

SERIAL B4437

**TRANSPORT INDUSTRY — MIXED ENTERPRISES (STATE)  
CONCILIATION COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by the Transport Workers' Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 538 of 1996)

Before the Honourable Mr Justice Peterson

2 April 1996

**ORDER**

The Commission orders that —

1. There be established a new Transport Industry — Mixed Enterprises (State) Conciliation Committee for the industries and callings of —

All drivers and loaders of trolleys, drays, carts, floats, articulated or semi-articulated vehicles and trailers and motor and other power-propelled vehicles, including motor cycles engaged in the carriage of goods, merchandise and the like, together with employees engaged in greasing or washing any such vehicle, employees without supervisory or other duties beyond those of loading or unloading vehicles employed by common carriers or who are not engaged upon or in connection with the premises of the employer, not being a common carrier, and employees of common carriers receiving, sorting, and loading or unloading goods for delivery or re-delivery, carters, tip carters and tip motor waggon drivers, brakemen or extra hands, trace boys, and all grooms, stablemen and yardmen employed in connection with any of the above, and drivers of mobile cranes, auto trucks and fork lifts employed by general carriers in connection with the carriage of goods, merchandise and the like, employees driving or operating mobile cranes, fork lifts, tractors, tow motors, industrial trucks, yard trucks or utility vehicles in and about wholesale oil stores, persons, other than storemen and packers, employed in the work of loading, stacking and unloading of railway trucks, in the State, excluding the County of Yancowinna, but including motor lorry drivers employed by the Roads and Traffic Authority in or in connection with the construction or maintenance of roads and bridges in that part of the County of Yancowinna which is outside the Municipality of Broken Hill;

*and*

Brick, tile and pottery carters, including drivers of motor and other power-propelled vehicles, and grooms, stablemen, yardmen and brakemen or extra hands employed in or in connection therewith in the State, excluding the County of Yancowinna;

*and*

Timber carters, including drivers of motor and other power-propelled vehicles, grooms, stablemen and yardmen, trace boys, brakesmen or extra hands employed in or in connection therewith in the State, excluding the County of Yancowinna;

*and*

Carters, grooms stablemen, extra hands, and drivers of motor and other power-propelled vehicles engaged in the collection and delivery of dry cleaning or laundry work in the State, excluding the County of Yancowinna;

*and*

Chauffeurs and motor car drivers employed on motor coaches, cars and all motor vehicles, used for the purpose of carrying passengers, persons or workmen notwithstanding such vehicles are not plying for hire, provided such vehicles are normally capable of carrying less than eight sitting passengers or persons, in the State, excluding the County of Yancowinna; excepting drivers of motor wagons which are not used for the purpose of conveying passengers or workmen, and employees who are not engaged in business or trade;

*and*

Drivers, extra hands and depot hands engaged in or in connection with the handling, delivery, collection and/or disposal of receptacles containing female sanitary items;

Provided that in regard to all the above employees described the work performed must be for an employer whose principal business functions, undertakings or industries are not in transport or distribution;

*and excepting* employees of —

State Rail Authority of New South Wales;  
Urban Transit Authority of New South Wales;  
Sydney Water;  
The Hunter District Water Board;  
The Council of the City of Sydney;  
The Sydney County Council;  
The Council of the City of Newcastle;  
Municipal, shire and county councils;  
Electricity Commission of New South Wales;  
The Australian Gas Light Company;  
The North Shore Gas Company Limited;

Electric Light and Power Supply Company Limited;  
South Maitland Railways Pty Limited;  
Blue Circle Southern Cement Limited;  
Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Conciliation Committee and the Quarries (Australian Iron and Steel Pty Limited) Conciliation Committee;

*and excepting also* employees within the jurisdiction of the following Conciliation Committees —

Transport Industry — Quarried Materials (State);  
Steel Works Employees (Broken Hill Proprietary Company Limited);  
Quarries, &c. (Broken Hill Proprietary Company Limited);  
Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited);  
Quarries (Australian Iron and Steel Pty Limited);  
Australian Wire Industries Pty Ltd — Newcastle Wiremill;  
Smelting, &c. (Electrolytic R. & S. Company &c.);  
Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);  
Cement Workers, &c. (State);  
John Lysaght (Australia) Limited Port Kembla;  
John Lysaght (Australia) Limited Newcastle;  
John Lysaght (Australia) Limited Unanderra;  
Australian Wire Industries Pty Ltd — Newcastle Ropery;  
Australian Wire Industries Pty Ltd — Sydney Wiremill;  
Sugar Workers (CSR Limited);  
Transport Industry — Trade Waste (State);  
Transport Industry — Wood and Coal (State);  
Transport Industry — Wholesale Butchers (State);  
Carters, Retail Grocers (Newcastle);  
Transport Industry — Waste Collection and Recycling (State);  
Colliery Mechanics (North);  
Colliery Mechanics (South);  
Colliery Mechanics (West);  
Metalliferous Mining (State);  
Engine Drivers, &c., Metalliferous Mining (State);  
Butchers, Retail (State);  
Butchers, Wholesale (Country);  
Butchers, Wholesale (Cumberland);  
Smallgoods Manufacturers (State);  
Milk Treatment, &c. and Distribution (State);  
Aerated Waters &c. (State);  
Cold Storage, &c., Employees (State);  
Cold Storage, &c., Employees (Northumberland);  
Bread Industry (State);

Pastrycooks, &c. (State);  
Motor Car Washers, &c. (State)  
Quarries, Gravel and Sand Pits (State);  
Butter, &c., Factory Employees (Newcastle and Northern);  
Butter, &c., Factory Employees (State);  
Fruit Packing Houses Employees (State);  
Malted Milk Manufacturing (State);  
Sawmillers, &c. (State);  
Sugar Manufacturers (State);  
Tubemakers of Australia Limited, Newcastle;  
Tubemakers of Australia Limited, Yennora;  
Shoalhaven Scheme;  
Googong Dam Project;  
County Councils (Electricity Undertakings) Employees;  
Shortland County Council;  
University Employees, &c. (State);

*and excepting also* —

Motor lorry drivers, assistants, loaders, washers and greasers employed by breweries;  
Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen) Conciliation Committee;

*and excepting further* —

Employees covered by the following awards —

General Construction and Maintenance, Civil and Mechanical Engineering, &c. (State) Award,  
Gangers (State) Award, Boral Resources (Country) Pty Limited Concrete Batching Industry (State) Award.

2. The said committee shall consist of two representatives of employers and two representatives of employees.

3. The representatives of employers shall be appointed, upon nomination as prescribed, one by The Employers Federation of New South Wales and one by the Chamber of Manufactures of New South Wales (Industrial). The following employer organisations shall have alternate nominating rights as prescribed: one by the Timber Trade Industrial Association, one by The Clay Brick Association of New South Wales, one by the Metal Trades Industry Association of Australia, one by the Textile Rental and Laundry Association (New South Wales) and one by the Roads and Traffic Authority.

4. The representatives of employees shall be appointed, upon nomination as prescribed, by the Transport Workers' Union of Australia, New South Wales Branch.
5. This order shall take effect on and from 2 April 1996.

R. J. PETERSON, *J.*

Printed by the authority of the Industrial Registrar.