.

The decision to suspend the strike by CEPU members came after Nyrstar Port Pirie challenged whether the actions met the notification requirements under s414(6) of the Fair Work Act.

During the hearing of the matter last week, Nyrstar told Commissioner Chris Platt that the smelter was in the process of shutting down for 16 days and that the 23 union-affiliated electricians of 36 in total, were critical to the process.

The parties are currently in the midst of bargaining for a new agreement.

Nyrstar's superintendent told the commissioner the employer held concerns about its ability to cover the industrial action and the safety risk, arguing that the action described in the notices "did not allow him to determine when or where or for what duration (other than the maximum) the industrial action would occur".

"Nyrstar submitted that that lack of specificity of the industrial action in the notice prevented it from making 'reasonable preparations to deal with the effect of industrial action' as discussed in [the 2009 full bench decision in CEPU/Telstra (see Related Article)]," Commissioner Platt said.

The commissioner noted that following the Telstra case, Commissioner Chris Simpson, in *Mater*, ordered that industrial action cease as a number of items in the notice "did not specify the nature of the action proposed to be taken".

"The result in *Mater* was that the employer was unable to make reasonable preparations to deal with the actions."

"The making of individual decisions as to the taking of industrial action in this case appears to be identical to the facts before Commissioner Simpson."

While the notices in question specified the time and day when proposed industrial action would start, whether a notice is adequate "may depend on the nature of the employer's operations including the size, the number of employees, the number of locations, the time at which the action is to occur and the employees potentially taking the industrial action", he said.

"The undisputed evidence before me is that Nyrstar is presently undergoing a shut-down with a range of activities across the site, some of which are dependent on electrical isolation and re-energisation."

"The organic nature of the industrial action relies on individual decisions by employees who are members of the CEPU as to if action is taken, what task or tasks will be affected and the duration of the action.

"The industrial action in this regard is completely unpredictable, and identical to that in *Mater*.

"The fact that there are potentially less than 36 employees involved and the industrial action is limited to a single (but diverse) site does not reduce the unpredictability of the action.

"It appears that the only method available to Nyrstar is to plan on the basis that all employees will be involved in industrial action for most of the time."

For that reason, the commissioner concluded, he did not accept that each notice was specific enough to meet the s414(6) requirements.

"The application is granted and an order preventing industrial action in the terms sought in the notices for the period detailed on those notices will issue in conjunction with the publication of these reasons."

IMPORTANT DATES

- **QBIC Annual Conference – Saturday, 9 April 2022.**
- **TasBus Annual Conference –Saturday, 4 June 2022.**
- **BAV Maintenance Conference – Thursday, 7 & Friday, 8 July 2022.**
- **Australasian Bus and Coach Expo, Sydney – Wednesday, 5 & Thursday, 6 October 2022.**
- **APTIA AGM – Sunday 13 November 2022 (Brisbane)**

- BIC National Conference – Monday 14 November 2022 to Wednesday 16 November 2022.
- APTIA breakfasts – Brisbane (Thursday 7 April 2022), Melbourne (Wednesday 6 July 2022), Sydney (Tuesday 4 October 2022)



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