



DIRECTIONS

Fair Work Act 2009
s.424—Industrial action

Re Svitzer Australia Pty Limited
(B2022/1726)

VICE PRESIDENT HATCHER

SYDNEY, 16 NOVEMBER 2022

Suspension or termination of protected industrial action – endangering life etc – acting on Commission’s own initiative.

[1] This matter is listed for hearing before a Full Bench on:

Thursday 17 November 2022 at 1.00 pm (AEDT) in Sydney
Friday 18 November 2022 at 9.00 am (AEDT) in Sydney (if necessary)

[2] The bargaining representatives, the Minister and other interested parties are directed to file by **11.00 am (AEDT) on Thursday 17 November 2022:**

- (a) an outline of submissions; and
- (b) any witness statements or, alternatively, an outline of the oral evidence which any witness is expected to give at the hearing.

[3] The submissions and evidence may address any of the following questions, and any other matter which a party considers to be relevant:

- (a) Whether the indefinite lockout of employees commencing Friday 18 November 2022 notified by Svitzer Australia Pty Ltd on Monday 14 November 2022 is protected industrial action for a proposed enterprise agreement that is threatened, impending or probable?
- (b) If the answer to (a) is “yes”, whether the protected industrial action is threatening or would threaten to cause significant damage to the Australian economy or an important part of it?
- (c) If the answer to (b) is “yes”, whether the Commission should suspend or terminate the protected industrial action.

[4] Liberty to apply is granted.



VICE PRESIDENT