

**BUILDING, CONSTRUCTION AND RELATED CALLINGS (STATE)
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch), an industrial organisation of employees.

(No. IRC 1372, 1373, 1374, 1376, 1377, 1378, 1381, 1382 & 1384 of 2005)

Before Mr Deputy President Sams

23 June 2005

ORDER

The Commission orders that: -

1. The following Industrial Committees be dissolved:

Builders Labourers Industrial Committee, published

Carpenters, Bricklayers Industrial Committee, published

Carpenters, Bridge and Wharf Industrial Committee, published

Painters &c Industrial Committee, published

Plasterers &c Industrial Committee, published

Slaters &c Industrial Committee, published

Stonemasons &c Industrial Committee, published

Tilelayers Industrial Committee, published

2. There be established a new Building, Construction and Related Callings (State) Industrial Committee for the Industries and Callings of: -

A. Builders' Labourers

Labourers employed in the erection, alteration or demolition of buildings, and labourers (except ironworkers' labourers and assistants) engaged in the erection of lifts, or of scaffolds for lifts in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

South Maitland Railways Pty Limited;

The Broken Hill Proprietary Company Limited at Newcastle;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Pty Limited, at Port Kembla;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

Sydney Electricity;

The Northern Rivers County Council;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Water Board;

The Hunter District Water Board;

The Australian Gas Light Company Limited;

Australian Wire Industries Pty Limited at its Sydney Wiremill;

Australian Wire Industries Pty Limited at its Newcastle Wiremill;

and excepting employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;

and excepting also employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Port Kembla;

Australian Wire Industries Pty Limited - Newcastle Ropery;

John Lysaght (Australia) Limited Unanderra;

Tubemakers of Australia Limited, Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Cement Workers, &c. (State);

Breweries, &c. (State);

Milk Treatment, &c., and Distribution (State);

Googong Dam Project;

University Building Maintenance Employees (State);

and excepting also -

Carters, grooms, stablemen, yardmen, drivers of motor and other power-propelled vehicles, and whip drivers;

Employees in or about metalliferous and limestone mines, in or in connection with mining for minerals other than coal or shale, in or about diamond and gem-bearing mines, mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works;

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them.

B. Carpenters and Bricklayers

Carpenters, joiners, bricklayers and tuckpointers in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

The Northern Rivers County Council;

Sydney Electricity;

The Electricity Commission of New South Wales trading as Pacific Power;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Australian Gas Light Company;

John Lysaght (Australia) Limited Port Kembla, within the jurisdiction of the John Lysaght (Australia) Limited Port Kembla Industrial Committee;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;

Prospect Electricity;

and excepting employees within the jurisdiction of the following Industrial Committees-

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Shortland County Council;

John Lysaght (Australia) Limited Newcastle;

Australian Wire Industries Pty Ltd - Newcastle Ropery;

John Lysaght (Australia) Limited Unanderra;

Tubemakers of Australia Limited Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Cement Workers, &c. (State);

Milk Treatment, &c., and Distribution (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

Crown Employees (Skilled Tradesmen);

University Building Maintenance Employees (State);

and excepting also -

Employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;

Handymen on farms or stations doing rough carpentry;

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them;

Bridge and wharf carpenters;

All persons engaged in or in connection with mining for minerals other than coal or shale, and all persons engaged in or about diamond and gem-bearing mines, mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works;

Employees engaged in the coach building trades; persons employed in or about metalliferous and limestone mines;

Bricklayers and tuckpointers employed in or in connection with hospitals, mental hospitals, public charitable institutions or ambulance work;

and excepting also persons coming within the jurisdiction of the Public Hospital (Skilled Tradesmen) Industrial Committee and also the Maritime Services Board (Building and Construction Tradesmen) Industrial Committee.

C. Carpenters, Bridge and Wharf

Bridge and wharf carpenters (including foremen and sub-foremen bridge and wharf carpenters) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited, Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Kandos Cement Company Limited;

Blue Circle Southern Cement Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

Sydney Electricity;

The Northern Rivers County Council;

The Electricity Commission of New South Wales, trading as Pacific Power;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Commissioner for Main Roads engaged in the maintenance of the Sydney

Harbour Bridge;

The Australian Gas Light Company;

C.R.M. Division of Lysaght Works Pty Limited within the jurisdiction of the John Lysaght (Australia) Limited Port Kembla Industrial Committee;

and excepting also -

Handymen on farms and stations doing rough carpentry;

Foremen and sub-foremen employed by the Crown or by any person or corporation on behalf of the Government of the State of New South Wales;

Employees within the jurisdiction of the Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited) Industrial Committee and the Cement Workers, &c. (State) Industrial Committee;

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen) Industrial Committee.

D. Painters, &c.

Painters (excepting coach painters and painters in the porcelain enamelling industry, and in the manufacture and repair of sporting goods), paperhangers, decorators, signwriters and persons engaged in or assisting in the operation of silk screen process printing in or working in association with signwriters in signwriting workshops, designers and/or letterers of price tickets and show cards (excluding workers in retail shops carrying out this class of work for their employers' own use, but not for resale) and ship painters and decorators (other than those classed as ship painters and dockers) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Pty Limited;

The Electrolytic Refining and Smelting Company of Australia Proprietary Limited;

Metal Manufactures Limited, Australian Fertilizers Limited, and Austral Standard Cables Proprietary Limited, at Port Kembla;

The Broken Hill Proprietary Company Limited at Newcastle;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

The Council of the City of Sydney and of shire and municipal councils;

The Council of the City of Newcastle;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Northern Rivers County Council;

Australian Wire Industries Pty Ltd at its Sydney Wiremill;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;

The Australian Gas Light Company;

and excepting also employees -

In or about metalliferous mines and all persons engaged in or in connection with mining for minerals other than coal or shale; in or about diamond and gem-bearing mines; in or about mining dredges, ore sluicing processes, ore smelting, refining, treatment and reduction works; in or about coal mines north of Sydney, in or about coal mines in the South Coast district, in or about coal and shale mines west of Sydney;

and excepting also -

Persons employed in or by The United Dental Hospital of Sydney;

Handymen on farms or stations doing rough painting;

and excepting also employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Shortland County Council;

John Lysaght (Australia) Limited Port Kembla;

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Unanderra;

Australian Wire Industries Pty Ltd - Newcastle Ropery;

Tubemakers of Australia Limited, Yennora;

Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

Milk Treatment, &c., and Distribution (State);

Cement Workers, &c. (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

and excepting also -

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen) Industrial Committee;

Persons within the jurisdiction of the University Building Maintenance Employees (State) Industrial Committee;

Persons coming within the jurisdiction of the Public Hospital (Skilled Tradesmen) Industrial Committee.

E. Plasterers, &c.

Plasterers and fibrous plaster fixers, and shop hands and casters in the plastering trade and fixers of gypsum plaster board and other employees engaged in or in connection with the manufacture of fibrous plaster products in the State, including all persons engaged in the carrying out of the work of plastering, fibrous plaster fixing, or fixing gypsum plaster board when such work is performed in connection with the erection or construction of any building or in connection with the repair, alteration or maintenance of a building not used as a residence, and where such work is being carried out under a contract between the owner or occupier of the premises and such persons, but excluding persons who are bona fide contractors employing labour on such work, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

Sydney Electricity;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Broken Hill Proprietary Company Limited;
Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Council of the City of Newcastle;

The Australian Gas Light Company;

The Commissioner for Main Roads engaged in the maintenance of the Sydney Harbour Bridge;
and excepting employees within the jurisdiction of the following Industrial Committees -

Special Steels and Steel Products Manufacture (Commonwealth Steel Company Limited);

Tubemakers of Australia Limited, Newcastle;

County Councils (Electricity Undertakings) Employees;

Smelting, &c. (Electrolytic R. & S. Company, &c.);

Smelting and Fertilizers Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);

John Lysaght (Australia) Limited Newcastle;

John Lysaght (Australia) Limited Port Kembla;

Milk Treatment, &c., and Distribution (State);

Breweries, &c. (State);

Shoalhaven Scheme;

Googong Dam Project;

Crown Employees (Skilled Tradesmen);

University Building Maintenance Employees (State);

Public Hospital (Skilled Tradesmen);

Maritime Services Board (Building and Construction Tradesmen) Industrial Committee.

F. Slaters, &c.

Slaters, roof tilers and shinglers, and all persons employed as fixers of sisalkraft, pabcotite and similar materials used for or in connection with sarking and/or roofing, in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;
Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

The Council of the City of Sydney;

Sydney Electricity;

The Electricity Commission of New South Wales, trading as Pacific Power;

Australian Iron and Steel Proprietary Limited within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Australian Gas Light Company;

and excepting also -

All persons employed in fixing or applying to or in connection with roofs, malthoid and all bituminous roofing materials and all accessories, and all persons employed as fixers of corrugated asbestos cement sheets, whether fixed to walls or roof, together with all asbestos cement accessories, including asbestos cement ridging, guttering and downpipes, and including all persons assisting them;

Employees within the jurisdiction of the Cement Workers, &c. (State) Industrial Committee and the University Building Maintenance Employees (State) Industrial Committee.

G. Stonemasons, &c.

Monumental masons and their assistants, polishers, polishing machinists, float machinists, and saw machinists engaged in monumental work, stonemasons, rubble masons, stone machinists and all other employees engaged in the preparation of stone for use in the erection of buildings, quarrymen and labourers employed in and about dimension stone quarries in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Water Board;

The Hunter District Water Board;

South Maitland Railways Limited;

Blue Circle Southern Cement Limited;

The Kandos Cement Company Limited;

Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited) Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

The Council of the City of Sydney;
Shire and municipal councils;

Sydney Electricity;

The Broken Hill Proprietary Company Limited;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill;

The Australian Gas Light Company;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Council of the City of Newcastle;

and excepting also -

Employees in or about coal mines north of Sydney, in or about coal mines in the South Coast district; carters, grooms, stablemen, yardmen and drivers of motor and other power-propelled vehicles;

Employees within the jurisdiction of the Cement Workers, &c. (State) Industrial Committee;

Persons coming within the jurisdiction of the Crown Employees (Skilled Tradesmen Industrial Committee and the University Building Maintenance Employees (State) Industrial Committee.

H. Tilers &c.

Tilers and tilers (other than roof tilers) in the State, excluding the County of Yancowinna;

excepting employees of -

State Rail Authority of New South Wales;

State Transit Authority of New South Wales;

The Commissioner for Motor Transport;

The Council of the City of Sydney;

Sydney Electricity;

The Council of the City of Newcastle;

The Electricity Commission of New South Wales, trading as Pacific Power;

The Australian Gas Light Company;

and excepting employees within the jurisdiction of the following Industrial Committees-

Shoalhaven Scheme;

Googong Dam Project;

University Building Maintenance Employees (State).

3. The said committee shall consist of one representative of employers and one representative of employees, except in the case of the Carpenters and Bricklayers and the Carpenters, Bridge and Wharf industries and callings, where it shall consist of two representatives of employees and two representatives of employers.
4. The representative of employers shall be appointed, upon nomination as prescribed, in respect of the following industries and callings as detailed above:
 - A. Builders' Labourers: The Master Builders' Association of New South Wales

- B. Carpenters and Bricklayers: Employers First and Australian Business Industrial
 - C. Carpenters, Bridge and Wharf: Employers First and The Master Builders' Association of New South Wales
 - D. Painters, &c.: Master Painters, Decorators and Signwriters' Association of New South Wales
 - E. Plasterers, &c.: The Master Builders' Association of New South Wales
 - F. Slaters, &c.: Master Slaters, Tilers and Shinglers' Association of New South Wales
 - G. Stonemasons, &c.: The Master Builders' Association of New South Wales
 - H. Tilelayers &c.: Australian Business Industrial
5. The representatives of employees shall be appointed, upon nomination as prescribed, by The Construction, Forestry Mining Energy Union, (New South Wales Branch).
 6. This order shall take effect on and from 7 June 2005 and shall remain in force for a period of three (3) years.

P. J. SAMS *D.P.*

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