



Newsletter

Industrial Relations Society of Victoria Inc. (A0032014N)

March 2012

The Industrial Relations Society of Victoria is an organisation committed to fostering discussion, research and education in the field of industrial relations.

President's Message

This Wednesday, 28 March 2012, the Industrial Relations Society of Victoria (IRSV) is delighted to host our annual Meet the Tribunal Function at Fair Work Australia (FWA). This year marks a change in leadership of the Tribunal. The IRSV is thrilled to confirm the attendance of Justice Iain Ross AO at our first function for the year. Justice Iain Ross AO was this year appointed the new President of Fair Work Australia, succeeding our very own IRSV Patron, the Hon. Mr Geoffrey Giudice AO, who stepped down as of 29 February.

Mr Giudice was appointed President of the Australian Industrial Relations Commission in 1997, becoming the inaugural President of FWA in 2009. We honour our Patron for his integrity and commitment and wish him all the very best in his future endeavours. We are extremely pleased that Mr Giudice will continue to represent the IRSV as our Patron.

Justice Ross is not unfamiliar with the Tribunal. From 1994-2006, he served with dedication and enthusiasm as Vice President of the Australian Industrial Relations Commission. He has been a Victorian Supreme Court Judge since 2009 and in 2011 Ross J became President of the Victorian Civil and Administrative Tribunal. We look forward to his experienced leadership of FWA and on behalf of our community I welcome him warmly to his position as President.

Not only has there been a change in leadership at FWA – Commissioner Peter Hampton has taken over the reins of our national body being the Australian Labour and Employment Relations Association (ALERA). The IRSV is an active member of ALERA and the first national council meeting of the year, to be held in Canberra in April, promises a full Agenda. Chris Meallin and his National Affairs sub-committee will continue to keep our members updated via newsletter, email or our website with respect to all relevant ALERA and other national affairs matters. We thank outgoing ALERA President Melanie Binet for her significant contribution in the role.

For those who have the time and inclination, please note the early bird registration for the 16th International Labour and Employment and Relations Association (ILERA) World Congress closes on 1 April. The Congress will be held in Philadelphia, July 2-5, 2012. Registration is possible at www.iler2012.com/Registration/default.asp.

Locally, stay tuned for further details regarding an informative and inspiring year of events hosted by the IRSV. Niki Howells-Schramm is working on a full schedule and I thank her and her industrious team for their work. Our much-anticipated Advocacy Course organized by Chris O'Grady and his Conflict Resolution sub-committee is confirmed. It is planned also that our Women in Industrial Relations Sub Committee be re-energised this year; we thank Janet Whitecross for her innovative ideas in this regard. Further, as previously announced, this year the IRSV will present a new face to the world via a freshly renovated website.

Commissioner Cribb and her Publications team are working hard to ensure that the new IRSV website will be delivered soon. We have a strong Executive committee represented by both new and long-standing members who were elected at our AGM last November.

Please note that involvement in the IRSV's activities is not limited to elected members of the Executive. If you wish to become involved at a sub-committee or other level, or have some genuine feedback, please do not hesitate to contact us via our administrative office Paulita Gomes at irsv@alphalink.com.au

I would like to take this opportunity also to thank our committee members from 2011 for their service and commitment. On behalf of the 2011 Executive I extend a special thanks to Amber Millhouse and Jacinta Lane for their tireless work as Secretary and IRSV Newsletter Editor respectively last year. Both Amber and Jacinta have retired from their posts on the Executive and they will be missed. Thank you also to our members for your continued support. I hope to meet you at our Meet the Tribunal Function this week, where we will formally announce the winners of our 2011 student essay competition!

Best regards,

Natascha Boehm
President - IRSV



Your New Committee

The following people were elected to the Committee of the IRSV at the Annual General Meeting late last year at the French Brasserie in Flinders Lane:

- Natascha Boehm - President
- Chris O'Grady – Vice President, Conflict Resolution
- Niki Howells-Schramm – Vice President, Functions
- Commissioner Anna Lee Cribb – Vice President, Membership, Students and Publications
- Chris Meallin – Vice President, National Affairs, Finance and Administration
- Brendan Avallone – Treasurer
- Janet Whitecross – Assistant Treasurer
- Chris Best – Secretary
- Prof. Greg Bamber – Assistant Secretary
- Richard Naughton
- Warren Cruse
- Victoria Lambropoulos
- Nick Church
- Natalie Fowler
- Mark Ritchie

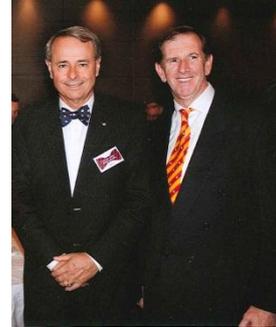
The new committee met for the first time on 2 February 2012, has a number of new members and first-time Committee members, including Warren Cruse from the Australian Building and Construction Commission, Nick Church from the CPSU, Natalie Fowler from the Pharmacy Guild of Australia, Brett Pomroy from Blax Group Pty Ltd and Mark Ritchie, Principal Workplace Relations Consultant at VECCI.

On behalf of the Society, the incoming Committee extends its thanks to the outgoing committee members, Amber Millhouse, Joel Fetter, Jacinta Lane, Steve Michelson, Brendan Milne, Annamarie Rooding, Rachel Storey and immediate past president Jim Simmonds for their service and commitment.

Recent Events

Farewell President Giudice

On Friday, 24 February judges, commissioners, lawyers and practitioners applauded the service to industrial relations in Australia by retiring FWA President Justice Geoffrey Giudice at a ceremonial sitting in Melbourne. Addressing the Tribunal ACCI Chief Executive Peter Anderson said that Justice Giudice had secured the confidence of the business community through his impartial application of the law through periods of intense industrial relations debate and change. *"We didn't like every decision, but what we liked was the fact that the tribunal President kept above the fray and recognised that the tribunal was a creature of statute exercising only the powers asked by parliament"* Mr Anderson said. Also addressing the Tribunal to farewell His Honour was the Hon. Bill Shorten MP, Jeff Lawrence from the ACTU, Steven Smith from Ai Group and Harry Dixon SC from the Law Council of Australia.



Justice Giudice with ACCI CEO Peter Anderson.

On Friday, 17 February the ACCI, the ACTU and Ai Group jointly hosted a farewell dinner for the retiring President in the Members' Dining Room at the MCG. The event was an amazing success with more than 450 people attending including many past and present Tribunal members and staff, representatives from academia, trade union and employer representatives, staff from relevant Government departments and members of the legal profession. The Minister for Workplace Relations, Bill Shorten, and his wife also attended, together with Parliamentary Secretary, Senator Jacinta Collins. Peter Anderson from ACCI, Jeff Lawrence from the ACTU, and Heather Ridout from Ai Group each spoke on behalf of their organisation about the President's time as the second longest serving head of Australia's national Industrial Tribunal, since its establishment in 1904. Minister Shorten then proposed a toast to the retiring President, who responded with some reflections from his time in the role. A great evening was had by all.

IRSV Annual Conference

In October 2011 the IRSV Annual Conference was held with the theme 'Dispute Resolution', and a wide range of speakers offered different approaches to the topic. AMMA's Steve Knott and Ai Group's Peter Nolan had different views concerning the nature and value of third party involvement resolving disputes. Tim Lyons of the ACTU indicated his address sought to question some of what he called "*untruths*" about the *Fair Work Act 2009* (Cth) – including matters like unfair dismissal claims, industrial action (e.g. the line of "*strike first – talk later*" cases), and individual flexibility arrangements. The ABCC's Leigh Johns was a keynote speaker at the event, and his speech challenged aspects of a pattern agreement, then recently negotiated by Victorian electrical contractors. An equally controversial contribution was made by Peter Reith, who reviewed some aspects of the ongoing Qantas dispute, which actually reached its dramatic climax the following week.

Another speaker on the day was Herman Borenstein SC, who limited his remarks to the use of the mediation process in industrial proceedings, in what was an extremely practical continuation. Equally, the day ended on a practical note with a panel discussion (comprising Joanna Betteridge, Susan Zeitz and Grevis Beard) on the issue of conducting workplace investigations. The day was an interesting and useful mix of these theoretical and day-to-day HR/IR process matters.

Patron's Night and AGM

A sunny Melbourne day on 24 November 2011 had the IRSV holding its Annual General Meeting in the refined atmosphere of the mezzanine of The French Brasserie, an appropriate location given it sits just behind Fair Work Australia. The AGM was well attended by Committee and membership, with the business of the meeting being dealt with in efficient form by our immediate past Secretary Amber Millhouse. The IRSV would like to again thank Amber for her support in this role over the past 2 years and wishes her a speedy recovery from her brush with Queensland marine life.

Elections for the 2012 Committee were conducted and all Executive positions were successfully filled. The President conducted an overview of the IRSV's 2011, which saw a busy functions calendar and another successful and oversubscribed advocacy course. A warm thank you to the 2011 Committee was also given. The AGM Minutes will be made available in the coming weeks and members are reminded that they are welcome to access those minutes on request to the Secretary.

Following the business of the AGM being successfully concluded, it was time for the annual Patron's Night Dinner to commence, also at The French Brasserie. The dinner attracted its strongest attendance in recent years, no doubt in part to the Patron being the guest speaker. The assembled group had the privilege of hearing some informal remarks and reflections by Mr Giudice as he prepared to finalise his time as President of FWA and its predecessor the AIRC. The IRSV would like to thank Mr Giudice for his address and for his ongoing and strong support to the IRSV as our Patron.

The dinner continued late into the night with the excellent wine being sampled to ensure quality, and members reconnecting or meeting for the first time. We look forward to seeing all those members and more at our next AGM and Patron's Night Dinner which will be held on Thursday 29 November 2012

Joe Isaac Symposium: The Power of Working Relationships

An audience of about 150 leading practitioners, scholars, students and others, including many IRSV members, attended the recent industrial relations Symposium in honour of Emeritus Professor Joe Isaac AO, FASSA.

Joe was appointed to the Economics Chair at Monash in 1964, prior to which he was Professor of Economics at Melbourne University. He served as Deputy Chancellor of Monash University from 1980 to 1989. He is currently Professorial Fellow, at the University of Melbourne. He was Deputy President of the Australian Conciliation and Arbitration Commission for fourteen years and a former Patron of IRSV. Professor Jody Hoffer Gittel from Brandeis University's School for Social Policy and Management gave the main address: 'Using the power of working relationships to achieve organisational resilience and sustainability: A multi-stakeholder approach.'

In her address she focused on the development of her innovative concept of relational coordination – coordinating work through relationships of shared goals, shared knowledge and mutual respect. "*Relational coordination between frontline workers drives quality and efficiency performance, and high-performance work practices can be designed to support relational coordination. But relational coordination among workers is not sufficient. Relational coordination must be extended to include multiple stakeholders – workers, managers, customers, unions and investors – to achieve organisational resilience and sustainability in times of uncertainty and crisis,*" Professor Gittel said.

Professor Gittell's interesting address was followed by astute comments by Peter Holland, formerly with Toyota; Max Ogden formerly with the Australian Council of Trade Unions, and a lively audience discussion. The discussion included: senior executives and practitioners, union leaders, prominent academics, arbitrators, lawyers and students as well as Joe Isaac himself. Monash University's Professor Greg Bamber commented: "*Jody Gittell is an internationally renowned professor who is adept at theory and practice. Jody's path-finding research is making a great contribution. It explores how relational coordination contributes to quality and efficiency outcomes in a range of contexts, including Aviation and Healthcare.*"

The Symposium was arranged jointly by the Faculty of Business & Economics at Monash University and the Centre for Human Resource Management at the University of Melbourne. The 2012 Symposium was held at Melbourne University. Melbourne University's Professor Michelle Brown said: "*the 2012 Symposium was a very worthwhile forum and a great success. The symposium provided an opportunity to showcase innovative approaches to human resource management and industrial relations.*"

The Symposium concluded with complimentary observations and a vote of thanks from the Hon. Acton SDP of FWA, with several other Tribunal Members also in attendance.

The co-host of Professor Gittell's visit to Australia was Dr Lucio Naccarella of Melbourne University's Australian Health Workforce Institute. It was his initiative that won her a visiting fellowship grant from the Australian Primary Health Care Research Institute, jointly with Monash University and David Burns.

Professor Gittell is the author of dozens of articles as well as several books, including *High Performance Healthcare: Using the Power of Relationships to Achieve Quality, Efficiency and Resilience*, *The Southwest Airlines Way: Using the Power of Relationships to Achieve High Performance*, and *Up in the Air: How Airlines Can Improve Performance by Engaging their Employees*.



For more information contact Professor Greg Bamber GregBamber@gmail.com

From left: Prof. Greg Bamber, Monash University; Peter Holland; Emeritus Professor Joe Isaac, Monash and Melbourne Universities; Professor Jody Hoffer Gittell, Brandeis University; The Hon. Acton SDP, FWA and Max Ogden, formerly with the ACTU.

Upcoming Events

Meet the Tribunal Function

On **Wednesday, 28 March** the IRSV, in conjunction with FWA, will hold its annual 'Meet the Tribunal' function. The event is a great way to kick-off an exciting and dramatic year in industrial relations, and presents a wonderful chance to meet the Tribunal Members and have relaxed and informal discussions with them, as well as network and mingle with other IR-related contemporaries, in a relaxed setting. The winners of the Student Essay Competition will also be announced.

Please join us to enjoy some light refreshments in a social environment for this ever-popular event:

Venue: Fair Work Australia, 11 Exhibition Street, Melbourne
Date: 28 March 2012
Time: 6.00pm to 8.00pm
Cost: \$20 Members; \$35 Non-members; \$10 Students and retired members

(All prices include GST)

RSVP: 26 March 2012

For registration and more details please click [here](#). We look forward to seeing you there.

2013 ILERA Asian Regional Conference

The IRSV, on behalf of the national body the Australian Labour and Employment Relations Association is hosting the 8th Asian regional Congress of the International Labour and Employment Relations Association.



ILERA 2013

8th Asian Regional Congress

of the International Labour and Employment Relations Association

9 – 12 April 2013

Melbourne Conference and Exhibition Centre

Website: www.iler2013.com

The dates for the Congress are from **9 to 12 April 2013**, just over a year away. It will be held at the Melbourne Convention and Exhibition Centre. Put those dates in your diary now!

Jim Simmonds, Immediate Past-president of the Society is chair of the Organising Committee. The theme of the Congress is 'Work and Employment in the Asian Century'.

The program is organised around four track themes:

- contours of employment relations and labour market regulation.
- Human Resource management – trends and challenges.
- The future of worker voice and representation, and
- Globalisation, corporate social responsibility and decent work.

Practitioner master-class sessions will also be offered for those who practice in the area of labour relations. To keep up to date with developments go to the Congress [website](#) where you can sign up with an expression of interest and keep in touch with developments.

Dispute Resolution/Advocacy Course

The IRSV Dispute Resolution/Advocacy course promotes the development of advocacy skills in FWA. Initial instruction is provided by Senior Deputy President Les Kaufman and barrister Chris O'Grady. Then two days of practical workshops in the court rooms of FWA in Exhibition Street give the participants an opportunity to practise their skills before practising and retired members of FWA and senior members of the profession.

Members who are interested in participating in this year's course (expected mid-2012) should follow the IRSV Newsletter for further details.

Re-formation of WIRIG

The IRSV is particularly keen for members to reconvene the Women in Industrial Relations Interest Group (WIRIG) sub-group. If any other members would like to become involved by attending Committee meetings or investing their time and expertise to the sub-committees please contact Janet Whitecross at janet.whitecross@ridley.com.au.

Voices at Work

Voices at Work is an ambitious project that seeks to examine the role of law both in the decline of collective worker representation and in a potential reversal of this trend. It aims to bring together scholars and policy makers from five common law countries (Australia, Canada, New Zealand, United Kingdom and United States) to promote comparative reflection on these important issues. More information about the aims of the project is

available at the Voices at Work website: <http://voicesatwork.org.uk/>. The project is funded by the Leverhulme Trust (UK).

The Australasian regional meeting of the Voices at Work project will be held on **Friday, 20 and Saturday, 21 July 2012**, in Melbourne.

The Australasian meeting will focus on the following general themes (although papers addressing other dimensions of employee voice will be considered): Institutions of Voice, Power and Voice, Locations of Voice and, whether good capitalism is possible in a global economy.

The organisers are primarily interested in papers based on developments in Australia and New Zealand. Comparative and collaborative studies are welcome. Abstracts addressing one or more of the workshop themes should be submitted by Monday 2 April 2012. For more information, please contact: Associate Professor Amanda Pyman (Monash University, Australia): Amanda.Pyman@monash.edu.

New Members

Lastly, the IRSV welcomes those new members who have joined since the last newsletter went to print. We warmly welcome:

Lee Azfar - Ambulance Victoria	Gerard White - Alfred Health
Alexandra Klimovics - Mason Sier Turnbull	Jennifer Jones - Herbert Geer
Beau Scott - Virgin Australia	Laura Simmons-Stempel - Mallesons
Beth Murdoch - Australian Industry Group	Bianca Friedman - Mallesons
Oliver Davis - Australian Industry Group	Lindy Richardson - Maddocks
Katherine Bailes - Australian Industry Group	Madeleine Forster - DLA Piper Australia
Katherine Dennis - Australian Industry Group	Margaret Robinson - Officeworks
Kim Willis - Australian Industry Group	Mark Francis Branagan - Thompsons Lawyers
Phillip Richard Turner - Australian Industry Group	Michael Eagles - Bayside Resolutions P/L
Brant Doyle - Goulburn Valley Health	Nancy Davies - Cabrini Health
Bryan Mueller - Clayton Utz	Phoebe Nicholas - Fair Work Ombudsman
Glen Bartlett - Clayton Utz	Robert Shafar
Jack O'Brien - Clayton Utz	Sandy Nikakis - Pharmore Pty Ltd
Siobhan Mulcahy - Clayton Utz	Shaun Ryan - Senior Lecturer
Carmel Sunley	Stacey Walker - Austin Health
Charles Cameron - FCB	Stacey Weeks - Goulburn Valley Health
Nick Tindley - FCB	Taboka Finn - Blake Dawson
Daniel Hochstrasser - Arnold Bloch Leibler	Tony Pick - Minter Ellison
Dianne McKenzie - Fair Work Ombudsman	Virginia Mansel Lees - LaTrobe University
Imogen Beynon - Fair Work Ombudsman	Emma Scott - VHIA
Frank Cusmano - Child Care Centres Association of Victoria Inc.	Richard Corboy - VHIA
Freya Poulter - Shell Refining	Naomi Boyle - VHIA
Geoff O'Kearney - Australia Medical Association	Peter Clarke - VHIA
Georgia Shepherd - The Royal Women's Hospital	Phillip Murphy - VHIA
	Yvonne Urpis - VHIA