'Stolen Entitlements': The 1997 Living Wage Case

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Abstract

In April 1997 the Australian Industrial Relations Commission established a federal minimum award wage of $359.40 per week, and awarded a $10 per week safety net increase for workers who had been unable to obtain wage increases under the regime of enterprise bargaining. The Commission produced a split decision, the first time this has occurred in twenty years. This article provides a commentary on the respective decisions of the majority and minority. It examines the background or context of the case, the claims of the parties, and the reasoning of the majority and minority in their respective decisions. The case reveals a widening gap in the income of workers. Those without bargaining power are falling behind in both real and relative terms, in the regulatory world of enterprise bargaining. The situation has only been partially addressed by the decision in this case.

> 'To determine the laws which regulate ... distribution, is the principal problem in Political Economy'
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> David Ricardo, *On the Principles of Political Economy and Taxation*, Cambridge University Press, Cambridge, 1966, p. 5.

Beginning in the mid to late 1980s, and continuing into the 1990s, most of the major parties advocated the adoption of a more decentralised system of industrial relations regulation; of what was ubiquitously referred to as 'enterprise bargaining'. In the April 1991 National Wage Case the Australian Industrial Relations Commission was asked, amongst other things, to sanction and enunciate principles for enterprise, or workplace,

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bargaining. The Commission decided to defer consideration of the introduction of such a system to a subsequent national wage case, to be held later in 1991. The Commission's deferral was based on fears that the parties had not 'properly' considered the implications of moving to such a system. Amongst other things, the Commission was concerned about the implications of enterprise bargaining for those with limited bargaining power.[1]

The Commission's April 1991 decision was roundly criticised by those who had come under the spell of enterprise bargaining. The Accord partners, especially the Australian Council of Trade Unions, were particularly vehement in their criticisms. In October 1991 the Commission subsequently gave its imprimatur to the introduction of enterprise bargaining. It did so begrudgingly, stating that none of the fears it had pointed to in its April 1991 decision had been allayed by the parties. Amongst other things it said that enterprise bargaining 'would lead to inequity and, ultimately, to a distorted and unsustainable wage structure'.[2]

Both the Keating Labor, and Howard Coalition, governments, under their different regimes of enterprise bargaining, committed themselves to protecting the low paid, and/or those lacking bargaining power, by supporting 'safety net adjustments' in proceedings before the Commission.[3] During the Keating government's period of office the Commission approved, between October 1993 and October 1995, three separate $8 per week increases, to award workers, who had not been able to obtain such increases via negotiations with their respective employers.[4]

In the latter part of 1996 the Howard government enacted the *Workplace Relations and Other Legislation Amendment Act 1996* (Commonwealth).[5] Section three states that the principal object of this new Act 'is to provide a framework of co-operative workplace relations which promotes the economic prosperity and welfare of the people of Australia by'

a) encouraging the pursuit of high employment, improved living standards, low inflation and international competitiveness through higher productivity and a flexible and fair labour market; and

b) ensuring that the primary responsibility for determining matters affecting the relationship between employers and employees rests with the employer and employees at the workplace or enterprise level; and

c) providing the means:

(i) for wages and conditions of employment to be determined as far as possible by the agreement of employers and employees at the workplace or enterprise level, upon a foundation of minimum standards; and

(ii) to ensure the maintenance of an effective award safety net of fair and enforceable minimum wages and conditions of employment.

In addition, the objects of Section 88 of the new Act, which is concerned with dispute settlement and prevention, seeks to ensure that

A a) wages and conditions of employment are protected by a system of enforceable awards established and maintained by the Commission; and

b) awards act as a safety net of fair minimum wages and conditions of employment; and

B (2) In performing its functions the Commission must ensure that a safety net of fair minimum wages and conditions of employment is established and maintained, having regard to the following:

a) the need to provide fair minimum standards for employees in the context of living standards generally prevailing in the Australian community;

b) economic factors, including levels of productivity and inflation, and the desirability of inflation, and the desirability of attaining a high level of employment;

c) when adjusting the safety net, the needs of the low paid.

Section 88B(3) of the new Act requires the Commission to have regard to relativities, training arrangements, persons with disabilities, equal pay for work of equal value, and elimination of discrimination. Finally, Section 90(b) of the (consolidated) Act directs the Commission, in promoting the 'public interest', to have regard to

the state of the national economy and the likely effects on the national economy of any award or order that the Commission is considering, or is proposing to make, with special reference to likely effects on the level of employment and on inflation.

In August 1996 the Australian Council of Trade Unions initiated a two part – which subsequently became known as the 'Living Wage' – claim to adjust minimum adult rates and the safety net, to be implemented over a three year period. With respect to the first part, the Australian Council of Trade Unions sought to establish a minimum federal award wage of $12 per hour, or $456 per week for a standard working week of 38 hours, per the lowest paid classification of the Metal Industry Award 1984. This part was to be implemented in three stages. The first stage was to increase the minimum rate from $9.19 to $10 per hour ($349.40 to $380 per week), plus an 'equivalent' increase in other award entitlements; the second stage to

$11 per hour ($418 per week); and the third stage to $12 per hour ($456 per week). The second part involved three (annual) adjustments of $20 per week. Both parts would be offset, or subject to absorption, where employers, in the case of the first part, made available over-award or individual arrangements – either formally or informally; and in the second part, wage increases in excess of $24, paid since 1 November 1991, made under formal agreements per the Commission's three previous safety net adjustments (see above).

The Australian Council of Trade Union's claim was generally opposed by employer groups, the Howard, and Coalition state, governments. Their positions ranged from outright opposition to support for a flat increase of $8 per week. The Carr Labor government of New South Wales, and various 'welfare' and community groups either supported the Australian Council of Trade Unions' claim, or argued for an increase 'much greater than $8 per week'.[6]

The Commission's decision, in this case, is noteworthy because it is the first time in twenty years that it has produced a split decision.[7] All members of the Bench – President O'Connor, Vice-Presidents Ross and McIntyre, Senior Deputy Presidents Hancock and MacBean, and Commissioners Oldmendow and McDonald – were united in their rejection of the Australian Council of Trade Union's claim. They were, however, prepared to grant a lower safety net increase, though they differed over the level of such an increase and provided different rationale's for their respective decisions. Vice President Ross was prepared to grant a higher increase, highlighting 'social' over 'economic' considerations, in comparison to his colleagues.

During the hearing of the case an exchange occurred between Australian Council of Trade Union's advocate Suzie Jones and Senior Deputy President Hancock, which is reproduced in an attachment to the majority's decision. The issue concerned the 'distribution' of productivity increases to workers lacking bargaining power and/or low pay via safety net adjustments. Jones maintained that such workers should receive an increase in recognition of their contribution to productivity enhancement. Otherwise, she said, we 'would have to conclude that award workers do not contribute one iota to productivity growth'. Senior Deputy President Hancock replied 'No, no. It may be that their entitlements have been stolen.'[8]

At the end of 1994 1.26 million employees were covered by federal enterprise agreements. By the end of 1996 this figure had increased to 1.74 million employees. In 1993 approximately two-thirds of employees were dependent on award increases. In 1994 the proportion was approximately one-half; at the end of 1996 it was approximately one-third.[9]

Tables 1 and 2 provide information concerning the plight of award only employees, following the introduction of enterprise bargaining. Table 1 presents data concerning movements in Average Weekly Ordinary Time Earnings, awards and prices from 1992-93 to the December quarter 1996. The Table shows that workers who are dependent on awards – and who have only received safety net increases since October 1993 – have fallen behind in real terms, and relatively, in comparison to movements in Average Weekly Ordinary Time Earnings. Between 1991-92 and 1995-96 the latter increased in real terms 5.6 per cent, while award rates fell in real terms by 2.5 per cent.[10]

Table 1: Annual Percentage Increases in Wages and Prices: 1992-93 to December Quarter 1996

Year ended	Average Weekly Ordinary Time Earnings	Award Rates	Consumer Price Index	Implicit Deflator for Final Consumption Expenditure (Private)
1992-93	1.7	1.3	1.0	1.9
1993-94	3.0	1.1	1.8	1.6
1994-95	4.1	1.3	3.3.	1.8
1995-96	4.6	1.7	4.2	2.6
August 1996	3.8*	1.2		
Sept Qtr 1996			2.1	1.6*
October 1996		1.2		
November 1996	4.0*			
Dec Qtr 1996			1.5	1.5*

Note: * Trend Estimates
Source: Australian Industrial Relations Commission, Safety Net Review – Wages, 22 April 1997, Dec 335/97 S Print P1997, Majority Decision, p. 34.

Table 2 is derived from research conducted by the Australian Centre for Industrial Relations Research and Teaching. It provides estimates of average annual wage increase for workers subject to different regulatory modes during 1996. Award only workers (35 per cent of employees) received average increases of 1.3 per cent. This compares to award and registered enterprise agreement employees (30 per cent) who received average increases of between four and six per cent; registered agreement only employees (5 per cent) between four and eight per cent; and individual contract employees (30 per cent) nought to eight per cent.

The balancing of 'fairness' and 'economic' considerations is not an easy task. It is a problem which has confronted the Commission, and its various predecessors, ever since the creation of industrial tribunals in Australia. In the famous *Harvester* case of 1907 Mr. Justice Higgins established a

minimum wage for an adult unskilled male labourer of 70 cents a day ($4.20 per week) to enable such workers 'to secure something which they cannot get by the ordinary system of individual bargaining with employers'.[11] In 1970, when the Commission was confronted with the realisation that many workers were being left behind in achieving wage rises in a buoyant economy, it decided to grant a 'generous' increase of six per cent.

Table 2: Mechanisms for Regulating Wages and Estimates of Average Wage Movements: 1996

Form of Labour Market Regulation	Percentage of Employees	Estimated Average Annual Wage Increase (%)
Awards only	35	1.3
Awards and Registered Enterprise Agreements	30	4-6
Registered Enterprise Agreements	5	4-8
Individual Contracts	30	0-8

Source: John Buchanan and Ian Watson, 'The Living Wage and the Working Poor', Presentation to 'Poverty in Australia: Dimensions and Policies', Australian Centre for Industrial Relations Research and Teaching, University of Sydney, p. 7 (mimeo).

It said

> If we are not realistic in our attitude to wage fixation, then those who look to the Commission as their main source of wage increases, and there are many who do, will be treated inequitably while more and more of those who are strong enough to do so will seek increases in the field.[12]

Following concerns associated with its inability to stem wage increases in the early 1970s, and increases in inflation, the Commission pointed out in the 1974 National Wage Case 'that it is an industrial arbitration tribunal, not a social welfare agency'.[13]

In response to a request by the Commission during the hearing of the 1997 Living Wage case, material was submitted by governments opposed to the Australian Council of Trade Union's claim, concerning the likely impact of granting safety net increases of varying amounts, on Average Weekly Ordinary Time Earnings; on the assumption that such increases would be absorbed for workers who had obtained alternative wage rises via formal agreements or over award pay. This data is reproduced in Table Three. It shows that the estimated impact of award wage increases of $8 to $15 on Average Weekly Ordinary Time Earnings ranged from 0.27 to 0.60 per cent.

Vice President Ross questioned the usefulness of these estimates. He pointed out that such calculations were based on 1995 data, and were

inappropriate for 1997 because of the increasing spread of enterprise bargaining. He said 'A total of 3989 federal agreements were formalised in 1995-96 compared with 2563 in 1994-95 – an increase of 56 per cent. An additional 1061 agreements in the September quarter 1996'.[14] In Ross's view, the 'over estimation' of the safety net increases on Average Weekly Ordinary Time Earnings provided scope for a higher increase than that granted by the majority.

An associated issue was the distribution of hourly earnings of employees, and the extent of those who were receiving low pay and/or 'entitled' to receive safety net increases. The Australian Centre for Industrial Relations Research and Teaching presented 1993 data which revealed that 12.4 per cent of employees earned less than $9 per hour. Some sectors had substantially higher percentages of such employees – private households employing staff (81 per cent), agriculture (48 per cent), personal services (34 per cent), clothing and footwear (29 per cent), restaurants, hotels and clubs (28 per cent), welfare and religious organisations (27 per cent), retail trade (24 per cent), and textiles (21 per cent).

Table 3: Estimates of Costs of Alternative Wage Increases on Average Weekly Ordinary Time Earnings (Percentage)

Award Wage Increase	Absorption into Formal Agreements and Over award Payments
$8	0.27
$10	0.34
$12	0.40
$15	0.60

Source: Australian Industrial Relations Commission, Safety Net Review – Wages, 22 April 1997, Dec 335/97 S Print P1997, Majority Decision, p. 26.

Vice President Ross reproduced this data in his decision, but maintained it represented the situation for September 1996, rather than 1993.[15] In a subsequent Australian Centre for Industrial Relations Research and Teaching publication Buchanan and Watson said 'We have been conservative and assumed $9.00 in 1993 is equivalent to $10.00 now'.[16] The more general point that needs to be made here is that there is more than a degree of confusion and lack of up to date data concerning both the level of low pay, and the percentage of the workforce who are on such pay. In future safety net, or living wage, cases there will be a need for such data to help both the parties, in their submissions, and the Commission, in its deliberations.

Both the majority and Vice President Ross, in their respective decisions, devoted much time to considering the possible impact of increases in

minimum wages on employment.[17] Neo-classical economic analysis maintains that increases in minimum wages result in increased unemployment. Such analysis has been fundamentally challenged in recent years by a series of, mainly North American, studies which have revealed that increases in wage minima have hardly any, or positive, effects on employment. The responses revealed by these studies are more consistent with monopsony models (and, one might add, industrial relations scholars who focus on the asymmetric nature of bargaining power that exists between individual workers – and the low paid – and employers[18]). Commentators who support increasing wage minima, however, have also been concerned to point out that increases above a certain 'critical' level will produce the negative effects predicted by neo-classical economics.[19] The problem, of course, is knowing where that 'critical' point is.

The majority were prepared to grant a safety net increase of $10 per week, subject to absorption of wage rises from other sources; other than previous safety net adjustments. In doing so the majority decided that previous safety net adjustments not yet received by workers, because of the phasing-in formula of the Commission's previous decisions, would also be paid.[20] The majority also established a federal minimum award wage of $359.40. To the extent that a federal award worker was entitled to receive the full $10, the majority's decision was equal to an increase of 2.86 per cent. This would constitute a real wage increase for such workers (see Table 1).

For his part Vice President Ross would have granted a $15 per week increase for workers on incomes less than $503.80, a mid point classification in the Metal Industry Award 1984. For workers above that level his increase was 2.5 per cent. Like the majority his increases were subject to absorption. His increases, however, would have been granted in two instalments – $10 now and subsequent entitlements six months later.

It might be useful to explore the reasons for Vice President Ross's departure, before examining the majority's decision in greater detail. As already mentioned Vice President Ross devoted more time to the consideration of 'social' and 'equity' issues, over 'economic' than did the majority. For example, much of his decision canvasses arguments presented by 'social' and 'welfare' groups, and he draws heavily on work conducted by the Social Policy Research Centre.[21] Having said this, the major reason for his difference with the majority, particularly the extra $5 (six months later) for the minimum wage earner, seems to be based on evidence presented concerning the impact of the 1996-97 Commonwealth Budget on low income earners. For households on incomes of $301 to $400 per week the Budget involved a fall in weekly income of $4.60.[22] Vice President Ross's

$15 appears to be an attempt to provide such workers with a 'net' increase of $10.

In its October 1995 decision, in the third safety net adjustment, flowing from the Accord Mark VII, the Commission pointed to the relatively slow progress of safety net adjustments. It quoted data that only 27 per cent of awards which had received the first safety net increase, had been varied for the second adjustment.[23] The Commission's various decisions placed a twelve month lag between adjustments.

In its decision in this case the majority added previous safety net 'entitlements' not yet paid to its $10 increase in establishing a federal minimum award wage. A minority of workers then – and it should be noted that no data was provided concerning their extent – may have had their wages increased by more than $10. The majority indicated that this was one of the reasons why they decided on a lower figure than that of Vice President Ross.[24]

The majority's decision was heavily influenced by statements emanating from the Reserve Bank. During the hearing of the case, the Reserve Bank, in different forums, pledged itself to ensuring that Australia maintains a relatively low inflation rate. In so doing it indicated that if wage raises were of 'too high' an order it would be forced to increase interest rates, which would result in increased unemployment. With respect to the 1997 Living Wage Case, Reserve Bank Governor Ian Macfarlane, in a speech delivered on 28 November 1996, revealed that a safety net increase similar to that granted in recent years would be 'reasonable' and 'compatible with low inflation'.[25]

For its part the majority demurely pointed out that

> We do not interpret the expression of these views as an attempt to usurp the Commission's role ... The [Reserve] Bank as custodian of monetary policy, has chosen to make those whose actions have a bearing on wage outcomes, including this Commission, aware of its policy stance ... We give weight to the Bank's views in reaching our decision. We do so, of course, because we acknowledge its role in the shaping of macro-economic policy, but also because of our concern that a rise in interest rates would adversely affect employment and unemployment.[26]

The majority expressed concern about the widening gap between those dependent on awards and those who had obtained benefits from enterprise bargaining. At one point the majority stated

> We regret that we cannot now go further. For the future, much depends upon the effect on bargaining outcomes of a transition from an inflationary to a non-inflationary environment. If past outcomes have been

> fuelled by 'going-rate' notions which belong to an inflationary world, there is a prospect that the progressive recognition of the new, non-inflationary environment will lower the level of settlements so as to leave 'space' for a more generous treatment of workers fully or substantially dependent on award wages. Unless this occurs, the Commission may be faced with either accepting the growing disparity between wage levels in the two sectors or seeking to reduce the disparity in a manner which might prove incompatible with national inflation and employment objectives. Neither course commends itself to us.[27]

Elsewhere in their decision, the majority, in an obvious reference harking back to the events of 1991 (see above), state

> It was always implicit in the enterprise bargaining system – and presumably recognised by parties at the time of its adoption (all of whom supported its adoption[28]) – that a gap would arise between the wages of bargainers and non-bargainers. If that gap is seen as being, or becoming, too wide it is our view that the best prospect of correcting the situation is a moderation in the levels of claims and settlements in enterprise bargaining.[29]

It might be interesting to explore implications of the majority's thinking concerning distributional issues and their resolution. It will be argued that the majority have a narrow and 'biased' approach to such questions. According to the majority, the problems of those dependent on awards, who are coyly described as non-bargainers, will be alleviated if those workers with bargaining strength behave 'moderately' in enterprise negotiations.

Such advice is inconsistent with the objects of the 1996 Act, with its endorsement and encouragement of workplace, or enterprise, based bargaining. It could be asked why those on the union/worker side of bargaining should enter into negotiations with one, or both, arms, so to speak, voluntarily tied behind their backs? No where in its decision does the majority admonish employers to ignore or desist from the use of bargaining power available to them. There is no statement from the majority concerning the 'need' to treat the low paid and disadvantaged 'fairly', or recognise the problems that they encounter. The majority are trying to convey the impression that the problems of so-called non-bargainers are a direct result of, or due, to the success of bargainers. It would be more correct to say, however, that the problems of 'non-bargainers' are due to their inability to gain concessions from those that employ them. They would become 'bargainers' if only they had the power to do so.

The majority, nor for that matter Vice President Ross, did not refer to or examine the 'bargaining' problems experienced by those dependent on awards. A more imaginative bench would have explored factors which

would enhance the ability of the low paid to secure improved benefits. For example, the majority could have considered the formation of workplace committees, conducted under the auspices of the Commission, to explore such ways to provide such benefits. Such an approach would be consistent with fulfilling the 1996 Act's 'safety net' provisions. Furthermore, the majority could have provided comments concerning the workability of the new Act and/or offered recommendations for reform to give effect to the 'safety net' provisions. At a minimum, the majority could have asked the Howard government to be more considerate, if not generous, to the low paid in its Budget decisions, so as to ease the burden on the Commission in the performance of its statutory responsibilities.

The 1997 Living Wage Case is the first occasion in twenty years that the Australian Industrial Relations Commission has produced a split decision. A problem which hampered deliberations in this case was the availability of detailed up to date data concerning the number and level of income of the low paid. In the period 1983 to 1996 the Commission's decisions, generally speaking, gave much cognisance to the deliberations of the Accord partners. With the election of the Howard Coalition governments, and the subsequent passage of the *Workplace Relations and Other Legislation Amendment Act 1996* (Commonwealth) this role has now been assumed by the Reserve Bank. Despite the introduction of 'enterprise bargaining', Australia, it seems, finds itself unable to operate its economy without the use of a wages (not an incomes) policy. Moreover, the 1997 Living Wage Case has confirmed, what the Commission itself had forewarned in 1991, to no effect, that those lacking bargaining power and the low paid would fare poorly under a system of industrial relations regulation based on enterprise bargaining.

Notes

1 Australian Industrial Relations Commission, National Wage Case, 16 April I991, Dec 300/91 M Print J7400, p. 56.

2 Australian Industrial Relations Commission, National Wage Case, 30 October 1991, Dec 1150/91 M Print K0300, p. 4. For a more extensive account of these cases, and the events surrounding their determination, see Braham Dabscheck, *The Struggle for Australian Industrial Relations*, Oxford University Press, Melbourne, 1995, pp. 61-75.

3 See Accord Agreement 1993-1996, 'Putting Jobs First' (Accord Mark VII) February 1993 (mimeo); Accord VIII 1995-1999, 'Sustaining Growth, Low Inflation and Fairness', Agreement between the Federal Labor Government and the ACTU, 22 June 1995 (mineo); and Peter Reith, 'Better Pay for Better Work', The Federal Coalition's Industrial Relations Policy (mimeo).

4 Australian Industrial Relations Commission, Review of Wage Fixing Principles, 25 October 1993, Dec 1300/93 M Print K9700; Australian Industrial Relations Commission, Safety Net Adjustments and Review, 21 September 1994, Dec 1634/94 M Print L5300; Australian Industrial Relations Commission, Third Safety Net Adjustment and Section 150A Review, 9 October 1995, Dec 2120/95 M Print M5600.

5 For a commentary on the legislation see Therese MacDermott, 'Industrial Legislation in 1996: The Reform Agenda', *The Journal of Industrial Relations*, March 1997.

6 For a summary of the stances of the respective parties and interveners see Australian Industrial Relations Commission, Safety Net Review – Wages, 22 April 1997, Dec 335/97 S Print P1997, Decision of Majority, pp. 12-15.

7 In the National Wage Case of May 1977 Public Service Arbitrator Taylor did not want to grant an increase; where his colleagues Commission President Sir John Moore, Deputy President Isaac and Commissioner Neil granted an increase of 1-9 per cent up to income levels of $200 per week, and flat increase of $3.80 per week thereafter. See 188 CAR 591.

8 Decision of Majority, 22 April 1997, p. 154.

9 Decision of Vice President Ross, 22 April 1997, p. 64.

10 Decision of Majority, 22 April 1997, pp. 31+32.

11 2 CAR 1, at p. 3.

12 135 CAR 244, at p. 247.

13 157 CAR 293, at p. 299. This extract was included in the submissions of employer groups. It was quoted in Decision of Majority, 22 April 1997, p. 63.

14 Decision of Vice President Ross, 22 April 1997, p. 67.

15 Decision of Vice President Ross, 22 April 1997, p. 26.

16 John Buchanan and Ian Watson, A Profile of Low Wage Employees, Australian Centre for Industrial Relations Research and Teaching, University of Sydney, Working Paper 47, April 1997.

17 Decision of Majority, 22 April 1997, pp. 27-30, and 137-150; Decision of Vice President Ross, 22 April 1997, pp. 78-88.

18 The classic exposition of this view can be found in Sidney Webb and Beatrice Webb, *Industrial Democracy* (Second edition), Longmans Green and Co, London, 1911. It was also the view expressed by the Commission in its two national wage case decisions of 1991 – see above.

19 See David Card and Alan B. Krueger, 'Minimum Wages and Employment: A Case Study of the Fast-Food Industry in New Jersey and Pennsylvania', *The American Economic Review*, September 1994; David Card and Alan B. Krueger, *Myth and Measurement: The New Economics of the Minimum Wage*, Princeton University Press, Princeton, 1995; Richard B. Freeman, 'The Minimum Wage as a Redistributive Tool', *The Economic Journal*, May 1996. For Australian commentary see R.G. Gregory, 'Aspects of Australian and US Living Standards: The Disappointing Decades 1970-1990', *The Economic Record*, March 1993; Bob Gregory, 'Wage Deregulation, Low Paid Workers and Full Employment', in Peter Sheehan, Bhajan Grewal and Margarita Kumnick (eds), *Dialogues on Australia's Future*. In Honour of the Late Professor Ronald Henderson, Centre for Strategic Economic Studies, Victoria University, Melbourne, 1996; and J.W. Nevile, 'Minimum Wages, Equity and Unemployment', *The Economic and Labour Relations Review*, December 1996.

20 See footnote 4.
21 See Decision of Vice President Ross, 22 April 1997, pp. 12-57.
22 See Decision of Vice President Ross, 22 April 1997, pp. 40-43.
23 Third Safety Net Adjustment, 9 October 1995, p. 56.
24 Decision of Majority, 22 April 1997, p. 75.
25 See Decision of Majority, 22 April 1997, pp. 28-29.
26 Decision of Majority, 22 April 1997, p. 30.
27 Decision of Majority, 22 April 1997, p. 50.
28 This statement is not strictly speaking correct. The Metal Trades Industry Association and the Australian Federation of Business and Professional Women opposed the introduction of enterprise bargaining.
29 Decision of Majority, 22 April 1997, p. 70.

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