

The Industrial Relations Commission

of

New South Wales

Annual Report

Year Ended 31 December 1997

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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 161 of the Industrial Relations Act 1996 for the year ended 31 December 1997.



PRESIDENT

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INTRODUCTION

The Industrial Relations Commission of New South Wales was re-established by the *Industrial Relations Act, 1996* superceding the *Industrial Relations Act, 1991*.

The new Act is shorter, clearer and more facilitative than the Act it has replaced. For this reason and others there has been a quite unprecedented increase in the work of the Commission where members are labouring under extended lists. A comparison of 1990 with 1997 shows that in 1990 the then Commission had 8 Judges and 2 Deputy Presidents (one appointed late in the year) compared to 10 Judges and 1 Deputy President in 1997.

The following table compares the two years 1990 as against 1997.

	1990	1997
TOTAL MATTERS FILED	1,495	7,424
Disputes	438	1,099
Unfair Dismissals*	2 (s.95)	4,571
Award/EA applications	506	595
Unfair Contracts	165	286
OHS prosecutions	13	350
Appeals	83	104

* plus an estimated 50 - 100 cases involving reinstatement issues but notified as disputes.

A dissection of 1996/7 comparisons presented as to industrial and court session matters demonstrates the very large year on year increases.

**INDUSTRIAL RELATIONS COMMISSION OF NSW
NEW MATTERS FILED**

**6 Months
15 January - 15 July 1996**

	TOTAL FILED
UNFAIR DISMISSALS IRC 1991 S246	975
DISPUTES IRC 1991 S188 & S204	403
ALL OTHERS	715
TOTALS	2093

**6 Months
15 January - 15 July 1997**

	TOTAL FILED	PERCENTAGE ↑
UNFAIR DISMISSALS IRC 1996 S84	2315	137%
DISPUTES IRC 1996 S130	592	46%
ALL OTHERS	799	12%
TOTALS	3706	77%

**6 Months
15 January - 15 July 1996**

	TOTAL FILED
IRC 1991 S275	80
OHS	75
APPEALS	49
AWARDS/AGREEMTS	256
TOTALS	460

**6 Months
15 January - 15 July 1997**

	TOTAL FILED	PERCENTAGE ↑
IRC 1996 S106	132	65%
OHS	144	92%
APPEALS	73	49%
AWARDS/AGREEMTS	359	40%
TOTALS	708	54%

During 1997 new filings of unfair dismissal matters (s.84 of the Act) commonly ran at 100 cases per week. A feature of the case flow was the increased number of cases in the country. The Commission is aware that many employees displaced from employment have no prospect of being able to afford air fares and accommodation costs in the city to prosecute their claims for unfair dismissals. The Commission has therefore moved by the organisation of circuits to meet the growing demand for its services in the country. Informal circuits have been organised and a number of dispute notifications are being heard locally in response to local demand.

The Commissioners who have assumed these responsibilities and the areas they have served are as follows:-

Commissioner P. J. Connor - Straight West- Lithgow, Bathurst, Orange, Dubbo, Parkes & laterals etc. including Mudgee, Cowra & Forbes;

Commissioner J. N. Redman - Far North Coast (North from Grafton, Lismore etc);

Commissioner A. K. Buckley - Far South Coast (past Nowra).

Commissioner J. P. Murphy - South Coast - Wollongong & Illawarra including Nowra;

Commissioner I. R. Neal - Northwest - Tamworth, Armidale, Narrabri, Moree etc;

Commissioner I. W. Cambridge - North Coast (Port Macquarie to & including Grafton;

Commissioner E. A. R. Bishop - Southern Highlands, Bowral, Queanbeyan, Young etc, and lately Broken Hill;

I note with thanks the work of members of the Registry who have greatly assisted the work of judges and commissioners in meeting the demands made on the Commission by the great increase in matters filed in 1997.

I would similarly commend the work of my Principal Associate, Ms Corinne d'Aston, and Second Associate, Ms Philippa Ryan, who have assumed the major responsibility of passing the greatly enlarged flow of matters through the President's Chambers and on to the "Tracker" computer programme which allows almost instant access to the progress of

all matters entered into the Commission. Without successful programmes the increased volume of matters could not have been adequately managed.

The pressure of work caused by the very large increase in unfair dismissal cases has led necessarily to some rearrangement of the division of work. Judges and Deputy President Harrison are now allocated many more disputes than previously and a preponderant amount of work touching awards, industrial agreements and enterprise agreements are heard by Judges and the Deputy President.

In 1997 some 1100 industrial disputes were notified. These disputes are ordinarily cleared from the President's Chambers within an hour after registration and are normally in the hands of the member to whom the dispute has been allocated without significant delay. In an emergency, and not uncommonly, disputes can be listed for hearing, and called on, on the same day as being filed.

Rather similarly unfair dismissal applications filed on one day, are assessed and allocated on the next day and forwarded, usually to a Commissioner, that same afternoon or the next morning. This has meant that applications are most frequently called on within 2 weeks of filing, and subject to increasing work loads, generally concluded by conciliation or arbitration within 8 weeks of filing, often sooner. The ability of the President's Chambers to maintain the data base and case tracking system enables prompt review of the movement of case loads and consequently an effective distribution of the work.

CO-LOCATION OF JUDGES AND CONCILIATION COMMISSIONERS

I regret to report that no discernable progress was made with respect to this subject matter and the problems dealt with in the 1995/1996 Annual Reports remain unabated.

Substantially increased demands have been made on the Commission's resources due to increases in the workload. There is no longer any available space at Xerox House, 815-825

George Street, Railway Square, or at 50 Phillip Street Sydney. I note that the Chief Secretary's Building (formerly the Colonial Secretary's Building) still remains largely unused. While the building as a heritage building requires significant refurbishment, the uncertainties of the tenure at Xerox House, Railway Square, the immediate pressure on further available accommodation, and the prospect of co-location adds some sense of urgency to the reappraisal of the problem.

I note that in December 1994 the President initialed a plan for redevelopment in terms approved by the Heritage Council. I understand that it is still the only proposal consistent with restoration and use of the empty and in part near derelict building and I express disappointment that more is not being done. For some years it has been apparent that the Commission has outgrown available suitable accommodation.

TRAINING

The Commissioners continue to be poorly supplied with computers. This lack of suitable computing equipment for Commissioners is unhelpful. I recommend a programme designed to equip Commissioners with computers of a lap-top design together with printers and compatible soft ware should be put in hand, as a matter of some importance.

OCCUPATIONAL HEALTH & SAFETY

The number of prosecutions pursuant to the *Occupational Health & Safety Act, 1983* have increased from 13 in 1990 to 225 in 1996 and 350 cases in 1997.

There has been a considerable increase in the amount of penalties that may be imposed for breaches of the Act.

The *Occupational Health and Safety (Workers Compensation) Amendment Act, 1987 No. 80* increased penalties for corporations from \$50,000 to \$100,000 and inserted s.51A relating to second offences (but not attaching monetary penalties).

The *Occupational Health and Safety Legislation (Amendment) Act, 1990 No. 121* increased the penalties for corporations from \$100,000 to 2,500 penalty units (\$250,000).

The *WorkCover Legislation Amendment Act, 1995 No. 89* increased the penalties for corporations from 2,500 penalty units (\$250,000) to 5,000 penalty units (\$500,000) and amended s.51A so that an additional 2,500 penalty units may be imposed for second offences.

The *Statute Law (Miscellaneous Provisions) Act, 1997 No. 55* amended the *Interpretation Act, 1987 No.15* increasing the amount represented by each penalty unit from \$100 to \$110.

Effectively maximum penalties are \$550,000 and for a further offence, \$825,000.

These severe penalties are directed to the vindication of safety in the work place and no doubt have the effect of discouraging dangerous practices and encouraging a more thoughtful and professional approach to occupational safety.

To fully realise the promise of increased safety in the workplace I would recommend giving trial judges additional powers of recommendation and direction at the conclusion of the hearing but before sentence. Some of what follows is already being done, some is not, but certainly could be done if such a process were to be formulated and directed.

The powers that could be so prescribed might include:-

- A direction that the defendant consult with the WorkCover Authority concerning industrial safety *generally* in the work place or operations.
- The ordering and acceptance of advice from suitably qualified safety engineers and other experts of measures designed to prevent similar accidents and to improve safe working *generally* in the work place or operations.
- The design and utilisation of successive safety audits including the publication of the results.
- Such further matters or steps as may appear effective and desirable in the circumstances of the case in the interests of industrial safety.

Where such initiatives are undertaken, the imposition of penalties should be suspended until the remedial safety measures have been completed and a report presented to the court.

Penalties should then be imposed at a nominated time based in part on the actual achievement of improved safety in the work to be taken into account with all the other circumstances of the case.

Such a course would preserve to the extent considered appropriate the retributive effect of punishment as well as encouraging and perhaps mandating steps that would increase the safety component of managerial industrial system.

OCCUPATIONAL HEALTH & SAFETY – DATA BASE

Developed in late 1996 by the President's Research Associates, the Occupational Health and Safety database is now fully operational. The system provides the Judges with an array of information relating to Occupational Health and Safety cases prosecuted in the Commission. Some 280 judgments have been coded and entered into the system, providing the Judges with comprehensive information facilitating a variety of searches. The system can be reached via remote access through the Judicial Commission's Judicial Information Retrieval System (JIRS) in the early part of 1997.

The database was presented to the 1997 Annual Conference of the Industrial Relations Commission. An explanation of the system and practical demonstration was conducted by Mr Stephen Cumines, Principal Research Officer of the Judicial Commission of New South Wales, and was well received.

Throughout 1997, the Research Associates incorporated hypertext links into the system, enabling thorough cross-referencing and the linking of judgment summaries to full text judgments held in other areas of JIRS. Cases cited within judgments have also been hypertext linked, enabling a thorough examination of the questions and principles involved in one case to be examined in comparison to others. Sentencing statistics are also accessible, the relevancy of which will increase over time as the Research Associates continue to add judgments to the system. The Research Associates remain responsible for ensuring the system is kept up to date and maintain liaison with Judicial Commission officers for this purpose.

Important developments in 1997 include progress being made toward the incorporation of the hypertext linking of the system's judgments to relevant legislative provisions, and the provision to the Research Associates, by the Judicial Commission, of the facility to perform direct remote data entry.

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 Brian Eugene Hill, appointed 1 August, 1988.

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

The Honourable Barrie Clive Hungerford, appointed 13 July 1989.

The Honourable Russell John Peterson, appointed 21 May 1992

The Honourable Francis Marks, appointed 15 February 1993

The Honourable Monika Schmidt, appointed 22 July 1993

Mr Deputy President Harrison, appointed 2 September 1996

COMMISSIONERS

The Commissioners in office pursuant to section 315 (2)(d) of the *Industrial Relations Act* 1991, and section 147 (d) of the *Industrial Relations Act* 1996 during the year were:

Mr Raymond John Patterson, appointed 12 May ,1980.

Mr Peter John Connor, appointed 15 May, 1987.

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

Mr Michael Francis Sheils, appointed 3 February, 1986, retired 8 January 1997.

Mr James Neil Redman, appointed 3 February, 1986.

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.

Mr Ian Reeve Neal, appointed 2 September 1996.

Mr Ian Walter Cambridge, appointed 20 November 1996.

Ms Elizabeth Anne Rosemary Bishop, appointed 9 April 1997.

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 in relation to the work of the Industrial Registry and, in relation to functions under the *Public Sector Management Act 1988*, to the Director General, Department of Industrial Relations.

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 4 Part 10 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

Because of the introduction of the new *Industrial Relations Act* 1996 and the considerable modifications it brought in its train, full year statistics have been considered less meaningful. Accordingly the tables and annexures listed on p.15 have been divided on a before and after basis dealing separately with each period.

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.

The total number of country sitting days for 1997 was 662 (622 for 1996) (289 for 1995), the total number of regional sitting days were 333 (346 for 1996) (287 for 1995).

ANNUAL CONFERENCE

The Annual Conference of the Industrial Relations Commission was held from 30 July - 1 August 1997 at the *Mercure Grand Hotel*, Bowral Heritage Park. The conference was well attended. Overall, the discussions at the conference were topical and practical, due at least in part to the current state of legislative change, and was assessed by the participants very positively.

Presentations included *Contempt of Court* by Mr David Norris, *Relationships Between Federal and New South Wales Industrial Relations Systems* by Professor Greg McCarry, *Mediation* by Sir Lawrence Street, *Case Management Problems in an Environment of Increasing Workload* by The Honourable Mr Justice Cahill, *Understanding Schizophrenia* by Mr Frank Walker QC, *The Bench Book* by the Honourable Mr Justice Bauer and the Honourable Justice Schmidt, *Industrial Law and taxation* by Mr Michael Inglis and *Computer Technology - Use of the Internet and Electronic Filing of Documents* by staff of the Judicial Commission.

The development of the Annual Conference, substantially assisted by the Judicial Commission of New South Wales exercising its mandate to advance judicial education, has proved to be a most successful initiative with the potential to add to the professionalism which the Commission seeks to advance in all its work.

MEMBERS SITTING ALONE

Figures relating to the period 1 January to 31 December 1996 appear in brackets after the 1997 figures.

Matters filed and concluded

For the period 1 January to 31 December 1997, 7,313 (4030) matters were filed in the Industrial Relations Commission of New South Wales, 5,489 (3373) matters were concluded and 3,776 (1605) were continuing as at 31 December 1997 (*Tables A & B*).

Award applications

For the period 1 January - 31 December 1997 there were 536 (524) award applications (*Table A*) with 256 (34) applications for approval of Enterprise Agreements; 1100 (646) notifications of disputes (*Table A*).

During the year 711 (553) matters were filed in the Commission in Court Session (*Table B*), 275 (343) were concluded during the year and as at 31 December 1997 928 (575) were continuing (*Table B*).

Applications pursuant to s.84 of the *Industrial Relations Act, 1996*

A large and increasing volume of work lies in the area of Unfair Dismissal applications under section 84 of the *Industrial Relations Act, 1996*. These matters are allocated to Commissioners by the President on a daily basis. Most helpfully 2 legal officers were appointed in 1993, with an additional temporary position in 1995 to interview and assist in the many problems encountered by individual litigants (who comprise 76% of all applicants) in relation to the preparation of applications and the course that conciliation and arbitration may take. A total of 4,567 (2,259) such matters were filed during 1997, with 3,578 (1,777) being concluded (*Table A*). This increase had a substantial impact on the work load of Commissioners particularly and the statistics show a large increase in the final months of the year. Measures were implemented to reduce 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. The average length of time for conclusion of an Unfair Dismissal Claim from time of filing, by either conciliation or arbitration, remained at approximately 8 weeks as in 1996 and 1997 despite the considerable rise in numbers.

Consent Enterprise Awards

A continuing development in 1996 was the increase in the filing of consent enterprise awards, which reflect the settlement of industrial differences by negotiation and agreement assisted by the Commission.

FULL COMMISSION

For the period 1 January to 31 December 1997 38 (31) appeals were lodged in the Industrial Relations Commission against a decision of a Member of the Commission, 24 (25) of which were appeals against a decision of a Conciliation Commissioner and 6 (6)

were against a decision of a Presidential Member (*Table A*). During 1997 25 (29) appeals were concluded and as at 31 December 1997, 39 (24) appeals remained active.

A total of 68 (94) appeals were lodged in the Commission in Court Session for the period 1 January to 31 December 1997 of which 29 (30) appeals were lodged against a decision of the Chief Industrial Magistrate (*Table B*). Appeals remaining active as at 31 December 1997 were 93 (84) (*Table B*).

REGIONAL AND COUNTRY SITTINGS

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 (s. 84) and rural industries has been to sit in the country center at or near 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 dispute who can often attend the proceedings and then better understand decisions or recommendations made.

An increase in matters filed for reinstatement under section 84 of the Act in country areas has been noted.

There were a total of 662 (622) sitting days in a wide range of Country Courts and other country locations during 1997, the majority of which were s.84 matters, with 333 (346) regional sittings in Newcastle and Wollongong for Unfair Dismissals and dispute matters, with one regional member sitting permanently in Newcastle (Mr Deputy President Harrison).

The Steel Industry (BHP) is centred in Newcastle and Wollongong. The regional Member for Wollongong, The Honourable Mr Justice Hungerford, handles all Port Kembla steel matters and sits on average 2 - 3 days *per* fortnight (66) sitting days for 1997).

The regional Member for Newcastle, The Honourable Mr Justice Hill, sits on average one day *per* fortnight to attend to steel matters in Newcastle (24) sitting days for 1997).

Mr Deputy President Harrison deals with a wide range of industrial matters mostly of a regional nature in Newcastle and the Hunter district. The Deputy President has been under significant pressure during 1997 because of major extensions to his lists.

The present regional arrangements are working well.

ANNEXURES

Table A refers to matters filed, concluded and continuing under the Industrial Relations Act 1996 in the Industrial Relations Commission.

Table B refers to matters filed, concluded and continuing under the Industrial Relations Act 1996 in the Commission in Court Session.

Appendix A contains breakdowns of dispute notifications filed during 1996 under the Industrial Relations Act 1991.

Appendices B & C show activities of Conciliation Committees.

TABLE A

Matters filed during period 1 January 1997 to 31 December 1997 and matters completed and continuing as at 31 December 1997 which were filed under the Industrial Relations Act 1996.

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

(1940 or 1991 Acts) and 1996 Act ABBREVIATIONS	USAGE	FILED 1.1.97- 31.12.97	COMPLETED 1.1.97- 31.12.97	CONTINUING AS AT 31.12.97 (INC.PREV. YEARS)
AW	Application for a new award/ variation/ rescission of award	536	497	220
CC	Application re: establishing/dissolving/re-establishing/ removal of matters before conciliation committees	0	3	6
CD	Application re: variation/rescission/new contract determination	21	16	14
EA	Application for approval/variation/termination of Enterprise Agreement (s.35), (s.43), (s.44)	256	212	61
EPA	Report under s.11 of the Employment Protection Act	2	4	2
IC	Application to establish Industrial Committee	16	2	16
S18	Application for exemption from whole or any part of award	0	0	0
S33	Commission to set principles for approval of Eas.	0	0	0
S50	Adoption of National decision	0	0	0
S51	Commission to make State decision	0	0	0
S52	Variation of awards & orders on adoption of National decisions	0	0	0
S79	Commission to make State decision under Part 3 in relation to part-time work	0	0	0
(S246) S84	Application re unfair dismissal	4567	3578	1742
S93	Application to Commission for reinstatement of injured employee	12	4	13
S126	Application for Stand down orders	0	0	0
S130	Notification of industrial dispute to Commission	1100	745	606
S132	Commission may convene compulsory conference re s.130 dispute	2	28	11
S139	Application re contravention of a dispute order	5	3	2
S143	Application for payment of Strike pay/remuneration	2	3	0
S193	Reference of a matter by Member to Full Bench	0	0	1
S203	Referral of matter by Federal President to State Commission	0	0	0
S204	Referral of matter by State President to Fed. Commission	0	70	64
S205	Joint proceedings State/Federal Commissions	0	0	0
S213	Order to enforce provisions of Industrial organisation	6	6	4
S217	Application for registration of industrial organisation	0	0	0
S225	Application for cancellation of registration of industrial organisation	2	1	1
S236	Reinstatement of injured employee	1	0	1
S247	Orders re rules of State organisation	1	0	2
(S220) S294	Demarcation orders	0	0	2
S311	Contract determinations/contracts of carriage	0	0	0
S314	Reinstatement of contract of carriage	4	3	2
S320	Variation/rescission of contract determination	0	0	0
S324	Application for approval of contract agreement	1	1	0
S332	Compulsory Conference re contract of carriage/determination	21	7	17
(S697B & D) S348	Compulsory conference with respect to claims - contract of carriage	2	0	13
S357	Civil penalty for breach of industrial instruments	1	2	3
C	Matters referred from the Australian Industrial Relations Commission under s.174, Industrial Relations Act 1988 (Cth)	5	4	6
	Other IRC Matters	1	0	1
IRCAP1	Appeal against decision of commissioner	24	17	23
IRCAP2	Appeal against Presidential member	13	6	15
IRCAP3	Other Commission Appeals	1	2	1
TOTAL		6602	5214	2849

TABLE B

Matters filed during period 1 January 1997 to 31 December 1997 and matters completed and continuing as at 31 December 1997 which were filed under the Industrial Relations Act 1996.

INDUSTRIAL RELATIONS COMMISSION IN COURT SESSION OF NEW SOUTH WALES

(1940 or 1991 Acts) and 1996 Act ABBREVIATIONS	USAGE	FILED 1.1.97 - 31.12.97	COMPLETED 1.1.97 - 31.12.97	CONTINUING AS AT 31.12.97 (INC PREV. YEARS)
AHA	Application for recovery of moneys re <i>Annual Holidays Act</i> 1944	1	3	3
LSLA	Application under s.12 Long Service Leave Act 1955 for recovery of money	0	0	6
OHS S15	Prosecution under s.15 of the Occupational Health and Safety Act 1983	246	85	309
OHS S16	Prosecution under s.16 of the Occupational Health and Safety Act 1983	39	21	58
OHS S17	Prosecution under s.17 of the Occupational Health and Safety Act 1983	12	5	17
OHS S18	Prosecution under s.18 of the Occupational Health and Safety Act 1983	1	1	4
OHS S50	Prosecution under s.50 of the Occupational Health and Safety Act 1983	38	19	41
(S88F, S275) S106	Application to Commission to declare contracts void or varied	286	66	370
S129	Prosecution under s129(1)	1	0	1
S154	Declaratory jurisdiction	4	1	3
S180	Proceedings for Contempt of Commission	0	0	0
S301	Prosecution under s 301(3)	2	0	2
S365	Order for recovery of remuneration payable under industrial instrument	12	6	10
S368	Order for recovery of unpaid Superannuation	1	2	0
S369	Application for order for payment of moneys	0	0	0
S379	Application under s379 of the IR Act 1996	0	0	0
S465 & S497	Application under S465 & S497	0	0	1
	Other CICS Matters	0	4	10
CTAP1	CICS Appeal against a decision of Presidential member in Commission	5	4	11
CTAP1A	CICS Appeal against a decision of Judge in CICS matter	23	23	38
CTAP2	CICS Appeal against a decision of the F/Bench in CICS matter	0	1	1
CTAP3	Other CICS Appeals	1	2	2
CIM	Appeal against a decision of Chief Industrial Magistrate	29	23	30
LOCAL CT	Appeal against a decision of Local Court Magistrate	2	3	0
SASB	Appeal against decision of State Authorities Superannuation Board	8	5	11
SSIMC	Appeal against decision of State Superannuation Investment and Management Corporation	0	1	0
TOTAL		711	275	928

TOTALS IRC & CICS			
	FILED 1.1.97 - 31.12.97	COMPLETED 1.1.97 - 31.12.97	CONTINUING AS AT 31.12.97 (INC PREV. YEARS)
	7,313	5,489	3,776

APPENDIX A

Reasons given for notification made pursuant to sections 130, 130 & 380, 332 of the Industrial Relations Act 1996 from 1 January 1997 to 31 December 1997

NATURE	S.130	S.130 & S.380	S.332
CONDITIONS OF EMPLOYMENT			
(i) Allowances	58	12	1
(ii) Wage rates/conditions of employment	147	38	11
(iii) Overtime	37	-	-
(iv) Hours of Work (eg. rosters, shiftwork)	56	1	2
(v) Leave entitlements	49	8	1
(vi) Superannuation	8	1	-
(vii) Restructuring	67	-	-
(viii) Enterprise Agreements	61	-	2
PHYSICAL WORKING CONDITIONS			
(i) Safety	14	-	1
(ii) Amenities	4	-	-
DISMISSAL			
(i) Neglect of duties/absenteeism	8	-	-
(ii) Rentrenchment	34	-	-
(iii) Unspecified	35	-	-
MANAGEMENT CONTROL			
(i) Suspension/demotion	42	-	-
(ii) Contract labour	25	-	-
(iii) Interpretation	-	-	-
(iv) Breach	54	-	2
(v) Appointments	29	-	-
(vi) Transfers	27	-	-
(vii) Manning	10	-	-
UNION MATTERS			
(i) Employment of non-unionists	-	-	-
(ii) Demarcation	3	-	-
(iii) Sympathy with other unions	7	-	-
MISCELLANEOUS - OTHER			
	101	-	-
STOPPAGES			
	164	-	1
TOTAL no. of disputes	1040	60	21

APPENDIX B

Application to Conciliation Committees

Applications to Committee on behalf of:	Industrial Relations Act 1996 Industrial Committees
(a) employees for an order or award s.199(2)(b)(ii)	4
(b) employers for an order or award s.199(2)(b)(i)	-
(c) employees for variation or interpretation of awards s.199(2)(b)(ii)	10
(d) employers for variation or interpretation of awards s.199(2)(b)(i)	-
Miscellaneous	
Application pursuant to Clothing Trades (State) Award	51
TOTAL	65

APPENDIX C

Activity of Conciliation Committees during 1997

ESTABLISHED	4
Continuing from 1991 Act	142
ALTERED	N/A
TOTAL	146