

A P P E N D I X - I

A copy of a letter dated 9th September, 1960 from the Minister of Transport, Railway Administrative Offices, Spencer Street, Melbourne CI, addressed to the writer.

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- (1) Detailed information regarding the Authority or Board to whom the appeals lie against the officer ordering promotions on the Railways and procedure applied thereto-

As set out in earlier data, Arbitration Commission Awards provide that promotion and reduction in consequence of a surplus of officers or employes in any grade or class shall be governed by relative ability, suitability, record, experience and seniority.

They also provide that the reason for passing over any senior officer or employe for promotion to a higher position or for reducing any senior officer or employe in the event of a surplus staff shall be stated in a recommendation of the Head of the Branch to the Commissioners whose decision upon the matter shall be final.

The " Commissioners" referred to are the Railways Commissioners.

The names of officers and employes selected for promotion are advertised in a departmental publication, and any officer or employe who considers that he has been passed over can appeal, in writing, to the Commissioners through the Head of his Branch, provided he does so within fourteen days after publication of the intended appointment of the officer or employe against whom he protests.

The Commissioners may decide the issue on reports of the comparative ability of the officers or employes concerned, or they may grant the appellant an interview to enable him to present his case.

- (2) Do the railway workers possess the right to strike? If so, what restrictions are or can be placed on the exercise of this right -

There is at present nothing in Railway Awards which places an embargo on strikes.

However, the Railway Commissioners could, if the circumstances justified, it, apply to the Commonwealth Industrial Court to have included in Awards a clause banning strikes.

The Court, amongst other powers, is empowered to order compliance with an Award proved to the satisfaction of the Court to have been broken or not observed; and to enjoin an organisation or person from committing or continuing a contravention of the Act or a breach or non-observance of an Award.

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- (3) What is the reaction of the railway administration towards Trade Unions?

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(4) Is there any system of joint consultation or - cooperation between the railway management and Trade Unions? -

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(5) What is the procedure for negotiations for the settlement of disputes? -

(6) How is this machinery for negotiations constituted and with what results? -

Under the Commonwealth Conciliation and Arbitration Act, as soon as a Trade Union organisation or employer becomes aware of the existence of an industrial dispute or of an industrial situation which is likely to give rise to an industrial dispute, the organisation or employer is required to notify the Conciliation Commissioner who deals with his particular industry.

The Conciliation Commission is empowered to prevent or settle industrial disputes by conciliation or arbitration.

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