



Menu



Teys discontinues High Court special leave bid

Monday, October 19, 2015, 4:33pm

Teys Australia has discontinued its High Court special leave application that involved a long-running dispute with the AMIEU over approval of an enterprise agreement.

The High Court confirmed that the meat processor had discontinued the application that was set for hearing before a full High Court bench in Brisbane on Friday.

The reasons for the discontinuance remain unclear, with neither Teys Australia nor the AMIEU responding by publication time to *Workplace Express* requests for comment.

Teys Australia, one of the country's largest meat processors, operates six plants: Beenleigh, Rockhampton and Biloela in Queensland; Naracoorte in South Australia; and Wagga Wagga and Tamworth in NSW.

The dispute centres on the contested approval by FWC Deputy President Ingrid Ashbury of the Teys Australia Beenleigh Pty Ltd Production Departments Enterprise Agreement 2013 in October that year, and again on April 10 last year (see Related Article).

The AMIEU fiercely contested both approvals on the grounds that 21 of the employees who participated, including 17 who were training to be supervisors, were ineligible to vote.

An FWC full bench in March last year ruled that only employees who would immediately be covered by the agreement were entitled to vote on its approval, not employees who were likely to be covered in the future (see Related Article).

Another full FWC bench, in September and December last year, overturned the deputy president's second approval, despite undertakings provided by Teys.

The company then failed in bids to challenge both full bench decisions in the Federal Court (see Related Article), with the full Federal Court ruling that the plant's wages and conditions remain covered by the previous 2010 agreement (see Related Article).

The dispute has morphed into an argument over an underpayment, with the AMIEU contending that some 300 skilled Beenleigh site workers have been underpaid since October 2013.

Deputy President Asbury was about to arbitrate last month when Teys sought a Federal Court injunction, arguing that the parties had not worked through all the pre-arbitration dispute resolution steps (see Related Article).

Justice Mordy Bromberg ruled on September 16 that it would be more appropriate for the Federal Court to rule on Teys' challenge to an incentive scheme ahead of the FWC arbitration.

Deputy President Asbury agreed with Justice Bromberg and adjourned the proceedings.

[HOME](#)[SEARCH](#)[PRINT](#)[TOP](#)

RELATED CONTENT

■ Court action prompts FWC to butt out of Teys underpayment dispute

■ Full court minces abattoir's arguments

■ Quashing of meat deal upheld in bitter abattoir dispute

■ Abattoir deal knocked back again

■ Meat deal boned after bench finds approval errors

LATEST JOBS

Path to Law Firm Principal

Industrial Relations Victoria (IRV) is looking for 6 experienced professionals

Employee Relations Specialist

Industrial / Legal Officer

IT Project Manager – Portable Long Service Benefits Projects Team

[About us](#) · [Contact us](#) · [Terms of use](#) · [Privacy policy](#) · [FAQs](#) · [RSS / XML Feed](#)

Specialist News

Copyright © Workplace Express 2018. Workplace Express is a Specialist News Pty Ltd publication - ABN 33 093 580 413.