

REFERENCE

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Just Re: Awards

"Federal awards govern the basic terms and conditions of employment for several million Australians. Many workers and their unions have also entered into workplace or enterprise agreements. Such agreements can add to, supplement or even replace the terms of their awards, but how many of us know what is in our awards - or how to find out? And what about agreements?" This statement is taken from *Reading Your Award and Agreement: A Guide* produced by the Australian Trade Union Training Authority (TUTA).

Knowing what is in our awards and how to find out should be regarded as a normal if not necessary adjunct to our working lives. In order to procure this knowledge we must first be able to obtain the text of the appropriate award together with any attendant variations. The TUTA booklet provides a brief yet excellent guide to the content and understanding of awards and agreements. It also mentions where to obtain awards and gives a list of addresses in Appendix 1.

Obtaining awards would therefore appear to be a fairly straightforward matter. You simply contact the appropriate Australian Industrial Registry Office in your state and ask for the award to be sent to your address. But which award do you ask for? What the booklet fails to describe are the specific elements needed to be known before an award, together with any relevant variations, can be located. This is not the fault of the booklet as it is intended primarily as a "practical guide for job representatives and union organisers" i.e. people already familiar with, or whose task it is to become familiar with, the location, content and purpose of awards.

Key Elements for Finding Awards

Few people employed outside the industrial relations arena would know the specific element/s necessary to locate an award. Included are those librarians whose libraries are not heavily involved in this area and who therefore are not conversant with the requirements for locating such material.

The *specific element/s* are: the correct title of the award and/or the unique identification or code number.

Apart from having a copy in hand, how are these elements located? It is at this very basic level - the obtaining of these element/s - that what would ordinarily appear to be an elementary task becomes rather more complex.

A fairly typical request in a broad-based research or firm library may be illustrated with the following example: a request is made for a copy of an award concerning clothing entitlement for flight attendants.

Sources of Awards

I first need to know either the title or identification number of the award governing the working conditions for flight attendants in order that I may then locate the full text of the award. What are the relevant sources which will give me this information?

I commenced a search in three major looseleaf services whose subject matter covered the areas of industrial law, employment law and labour law. I found however that while the contents index of these services mentioned the term *awards* the paragraphs only contained commentary on particular legal aspects of the term. Awards were not cited by name, neither was there a listing for them in any of the contents pages.

The second source which I approached was the *Australian Industrial Relations Commission (AIRC) Awards List Alphabetical 21 March 1994*. On leafing through this publication I became aware for the first time that one of the major problems associated with locating titles of awards was the fact that the titles do not reflect the specific nature of the work performed; rather they are placed under either generic headings covering a multitude of specific employment areas, or the name of a particular company, i.e. the Metals Industry or ACI Insulation. Therefore, apart from the fact that the *Awards List* is nearly one year out of date I was unable to locate the term "flight attendants" in the listing. Further, unless the title of the award is known, no useful purpose is served by consulting the *Awards List Numerical Listing*.

The final avenue left to explore was FATEXT, an online database containing among other data the full text of federal awards, certified agreements, enterprise flexibility agreements and variations. Why did I leave this source till last? First, I did not have ready access to this database. Secondly, I have always felt that fee paying databases should only be resorted to after readily available and relevant printed sources have been consulted, or when the client is fee paying and/or the information is urgently required. Thirdly, I had heard that searching FATEXT was both cumbersome and user unfriendly.

I rang the 008 number for the help line and was greeted by an extremely user friendly FATEXT member of staff, Philip Gausden, who did his utmost to convince me that the database was of considerable importance and that thorough training in the construction of viable search strategies was vital before commencing a search, the latter in which I have always firmly believed.

He explained to me the correct form in which to place my first search strategy. A number of hits were retrieved as flight attendants are covered by both domestic and overseas awards. Rather than

running up costs by sub-questioning each title for the word *clothing* or *uniform* I chose to note the identification/code numbers of the awards retrieved, log off, and go to the print copies on the shelf. I felt relieved that I had not been asked for a similar request concerning clerical workers as the list retrieved after truncating *clerk* would have exceeded well over 100 hits.

A further problem arises when attempting to locate the latest variation to an award. Many printed awards have not been consolidated, some since the 1970s. Such awards may have up to 160 variations attached. This problem can be alleviated through using FATEXT as the database contains a "consolidated looseleaf of all current federal awards".

The end result of this search process pointed to the fact that, apart from seeking advice from various phone contacts, FATEXT is the only viable first point of entry for accessing the correct title and/or identification/code number of an award. However this method can prove to be cumbersome, costly and time-consuming. I recommend the production of a comprehensive subject index to awards. If this presents as an untenable task then I suggest that FATEXT be produced in CD-ROM format and updated monthly. Depending on the search software chosen, it would have to be a more marketable and productive source of accessing first the title, and then the full text of awards, than the means currently utilised.

FATEXT Department of Industrial Relations,
Awards Management Branch

Phone: 008 020562 Costs: Initial cost \$500 +
\$30.00 per month + \$1.00 per minute. First 500
minutes or first month free

New Reference Titles

COMPILED BY **ROY JORDAN**

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This list of recent reference items is a by-product of the compiler's scanning of the National Library's daily intake of incoming material. Titles of ready reference value in the subject areas of law and government documents have been included. General material has been listed when there is substantial law content. "Back of the book" bibliographies are included where these are substantial, i.e. more than 200 items or about ten pages.

To help the reader the list has been divided by country. The titles of publications included are usually self-explanatory. Annotations have been made in some cases where the subject or legal content is not clear.

Prices and ISBNs appear only if they were easily ascertained. Full addresses have been provided for minor publishers.

International

Dynamic international regimes institutions for international environmental governance. Thomas Gehring. Frankfurt am Main, Germany : Lang, 1994. 515 p. ISBN 3631476310 (Studies of the Environmental Law Network International; v 5)

A detailed bibliography is contained on pages 487-513 of books, articles, treaties and acts.

International Maritime Organization. *Index of IMO resolutions. Supplement to the second edition, May 1990 to December 1992.* London : IMO, 1993. 18 p. (Publication; IMO-I26E).

The International law of the sea. E D Brown. Aldershot [England] : Dartmouth, c1994. 2v. ISBN 1855213303

Contents: v 1. Introductory manual v 2. Documents, cases and tables of statutes and treaties.

Legislative responses to organ transplantation. Dordrecht : Nijhoff, c1994. 481 p. ISBN 0792321472

Includes full text legislation from Algeria to Zimbabwe, various documents from the Council of Europe, Transplantation Society, World Health Organization and World Medical Association, as well as a lengthy bibliography on ethical/legal aspects of organ transplants on pages 477-481.

Yearbook of international environmental law Volume 4 1993. Gunther Handl. Oxford, England: Clarendon Press, 1994. 901 p. ISSN 09651721.

Contains reports on international and country/regional topics, as well as a bibliography on pages 653-677. A bonus feature is the printing of major environmental law documents issued during 1993 on pages 681-889.

Australia

Australian and New South Wales regulation and control of hazardous materials. Brian Crawford. 3rd ed. Cronulla, NSW : B Crawford, 1994. 386 p. ISBN 0646189115. \$40

Available from the author at 131 Ewos Parade, Cronulla NSW 2230. Written by a non-lawyer scientist, this book aims to assist in finding and interpreting the legislation, standards and codes relating to the management of hazardous materials. The bibliographic detail is excellent. Not only are Commonwealth and NSW acts listed, but also Australian and UK standards and detailed bibliographies of all reports published by the Australian and New Zealand Environment and Conservation Council, National Health and Medical Research Council, National Occupational Health and Safety Commission, Workcover Authority of NSW, International Programme on Chemical Safety, World Health Organisation and the National Institute of Occupational Safety and Health (US).

ACT supplement to The law handbook (NSW) Geoffrey Howard. 5th ed. Canberra : Law Faculty, Australian National University, 1994. 1v. (various pagings) ISBN 0731520793.

As the Australian Capital Territory has few guides to its legal system, this supplement to *The law handbook*, published by the Redfern Legal Centre, is probably the nearest the territory has to a legal encyclopaedia.

Australian Law Librarians' Group directory of members 1994. [Melbourne: ALLG, 1994]. 63, 49p. Available from: The Convenor, ALLG, c/- Arthur Robinson & Hedderwicks, 530 Collins St., Melbourne Vic. 3000.

The Duty lawyer handbook 2nd ed [Brisbane?]: Legal Aid Office (Queensland) and Queensland Law Society, 1993 1v (looseleaf) ISBN 0947100237.

In the tradition of lawyers' practice manuals, this title provides a good overview of Queensland law for practitioners appearing in the Magistrates and Children's Courts. Topics covered include: procedural matters, Criminal Code offences, Commonwealth offences, extradition/deportation, drugs, motor vehicles, miscellaneous offences, children, and mental illness

Environmental awareness & obligations: an Australian management perspective. Graham A. Brown Kew, Vic. : Centre for Professional Development, 1994. 1v (looseleaf) ISBN 1863391207

Although not primarily a law treatise, this title nevertheless contains valuable tables of legal information. Appendix 1 on pages 739-746 contains a list of *Treaties relating to the environment and conservation*, adapted from information supplied by the Dept of Foreign Affairs and Trade, while Appendix 2 on pages 747-797 has a table of *Environment legislation in Australia*, arranged by jurisdiction and subject, from information supplied by law firm Freehill Hollingdale & Page

Future directions in Australian constitutional law: essays in honour of Professor Leslie Zines Geoffrey Lindell. Sydney : Federation Press, 1994. 286p ISBN 1862871477 \$50.

Contains a *Bibliography of Professor Leslie Zines* by James A. Thomson on pages 269-272

Glossary of Australian industrial relations terms. Paul Sutcliffe, Ron Callus. Sydney : Australian Centre for Industrial Relations Research and Teaching, University of Sydney, c1994. 223p ISBN 0867588551.

Although not primarily on industrial law this work does contain legal references such as the *Harvester* judgment and popular names of government reports e.g. *Jackson report*. There is a useful table of abbreviations on pages 211-223.

New South Wales barristers' directory 1994: the directory of independent legal counsel for New South Wales. John Garnsey, Babette Smith. Melbourne : Thorpe, 1994. 418p ISBN 1875589546. \$40

Serials holdings for law libraries in the Northern Territory Darwin : Australian Law Librarians' Group (NT Division), 1994. 62p \$20.

Available from Supreme Court Library, GPO Box 3946, Darwin NT 0801

China

Encyclopedia of Chinese law: national and regional laws of China Hong Kong : Asia Law & Practice, c1993. 371p. ISBN 9627708135

More a digest of legislation rather than an encyclopaedia, this title draws on data compiled from *China law & practice* December 1986-June 1993 and provides an excellent subject approach to legislation, most of which is held by the National Library

Europe

The Court of Justice of the European Communities L Neville Brown, Tom Kennedy. 4th ed. London : Sweet & Maxwell, 1994. 440p ISBN 0421471301.

Contains useful tables of all cases brought before the court in both alphabetical and numerical order as well as a select bibliography (appendix 3), publications of the court (appendix 4) and judicial statistics (appendix 5)

Great Britain

A General index to the sessional papers printed by order of the House of Lords or presented by special command 1714 to 1805. Dobbs Ferry, New York : Oceana, 1986. 300p ISBN 0379200198

Although the National Library does not hold the Lords papers for this period (the collection starts at 1806) this index does help provide access to those Lords papers reproduced in the microform set *The Eighteenth century*, published by Research Publications, 1984+, to which the National Library used to subscribe (call number mfm 1651)

Indonesia

The Indonesian law of treaties 1945-1990 Ko Swan Sik. Dordrecht : Nijhoff, c1994. 227p. ISBN 0792326938. \$170

The bulk of this title is taken up with indexes to Indonesian treaties and where copies may be located.

October 23, 1993 deregulation package: government policy in the areas of capital investment, import-export, industry, land affairs, public works, health/pharmacy, environment, construction permits and disturbance law permits. Jakarta, Indonesia : Commercial Advisory Foundation in Indonesia, [1994?] 577 p. (Economic bulletin; special edition)

Full text in English of various Presidential and administrative decrees and regulations on a wide number of topics passed to implement the government's deregulation policy