

**AMWU**  
**MINUTES VICTORIAN STATE COUNCIL**  
**DECEMBER 11<sup>TH</sup> 2020**

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**MINUTES OF A MEETING HELD AT 251 QUEENSBERRY STREET, CARLTON SOUTH**  
**COMMENCING AT 9:00am, FRIDAY 11<sup>TH</sup> DECEMBER 2020**

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

**STATE COUNCILORS PRESENT:**

Bro. T. Mavromatis	Bro. M. Kennedy	Bro. A. Anderson	Bro. M. Terry	Bro. T. Piccolo
Bro. D. Rozario	Sis. M. Sikk	Bro. L. Jones	Bro. Z. Cimbora	Bro. Mick. Bull
Bro. S. Wise	Bro. V. Pepi	Bro. A. Thomas	Sis J. James	Bro. N. Mitchell
Bro. C. Brown	Bro. M. Cannon	Bro. L. Malgeri	Bro. J. Hefford	Bro. D. Andrews
Bro. P. Difelice	Bro. R. Kenna	Bro. S. Brooks	Bro. C. Ormsby	Bro. R. Balantyne
Bro. P. Lavery				

**STATE COUNCILORS APOLOGIES:**

Bro. K.Topp	Bro. W Morris	Sis. K. O'Brien	Bro. P. Springer	Bro. D. Fairchild
Bro. M. Green	Sis. N. Nam			

**Observer and minute taker: Chris Noy**

**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 September 9<sup>th</sup> 2020 State Council meeting'*

***Carried***

*'The minutes of the State Council meeting of the September 9<sup>th</sup> 2020 be endorsed.*

**Moved:** Noel Mitchell

**Seconded:** Anthony Anderson

***Carried***

***Moved and Seconded:***

*'The minutes of the State Admin meeting of the November 26th 2020 be endorsed.'*

**Moved:** Noel Mitchell

**Seconded:** Anthony Anderson

***Carried***

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**AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING AND KINDRED INDUSTRIES UNION**

**VICTORIAN STATE COUNCIL RESOLUTION**

State Council resolves in relation to the General-Purpose Financial Report for the financial year ended 30 September 2020, that in its opinion:

- A) The financial statements and notes comply with the Australian Accounting Standards;
- B) The financial statements and notes comply with any other requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of the Fair Work (Registered Organisations) Act 2009 (the RO Act);
- C) The financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the Branch for the financial year to which they relate;
- D) There are reasonable grounds to believe that the Branch will be able to pay its debts as and when they become due and payable; and
- E) During the financial year to which the GPFR relates and since the end of that year:
  - (i) Meetings of the Branch committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned with; and
  - (ii) The financial affairs of the Branch have been managed in accordance with the rules of the organisation including the rules of a branch concerned; and
  - (iii) The financial records of the Branch have been kept and maintained in accordance with the RO Act; and;
  - (iv) The financial records of the Branch have been kept, as far as practicable, in a consistent manner to each of the other branches of the organisation; and
  - (v) No information has been sought in any request by a member of the Branch or Commissioner duly made under Section 272 of the RO Act; and
  - (vi) No orders for inspection of financial records has been made by Fair Work Commission under section 273 of the RO Act.

**AUTOMOTIVE, FOOD, METALS, ENGINEERING , PRINTING AND KINDRED INDUSTRIES UNION**  
**VICTORIAN STATE COUNCIL RESOLUTION**

*State Council resolves that the Operating Report for the financial year ended 30 September 2020 as prepared by Tony Mavromatis as the designated officer of the Union, be approved and be signed by Michael Terry and Tony Mavromatis on behalf of the State Council.*

*State Council also resolves that Tony Mavromatis, as the designated officer of the Union, be authorised to sign the Committee of Management Statement containing the declarations of the State Council.*

**Moved:** Noel Mitchell  
**Seconded:** Daniel Andrews

**Carried**

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**3. State Conference/Council Vacancies and National Council/Conference Vacancies**

**Manufacturing Vacancies State Conference, National Council and National Conference**

State Council resolves to appoint Brother Andy Kane to the vacant office of Rank and File Delegate to State Conference from the Manufacturing Membership Area for the remainder of the term. Council notes that Brother Andy Kane is a financial member of the AMWU from the Manufacturing Membership Area and is therefore eligible to fill the vacant office consistent with Rule.

State Council notes the resignation of Brother Robert Ballantyne from National Conference and National Council and he will be replaced by AMWU financial member Brother Andy Kane under rule for the remainder of the term.

**Food State Conference Vacancies**

**Brother John Billington – State Conference Vacancy**

Council notes the resignation of Brother John Billington from the office of Rank and File Delegate to the State Conference from the Food and Confectionery Membership Area due to his retirement from the workforce. Council notes that Brother Billington resigned from this position on the **25<sup>th</sup> November 2019**

Council notes that the term of the office of Rank and File Delegates to the State Conference commenced on 1 July 2019 and will expire on 30 June 2023. As Brother Billington resigned in the first year of his four-year term, a casual vacancy election is required to fill the office and a request for an election has been approved by the Registered Organisations Commission. Council notes however that the AEC has suspended all industrial elections due to COVID-19.

Pursuant to Rule 6A.8(a)(iii), Council may appoint an eligible member to a vacant office until the casual vacancy election is concluded.

As the relevant appointment body pursuant to Rule 6A.8(c)(ii), State Council therefore resolves to appoint Bro Robert Boulton to the office of Rank and File Delegate to the State Conference from the Food and Confectionery Membership Area until the required casual vacancy election is concluded. Council notes that Bro Robert Boulton is a financial member of the AMWU from the Food and Confectionery

**Sister Gaynor Ramsay – State Conference Vacancy**

Council notes the resignation of Sis Gaynor Ramsay from the office of Employed Delegate to the State Conference from the Food and Confectionery Membership Area due to her resignation from the Union. Council notes that Sister Gaynor Ramsay resigned from this position on the **15<sup>th</sup> November 2019**

Council notes that the term of the office of Employed Delegate's to the State Conference commenced on 1 July 2019 and will expire on 30 June 2023. As Sister Ramsay resigned in the first year of her four-year term, a casual vacancy election is required to fill the office and a request for an

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election has been approved by the Registered Organisations Commission. Council notes however that the AEC has suspended all industrial elections due to COVID-19.

Pursuant to Rule 6A.8(a)(iii), Council may appoint an eligible member to a vacant office until the casual vacancy election is concluded.

As the relevant appointment body pursuant to Rule 6A.8(c)(ii), State Council therefore resolves to appoint Sister Angela McCarthy to the office of Employed Delegate to the State Conference from the Food and Confectionary Membership Area until the required casual vacancy election is concluded. Council notes that Sis Angela McCarthy is a financial member of the AMWU from the Food and Confectionary

**Brother Allan T Pearce National Conference Vacancy**

Council notes the resignation of Brother Allan Pearce from the office of Rank and File Delegate to the National Conference from the Food and Confectionery Membership Area due to looking at retiring from the workforce earlier 2021. Brother Pearce resigned from this position on the 15<sup>th</sup> September 2020

Council notes that the term of the office of Rank and File Delegates to the National Conference commenced on 1 July 2019 and will expire on 30 June 2023. In that light an appointment can be made by the State Council pursuant to Rules 6A.8(b)(i) as the balance of the term does not exceed three years.

As the relevant appointment body pursuant to Rule 6A.8(c)(ii), State Council therefore resolves to appoint Bro Robert Boulton to the office of Rank and File Delegate to the National Conference from the Food and Confectionery Membership Area for the remainder of the term. Council notes that Bro Robert Boulton is a financial member of the AMWU from the Food and Confectionery Membership Area and is therefore eligible to fill the vacant office consistent with Rule.

*'State Council notes and endorses the vacancy report'*

**Moved:** Ross Kenna  
**Seconded:** Paul Difelice

**Carried**

**STATE SECRETARY'S REPORT**

• **National Council Minutes—17 September 2020** *(Attached)*

• **Qantas Club**

*'This State Council notes the National Council report on the Qantas Club, State Council calls on the State Steering committee to explore the best and cheapest offers available.*

*Furthermore this State Council endorses the purchase of Qantas Club for the Victorian National Council delegates upon request from the delegate and including the RMD delegate'*

**Moved:** Vince Pepi  
**Seconded:** Ross kenna

**Carried**

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- **Sponsoring the Greensborough Cricket Club for \$500.00** *(See Sponsorship/Donation item 2)*
- **The Father Bob Maguire Foundation** *(Sponsorship/Donations Item 1)*
- **Ballarat—Public Fundraising campaign donation** *(See Flyer) and Sponsorship/Donation Item 3*
- **Wodonga Office—change of location**

**Moved:** Anthony Anderson

**Seconded:** Shannon Brooks

**Carried**

**11:00am Suspend Standing Orders**

Father Bob addressed State Council about his Foundation and all the good work he does for the community, State Secretary announced a \$5000.00 donation to the foundation. 'State Council thanks Father Bob for his time and the insight he gave to the Father Bob Foundation'

**11:25am Resume Standing Orders**

**11:35am Suspend Standing Orders**

Sister Sylvia Tejeder addressed State Council about her recent 5 Day online ACTU Virtual Organising conference, 'State Council thanks Sis. Tejeder for her report'

**11:50am Resume Standing Orders**

## ACCOUNTS

Item 1

*'State Council endorses the payment for Maurice Blackburn Lawyers for RE: Esso Termination Application, for the 37% share AMWU costs \$726.09 for work performed between 1-5-20 and 16-6-20. Invoice number: 521441'*

Item 2

*'State Council endorses the payment for Maurice Blackburn Lawyers for RE: Esso Termination Application, for the 37% share AMWU costs \$3,990.22 for work performed between 16-7-20 and 18-9-20. Invoice number: 507346'*

**Moved:** Anthony Anderson

**Seconded:** Daniel Andrews

**Carried**

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## DELEGATION REPORT

Item 1

*'State Council notes that Sis Jenny James has successfully completed her probation'*

Item 2

*'State Council notes Brothers Josh Penhall, Brother Raoul Wainwright, Brother Ron Smith and Brother Brian Paulding continue with another 12-month fixed term appointment, subject to budget and finance'*

**Moved:** Anthony Anderson

**Seconded:** Noel Mitchell

**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 December 11th State Council.'*

**Carried**

## Sponsorship/Donations

Item 1

Father Bob Foundation

*'State Council endorses the AMWU \$5000.00 donation to the Father Bob Foundation and thanks Father Bob for attending Sate Council and thanks him and the volunteers for there amazing work.'*

**Moved:** Anthony Anderson

**Seconded:** Noel Mitchell

**Carried**

Item 2

Sponsorship Greensborough Cricket Club

*'State Council supports the Sponsorship for \$500.00 to the Greensborough Cricket Club for the 2020/2021 season'*

**Moved:** Paul Difelice

**Seconded:** Mark Kennedy

**Carried**

Item 3

Ballarat Public Fundraising Campaign—Workers memorial

*'State Council supports the Donation for \$5,000.00 to the Ballarat workers memorial'*

**Moved:** Mick Bull

**Seconded:** Shannon Brooks

**Carried**

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**DIVISIONAL REPORTS**

*'State Council notes and receives the divisional reports'*

**Moved:** Shannon Brooks

**Seconded:** Tony Piccolo

**Carried**

**Supplementary Items**

Item 1

National Food Industry Campaign—Family Violence

*'State Council notes and supports the National Food Campaign around Family Violence leave and the newly drafted clause being included in all Food industry EBA log of claims from 1 January 2021 onward across the country and that this motion is taken to National Council'*

Item 2

Hardship Fund application Campbells Soups Australia

*'State Council endorses the hardship payment to the 92 Campbell Soups Australia AMWU members for their current EBA negotiations'*

Item 3

Bob Yette Award and Georgie Kimmel awards 2020

*'State Council congratulates all Nominees for the Bob Yette and Georgie Kimmel awards and thanks them for their continued great work'*

*'State Council congratulates Bro. Mick Terry on winning the Bob Yette award and Sis. Trudy Jorgensen on winning the Georgie Kimmel award and the Honourary award presented to Sister Sarah Ross for the outstanding work she has done throughout the year'*

Item 4

Wageguard – Food Division contributions

*'State Council notes the verbal report from the State Secretary and the Food division assistant State Secretary and calls on Wageguard to provide appropriate detail and data so the branch can deal with the matter.'*

**Moved:** Daniel Andrews

**Seconded:** Tony Piccolo

**Carried**

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**General Business**

**Vehicle Policy**

Below is a letter from an Official to the State President that Brother president Mick Terry read out to State Council.

'I write to advise members of the Vic State Council, if it is possible to re-visit and regain the old motor vehicle policy regarding the chance for an Official to be able to get the first opportunity to buy the motor vehicle that he/she was driving before the changing over of the old fleet to a new motor vehicles for himself or herself at market value and before these cars are sent for Auctioning.

I found that the new vehicle set of rules or policy changes on taking away the right of an official driver to get the first opportunity to buy the vehicle that he/she has been driving before such cars have reached three years old or reached 90,000Klm or more, was very, very unfair and un-unity for the majority of us.

But at least buying a bit cheaper vehicle before us Officials drivers going to the Auction to compete with a car dealer is just a joke, we will have no way of winning back the vehicle we love to have.

I ask the Victorian State Council and Officials, to please take our request on for one of your important subject for discussions, and shall be the beginning of the process from the Victorian State Council to Victorian State Conference and the National Conference,'

**Moved:** Lou Malgeri

**Seconded:** Tony Piccolo

***Carried***

***Meeting Close 2:00pm***

**Next State Council**

**31<sup>st</sup> March 2020**