

## IN THE FAIR WORK COMMISSION

**Matter number:** C2019/5259

**Matter title:** 4 yearly review of Modern Awards - Review of Certain C14 rates in Modern Awards

### SUBMISSIONS IN REPLY OF THE

### AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION

1. The Australasian Meat Industry Employees' Union (AMIEU) has previously filed submissions in respect of this matter and continues to rely upon those submissions.
2. The AMIEU seeks to make some brief submissions in reply in respect of the witness statements that have been filed in relation to this matter by the Australian Meat Industry Council; namely, those of Cheryl Wolens and Lyle Ward.
3. The AMIEU has also filed a further witness statement by a worker in the meat processing sector, Kaleb Cooper. Mr Cooper works in a meat processing establishment where terms and conditions of employment are regulated by an enterprise agreement, rather than an Award. Nevertheless, he relates his experience of the process of induction and training that he underwent when he commenced in the industry.

#### **Witness Statement of Cheryl Wolens**

4. Ms Wolens' statement describes the meat industry, the nature of the work in that industry, and various issues that must be addressed in the course of training a new employee. By contrast, there is little specific detail about the duration of on-the-job training needed for an employee to competently perform a job covered by a classification higher than Level MII. Her evidence as to the likely duration of training is given (at page 10 of the AMIC submissions):

*"I strongly believe, that at a minimum, it would require at least 3 months (depending on transferable skill, learning aptitude, complexity of plant and*

*other variables), and at a maximum outer limit of 6 months before an employee could be trusted to work in a meaningful task without constant close supervision.*

5. The above is not consistent with the evidence of the AMIEU witnesses, including the experience of Mr Cooper, which suggests that it is common for employees to be operating without “constant close supervision” in much shorter timeframes than those suggested by Ms Wolens.

### **Witness Statement of Lyle Ward**

6. Mr Ward is a training and workforce advisor, and like Ms Wolens gives evidence about the nature of the industry and factors which impact upon the amount and type of training received by new employees. Mr Ward includes a sample plan for a new employee being assisted by a competent employee. The plan extends over a period of forty (40) working days.
7. The AMIEU makes two observations regarding Mr Ward’s evidence regarding the “sample new entrant plan.”
  - a. Firstly, the evidence of the AMIEU witnesses, including Mr Cooper, suggests that many tasks require significantly shorter timeframes from for employees to be trained to perform competently, and at the pace required of employees generally; and
  - b. Even the timeframes envisaged by Mr Ward (40 working days) is still significantly less than three months, and much less than the 6 month maximum contemplated by the AMIC proposal to vary the C14 classification.

### **Witness Statement of Kaleb Cooper**

8. Mr Kaleb Cooper gives evidence of his experience as a new employee in a meat processing establishment. He describes the on-the-job training he received in

respect of an initial labouring task (pushing bones), and then a task which involved use of the Whizard knife. It is clear that he was expected to work on his own within a much shorter timeframe than envisaged by the AMIC witnesses, and while he was certainly supervised, it does not seem to be in the nature of the “*constant close supervision*” to which Ms Wolens refers.

9. Mr Cooper acknowledges that other employees took longer than he to achieve competency in tasks, or experienced more difficulties than he did.
10. The AMIEU acknowledges the importance of on-the-job training in the industry. However, it notes the C14 rate is intended to be a transitional rate for people with no prior industry experience until they are capable of performing the work required by a higher classification. The duration of the transitional period for the C14 rate in the meat industry, in the AMIEU’s submission, should reflect generally the period of time actually spent on on-the-job training. It should not become a mechanism to allow employers to pay employees the transitional rate for an extended period during which they are in fact performing a task covered by a higher classification rate.

Reply Submissions of the Australasian Meat  
Industry Employees’ Union  
1 December 2023

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**WITNESS STATEMENT OF KALEB COOPER**

I, Kaleb Cooper, of [REDACTED] in the State of Queensland, meatworker, state as follows:

1. I am a meatworker employed by the Oakey Beef Exports Pty Ltd ("Oakey Beef") at Oakey in Queensland.
2. I am also a member of the Australasian Meat Industry Employees' Union (AMIEU).
3. I have worked at Oakey Beef for approximately seven months.
4. My union has informed me that at Oakey Beef our pay and conditions are contained in an enterprise agreement, and not an Award
5. I have not worked in the meat industry before I started my job at Oakey Beef.
6. When I started work at Oakey Beef, I had to go through an induction. The induction lasted two full days. There were about seven or eight new employees in total in my induction. we completed a lot of paperwork with our personal details and other information that our employer needed. Over the next two days, there were training sessions to give us information about the industry, the workplace, including health and safety, and hygiene, as well as information about how we would be paid. There were sessions on safety on each of the first two days. Overall, I estimate at least half a day was spent talking about safety issues, including food safety. On the second day of the induction sessions, the new workers (including myself) were taken through and shown all of the meatworks.

7. I was paid for the two days spent on the induction.
8. The next working day after the induction, I and the other new workers were taken to the job we were going to be trained to do. First, the Training Officer told each of what job we were going to be given, and described what was involved. I was told that I was going to be pushing bones in the Boning Room.
9. I was then introduced to my supervisor. My supervisor spoke to me briefly and brought me to the area where I was going to be working. I was introduced to another worker, and that worker showed me the job that I was going to perform. When they are boning carcasses, the boners take the bones they remove and drop them on to a conveyor belt. The conveyor belt carries the bones to the end of the belt, where I and the other worker were stationed. I was shown how to take the bones off the belt, and put them in a tub. The tub is on wheels, and when the tub is full, I was shown to wheel the tub to the start of the boning line and empty the bones into a big plastic crate. Sometimes, the person doing this job must separate the larger and smaller bones, but at other times this is not required.
10. I started doing this job with the help of the worker who showed me how to do it. Normally only one person does this job. After doing the work for about two hours, I was able to do the job on my own, and the other worker went to do a different job. He told me if I was unsure about anything to ask the supervisor. At the start of each day I would usually ask the supervisor if I had to separate small and large bones that day. Apart from that, the only questions I had to ask the supervisor was if I was not sure whether a bone should be kept or not. Sometimes a bone might have a cyst which means it is not hygienic to keep and should be discarded. The supervisor was busy as and was not always in the area I was in. If there were bones, I was not sure about, I would put them to one side, and ask the supervisor when I saw him in the area I was working in. I would show the bones to the supervisor and he would make a call on whether they should be kept or discarded.
11. The training officer came up to me every couple of days. He might watch me work for a little while and then spoke to me briefly about how I was going. He did this over a period of about two weeks. I was then signed off by the training officer and my

supervisor as being competent in the bone pushing task. It might have been an extra week (perhaps three weeks in total) before I was actually signed off. However, I had been performing the job on my own after the first couple of hours at the task.


12. After being signed off as competent, I continued to do the job of pushing bones for about three months. The Training Officer asked me where I might like to work next. I expressed an interest in working on the Whizard Knife job.
13. A Whizard Knife operator works in the Boning Room, and uses an electrically powered knife to remove meat from between the ribs of the animal.
14. On the day I started this job, the Training Officer went through the Personal Protective Equipment (PPE) I was required to wear. When starting on this job, a Whizard Knife operator has to wear a full, sleeve-length mesh glove (it goes all the way to the shoulder). The Training Officer showed me where to collect the PPE and how to put it on. I estimate this took about twenty minutes.
15. I was then taken to a workstation in the Boning Room. At Oakey there are about seven or eight Whizard Knife operators in the Boning Room, and each has a separate bench or table as a workstation. I was at a table with another worker who showed me how to perform the job. I stood and watched him perform the job for about thirty minutes. After that, I did the work for the rest of the shift while the other worker stood at my shoulder and watched me.
16. From the second day on the Whizard Knife job, I was working on my own. I was told to ask my supervisor if I had any problems or if I was not sure about something. I do not remember having to do that for this job. The supervisor would walk up and down to check how we were going, but this was something he did for all of the Whizard Knife operators, not just the new workers. Again, the training officer would come and speak to me every couple of days over the next week or two.
17. Whizard Knife operators have to keep up with the pace of work of the Boning Room. They are also expected to collect one hundred kilograms (100 kg) or meat from the ribs in the course of a shift. Workers who have just started training in the job are told

that we were not required to remove 100 kg of meat, but we were encouraged to try and achieve this goal. I believe that I reached the target of 100kg on my third or fourth day working at the job. After that I generally reached the target every day. There were a couple of individual days where I did not reach the target, but I believe those were occasions that the Boning Room was boning types of cattle with less meat on the ribs.

18. Some people do take longer to reach the 100kg target. There were some people I saw being trained on the job who took a full week or even two before they could reach that target. When using a Whizzard Knife, the vibration of the knife can cause sore hands and it can take some people a couple of weeks to get used to it.
19. I was signed off as competent on the Whizzard Knife after I had been performing the job for about four weeks.

Dated this 30<sup>th</sup> day of November 2023

Signed:



KALEB COOPER