

## Meeting record

Subcommittee for consultation about an application for  
a contractual chain order – MS2024/4

Meeting details and participants			
<b>Date</b>	Thursday, 3 April 2025	<b>Time</b>	1pm AEDT
<b>Location</b>	Fair Work Commission 80 William Street EAST SYDNEY NSW 2011	Conference Room 16 Level 16, Terrace Towers * indicates attendance by MS Teams	
<b>Chair</b>	Peter Anderson	RTAG Member	
<b>Facilitator</b>	Commissioner Scott Connolly	Fair Work Commission	
<b>Attendees</b>	Alex White*	All Purpose Transport	Finance Manager
	Brent Ferguson	Ai Group	Head of National Workplace Relations Policy
	Shaun Kelleher	Ai Group	Workplace Relations Practice Lead (Newcastle & Hunter)
	Kirsten Jongsma*	APTIA/BIC	National Industrial Relations Manager
	Tony Hopkins*	APTIA/BIC	Chair, Australian Public Transport Industrial Association Chair, Bus Industry Confederation
	Julian Arndt	Business NSW ABI	Director, Australian Business Lawyers & Advisors
	Robert Rondinelli*	Coles Group	Head of Employee Relations
	David Wojcik	DEA Logistics	
	Andrew Eastick*	FedEx Express Australasia	Managing Director – Regional Operations
	Alan McKenzie*	McKenzie Water	Director
	Lorraine Biviano	TWU	Director – Legal & Industrial Strategy
	Frank Arcidiaco	Long haul owner driver	
	Keith Stone	Former independent contractor, NSW Ports	Member of TWU NSW Branch Owner Driver Subcommittee Member of TWU Sydney Sub-branch Executive
	Dr Michael Quinlan*	UNSW	Emeritus Professor of Industrial Relations, School of Management and Governance
	Jannifer Kerr*	Woolworths Group	Head of Industrial Relations
	Ben Sommer*	Woolworths Group	Head of Transport Strategy and Partnerships

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<b>Apologies</b>	Chris Brooks	Woolworths Group	Director, Primary Connect + and Transport
	Paul Kahlert	ARTIO	Vice President, Queensland Branch
	James Morley	Toll Group	Group General Manager, Industrial and Employee Relations
	Cameron Dunn	ARTIO	President, Victorian Branch
	Glyn Castanelli	National Road Freighters Assoc	President
	Nigel Ward	Business NSW Australian Business Industrial (ABI)	CEO + Director, Australian Business Lawyers & Advisors
	Ashlea Cameron	ACCI	Senior Policy Adviser, Workplace Relations
	Laurie D'Apice	ARTIO	President
	Warren Clark	National Road Transport Assoc	Chief Executive Officer
<b>Secretariat</b>	Hargun Khangurha*	Fair Work Commission	

Topic		Lead
<b>Welcome and apologies</b>	The Chair opened the meeting and welcomed participants. The Chair noted apologies and confirmed meeting participants attending in person and online.	Chair
<b>Confirmation of record of previous meeting</b>	The meeting confirmed the meeting record of 13 March 2025. Moved: Brent Ferguson    Seconded: Julian Arndt	Chair
<b>Request for Subcommittee Advice to RTAG</b>	The Chair tabled and circulated copies of correspondence dated 28 March 2024 received by the RTAG Chair requesting the advice of the subcommittee no later than 7 August, or earlier where possible. Members noted the request as a matter to be discussed further and recognised the need for further discussions to include confirmation of the subcommittee's advice to RTAG.	Chair
<b>Discussion of application</b>	Participants discussed changes made to the draft Order by the Transport Workers' Union of Australia (TWU) and the feedback received in the previous meeting on 13 March 2025: <ul style="list-style-type: none"> <li>Participants discussed timelines, transitional arrangements, consultation periods, etc.</li> <li>Participants discussed definitions in the draft Order and interactions with relevant Awards.</li> <li>The coverage, scope and application of the proposed order were identified as significant threshold issues that needed to be limited and further clarified before any areas of consensus can be identified and confirmed, or otherwise.</li> </ul>	Connolly C

Topic		Lead
	<ul style="list-style-type: none"> <li>• Similarly, the views of the subcommittee on the priority of this application with respect to others needs to be informed by a clearer position on scope and coverage.</li> <li>• The extent to which the application extends or otherwise applies to the bus and coach industry was discussed.</li> <li>• The TWU identified proposed changes in the draft presented in relation to obligations of primary and secondary parties, rates reviews, prohibited provisions and dispute settlement.</li> <li>• Further clarification and additional potential changes were discussed.</li> <li>• More advance notice of additional draft proposals or positions were requested to facilitate more considered discussions.</li> <li>• The TWU committed to take on board the meeting feedback and provide a further updated draft document <b><u>2 weeks prior to the next meeting on 1 May 2025.</u></b></li> <li>• The TWU also invited out-of-session discussions with all interested participants on areas of concern or potential areas of consensus.</li> <li>• <b><u>The TWU also undertook to engage in discussions with the bus and coach sector.</u></b></li> <li>• All participants were invited to consider the request for advice from the subcommittee by the RTAG Chair.</li> <li>• All participants were requested to come to the next meeting with considered views, positions and suggestions on the revised proposal to be provided by the TWU, considering this request for advice.</li> <li>• Participants were invited to identify nominees for a majority owner driver subcommittee to be established when required by the legislation.</li> <li>• The FWC to consider what can be prepared to further assist participants preparing considered positions in advance of the next meeting.</li> <li>• The RTAG will circulate the agenda for the next meeting and draft record of the 3 April 2024 meeting in advance of 1 May 2025.</li> </ul>	

### Meeting schedule

**Time:** 1pm – 4pm

**Location:** Conference Room 16

**Dates:** Thursday, 1 May 2025

~~Thursday, 22 May 2025~~

Thursday, 12 June 2025

Thursday 3 July 2025

Thursday, 24 July 2025

(Thursday, 14 August 2025 – Reserve if required)