

Proposed Rule Change

Using ~~striketrough~~ for deletions and underlined for additions to the text of the current MUA Rules (182V: Certified 14 August 2014) the proposed rule change is set out below as follows:

3. (a) Without limiting the generality of 1. PART S and 2. PART W, or being limited thereby, the Union shall also consist of:

All employees as defined in subrule (b) other than those employees who are employed in supervisory duties of any nature (excepting employees performing duties of forepersons or leading hands or otherwise who exercise similar and direct supervisory powers over other employees), and other than employees who possess a Maritime Certificate of Competency where the possession of the certificate is part of the requirements of a classification, and other than those employees who are employed as harbourmasters, port managers, ~~marine pilots~~, marine surveyors, ~~maintenance technicians~~, masters and deck officers of vessels, ~~officers of pilot cutters~~, port control officers, ~~signal station officers~~, radio officers, superintendents, stevedoring supervisors or who are employed in managerial or professional occupations;

provided that employees who perform clerical and administrative, supervisory or technical duties shall not be eligible to be members of the Union by virtue of this subrule until:

- (i) 1 December 1995 if employed by the Port of Brisbane Corporation or Fremantle Port Authority;
- (ii) 1 January 1996 if employed by the Townsville Port Authority;
- (iii) 1 June 1996 if employed by the Sydney Ports Corporation, the Newcastle Port Corporation, the Port Kembla Port Corporation, the Waterways Authority in NSW, or the Port of Melbourne Authority;

(iv) 1 June 2016 if employed by:

Albany Port Authority, howsoever named;

Bunbury Port Authority, howsoever named;

Dampier Port Authority, howsoever named;

Esperance Port Authority, howsoever named;

Fremantle Port Authority, howsoever named;

Geraldton Port Authority, howsoever named;

Kimberley Port Authority, howsoever named;

Port Hedland Port Authority, howsoever named.

- (b) For the purposes of subrule (a) "employees" means all those persons employed by the employers identified in subrule (c) other than those persons who are employed in the office of public servant in accordance

with relevant State Government legislation in the States of South Australia and Western Australia.

(c) For the purposes of subrule 3 of this rule the employers are:

Albany Port Authority, howsoever named;
Bunbury Port Authority, howsoever named;
Bundaberg Port Authority, howsoever named;
Burnie Port Authority, howsoever named;
Dampier Port Authority, howsoever named;
Darwin Port Authority, howsoever named;
Department of Transport, Marine & Harbours Agency (in the State of South Australia), howsoever named;
Department of Transport (in the State of Western Australia in relation to the Department of Marine and Harbours), howsoever named;
Esperance Port Authority, howsoever named;
Fremantle Port Authority, howsoever named;
Geraldton Port Authority, howsoever named;
Kimberley Port Authority, howsoever named;
Marine Board of Circular Head, howsoever named;
Marine Board of Flinders, howsoever named;
Marine Board of Hobart, howsoever named;
Marine Board of King Island, howsoever named;
Newcastle Port Corporation, howsoever named;
Port Hedland Port Authority, howsoever named;
Port of Brisbane Corporation, howsoever named;
Port of Devonport Authority, howsoever named;
Port of Geelong Authority, howsoever named;
Port Kembla Port Corporation, howsoever named;
Port of Launceston Authority, howsoever named;
Port of Melbourne Authority, howsoever named;
Port of Portland Authority, howsoever named;
Rockhampton Port Authority, howsoever named;
Sydney Ports Corporation, howsoever named;
Townsville Port Authority, howsoever named;
Waterways Authority, howsoever named.