

## Meeting record

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

Meeting details and participants			
<b>Date</b>	Thursday, 1 May 2025		<b>Time</b> 1 pm AEST
<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>	Ashlea Cameron*	ACCI	Senior Policy Adviser, Workplace Relations
	Shaun Kelleher	Ai Group	Workplace Relations Practice Lead (Newcastle & Hunter)
	Kirsten Jongsma	APTIA/BIC	National Industrial Relations Manager
	Cameron Dunn*	ARTIO	President, Victorian Branch
	Paul Kahlert*	ARTIO	Vice President, Queensland Branch
	Julian Arndt*	Business NSW ABI	Director, Australian Business Lawyers & Advisors
	Robert Rordinelli*	Coles Group	Head of Employee Relations
	David Wojcik	DEA Logistics	
	Andrew Eastick*	FedEx Express Australasia	Managing Director – Regional Operations
	Glyn Castanelli*	National Road Freighters Assoc	President
	Warren Clark	National Road Transport Assoc	Chief Executive Officer
	Lorraine Biviano	TWU	Director – Legal & Industrial Strategy
	Frank Arcidiaco	Long haul owner driver	
	Dr Michael Quinlan*	UNSW	Emeritus Professor of Industrial Relations, School of Management and Governance
<b>Apologies</b>	Jannifer Kerr*	Woolworths Group	Head of Industrial Relations
	Brent Ferguson	Ai Group	Head of National Workplace Relations Policy
	Tony Hopkins	APTIA/BIC	Chair, Australian Public Transport Industrial Association Chair, Bus Industry Confederation
	Laurie D'Apice	ARTIO	President

Meeting details and participants			
	Nigel Ward	Business NSW Australian Business Industrial (ABI)	CEO + Director, Australian Business Lawyers & Advisors
	Alan McKenzie	McKenzie Water	Director
	James Morley	Toll Group	Group General Manager, Industrial and Employee Relations
	Ben Sommer	Woolworths Group	Head of Transport Strategy and Partnerships
	Chris Brooks	Woolworths Group	Director, Primary Connect + and Transport
	Keith Stone	Former independent contractor, NSW Ports	Member of TWU NSW Branch Owner Driver Subcommittee Member of TWU Sydney Subbranch Executive
<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 3 April 2025. Moved: Shaun Kelleher    Seconded: Kirsten Jongsma	Chair
<b>Proposed draft order</b>	<p>TWU representatives provided an update of discussions with subcommittee participants and its considerations since the last meeting.</p> <p>TWU confirmed changes to its proposed draft order based on these discussions. Changes include exclusions for work exclusively on private roads, and work within the coverage of the <i>Passenger Vehicle Transportation Award 2020</i> and <i>Transport (Cash in Transit) Award 2020</i>.</p> <p>Participants discussed the updated TWU draft.</p> <p>TWU confirmed its views on the scope of coverage of the application to within the definitions of the <i>Road Transport and Distribution Award 2020</i> and <i>Road Transport (Long Distance Operations) Award 2020</i> related to road transport, not distribution.</p> <p>TWU indicated it was open to considering alternative means of articulating this scope.</p> <p>TWU changes were acknowledged by participants and welcomed by some. Other participants remained concerned about the scope of the application.</p> <p>Some participants indicated the possibility of work being progressed to prepare an alternative proposed road transport contractual chain</p>	Connolly C

Topic		Lead
	<p>guideline. Participants were encouraged to confirm this possibility and bring any proposals back to the subcommittee for consultation at the next meeting or alternative proposals for consideration.</p> <p>Some participants identified difficulty with engaging with other participants and associated stakeholders and being able to confirm positions or alternatives relevant to the TWU proposals.</p> <p>TWU confirmed it was open to ongoing discussions with any participants between meetings and would consider any request for further release or discussion of its proposals to assist any participants in furthering their consideration or confirming their positions or alternative positions.</p> <p>The significance of the potential order was identified and participants indicated gaps in engagement and understanding would need to be addressed and considered by the Commission.</p> <p>TWU confirmed it is seeking to change current practices. The status quo, or a road transport contractual chain guideline, are not options the TWU would consider as alternatives to the order it is seeking, while acknowledging the potential value of complementary guidelines.</p> <p>Participants progressed a consideration of the summary document circulated by the RTAG Secretariat on 29 April 2025 confirming their current positions or understanding and discussing additional issues, including impact on existing commercial contracts and bundled arrangements.</p>	
<b>Subcommittee advice to the RTAG</b>	<p>The facilitator indicated he would seek views of subcommittee participants in the gap between meetings on the request from the RTAG Chair for the subcommittee's advice.</p> <p>Participants were invited and encouraged to provide their formal written views on the subcommittee's advice within 2 weeks to allow time for an initial draft potential advice to be prepared and circulated for consideration by participants in advance of the next meeting.</p>	Connolly C
<b>Next Meeting</b>	<p>The next meeting will discuss a further update on the TWU's position, including an additional definition of 'services contract' along with any other discussions, updates or proposals to be considered and the initial draft subcommittee advice to the RTAG.</p> <p>The final advice of the subcommittee to the RTAG will be provided on endorsement by the subcommittee.</p>	Connolly C
	Next meeting is on 12 June 2025 at 1 pm	Chair

#### Meeting schedule

**Time:** 1pm – 4pm

**Dates:** Thursday, 12 June 2025

Thursday 3 July 2025

**Location:** Conference Room 16

Thursday, 24 July 2025

Thursday, 14 August 2025