

## **MEMBERSHIP QUALIFICATIONS**

**for**

### **The Australian Workers' Union, New South Wales**

#### **Section 1 - Establishment and Constitution / Rule 6 - Constitution**

The Union shall be entitled to enrol as members, persons within the following industries and occupations.

#### **PART A**

Subject to these Rules all kinds of general labour and every bona fide worker, male and female, engaged in manual and mental labour in or in connection with any of the following industries or callings, namely;

Pastoral (otherwise than as shearing contractor), woolclassing except where employed in a wool brokers store, agricultural, which includes employees of the Grain Handling Authority of New South Wales, The Australian Wheat Board, The New South Wales Wheat Shippers Industrial Association and Premium Wheat Growers' Association Limited engaged in or in connection with the storage weighing, testing and other handling of grain, but excluding persons within the Constitution Rules of the Federated Miscellaneous Workers' Union of Australia, New South Wales Branch; the Transport Workers' Union of Australia, New South Wales Branch, horticultural; landscaping; other than landscaping performed by officers or employees of the New South Wales Public Service or by employees of the Universities of New South Wales, Newcastle or Wollongong or any University formed from a college of those Universities, any college of Advanced Education, a School Gardening Service, the New South Wales Zoological Parks Board, the Georges River Park Trust or by employees of the Department of Main Roads of or above the classification of Foreman; viticultural (which includes employees in wineries, excepting the cellar staff at the Minchinbury Winery at Rooty Hill, New South Wales); dairying, fruit growing, poultry farming, sugar cane growing, cutting and milling and the refining of sugar, hydrocarbon plantations the growing, cutting and treatment of flax and tobacco, trapping and/or shooting of rabbits, kangaroos, feral goats, feral pigs, foxes other than by officers or the employees of the New South Wales Public Service, or by employees of any Pastures Protection Board not being Reserve Workers employed by any such board; timber and saw milling; afforestation and silviculture; all persons engaged in the manufacture of charcoal, excepting persons engaged in the hewing, splitting, hauling and felling of timber in connection therewith: employees engaged in or in connection with the manufacture of Masonite and/or Caneite (excepting persons employed at the works of the Colonial Sugar Refining Co Ltd at Pymont) and all operations incidental thereto: road making; Toll Collecting (other than by employees of the Crown in the State of New South Wales within the meaning of Rule 5(a) of the Constitution Rule of the Public Service Association of New South Wales as at 18 October 1991); water and sewerage: water, conservation and irrigation: reclamation work, rock chopping; railway and tramway construction: construction work on civil and/or mechanical engineering projects, fencers; grubbers and clearers; metalliferous

mining, smelting, reducing and refining of ores: dredging and sluicing works: mining for brown coal, including the extraction of the by products, the manufacture of briquettes: the distillation of oils; employees engaged in the production of power alcohol (excepting persons employed at the works of the Colonial Sugar Refining Co. Ltd. at Pyrmont): and the extraction of hydrocarbons from plants: solar energy; and oil from coal and shale: surface labourers engaged about or in connection with brown coal mines: persons engaged in timber getting for mining purposes; stone and other quarrying; gravel and sand pits: land surveying; fish cleaning, preserving and packing within the jurisdiction of the Fish Canning &c. (State) Conciliation Committee: net making and general labour in connection with fish trawling; persons employed in or in connection with the marketing, smoking, processing, packing and treatment of Fish and marine products: persons employed in or in connection with oyster leases or farms, including employees engaged in the cultivation, culling and treatment or handling of oysters; employees engaged in or in connection with the treatment of whales and by-products therefrom (but excluding persons within the Constitution Rules of The Federated Miscellaneous Workers' Union of Australia, New South Wales Branch: Transport Workers' Union of Australia, New South Wales Branch: The New South Wales Branch of the Merchant Service Guild of Australia: The Shop Assistants and Warehouse Employees' Federation of Australia, New South Wales: Shop Assistants and Warehouse Employees Federation of Australia, Newcastle and Northern New South Wales: The Federated Ship Painters and Dockers' Union of Australia, New South Wales Branch: The Federated Storemen and Packers' Union of Australia, New South Wales Branch, and the Federated Clerks' Union of Australia New South Wales Branch,) employees engaged in or in connection with the handling, reception, sale or deliver of fruit and vegetables at wholesale markets within the country of Northumberland, the Parish of Stockton and the Municipality of Raymond Terrace, excluding clerks, carters, grooms stablemen and yardmen, drivers of motor and other power propelled vehicles and storemen and packers: the manufacture of copper bars rods and wire: employees engaged in the process of the weaving of copper braid: the manufacture of soap candles and buttrine, margarine, nut foods drugs (other than milling thereof, the manufacture of products for intravenous therapy and intravenous nutrition, (excepting persons within the constitution rule of The Federated Miscellaneous Workers' Union of Australia N.S.W. as at 1 October 1982) chemicals and gases; the manufacture, preparation and packing of crisps or extrusions, processed from Potato and/or cereals being snack foods of the nature of potato crisps, corn crisps, expanded and shaped extruded cereal snack foods or the like, excepting employees in grain and/or cereal food mills: the manufacture of petrochemicals: the manufacture of insecticides, fungicides and compounds other than in a drug factory: manufacture of fertilisers, blue and toys (other than sheet metal); the manufacture and milling of paper-employees engaged in the making of bituminous preparations and bituminous waterproof paper, paper and paper hessian and in fixing and applying thereof (excepting persons employed by Australian Sisikraft Co. Pty Ltd.) but excluding, persons within the Constitution Rules of the Furnishing Trades Society of New South Wales; The Operative Painters and Decorators' Union of Australia New South Wales Branch; The Operative plasterers and Plaster Workers Federation of Australia, New South Wales Branch; employees engaged in the manufacture of pencils and pens without limiting the generality of the foregoing including the employees of Columbia Writing Products Staedtler (Pacific) Pty Ltd. and Parker Pen (Australia) Pty. Ltd. excluding cleaners and watchmen; parachutes (other than parachute harness) and matches: employees engaged in the fumigating of factories,

shops, houses, and office furniture: employees engaged in pest extermination; the extraction and refining of vegetable oils: tea packing and preparation and manufacture of malted milk, the dehydration and preservation of vegetables and fruit at Leeton Cooperative Cannery Ltd Leeton, New South Wales; workers in laundries; persons employed or competent to be employed as hairdressers barbers, wigmakers, hairworkers, and their assistants (Other than Examiners or Hairdressing and apprenticeship Supervisors) and all employees in and in connection with beauty parlours, and receptionists employed in connection therewith, but excluding, persons engaged in the sale of goods and in the manufacture of beauty preparations, Fire brigades employees, including permanent, partially-paid and volunteer Firemen: employees (other than craftsmen and engine drivers) engaged in boring for water or oil, in refining and in the extraction of oil products, ski instructors: employees engaged at chair lifts, T-bars and ski runs; employees engaged as ginners, stackers, feeders and branders, oil refiners, moulders and labourers in the cotton industry; employees (other than engine drivers and craftsmen engaged in the destruction of prickly pear and noxious weed and vegetation, and in the treatment of prickly pear and the products thereof the manufacture of cement, cement and/or concrete articles and Fibrelite articles and/or the operation of concrete batching plants; the formation and maintenance of racecourses, showgrounds, greyhound tracks, recreation areas, golf links, bowling greens and tennis courts, and of all gardens, lawns and greens in connection therewith, and zoological gardens; employees engaged as grooms, stablehands and general hands employed by horse trainers and/or horse owners and horse breeders, but excluding persons within the constitution Rules of the Transport Workers' Union of Australia, New South Wales Branch, persons employed as Jockeys and persons employed as apprentice Jockeys; Mushroom culture; persons employed in or about Newcastle Iron and Steel Works or any Works directly subsidiary thereto or in any quarry or mine or other industrial establishment the work done is wholly or mainly the supply of materials incidental to the manufacture of iron and steel at the Newcastle Iron and Steel Works, other than those employees who are engaged as foremen or staff employees, persons employed in and about the works of the following companies at Port Kembla, namely; Metal Manufactures Limited Electrolytic Refining and Smelting Company of Australia Limited, and Australian Fertilizers Limited excepting in the case of each company, staff employees, blacksmiths, boilermakers, bricklayers, carpenters, electricians (including 50 electrical fitters and linesmen), engine drivers (including crane or winch drivers, fireman motor drivers, or attendants, dynamo attendants, greasers, trimmers and cleaners), engineers (including drillers, fitters, machinists, pipe fitters and fumers), moulders, painters, plumbers, storemen and packers within the jurisdiction of the Storemen and Packers, General (State) Conciliation Committee, rubber workers, motor-wagon drivers, riggers, strikers, and assistants to the following class of tradesmen, namely: Boilermakers, blacksmiths, engineers (including electrical engineers), moulders, coppersmiths, sheet-iron workers, plumbers, springmakers, electricians, motor mechanics and any other mechanics engaged in the iron, steel and metal industries, persons operating, attending, fuelling, greasing, cleaning, maintaining mobile and stationary machines, cranes, winches and other motors and mechanical equipment and appliances used in construction work on the surface or underground and in excavation work (including quarrying), excluding persons within the Commercial Travellers (State) Conciliation Committee; and all person officers of the Union shall be entitled to become and to remain a member of the Union.

## PART B

In addition the Union shall consist of members engaged in any of the following Trades or Branches of Trades:

- (a) Engineers, fitters, Turners, Water Meter Fitters, Tool and Gauge Makers, Die Sinkers, Mechanical or Scientific Instrument makers, Scale Makers and Adjusters, Safe Makers, Pipe Fitters. Motor Mechanics and Tuners and Testers, Cycle and Motor Cycle Mechanics, Typewriter Mechanics, Patternmakers, Coppersmiths, Brassfinishers (Engineering and General), Forgers, Forge Furnacemen, Blacksmiths, Shipsmiths, Oliversmiths, Spring Fitters, Autogenous Welders, Oxy-acetylene Cutters, Locksmiths, Mechanical Draughtsmen, Millwrights, Iron and Steel Rollers, Electrical Fitters, Electrical Mechanics and Wiremen, machine Makers, Milling Machinists, Planers, Slotters, Borers, Shapers, Drillers, Polishers, Grinders and Lappers, Bolt and Nut Machinists, Agricultural Implement Makers, and other machine Men or Mechanics employed in the Engineering, Locomotive and Shipbuilding, Rolling Stock Aircraft and iron Trades, or in any other industry, and the paid officials of the Union.
- (b) Smiths' strikers and mechanics' assistants or groups of strikers and assistants engaged in any of the above trades, deciding to amalgamate with or join this Union, shall be admitted upon such terms as shall be agreed upon by State Council, and consistent with the Rules of this Union, so long as it is not antagonistic to any other Trade Union dealing solely with that class of worker and operating in the immediate locality.
- (c) Any member of the Union who is the subject of demarcation orders made by His Honour Justice Boland operative from 19 March, 2001 (Matter Nos IRC 380 of 2000 and IRC 2937 of 2000) will cease to be a member of the Union within three months of 19 March 2001 and, thereafter as notified by the Branch Secretary to the Branch Executive, be removed from the register of members by the Branch Executive and that person shall from that time cease to be a member of the Union.

## PART C

In addition the Union shall consist of an unlimited number of persons being:

- (a) All assistants and all labourers, general or special, engaged in connection with the work of boilermakers, blacksmiths, engineers (including electrical engineers), moulders, coppersmiths, sheet iron workers, plumbers, springmakers, electricians, motor mechanics, and/or any other mechanics engaged in the iron, steel and metal industries.
- (b) Dressers, grinders, drillers on stationary machines, furnacemen (including forge furnacemen), pipe moulders, tool storemen, and all labourers, general or special, engaged in the iron, steel and metal industries, or engaged in the cast-iron pipe-making industry, steel locking bar pipe industry, riggers and scaffolders (other than riggers on ships and riggers and scaffolders employed in shipyards,

dockyards and in building operations), machinists (excepting operators of punching, shearing, riveting, rolling, bending, angle or plate straightening, nipping and notching machines and smithy machines), and ail assistants to mechanics, and labourers, general or special, employed in construction shops.

- (c) Machinists engaged in the steel locking bar pipemaking industry. All persons employed in the iron, steel and tinplate rolling industries, in the manufacture of galvanised iron, in the manufacture and/or rolling of brass, copper and aluminium and other non-ferrous metals and in the process of lining and/or covering pipes with bitumen, all persons engaged in the manufacture of insulation materials at the works of Bradford Insulation Pty. Ltd., Clyde Street, Hamilton, all persons employed in the manufacture of insulwool, slagwool, or like insulation materials, or employed by the manufacturer of such materials in the installation thereof, and all persons employed in the machine horseshoe-making industry and in the reinforced-steel industry carried out in the workshops, factories or foundries.
- (d) Persons engaged in a repetition or specialised process of the production of or assembling of machine parts or metallic articles. Persons engaged in the assembling of motor chassis, bumper-bars, motor accessories and the like, and employees, including labourers, engaged as assistants in the manufacture of such articles and/or accessories and the like, excepting assemblers of engines, engineers, fitters, turners, planers, shapers, slotters, millers and motor mechanics. Operators of metal spraying machines and labourers employed directly or indirectly as assisting such workers. All employees other than tradesmen engaged in the erection of television antennae excepting that those persons including tradesmen who are eligible for membership of the Union pursuant to rule 4(1)(a) and (b) shall remain eligible for membership of the Union.
- (e) All workers in wire, employees in or about wire netting, and other wire works, employees engaged in the manufacture of metal wire or any article or articles made therefrom, employees in the process of galvanising or tinning articles of wire or any form of metal, and in all processes leading up to the preparation of such tinning or galvanising, and tubular gate-making.
- (f) All classes of employees which are referred to in the preceding paragraphs (a) and (b) engaged in or in connection with the industries of shipbuilding and ship repairing or engaged in or in connection with the work of foundries, together with such other persons, whether employees in any industrial pursuit or pursuits or not, who may have been appointed officers of the association and admitted as members thereof; provided that no boilermaker, blacksmith, engineer, electrician, moulder (other than pipe moulders), coppersmith, sheet metal worker, tinsmith, canister maker, plumber or springmaker shall be eligible to become a member of this Association other than those persons including tradesmen who are eligible for membership of the Union pursuant to rule 4(1)(a) and (b).
- (g) All persons employed to assist and facilitate work of engineering, electrical and other metal tradesmen in the performance of work for which such tradesmen or

other technical supervisors are responsible, notwithstanding that their work includes hoisting, lowering, fleeting, whether by block and tackle or by other means, tools, equipment, machinery or other articles or material in connection with the work of such tradesmen in ship-yards and or between ship and shipyard and dockyard. This paragraph shall apply notwithstanding any other provision of this rule, but shall not by implication affect the construction of the other provisions of this rule.

- (h) Without limiting the forgoing or in any way being limited by the forgoing, persons other than tradesmen, employed at the works of Sulphide Corporation Pty. Ltd. and Greenleaf Fertilizers Ltd.

#### PART D

- (1) Notwithstanding anything else in this rule, and without being limited by any other provision of this rule, and without limiting any other provision of this rule the Union shall consist of all persons employed in or in connection with the Glass Manufacturing industry and without limiting the generality thereof shall comprise all persons employed within that industry;
  - (a) in or in connection with the fabrication of goods from the products of that industry, or
  - (b) in or in connection with the fabrication of goods comprising glass, fibre-glass, or any other similar matter or substance.

#### PART E

- (1) Notwithstanding anything else in this Rule, and without being limited by any other provision of this Rule the Union shall consist of an unlimited number of members employed in or in connection with, including selling tickets by any means in connection therewith, or in or about any kind of amusement, whether indoor or outdoor, including:
  - (a) Theatres, Cinemas, Halls, Racecourses, Sports, Exhibitions, Agricultural Shows, Planetaria, Animal Parks, Puppet Shows and Film and Video-tape Exchanges but excluding any person employed in or about the foregoing in any capacity in or in connection with the provisions, sales service or preparation of food or drink;
  - (b) Clubs, licensed clubs and discotheques, but only insofar as such employees are employed as Set and Property Carpenters and Painters, Stage Crews, Mechanists, Projectionists, Audio and Lighting Technicians, Flyman, Props Persons, Scenic Artists, Wardrobe including Dressers, Costume and Property Workers, Stage Managers, Make-up Artists, Hair Dressers, Wig Makers and Wig Dressers, Directors, Choreographers and Designers;

- (c) Casinos, but only insofar as employees are employed as supervisors, Pit Bosses, Inspectors, Croupiers, Dealers, Bankers Cashiers and Change Clerks;
- (d) In all aspects of Motion Picture Film, Video and Television Production and Processing, including but without limiting the generality of the foregoing Producers, Directors, Production or Studio Unit Managers, Assistant Directors, Production Accountants, Dialogue and/or Commentary Writers, Script and/or Continuity Recordists, Location and/or Talent Scouts, Contactmen, Operative Cameramen, Special and/or Process Cameramen, Title and/or Cartoon Cameramen, Camera Dolly and/or Rotambulation Operations, Slate Operations, Studio Gripmen, Studio Mechanists, Chief Sound Engineers, Sound Engineers, Sound Recordists, Microphone Boom Operators, Sound Mixes, Film Editors, Film Cutters, Specialists Film Cutters, Film Librarians, Film Vault Keepers, Film Splicers, Laboratory and/or Studio Maintenance Men, Film Stock Keepers, Film Laboratory Managers, Film Laboratory Chemists, Film Printing Operators, Film By-Product Operators, Film By-Product Recovery Chemist, Film Timers, Film Cleaners and/or Waxers, Film Checkers, Laboratory and/or Studio Projectionists, Film Processors, Film Graders, Film Despatchers, Film Packers and Film Examiners, Supervising and other classes of technician involved in Maintenance, Installation, Video-tape, Lighting, Telecine or Audio Departments, Cinecameramen, Videocameramen, Set Designers, Graphic Artists, Co-ordinators, Stills Photographers, Floor Managers, Film Sound Recordists, Wardrobe Supervisors and Assistants, Set and Property Carpenters, and Painters, Property men/women, Scenic Artists, Producers, Directors Assistants, Vision Switchers, Set Dressers, Hairdressers, Film Department Assistants, Studio Hands, Film/Video -tape and Record Librarians, Property and Scenery Storepersons and all trainees and inexperienced adults employed in or in connection with television or video-tape production houses;
- (e) In Film and Television Distribution, persons employed in Film Release and Control, Statistics and Contracts, Film Despatch, Projectionists, Assistant Projectionist, Film Packers, Film Checkers, Film Examiners, Film Cleaners and Film Splicers; and
- (f) Tourist Guides, but excluding Tourist Guides covered by the Constitutional rule of the Public Service Association of New South Wales. Cinema and Theatre Management and Treasurers throughout New South Wales together with such other persons whether so employed or not, as have been elected officers and industrial staff of the Union and have been admitted as members thereof.

## PART F

- (1) Notwithstanding any other provision of this Rule, nothing in any one Part of this Rule limits the eligibility of a person for membership of the Union pursuant to any other Part of this Rule, nor the right of the Union to enrol such persons who

are otherwise eligible for membership pursuant to such other Part or Parts of this Rule.

- (2) Notwithstanding the other provisions of this rule, the holders of Office in the Union shall be eligible for membership of the Union together with such other persons whether employees in any industrial pursuit or pursuits or not, who may have been appointed officers of the FIA prior to the amalgamation of the FIA with the AGWU, ASE and AWU and admitted as members thereof.

## PART G

Notwithstanding anything else in this rule, and without being limited by any other provision of this rule, the union shall consist of an unlimited number of employees wholly employed in the making of all kinds of gramophone records and/or any such like article as is used on all kinds of talking or musical machines, except artists, singers, performers, musicians, associated technical crew and any employee eligible to be a member of the Media, Entertainment and Arts Alliance, New South Wales.