

## Industrial relations records held in Melbourne

### Commonwealth powers of conciliation and arbitration

The first federal industrial relations tribunal, the Commonwealth Court of Conciliation and Arbitration, was established by the *Commonwealth Conciliation and Arbitration Act 1904*. Its function, in accordance with the conciliation and arbitration power given to the Commonwealth by the Constitution, was to settle industrial disputes extending beyond state boundaries. Disputes that did not extend beyond the jurisdiction of a particular state, remained the responsibility of that state's industrial process.

The 1904 Act also established the Principal Industrial Registry which was responsible for maintaining a register of industrial organisations and providing administrative support to the Court.

The Court held both arbitral and judicial powers, which meant that in addition to settling a dispute by making an award it could enforce that award. This practice existed until 1956 when the High Court of Australia ruled that it was unconstitutional for the Court to exercise both arbitral and judicial powers and the Court was replaced by two separate bodies. The Commonwealth Conciliation and Arbitration Commission was established to conciliate and arbitrate industrial disputes and the Commonwealth Industrial Court to interpret and enforce decisions of the Commission.

In 1977 the functions of the Industrial Court were taken over by the Federal Court of Australia, becoming the Federal Court's Industrial Division. In 1988 the Australian Industrial Relations Commission replaced the Conciliation and Arbitration Commission.

Further information on the federal industrial relations system and its structure is available from the Australian Industrial Relations Commission website ([www.airc.gov.au](http://www.airc.gov.au)).

### The records

The National Archives in Melbourne holds two major categories of industrial relations records relating to Commonwealth conciliation and arbitration processes: dispute case files and records relating to registered organisations, such as employee associations (unions) and employer associations.

**Dispute case files** contain documentation relating to a particular dispute, including notification of dispute, notice of listing, log of claims, affidavits, transcripts of hearings, exhibits, awards and decisions. Some transcripts and exhibits are held separately from the case files as they are too large to be included in the file.

In order to locate a particular dispute case file you will need to consult the file registers held as series B4258. The registers contain alphabetical indexes of the names of complainants.

**Organisation records** include registers of organisations and organisation files. Organisation registers include information such as the name of the organisation, date of registration, rules of organisation and date and reason for cancellation of registration. They also contain organisation file numbers. Organisation files contain more detailed information about an organisation and include the application for registration, rules and amendments to rules, eligibility conditions, lists of officers, financial statements and election matters.

Details of selected conciliation and arbitration records held in Melbourne follow:

## Conciliation and arbitration records held in Melbourne

### Commonwealth Court of Conciliation and Arbitration (1904–56)

Title or description of record	Date range	Series number
<u>Commonwealth Court of Conciliation and Arbitration disputes case files – annual single number series</u>	1906–56	B207
<u>Bound transcripts of proceedings and rulings in cases heard by the Commonwealth Court of Conciliation and Arbitration – annual single number series</u>	1908–56	B1958
<u>(1) Registers of Commonwealth Court of Conciliation and Arbitration dispute files – single number series (1908–56) (2) Registers of Australian Conciliation and Arbitration Commission disputes files – annual single number series with ‘C’ (for Commission) prefix (1957–78) (3) Name index (1908–78)</u>	1908–78	B4258

### Commonwealth Conciliation and Arbitration Commission (1956–88)

Title or description of record	Date range	Series number
<u>Conciliation and Arbitration Commission disputes case files – annual single number series with ‘C’ prefix</u>	1957–ongoing	B206
<u>Bound transcripts of proceedings and rulings in cases heard by the Conciliation and Arbitration Commission – annual single number series with ‘C’ prefix</u>	1957–ongoing	B1959
<u>Exhibits presented to the Conciliation and Arbitration Commission – annual single number series with ‘C’ prefix</u>	1957–87	B2097

### Records of registered organisations

Title or description of record	Date range	Series number
<u>General register of organizations</u>	1905–ongoing	B2099

Organisation files – geographical series	1905–ongoing	B2100
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## Other records relating to industrial relations

Other records held by the National Archives include records of smaller industry-specific dispute resolution tribunals, and information about the Commonwealth's dealings with particular industries, and employer and employee representative groups. To identify these records, use the National Archives [RecordSearch](#) database. Keyword searches for items using the names of industries or organisations of interest should identify relevant records.

Use the Australian Trade Union Archives website ([www.atua.org.au](http://www.atua.org.au)) to find further sources about Australia's trade unions and employer bodies.

### Fact Sheets:

- *Fact sheet 141 - Stevedoring industry.*