

The Industrial Relations Commission

of

New South Wales

Annual Report

Year Ended 31 December 1993

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I have the honour to furnish to the Minister for presentation to Parliament the second Report of the Industrial Relations Commission of New South Wales made pursuant to section 344 of the Industrial Relations Act 1991 for the year ended 31 December 1993.

PRESIDENT

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INTRODUCTION

The Industrial Relations Commission of New South Wales was established by the *Industrial Relations Act, 1991*. The *Industrial Relations Act, 1991* conferred upon the Commission jurisdiction in industrial matters as defined by the Act, and repealed the former Industrial Arbitration Act, 1940. The Act also created the Industrial Court of New South Wales as a superior court of record.

In general the Industrial Relations Commission of New South Wales may be approached in 5 ways. It may be approached by an individual in relation to unfair dismissal claims:

- ◆ By referral of a question, dispute or difficulty to the Commission or in the case of an individual a grievance pursuant to the terms of section 188 (1) and (2).
- ◆ By summons to a compulsory conference where there is a threatened, probable or contemplated industrial action or actual industrial action pursuant to the terms of section 204.
- ◆ By summons to compulsory conference where there is or may be a dispute as to a contract determination pursuant to section 698.
- ◆ By the filing of an application upon a Notice of Motion. In every case within 7 days of filing, these matters are assigned by the President to the appropriate Panel where the senior Member of the Panel refers the matter to an individual Member. The case would normally be listed for mention within a few days. All cases are projected forward by being fixed for hearing or further mention; there is no backlog. All cases are given a time and date for

hearing by arrangement with the parties in the nature of a special fixture. Longer cases are relatively common.

- ◆ Individuals or Unions on behalf of individuals may claim under section 246 of the *Industrial Relations Act*, the area of the Act relating to Unfair Dismissals. These matters are allocated by the President on a daily basis, usually the day after the claim is filed. The applicant will have been advised by Legal Officers at the time of filing the claim as to general procedure. The cases are listed for preliminary hearing usually shortly after service of the application on the employer. Access by individuals under this section is a new avenue of approach to the Industrial Relations Commission, not possible under the former Industrial Arbitration Act 1940.

This area of litigation is substantial. About 70% of applicants appear in person, as do a number of employers. The shift to party and party litigation has imposed major professional burdens upon Conciliation Commissioners whose work is otherwise limited to representative and often familiar parties.

The Commission deals with such matters as:

- industrial disputes
- award applications
- applications for reductions in hours
- matters referred by the Minister
- industrial contract determinations
- reports and submissions by the Industrial Registrar
- matters relating to Conciliation Committees
- unfair dismissals
- appeals from Conciliation Commissioners and single Presidential Members

The operations of the Industrial Relations Commission Registry are funded by the Department of Industrial Relations, Education, Training and Further Education. The total budget for operating expenses for the year 1992/1993 was \$7,890,121, for the year 1993/1993 the same total budget for operating expenses was \$6,998,655, a reduction of approximately \$1,000,000. The annual inflation rate from July 1992 to June 1994 was approximately 2%. The provisional budget figures for 1994/1995 show a further reduction.

An examination of this report will show that the Commission is under substantial pressure from its lists. Attempts have been made to improve procedures and Commission practices so that the Commission may be able to give better service, especially in the area of Unfair Dismissals.

In an effort to streamline costs of the Commission the complementary subscription list for Judgments of the Commission was reduced, continuing to be further refined during 1994 and the cost of purchase of Judgments was increased in 1992. A reduction of library and personal subscriptions for Conciliation Commissioners and Regional Offices of the Commission also occurred during 1993, with a similar refining of subscriptions for Presidential Members.

Because of the increasing inability of the Industrial Registry to cope with growing workloads, particularly as there have been severe restrictions on the recruitment of staff, in 1989 there was a proposal to computerise the Industrial Registry functions. The original concept encompassed three main areas *i.e.* computerisation of the award production areas extending word processing capabilities to the conciliation commissioners/ assistants and introducing computerisation of Registry records, including registers of matters before the

Industrial Commission as well as the Commissioners. The first two stages have, largely, been implemented.

The third stage, essentially automating Registry record keeping, was the subject of an extensive investigation by independent consultants. When the new *Industrial Relations Act* was introduced it became clear that many changes to the proposed system would be needed. The passage of the new Act did three things. It changed a number of aspects of the system previously in place, making changes to the system design necessary. It also made it necessary that an additional tribunal, the Industrial Court, under the umbrella of the Department of Courts' Administration and that Court's Registry had to be taken into account. Also, DIRETFE moved closer to the view that the Registry was part of the Industrial Relations Commission and answerable to the President of the Commission, and accordingly, agreed that it was appropriate that any system design should fit the Commission's needs as well as those of the two Registries and would remain discreet from any Departmental system and within the confines of the 50 Phillip Street/121 Macquarie Street complex.

Funding such a project has always been a problem but the Specification and the Design documents went to the State Contracts Control Board to go out to tender in May 1994 with a selected tenderer to be known by the end of September 1994. System construction is expected to take 4 - 6 months and IRIS should be operational in both registries by the second quarter of 1995.

Case management and case flow techniques were substantially refined during 1993, especially in the area of Unfair Dismissal applications, resulting in the majority of these applications being called on within 2 weeks of being filed and concluded either by conciliation or by arbitration within 12 weeks. The President's Second Associate maintains a computer data base and case tracking system which enables ready review of the movement of case loads through both

Commission and Court and permits forward case load examination so that the work of the Commission may be the more effectively distributed.

Further discussions regarding co-location of the Conciliation Commissioners into the premises at 50 Phillip Street/120 Macquarie Street occurred throughout the year, and at present plans for the alteration to the Chief Secretary's building to accommodate the co-location are being finalised. The co-location is expected to be complete late in 1996. It will result in a significant gain in efficiency. For the first time all Members with associated registry, library and research facilities will be conveniently placed at the one locality under the same roof.

For many years the Commissioners have been accommodated in Xerox House at Railway Square and the Presidential Members in the Chief Secretary's Building, principally on the Phillip Street and Bridge Street frontages. This has meant divided and less effective management, the Commissioners being particularly disadvantaged by separation from the Registry and the Library.

Discussions began in 1992 concerning a proposal to move the Commissioners, when opportune, to the Chief Secretary's Building, and architectural plans were drawn up during 1993 to accommodate such a change. The project is a major one, however, it represents the most economical solution to the problem of co-location as it leaves the Registry, the Library and Presidential Members where they are and moves the Commissioners and their staff, who in administrative terms probably form about 35% of the bulk of the Commission's administration.

ORGANISATION OF THE COMMISSION

THE JUDGES

Members of the Commission during the year were:

President:

The Honourable William Kenneth Fisher, A.O., appointed 18 November, 1981.

Members:

The Honourable John Joseph Cahill, appointed 25 March, 1971.
Appointed Vice President 19 February, 1987.

The Honourable Harold William Henry Bauer, appointed 14 April, 1980.

The Honourable Leone Carmel Glynn, appointed 14 April, 1980.

The Honourable Peter McMahon, A.M., appointed 22 February, 1982 (non-judicial member).

The Honourable Brian Eugene Hill, appointed 1 August, 1988.

The Honourable Gregory Ian Maidment, appointed 1 August, 1988.

The Honourable Barry Clive Hungerford, appointed 13 July 1989.

The Honourable Charles Cullen, appointed 4 February, 1991

The Honourable Russell John Peterson, appointed 21 May 1992

The Honourable Francis Marks, appointed 15 February 1993

The Honourable Monica Schmidt, appointed 16 June 1993

CONCILIATION COMMISSIONERS

The Conciliation Commissioners in office pursuant to section 315 (2)(d) of the *Industrial Relations Act 1991*, during the year were:

Mr Raymond John Patterson, appointed 12 May ,1980.

Mr Peter John Connor, appointed 15 May, 1987.

Mr James Leslie McMahon, appointed 22 April, 1983.

Mr Brian William O'Neill, appointed 12 November, 1984.

Mr Michael Francis Sheils, appointed 3 February, 1986.

Mr James Neil Redman, appointed 3 February, 1986.

Mr Rodney William Harrison, appointed 6 August, 1987.

Mr Anthony Kevin Buckley, appointed 7 February, 1991.

Mr Paul Bennett Kelly, appointed 7 February, 1991.

Mr Barry William French, appointed 18 February 1991.

Miss Inaam Tabbaa, appointed 25 February 1991.

Ms Donna Sarah McKenna, appointed 16 April 1992

Mr John Patrick Murphy, appointed 21 September 1993

RETIREMENTS

The Honourable Mr Peter McMahon, A.M. retired on 26 February 1993.

Mr Conciliation Commissioner James Leslie McMahon retired on 27 August 1993.

INDUSTRIAL REGISTRAR

The Industrial Registrar, Mr Gregory Keith Robertson was appointed on 31 March 1992 as Industrial Registrar and Chief Executive Officer of the Industrial Relations Commission of New South Wales.

The Industrial Registrar is responsible to the President of the Industrial Relations Commission of New South Wales and, in relation to functions under the *Public Sector Management Act 1988* is responsible to the Director General, Department of Industrial Relations, Employment, Training and Further Education.

The duties of the Industrial Registrar include:

1. To act as Registrar and Chief Executive Officer of the Industrial Relations Commission of New South Wales, including statutory duties of, or related to, that role, and other duties as directed by the President of the Commission as head of jurisdiction.
2. To ensure that orders and awards of the Commission are correctly and promptly settled and promulgated, through publication in the Industrial Gazette and as may otherwise be appropriate.

3. To perform statutory duties required under Chapter 5 of the Act in relation to industrial and other organisations, including duties in relation to:
 - registration and deregistration of organisations
 - the rules of organisations
 - union accounts
 - ballots for positions of officer within organisations
 - right of entry permits for union officials
4. To perform other statutory duties under the Act, including the registration of enterprise agreements.
5. To perform statutory obligations under other legislation, including Annual Holidays Act, Long Service Leave Act and Employment Protection Act.
6. To exercise overall responsibility for editing the Industrial Arbitration Reports.

The Commission Registry has a staff of 70 including 5 legally qualified staff, the Industrial Registrar, the Deputy Registrar, the Manager of Industrial Organisations and 2 legal officers.

VENUES

The Commission has two regional centres - Newcastle and Wollongong, and sits regularly at country venues throughout New South Wales.

In order to expedite the resolution of Unfair Dismissal claims and to help reduce the burden of costs for the applicants Conciliation Commissioners frequently sit in country venues throughout the State, with certain Commissioners having the

equivalent of informal "circuits". This system has been found to be very cost effective.

VOLUME OF WORK

Pursuant to section 338 of the *Industrial Relations Act 1991*, in order to exercise its functions, the Commission may be constituted by a member sitting alone, or the Full Commission. The Full Commission consists of not fewer than 3 members of whom at least one must be a Presidential Member as defined in section 317 of the Act, and at least one member must be a Conciliation Commissioner. The Full Commission constituted to hear an appeal from a decision of the Commission is not to include a member of the Commission as constituted when it made the decision (section 338(3)).

By section 339 of the Act, the President is to assign industries, and where appropriate enterprises. Presently there are 5 panels of members of the Commission, each panel consisting of 2 Presidential members and 2 Conciliation Commissioners. There are 3 regional members, one for Wollongong and two for Newcastle.

Pursuant to section 342 of the Act, the President of the Commission directs the business of the Commission (subject to the Act and the rules of the Commission).

As outlined in the 1992 Annual Report, the Commission does not operate upon a "back log" of cases. Every case filed is physically conveyed to a Member within six days of filing and is usually mentioned in Court shortly after, with a view to fixing dates for hearing if required. Every case is heard as a special fixture.

When the number of cases exceeds available resources, as is sometimes the case, the effect is to build forward a "front log", *i.e.* in order to arrive at days that are

available for hearing, dates have to be set further and further into the future. On some occasions during 1993, this period ahead amounted to several months and therefore these matters are statistically noted as having not been completed (see Tables A & B).

This form of administration requires a prompt replacement of Members who retire. This has not always occurred.

I *recommend* that consideration be given to appointing Members one month in advance of any proposed date or retirement. This would meet the listing problems that delay in replacement appointments give rise to and additionally and importantly give the incoming appointee an opportunity to make an orderly transition to his/her case load with the assistance of the outgoing Member.

I further *recommend* that all new Members where their skills level requires it should become computer literate. The Judicial Commission has the facilities to provide training. Training, for perhaps two weeks, should occur before newly appointed Members take up allocated duties.

THE NEW ACT

The *Industrial Relations Act* 1991 contains 752 sections, few of them replicating sections of the former Act.

The prospect is that this very substantial accretion of Statutory provisions will lead to a major increase in litigation before the Commission and the Industrial Court for some years to come, as new provisions progressively come under consideration and doctrine is developed. The new Act is much more legalistic than the former Act.

Some 276 matters were filed up to 31 March 1992, and a further 2409 to 31 December 1992, totalling 2685 matters for the year ended 31 December 1992. This compares to a total of 3218 matters filed for the year ending 31 December 1993 and 1715 for the year ending 31 December 1991.

During 1993 the new provisions relating to appeals under the *Industrial Relations Act* did give rise to some difficulties. Under the former Act there was an intermediate appeal from a Conciliation Commissioner to a Presidential Member. Most appeals therefore ended at that point. All appeals must now go to a Full Bench. This is entirely understandable as both Conciliation Commissioners and Presidential Members are Members of the Commission (s.315 (2)). An appeal from one Member to another Member would be inappropriate.

However, under the former Act, appeals were by leave of the Full Commission when the Full Commission was of the opinion that the matter raised on appeal was of such importance that an appeal should lie. This provision was not repeated in the *Industrial Relations Act* 1991. The net result is that two case load reduction measures, the intermediate appeal and the leave provision, has meant that all appeals lodged have to be heard by a Full Bench including those which are of lesser importance and occasionally even trivial.

I *recommend* that consideration be given to reintroduction of the "leave" option.

During 1993 the level of industrial disputation involving stoppages of work within jurisdiction remained at a very low level. Intractable industrial disputation was not encountered.

This very satisfactory result was predominantly due to the reasonableness of industrial parties to which the Commission's well known prompt interception of burgeoning disputes also played a beneficial part.

MEMBERS SITTING ALONE

- The introduction to the *Industrial Relations Act* 1991 on 31 March 1992 introduced a major discontinuity in the statistical records of the Commission. *All comparisons to 1992 figures relate only to the period 31 March 1992 to 31 December 1992 and not to the full 1992 calendar year.*
- For the period 1 January to 31 December 1993 3150 matters were filed in the Industrial Relations Commission of New South Wales, 2921 matters were concluded and 1138 were continuing as at 31 December 1993 (*Table A*). For the period 31 March to 31 December 1992 a total of 2371 new matters were filed, 1292 were concluded and 1117 were yet to be concluded.
- There were 386 award applications under the *Industrial Relations Act* 1991 (*Table A*) (286 previous year), 176 notifications of disputes in respect of awards and agreements and 545 applications for Compulsory Conferences under section 204 with 480 being concluded (*Appendix A*).
- With respect to matters requiring Members sitting alone and the Full Commission it is to be noted that Presidential Members are concurrently Judges of the Industrial Court. The Act provides by s.344 that this *Annual Report* on the Industrial Relations Commission is to be furnished but there is no corresponding requirement that an *Annual Report* be compiled in relation to the Industrial Court.
- The work of the Court has relevance to the work of the Commission because the 11 Deputy Presidents are all legally qualified and have been drawn from other Courts, or practising barristers and solicitors.

During the year 282 matters were filed in the Court (*Table B*) (309 previous year), 273 were concluded during the year and as at 31 December 1993 232 were continuing (*Table B*).

- The Full Court is composed of three judges. Unlike the Industrial Relations Commission there is no power in the Court to delegate issues to a single member, a power which the Industrial Relations Commission uses from time to time and in suitable cases (s.346 (3)) to reduce the demands on appellate benches.

I *recommend* that consideration be given to a parallel provision with respect to the Court. Suitable cases could then be delegated to a single judge for decision or for hearing and report to the Full Court with a consequential reduction in case load pressures.

- **Applications pursuant to s.246 of the *Industrial Relations Act, 1991***

A very large and increasing volume of work is in the area of Unfair Dismissals, applications under section 246 of the *Industrial Relations Act, 1991*. These matters are allocated to Conciliation Commissioners by the President on a daily basis, and most helpfully 2 legal officers were appointed in 1993 to assist in the many problems encountered by individual litigants who comprise 70% of all applicants. A total of 1768 such matters were filed during 1993 (1249 were filed between 31 March and 31 December 1992), with 1650 being concluded (*Table A*). Measures were implemented to decrease delays in bringing the matters to hearing and resolution, and a case flow tracking system has been designed to assist the President in monitoring workloads and case management.

- **Notifications under sections 188 (1), 188(2), 204 and 698 of the *Industrial Relations Act, 1991***

During the year 738 notifications were lodged with the Registrar (from 31 March to 31 December 1992, 597 notifications were lodged with the Registrar), 176 under s.188(1), 537 under s.204 and 2 under s.698. Attached as *Appendix A* is an analysis of the reasons given.

- **Notifications under ss.7 & 8 of the *Employment Protection Act***

Some 50 Notices were lodged under the *Employment Protection Act 1982* under s.7 of the Act (*Notice of intention to terminate employment to be given to Registrar*) (*Table A*), (previous year 127); a further 766 Notices under s.8 of the Act (*Notice of reasons for termination of employment to be given to Registrar in certain cases*) were also lodged during 1993, as compared to 622 lodged during 1992 under this section.

- **Industrial Agreements**

The *Industrial Relations Act 1991* does not make provisions for industrial agreements similar to s.11 agreements but rather allows filing of enterprise agreements, which do not come before the Commission. However, s.147 of the 1991 Act allows for limited *variation* of former s.11 agreements, and *Appendix B* also sets out the number of such variations filed.

From 1 January 1993 to 31 December 1993 613 Enterprise Agreements were filed and 393 were Registered.

- **Conciliation Committees**

As at 31 December 1993 there were 234 extant conciliation committees and 1 contract regulation committee (previous year's figure was 411). Under the provisions of the *Industrial Relations Act 1991* these committees were given a life of 12 months unless established by the Commission. During the year the Commission established 202 new committees, dissolved 108 (previous years figures were 39 and 60 respectively).

Appendix C contains particulars of application made to committees during the year.

Appendix D contains particulars of the activities of the committees during 1993.

FULL COMMISSION

- For the period 1 January 1993 to 31 December 1993 68 appeals were lodged under the *Industrial Relations Act 1991* against a decision of a Member of the Commission, 56 of which were appeals against a decision of a Conciliation Commissioner and 11 were against a decision of a Presidential Member (*Table A*), (previous year 38 appeals were lodged against decisions of a member of the Commission). During 1993 46 appeals were concluded and as at 31 December 1993 50 appeals remained active.

(A total of 33 appeals were lodged in the Industrial Court for the same period against a decision of the Commission, 18 appeals were lodged against a decision of the Chief Industrial Magistrate to the Industrial Court, with 20 & 19 respectively remaining active as at 31 December 1993 (*Table B*).

REGIONAL AND COUNTRY SITTINGS

Due to the complexities that arose from the changes brought about from the introduction of the *Industrial Relations Act*, 1991, no figures are at present available for regional sittings and workload, or country sittings both by Commissioners or Presidential Members. There is a substantial workload in Newcastle and Wollongong in the areas of steel and heavy industry, serviced by both Commissioners and Presidential Members, and a considerable workload in the area of Unfair Dismissals for Commissioners in country sittings.

The general policy of the Commission in relation to dismissals (section 246) and rural industries has been to sit in the county centre where the events have occurred. This does require substantial travel but the Commission's assessment is that it has a beneficial and moderating effect on parties to the industrial disputation who can often attend the proceedings and the better understand decisions or recommendations made.

An increase in matters filed for reinstatement under section 246 of the Act in country areas has been noted.

ANNEXURES

Table A is an abbreviated numerical breakdown of all matters filed in the Industrial Relations Commission under the Industrial Relations Act 1991, from 1 January 1993 to 31 December 1993.

Table B is an abbreviated numerical breakdown of all matters filed in the Industrial Court under the Industrial Relations Act 1991, from 1 January 1993 to 31 December 1993.

Appendix A contains breakdowns of dispute notifications filed during 1993.

Appendix B contains a breakdown for applications to vary Industrial Agreements during 1993.

Appendix C contains figures for Applications to Conciliation Committees for 1993.

Appendix D contains figures for the activity of Conciliation Committees during 1993.

TABLE A

*Matters filed and completed during period 1 January 1993 to 31 December 1993
and all matters continuing (including those filed in other years) as at 31 December 1993 under
the Industrial Relations Act 1991*

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

ABBREVIATION	USAGE	FILED 1 JAN - 31 DEC 1993	COMPLETED 1 JAN - 31 DEC 1993	CONTINUING AS AT 31 DEC 1993 (INCL. THOSE MATTERS FILED IN PREVIOUS YEARS)
AW	Application for an award/new award	386	325	221
CC	Application re-establishing, dissolving and re-establishing conciliation committees	157	215	23
CD	Contract Determination	20	10	12
EPA	Report under s.11 of the Employment Protection Act	50	55	17
IA	Industrial Agreement	0	0	0
IR	Appeal against Industrial Registrar	0	1	0
Part 7	Application under Part 7	2	2	0
SA	Site Agreement	1	1	0
VTBAP	Appeal against decision VTBAP	0	0	1
s188	Notification of question of reference under s.188(1)	178	133	79
s204	Notification under s.204 (dispute)	545	480	268
s220	Application for an order of demarcation under s.220	4	1	4
s220 & s221	Application for an order of demarcation under ss.220 & s.221	2	5	2
s220(2)	Application for an order of demarcation under s.220(2)	1	0	2
s221	Application for an order of demarcation under s.221	2	0	3
s235	Application for reinstatement	0	0	0
s237	Application for an order of reinstatement	6	5	2
s246	Unfair dismissal	1768	1650	484
s385	Reference by the Industrial Registrar to the Commission	1	0	1
s466	Application for permission for a Secret Ballot	1	3	0
s698	Notification under s.698 (dispute)	26	30	10
IRCAP1	Appeal against decision of Conciliation Commissioner	56	40	41
IRCAP2	Appeal against decision of Presidential Member	11	5	9
IRCAP3	Other Appeals	1	1	0
TOTAL		3218	2967	1188

TABLE B

*Matters filed and completed during period 1 January 1993 to 31 December 1993
and all matters continuing (including those filed in other years) as at 31 December 1993 under
the Industrial Relations Act 1991*

INDUSTRIAL COURT OF NEW SOUTH WALES

ABBREVIATION	USAGE	FILED 1 JAN - 31 DEC 1993	COMPLETED 1 JAN - 31 DEC 1993	CONTINUING AS AT 31 DEC 1993 (INCL. THOSE MATTERS FILED IN PREVIOUS YEARS)
AHA	Application for recovery of monies pursuant the Annual holidays Act 1944	0	0	1
COSMWST	Appeal against decision of Cosmwst	0	2	1
LSLA	Application for recovery of monies pursuant the Long Service Leave Act 1955	0	0	1
OHS	Information/Prosecution under sections of the Occupational Health and Safety Act 1983	92	12	72
SASB	Appeal against decision of the State Authorities Superannuation Board	11	7	6
SSIMC	Appeal against decision SSIMC	0	0	0
s151	Application for the recovery of money/monies under s.151	15	*92	12
s151 & s156	Application under ss.151 & 156	0	1	0
s153	Application for the recovery of monies under s.153	1	2	0
s156	Application for the recovery of monies under s.156	0	1	0
s166	Prosecution under s.166	5	3	2
s194	Application for injunction under s.194	1	0	0
s198	Reference under s.198	9	5	6
s202	Application for a certificate under s.202	3	2	2
s211	Summons to show cause under s.211	0	0	1
s275	Application under s.275 (making a contract void)	78	64	80
s384	Reference under s.384 by Conciliation Commissioner (question of interpretation)	3	3	1
s384(1)	Reference to Industrial Court by the Commission	2	2	0
s384(5)	Application for prohibition of proceedings in Commission under s.384(5)	1	2	1
s441	Application for conduct of election of organisation	2	5	0
s482	Application for relief from victimisation under s.482	5	10	2
s578	Application under s.578	1	1	1
s686	Application for the recovery of monies under s.686	1	6	2
CTAP1	Appeal against decision of a Judge in an IRC matter	3	9	2
CTAP1a	Appeal against decision of a Judge in a CT matter	18	17	12
CTAP2	Appeal against a decision of a Commissioner	4	2	3
CTAP3	Appeal against decision of Full Commission	7	5	3
CTAP4	Appeal against a decision of District Court Judge	1	1	0

CIM	Appeal against decision of Chief Industrial Magistrate	18	19	19
ORDER	Application for interlocutory order that matter be struck out	0	0	0
TOTAL		282	273	232

**77 of the 92 s.151 matters shown to have been concluded during 1993 were withdrawn.*

APPENDIX A

Reasons given for notification made pursuant to sections 188(1), 188(2), 204 and 698 of the Industrial Relations Act, 1991 from 1 January 1993 to 31 December 1993

NATURE	S.188(1)	S.188(2)	S.204	S.698
CONDITIONS OF EMPLOYMENT				
(i) Allowances	12	-----	48	1
(ii) Wage rates/conditions of employment	29	-----	78	4
(iii) Overtime	5	-----	5	-----
(iv) Hours of Work (eg. rosters, shiftwork)	15	-----	5	-----
(v) Leave entitlements	10	-----	23	-----
(vi) Superannuation	4	-----	6	-----
(vii) Restructuring	4	-----	24	2
PHYSICAL WORKING CONDITIONS				
(i) Safety	2	-----	7	-----
(ii) Amenities	1	-----	2	-----
DISMISSAL				
(i) Neglect of duties/absenteeism	-----	-----	-----	-----
(ii) Rentrenchment	1	-----	18	-----
(iii) Unspecified	7	-----	28	1
MANAGEMENT CONTROL				
(i) Suspension/demotion	5	-----	5	-----
(ii) Contract labour	3	-----	12	-----
(iii) Interpretation	6	-----	7	-----
(iv) Breach	7	-----	16	2
(v) Appointments	8	-----	5	-----
(vi) Transfers	5	-----	26	1
(vii) Manning	1	-----	11	-----
UNION MATTERS				
(i) Employment of non-unionists	-----	-----	2	-----
(ii) Demarcation	-----	-----	5	-----
(iii) Sympathy with other unions	2	-----	-----	-----
MISCELLANEOUS - OTHER	49	-----	169	11
STOPPAGES	18	-----	94	2
TOTAL	176	-----	537	25

APPENDIX B

Variations lodged during 1993

MONTH	VARIATION
January	-----
February	1
March	1
April	-----
May	-----
June	1
July	-----
August	1
September	1
October	-----
November	2
December	-----
TOTAL	7

APPENDIX C

Application to Conciliation Committees

Applications to Committee on behalf of	Conciliation	Contract Regulation
(a) employees for an order or award s.347(2)(c)(i)	22	-----
(b) employers for an order or award s.347(2)(c)(ii)	-----	-----
(c) employees for variation or interpretation of awards s.347(2)(c)(i)	1	3
(d) employers for variation or interpretation of awards s.347(2)(c)(ii)	1	-----
Miscellaneous	-----	1
Application pursuant to Clothing Trades (State) Award	26	N/A
TOTAL	50	4

APPENDIX D

Activity of Conciliation Committees during 1993

ESTABLISHED	202
DISSOLVED	108
ALTERED	N/A
TOTAL	310