

AT848867CRV

C2008/

FORM R19 RULE 26

Workplace Relations Act 1996

**AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION
APPLICATION TO VARY OR REVOKE A TRANSITIONAL AWARD
(SCHEDULE 6, CLAUSES 29, 30 AND 31)**

IN the matter of:	The Horticultural Industry (AWU) Award 2000 [Transitional]
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Applicant

Name of applicant:	The Australian Workers Union		
Address	Level 10 377 Sussex Street SYDNEY NSW 2142		
Contact Person:	Jack Ellis		
Phone No:	(02) 8005 3333		
Facsimile No:	(02) 8005 3333		
Email address:	jack.ellis@nat.awu.net.au		

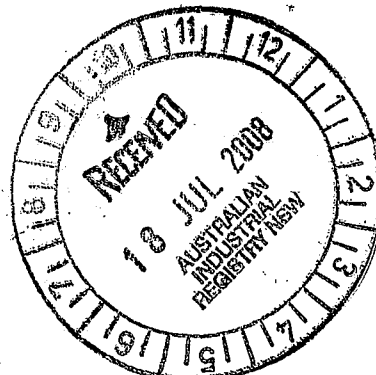
Application is made for the variation of the abovementioned transitional award to increase wage rates and allowances in a manner not inconsistent with the Wage Setting decision of the Australian Fair Pay Commission of 16 June 2008.

Indicate the clause or clauses relied upon to make this application:

<input checked="" type="checkbox"/> Sch 6, cl.29	<input type="checkbox"/> Sch 6, cl.30	<input type="checkbox"/> Sch 6, cl.31.
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The grounds on which this application is made are as follows:

- To give effect to the objects of the *Workplace Relations Act 1996* ("the Act") Part 1 Section 3(c) and 3(g).
- To give effect to clause 1 Objects of Division 1 of Part 1 of Schedule 6 to the Act.



3. The application is consistent with Schedule 6 Part 3 Subdivision B – Allowable transitional award matters.
4. To provide for protection against inflation for low paid workers and to ensure low paid workers share in the growth in national prosperity, by raising minimum wages and allowances.
5. To provide simple, equitable and enforceable minimum wages and conditions.
6. To provide consistency with the decision of the Australian Fair Pay Commission of 16 June 2008 and announced on 8 July 2008.
7. Any other grounds that may be relied upon and that the Commission deems appropriate.

Dated 19 July 2008



PAUL HOWES
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

AT848867CRV

C2008/

FORM R62 RULE 73
Workplace Relations Act 1996
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION
APPLICATION FOR AN ORDER FOR SUBSTITUTED SERVICE

IN the matter of:	The Horticultural Industry (AWU) Award 2000
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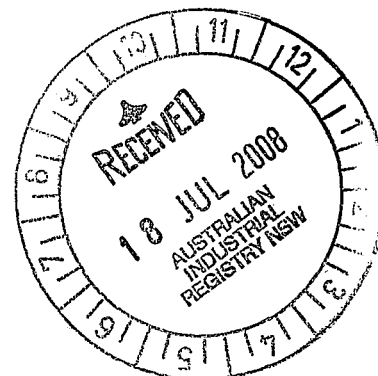
Applicant

Name of applicant:	The Australian Workers Union		
Address	Level 10 377 Sussex Street SYDNEY NSW 2142		
Contact Person:	Jack Ellis		
Phone No:	(02) 8005 3333		
Facsimile No:	(02) 8005 3300		
Email address:	jack.ellis@nat.awu.nct.au		

Application is made for an order for substituted service for the service otherwise required by the Australian Industrial Relations Commission Rules in the above matter and that service upon the parties listed in Schedule 'A' be good and sufficient service and be effected by registered post or facsimile transmission:

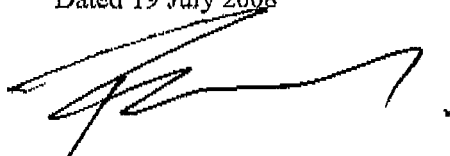
The grounds on which this application is made are as follows:

1. There are numerous parties respondent to this award or roped-in to it.
2. Prompt and efficient service cannot be conveniently effected upon all parties.
3. The persons and/or organisations set out in the attachment or their representatives have historically operated as the representatives of the industry in the Commission.



4. The persons and/or organisations set out in the attachment have historically proven to represent a significant and representative part of the industry.
5. In past Commission proceedings, many persons and or organisations respondent to this award have chosen not to appear in person.
6. Past non-appearance of persons and/or organisations respondent to this award indicates that the expense and time involved in personal service by prepaid registered post to all persons and/or organisations as aforesaid, are not warranted.
7. Such other reasons as the Commission sees fit.

Dated 19 July 2008



PAUL HOWES
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

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Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION
APPLICATION FOR AN ORDER FOR SUBSTITUTED SERVICE

STATEMENT

I, Paul Howes, am the National Secretary of the Australian Workers Union, of Level 10, 377 Sussex Street, SYDNEY, NSW, 2124 and I am authorised to act in this matter.

Dated 19 July 2008

A handwritten signature in black ink, appearing to read 'Paul Howes', with a horizontal line underneath it.

PAUL HOWES
NATIONAL SECRETARY
THE AUSTRALIAN WORKERS' UNION

Attachment A

Horticultural Industry (AWU) Award 2000

Australian Dried Fruits Association, PO Box 5042, Mildura VIC 3502

Australian Industry Group, 20 Queens Road, Melbourne VIC 3004

Berri Fruit Juice Co-operative Limited, Box 296 PO Berri SA 5343

Business SA., 136 Greenhill Road, Unley SA 5061

Employers First, 313 Sussex St, Sydney NSW 2000

Livestock & Grain Producers (Industrial) Association of NSW, GPO Box 1068, Sydney NSW 2001

National Farmers Federation, PO Box E10, Queen Victoria Terrace, ACT 2600

Northern Victorian Fruitgrowers' Association, PO Box 349, Shepparton, 3630 (Fax 03 5825 5029)

Rutherglen Vine Growers' Association, Wahgunyah VIC 3687

Primary Employers Tasmania, PO Box 3014, Launceston, TAS 7249 (fx 03 6343 2822)

Victorian Employers Chamber of Commerce & Industry, GPO Box 4352 Melbourne VIC 3001

Victorian Farmers Federation, 24-28 Collins Street, Melbourne VIC 3000
