

Screen Producers Australia Negotiating Committees

Screen Producers Australia regularly negotiates agreements with unions and guilds on behalf of its members. These agreements are for the exclusive use of Screen Producers Australia member businesses or otherwise licenced businesses.

The Screen Producers Australia constitution gives the Screen Producers Australia Council the authority to appoint Industrial Officers and to enter into industrial agreements with any trade or industrial union or association or organisation of employers or employees.

Screen Producers Australia currently involves committees made up of a mixture of member businesses using individuals with requisite experience and capacity in the negotiation of these agreements. These committees are designed to harness the collective wisdom of the industry in these negotiations and provide outcomes that serve the strategic interests of the membership.

Process for Electing Committees

1. On receipt of a formal written request to enter in to negotiations to reach agreement from any trade or industrial union or association or organisation of employers or employees, Screen Producers Australia Council will determine as soon as practicable whether or not to enter into negotiations.
2. If Screen Producers Australia Council approves the commencement of negotiations, Screen Producers Australia will call for expressions of interest from active members who wish to join the committee. Only active members will be eligible to join the negotiating committee.
3. The Screen Producers Australia Secretariat will determine the members to be invited to join the negotiating committee.
4. The Screen Producers Australia Secretariat will, in consideration of the membership committee, have due regard to high level relevant experience in applicable areas and production genres.
5. Committee members will be expected to take into consideration the interests of the broader membership and the industry during negotiations.
6. Committees will be chaired by the industrial officer appointed by Screen Producers Australia Council.
7. Committees will endeavor to achieve a consensus in all decisions with the Screen Producers Australia Council to have the final decision determined by council vote.

8. Committees are obliged to meet regularly during negotiations and wherever possible in person.
9. Attendance at meetings will be recorded and members who miss more than two consecutive meetings may be asked to show cause why they should continue as committee members.
10. Minutes of each committee meeting will be circulated following each meeting. Committee members will be given a nominated period to respond or the minutes will be taken as read and approved by the committee.

Screen Producers Australia Constitutional Powers

29 - Industrial Questions, Matters and Disputes

- a) Without affecting the generality of its powers under this Constitution or the Act or under any statute or by-law or from any other source whatsoever, the Council at its complete discretion shall have power in the name of and on behalf of the Association and provided that the Association has not in General Meeting decided or resolved to the contrary: -
 - I. to make demands concerning industrial questions or serve claims on any organisation, trade union or other body, employee, official or person whatsoever;
 - II. to carry on negotiations and effect compromises or settlements and enter into industrial agreements with any such organisation, trade union, body, employee, official or person;
 - III. to notify refer or submit any industrial matter dispute or question or question of law to any tribunal or authority whatsoever for hearing determination or decision;
 - IV. wherever in its opinion any employee, official, person, organisation, trade union or other body is or is threatening or is likely to commit a breach or contravention of any award or industrial agreement to which the Association or Members are a party or of any law pursuant to which such an award or industrial agreement is made or of any law whatsoever applicable to the Industry, to take any action in any tribunal or authority whatsoever; and
 - V. to take all necessary steps to enforce any determination or decision given or any fine or penalty imposed by any tribunal or authority referred to in paragraphs (iii) and (iv) of this sub-rule.

- b) The industrial matters, disputes and questions referred to in sub-rule (a) of this Rule and in Rule 31 shall comprise but shall not be limited to the matters included in the definition of those terms in the Act.