



TRANSCRIPT OF PROCEEDINGS  
*Fair Work Act 2009*

**COMMISSIONER ROGERS**

**CEREMONIAL SITTING OF THE FAIR WORK COMMISSION  
TO WELCOME COMMISSIONER ROGERS**

**Adelaide**

**9.31 AM, TUESDAY, 15 APRIL 2025**

PN1

JUSTICE HATCHER: Good morning everybody. I want to begin by acknowledging that this welcoming ceremony today is being conducted on the lands of the Kaurna people being the traditional custodians of the Adelaide region, and I acknowledge their continuing connection to country, and I pay my respects to their elders past, present and emerging.

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This ceremony today is for the purpose of acknowledging the appointment to the Fair Work Commission of Commissioner Rogers, who is to my right, and I welcome her family, the speakers at the Bar table, and all the other guests present.

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I will first ask Ms Godden who is chief counsel of the Department of Employment and Workplace Relations, who is speaking on behalf of the Secretary of the Department to address the Commission first. Ms Godden.

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MS S GODDEN: May it please the Commission. Noting that the Australian Government is currently subject to caretaker conventions it's an honour to be here representing the Secretary of the Department of Employment and Workplace Relations.

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I acknowledge your Honour the President, and all members of the Fair Work Commission, and representatives from the legal community, industry and the trade union movement present today. I welcome and acknowledge Commissioner Rogers and the members of your family on this significant occasion.

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It has been over 15 years since the Fair Work Commission was established, but for more than 100 years the Commission and its predecessors have helped to shape Australia's workplace landscape. With Fair Work legislation covering the majority of Australia workplaces the decisions of this Commission impact the country.

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The Commission is required to perform its functions and exercise its powers under the Fair Work Act in a manner that is just and fair, open and transparent, and in a way that promotes harmonious and cooperative workplace relations.

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Commissioner Rogers, you bring to the Fair Work Commission a wealth of knowledge and experience in workplace relations, having served as Commissioner of the South Australian Employment Tribunal, and as a union official. From 2012 to 2019 you were an Industrial Officer at the South Australian branch of the Communications, Electrical and Plumbing Union. In 2013 while serving as an Industrial Officer you obtained your Certificate IV in Legal Services from TAFE South Australia.

PN9

You were later appointed as Assistant Secretary of CEPU SA, serving in this role from 2019 to 2022. At CEPU SA you gained extensive experience in a range of matters under both State and Commonwealth workplace relations laws. In that time you appeared before this Commission representing the CEPU and its members in relation to workplace relations disputes.

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You established a women's network for CEPU members, resulting in an increase, a significant increase in the number of women in the South Australian branch. Not only that you played an integral role in the national adoption of a women's network with the aim of engaging more women in male dominated gender segregated industries.

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Further, you developed a training series on underpayment in South Australia that was delivered to the union movement and South Australian Working Women Centres. In 2023 you obtained an Australian national mediation accreditation from the Resolution Institute.

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Also in 2023 you commenced as a commissioner of the South Australian Employment Tribunal. As a Commissioner of that tribunal you continued to build on your already well-honed expertise and skills in workplace relations, negotiation, and conflict resolution.

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Commissioner Rogers, you bring to this role strong leadership experience, as well as your expertise and experience in workplace relations. You will be required to execute your duties with impartiality and diligence to support the Commission to discharge its functions and exercise its powers consistently with the Fair Work Act.

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Your Honour, great responsibility is placed on the members of the Fair Work Commission. The balance and fairness of the system depends on the integrity, judgment and skills of the members of the tribunal and its senior leaders. If they are to discharge this responsibility effectively they require the goodwill, understanding and cooperation of parties, employers, employees and their representatives. I trust this will be forthcoming from all concerned to Commissioner Rogers.

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Commissioner Rogers, on behalf of the Department of Employment and Workplace Relations I congratulate you on your appointment as a commissioner of the Fair Work Commission. Thank you.

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JUSTICE HATCHER: Next I will ask Mr Beasley, Secretary of SA Unions to speak on behalf of the Australian Council of Trade Unions. Mr Beasley.

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MR D BEASLEY: Thank you, your Honour. May it please the Commission I would like to acknowledge Kurna country where this ceremony is being held. Ceremonies have been held on this country for hundreds of thousands of years by the Kurna people as part of the continuous cultures, the oldest in the world. I pay my respects to their elders past and present, and to all First Nations people here today.

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I would like to acknowledge your Honour and all other members of the Commission as well, together with Ms Godden and Ms Karen van Gorp from the Business Chamber South Australia.

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Your Honour, what a pleasure it is to speak and welcome such a highly qualified and exceptionally capable woman and friend. Thirteen million working people rely on the Fair Work Commission to ensure fairness at work. Public trust is so important, and can only be maintained when balance is fair.

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The union movement commends the government on making balanced appointments to this Commission, so it ensures a fair representation of those with life experience representing workers, and those with life experience representing employers. It is about fairness, but it is also about maintaining public confidence, and if I know anything it is that all here can be assured that Commissioner Rogers will dedicate herself to that mission in the same way she has dedicated herself to all the other steps in her working life that have led her here today.

PN21

I have known Commissioner Jessica Rogers for over a decade, most of that time from when, Commissioner, you were an industrial officer at the Communication, Electrical, Energy and Plumbing Union. Commissioner, your experience as a young worker dealing with wage theft sparked what turned into a flaming passion for workers' rights.

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Your time at the CEPU allowed you to channel that lived experience into working with CEPU members to address wage growth as a business model in those trades. That time at the CEPU also grew your commitment to addressing the barriers faced by women in trades. You have been similarly fierce in your advocacy for institutional and legislative responses to ensure women's safety and respect at work.

PN23

You are and have been a fierce advocate for dismantling the systemic barriers to women's full and unencumbered participation in the workforce. Over years you have been instrumental in the South Australian chapter of WIMDOI, Women in Male Dominated Occupations and Industries, and the national body.

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Commissioner, you established the CEPU's South Australian Women's Network which grew from an idea into a network that has been instrumental in lifting women's participation in those trades and the union that represents them.

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Between 2019 and 2021 the increase in female plumbing membership grew by, I understand, 300 per cent, and members of that network which you started have joined the CEPU office as organisers and elected state branch councillors.

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The people you have worked with over this time speak of your empathy, your determination, and your dedication to the people who you represent; smart and creative in litigation, willing to advance a novel argument or a different approach in the pursuit of justice for workers.

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As Commissioner in the South Australian Employment Tribunal you have been celebrated for the approach that you have taken to South Australia's new workplace health and safety dispute jurisdiction. That law reform flowed out of a significant review of our state's workplace health and safety legislation and regulator.

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The review demonstrated that there needed to be a pathway available to workers and to employers to actively resolve differences and disputes relating to workplace health and safety without relying on calling in the regulator; a pathway for industrial umpires to facilitate the resolving of differences.

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Commissioner Rogers has been instrumental in resolving workplace health and safety risks in workplaces and helping workers and employers to reach amicable outcomes to the benefit of all.

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To the work which awaits in this Commission the recent changes to the Fair Work Act give a greater role to the Commission in facilitating bargaining and negotiating outcomes to differences, and one of your greatest skills, Commissioner, is mediating and negotiating resolutions to such matters.

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This is a skill which involves more than a great understanding of the law. It involves a great understanding of human behaviour and human motivation. Resolving differences has its own dynamics, and being skilled and understanding these, how to bring people to a settlement, which both parties value, is a skill that I am sure my colleague here today from Business Chamber would agree is something highly valued by all.

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I am certain that you will make an outstanding contribution to the work of this Commission, and the union movement heartily welcomes you. If it please the Commission.

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JUSTICE HATCHER: Next I will ask Ms van Gorp from the South Australian Business Chamber to speak on behalf of employers. Ms van Gorp.

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MS K VAN GORP: Thank you, President. If the Commission pleases I appear on behalf of the South Australian Business Chamber representing the Australian Chamber of Commerce and Industry.

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I wish to begin by acknowledging that we are convening on the traditional lands of the Kaurna people, and I extend my deepest respects to their elders both past and present, and any First Nations attendees here today.

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I would like to acknowledge those members of the Fair Work Commission before me, and also my colleagues at the Bar table, and of course I acknowledge our newest member of the Commission, Commissioner Rogers, her family and friends who join us today.

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The Fair Work Commission deeply entrenched in Australia's socio, economic landscape, plays a pivotal role in bridging the interests of businesses and employees, ensuring that both prosper together in difficult economic times. The Commission's role is magnified. It needs stable and strong minds to keep Australia's economy moving.

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Today it's my privilege to introduce such a mind, Commissioner Jessica Rogers, to the Fair Work Commission. Commissioner Rogers, your career with the Communications, Electrical, Energy and Plumbing Union demonstrates your commitment to advocacy in the industrial relations space, and to improving Australian workplaces. Your expertise was recognised with your appointment to the South Australian Employment Tribunal in 2023, where until your appointment to the Fair Work Commission you discharged your duties fairly and impartially.

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Your appointment represents more than just a personal achievement. You are a powerful role model for women everywhere, and your new role will no doubt serve as an inspiring example for countless young female advocates who appear before you.

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Your appointment comes at a time when the work of this tribunal has never been more critical. Over the past years Australia's economy has faced immense challenges; the effects of the pandemic, shifts in workplace dynamics, and an overwhelming increase to the complexities of industrial relations, to name a few.

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As you embark on this new chapter with the Fair Work Commission you bring with you not just years of expertise, but a drive to make Australian workplaces

better. While you come from a union background and I from an employer one, I have no reservations about your resolute commitment to the impartial discharge of your duties as a Fair Work commissioner.

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On behalf of the Australian Chamber of Commerce and Industry and employers generally we look forward with optimism, knowing that under your guidance we will continue to ensure a productive and fair industrial landscape in Australia that balances the interests of employees and employers. If it pleases the Commission.

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JUSTICE HATCHER: Thank you. I will now invite Commissioner Rogers to speak.

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COMMISSIONER ROGERS: Thank you. Niina Marni. It's a privilege to be welcomed here into the Fair Work Commission today on Kaurana land. I pay my respects to elders past and present and acknowledge that the land was never ceded. Thank you to the speakers at the Bar table today for your reflections on my working life.

PN45

I would like to begin by acknowledging my biggest fans. To my partner Rozy, thank you for inspiring me, challenging me and bringing your unique creativity to my life. Thank you for all of your unpaid labour over the last year, and relevantly today for your support in my transition to this role while we also juggle a young family.

PN46

To my daughter Mac, you bring me more joy than I could have ever imagined, and I'm so grateful to be your mum. This past year with you has been nothing short of magic. To my lifelong best friend and chosen sister Hannah, thank you for being here today and every day. To everyone who is present here, both in person and also online, it means a great deal to me that you're here today, and not just because I love an audience. You have each been a pivotal part of my journey here, and I know that some of you have travelled great distances, or dialled in at unspeakable hours to be here.

PN47

You have heard a bit about the more recent parts of my career from our speakers, but like all young workers my experience with industrial relations started much earlier than that. The first job to introduce me to the world of work was as a DJ at a skating rink in my local country town where I was paid \$2 for a six hour Sunday shift.

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From there I moved on to a job as a barista at a café, which resulted in my mum having to help me, at 16 years old, take my employer to the South Australian employment court's predecessor to get the six months of wages that were owed to me.

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Thank you to my mum, not only for teaching me to stand up for my rights and for the rights of others, but also for raising me as a single mum and instilling me with the values of compassion, equality and fairness that I have carried through life with me. Given these experiences as a young worker upon reflection it's no surprise to me that I have ended up spending my working life in pursuit of making workplaces better.

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After finishing school I spent some time performing administrative functions in the manufacturing industry at my local steelworks. Dad, thanks for helping me get the first job where I actually got paid my statutory entitlements, but even more so for introducing me to working in a male dominated workplace, something that would later, as we've heard, become an important part of my career.

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As the speakers have already covered I then took on a role as an administration trainee with the CEPU SA branch. The union created a pathway for me and I progressed to industrial officer and later assistant secretary.

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Here I would like to take a moment to thank the Bobs; Bob Geraghty and Bob Donnelly, who are sadly no longer with us. I will be ever grateful to both of them. They saw a potential in me that I didn't see in myself at the time, and I wish that they were both here today to see what a great call they made. It means a lot to me that Robyn Geraghty is able to be here today.

PN53

Through his leadership Bob Donnelly gave me the freedom to learn from my mistakes with his full support which significantly improved my advocacy and industrial relations knowledge. He taught me the importance of people and relationships over work, and demonstrated to me through his own actions what a great leader looks like.

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To everyone at the CEPU/ETU across Australia, thank you for sharing your knowledge, your stories and experiences, your fault finding way of thinking, and most of all your camaraderie. You have collectively taught me more than I can express, but most importantly never to confuse a sparky with a liney.

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One of the contributions that I am most proud of in my time with the union are the constitutional rule changes that ensured women's voices would be heard on every decision making level within the electrical division of the CEPU nationally.

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This important change was underpinned by networks of women across the CEPU/ETU, to connect and support women members. Witnessing the practical impact of these networks has taught me to never under-estimate the power and value of shared experiences and collective voices.



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Thank you to all of the members, men and women, the delegates, the officials, the presidents, the secretaries, the assistant secretaries of the union who shared this important vision and worked together to achieve it.

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My involvement in that work led me to WIMDOI, Women in Male Dominated Occupation and Industries, or WIMDOI is a group of fierce union women who help one another break down barriers for women in male dominated workplaces, so that women can thrive and build their careers.

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Experiencing the strength, courage, tenacity and sisterhood from these women has collectively added to my own confidence in tackling any obstacle that comes my way, and finding people in life who have my back. To all of you, thank you.

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Spending more than a third of my life working in the union movement I would also like to thank the broader movement for teaching me how to walk through life confidently with compassion; how to address and resolve conflict in a healthy way both at work and at home, and for showing me firsthand how integral the safety and living standards of Australians are to our society.

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Part of being an advocate that I always enjoyed was being able to explain in plain and practical terms what impact a decision, agreement, legislation or outcome would have on the affected workplace. I undertake to continue to bring this pragmatic and practical approach to dispute resolution in the Fair Work Commission.

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After 15 years with the same employer it could have been a difficult transition to my role in the South Australian Employment Tribunal, but both the staff and members there made me feel so welcome. I am very grateful for the opportunity that I had to contribute my skills and knowledge to the numerous industrial relations jurisdictions given to the South Australian Employment Tribunal, including the more recent work health safety dispute jurisdiction, which we heard about earlier. In turn, the tribunal gave me an opportunity to advance new skills and broaden my industrial relations knowledge further.

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To those in the room who have mentored me, and there are quite a number of you I sincerely thank you for your patience, time, honesty, energy, your belief in me, and your encouragement for making space for me for giving me a seat at multiple tables, and helping me grow not only in my working life, but in life in general.

PN64

Thank you to the president for making the journey to Adelaide to personally welcome me into the Fair Work Commission, and to all of my new colleagues across Australia and here in Adelaide - you have already made me feel incredibly welcome in my new role. Thank you.

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I would also like to thank the associates and staff that were involved in making today happen, and an extra big thank you to my associate, Kim Tran, for all of your hard work.

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The role of the Fair Work Commission in Australian workplace relations is crucial. It provides workers and employers with an independent body to assist in resolving workplace disputes and sets minimum standards that have a meaningful impact on working Australians.

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I thank the minister for Employment and Workplace Relations for entrusting me with this important appointment. I will ensure that I undertake the functions of the Commission and exercise the powers given to me in a manner that is fair, just, transparent, and with the upmost integrity. It is an honour and a privilege to now bring these collective skills and experiences to my role as Commissioner of the Fair Work Commission. Thank you.

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JUSTICE HATCHER: On behalf of all my colleagues I would like to congratulate you, Commissioner, on your appointment, and I thank everybody for their attendance today, both the speakers at the Bar table and all the family and guests. We will now adjourn.

**ADJOURNED INDEFINITELY**

**[9.53 AM]**