

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

MINUTES OF A MEETING HELD AT 251 QUEENSBERRY STREET, CARLTON SOUTH
COMMENCING AT 9:00am, WEDNESDAY 10TH JUNE 2020

President Bro. Mick Terry presided and declared the meeting open at 9:05am

STATE COUNCILORS PRESENT:

Bro. T. Mavromatis	Bro. D. Andrews	Bro. A. Anderson	Bro. M. Terry	Bro. T. Piccolo
Bro. D. Rozario	Bro. M. Green	Bro. P. Springer	Sis. M. Sikk	Bro. Mick. Bull
Bro. S. Wise		Bro. A. Thomas	Sis J. James	Bro. N. Mitchell
Bro. K.Topp	Bro. M. Cannon	Bro. L. Malgeri	Bro. J. Hefford	Bro. D. Fairchild
Bro. P. Difelice	Bro. R. Kenna	Bro. S. Brooks	Bro. C. Ormsby	Bro. R. Balantyne
Bro. P. Lavery	Sis. N. Nam	Bro. Z. Cimborra	Bro. L. Jones	

L'

STATE COUNCILORS APOLOGIES:

Bro. V. Pepi	Bro. W Morris	Bro. C. Brown	Bro. M. Kennedy	
Sis. K O'Brien				

Moved and Seconded:

'The minutes of the State Council meeting of the March 11th 2020 be endorsed.

Carried

Moved and Seconded:

'The minutes of the State Admin meeting of the June 4th 2020 be endorsed.'

Carried

DECLARATION OF MATERIAL PERSONAL INTEREST

State Secretary Tony Mavromatis reminds State Council members of their obligations as "Officers" under the Fair Work (Registered Organisations) Act 2009 to disclose all material personal interests that may arise with their union role as an elected Official to representative bodies of the AMWU.

Declaration forms are available throughout these proceedings for those Officers requiring to make a new disclosure.

'State Council notes no Declarations were made for the March 11th 2020 State Council meeting'

Carried

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

Financial Report Resolution

Resolution & Motion Endorsing Auditors for AMWU-Victorian Branch

RESOLUTION: The AMWU Victorian State Council resolves to endorse Crowe Australasia - Melbourne as the external auditor to review the General Fund Account Financial Report for 2020.

MOTION: Consistent with the external audit rotation policy, the Victorian State Council endorses Crowe Australasia-Melbourne as the external auditor for the AMWU Victorian State Office for the purpose of auditing the Unions financial statements.

In Accordance with 5.7 **Fair Work (Registered Organisations) Act 2009 – Auditors of Reporting Units**

Rotation of auditors The RO (Registered Organisations) Act limits the number of consecutive years that a registered auditor can play a significant role in the audit of a reporting unit's financial report.

An individual will only be able to participate in the audit of a reporting unit for five consecutive years (or five out of seven consecutive years)

Carried

STATE SECRETARY'S REPORT

- National Council Resolution—Women's Committee (Attachment 1)

'State Council endorses Sister Jenny James as the Victorian Officail to fill the vacancy on the Women's committee'

Carried

- Mental Health & Wellbeing Training (2) (Project Officer Position)
- National Council Resolution Mental Health & Wellbeing Training (2A)
- ABCC v AMWU - VID123/19 decision (3)

'The ABCC launches legal action against the AMWU and two of it's organisers after they allegedly threatened to shut down a Melbourne site unless the employer hired several workers'

'The Maximum Penalty for a breach of the BCIP Act is \$210,000 for bodies corporate and \$42,000 for individuals.'

- Domestic and Family Violence Training (4)
- National Council Resolution—Domestic and Family Violence Training (4A)
- National Council Resolution—Adult Apprentices Rate (5)
- National Council Resolution—Assistance for AMWU Staff Experiencing Family Violence (6)
- The Victorian Branch un-financial member expulsion twelve months or more in arrears Policy. (7)

Moved and Seconded: *'The Victorian State Council endorses the un-financial Member Expulsion twelve months or more in arrears Policy.'*

Carried

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

- Final notice letter (8)

- Suspended Members (9)

Moved and Seconded: *'State Council endorses that the Suspended members Resolution is referred to the State Steering Committee for action.'*

Carried

- Protect Insurance for Officials/Officers

- Irene Dyson Retirement 27th June 2020

Moved and Seconded: *'State Council thanks Sister Dyson for her work, loyalty and all she has given to the Union movement over the years for working with the AMWU, and we all wish her all the best on her retirement'*

Carried

- Building Security

Moved and Seconded: *'State Council notes and endorses the State Secretaries report'*

Carried

ACCOUNTS

Moved and Seconded: *'State Council endorses the payment for Penalty Costs to be paid to the Federal Court of Australia due to a court issue from the case ABCC vs AMWU, the amount AMWU is to pay is \$112,000 and a further \$10,000 to pay Clients Costs (Invoice Corrs Chambers Westgarth Lawyers Reference No PB/AUST22794-9143462)*

Carried

Item 1 **Community Radio Federation Ltd (3CR)**

Invoice received from 3CR for \$3,665.07 for 2020 Affiliation Fees.
(3CR is a community radio station that broadcasts on the AM band and on the digital spectrum as 3CR Digital in Melbourne, Australia. It features mainly talk-based programs with political (particularly trade unions) and environmental themes, as well as some music and community language-based programs. Today the station hosts over 130 programs presented by over 400 volunteers.)

Moved and Seconded: *'State Council endorses the payment of \$3665.07 to 3CR for their 2020 affiliation fees.'*

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

DELEGATION REPORT

Item 1 **Delegations (As resolved at State Admin 23rd April 2020)**

Brother Paul Curcio, delegation expires on 19th May 2020 this has been extended for a further 12-month delegation.

Brother Lachlan Mullins completes his delegation on 26th May 2020

In 12 months, Brother Mullins has negotiated a number of EBA's.

Recruited sites to the union.

Is the co-Convenor of the AMWU youth committee.

Is on the VTHC steering committee for earth worker project.

Has increased union density and union power in several existing sites.

Is a hardworking, dedicated union official and a credit to the AMWU.

I recommend that we extend Brother Mullins delegation by a further 12 months.

Subject to Budget and Policy.

Recommendation: 'State Council endorses the Delegations report'

Item 2 **Lachlan Mullins Pay re-grade**

A recommendation from Brother Tony Piccolo for Brother Lachlan Mullins to receive a wage regrade from Level 3 to Level 4 of the Officials and Officers Pay grade.

Brother Mullins was told it would be considered a on the anniversary of his May 26th 2020 delegation completion.

Moved and Seconded: '*State Council endorses the pay re-grade to level 4 for Brother Mullins'*
Carried

Item 3 **Communications Officer Role**

On July 7th 2020 the Communications Officer role that Brother Ashleigh Burmeister currently holds is due for either renewal or due to budget restraints.

Moved and Seconded: '*State Council endorses because of budget and Finance that the Communiacations Officer role will expire on July 7th and not be renewed for a further 12 Months.'*

Carried

GIFT REGISTER 2020

No gift declarations were given for this meeting

Moved and Seconded: '*State Council notes there were no Gift Declarations made for June 10th State Council.'*

Carried

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

DIVISIONAL REPORTS

Moved and Seconded:

'State Council notes the divisional reports and the report Sister Sarah Ross tabled'

Carried

SUPPLIMENTRY ITEMS

1.) 50th Anniversary Westgate memorial — October 15th 2020

Correspondence was received on 19th March 2020 from the Westgate memorial committee outlining that this year is the 50th Anniversary of the Westgate disaster and has requested our Union to contribute \$5000.00 towards this event to help commemorate this day to honour the 35 lives lost and acknowledge the pain and suffering of the family and friends.

Recommendation: *'State Council endorses the \$5000.00 contribution towards the Westgate commemorative event'*

GENERAL BUSINESS

Covid-19 JobKeeper Resolution

The Victorian State Council expresses it's disapproval over the introduction of the change to the Fairwork Act under the Jobkeeper provisions of the Act, which allows employers to apply to vary enterprise agreements by only giving 24hrs notice of such variation instead of the current seven day's notice.

The Act also allows for a company to alter conditions of work hours and day's regardless of the conditions of an EBA to the detriment of employees.

The Fair Work Act JobKeeper provisions

The Fair Work Act JobKeeper provisions enable qualifying employers to give eligible employees a direction to reduce their hours or days of work (including to no hours) in certain circumstances. These directions are referred to as either a 'JobKeeper enabling stand down direction'.

When an employer can give a JobKeeper enabling stand down direction

A qualifying employer can give an eligible employee a JobKeeper enabling stand down direction if the employee can't be usefully employed for their normal days or hours because of business changes attributable to:

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

- the coronavirus pandemic, or
- government initiatives to slow coronavirus transmission (such as an enforceable government direction).

A qualifying employer can give an eligible employee a JobKeeper enabling stand down direction from 9 April 2020 (when the Fair Work JobKeeper provisions started). A JobKeeper enabling stand down direction remains in effect until revoked or replaced by the employer, or until the Fair Work Act JobKeeper provisions cease completely on 28 September 2020.

Moved and Seconded:

'The Victorian State Council calls on the National Council of the AMWU to lobby the Federal and State Governments, by any means, to stop these changes to Fairwork ACT, from occurring in the future and to have the ACT changed so that it does not diminish enterprise agreements in any way.'

Carried

Attachment 3 ABCC v AMWU

Moved and Seconded:

State Council endorses the payment of \$122,000 to the ABCC for the Newcold matter Vid 123/19.

State Council also continues to oppose these draconian laws and the existence of the ABCC.

Carried

OH&s Training State Council

Moved and Seconded:

State Council endorses that our Oh&s department will start face to face training as per the health department guidelines.

State Council also endorses that the training will re-commence mid July 2020, this will be based on a risk assessment first.

Carried

AMWU
MINUTES VICTORIAN STATE COUNCIL
JUNE 10TH 2020

Industrial Review

As Australia emerges from the grips of the Covid-19 pandemic the Morrison Government has announced an industrial relations review. This is of great concern to the Victorian branch of the AMWU. The working class across the globe and through history have shouldered the burden of such crisis, as capital is protected, and wealth is further concentrated to the ruling class, The AMWU cannot sit back and allow this to happen yet again and will resist any attacks on the working class through austerity measures, or cuts to social services.

This review committee will include the ACTU as well as others, with the Morrison government requesting greater flexibility than what is currently provided.

This meeting of the Victorian State Council is calling on the AMWU National Council to demand that before any agreements are reached with the Morrison Government for any change to legislation that the ACTU call and conduct, union wide delegate mass meetings to seek endorsement of any positions taken and to provide an understanding of discussions held.

Further the Victorian branch call on the AMWU National Council to reserve it's endorsement of any proposed changes until it consults with the delegates of the AMWU.

Moved and Seconded: 'State Council endorses the Industrial review motion.

Carried

2020 State Council Dates – 9:00am Start

9th September 2020

11th December 2020

Meeting Close 4:15pm