

SOUTH AUSTRALIAN WINE INDUSTRY ASSOCIATION INCORPORATED

Newsletter

19 June 2009

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Message from the Chief Executive

SAWIA has taken the lead in the award modernisation process on behalf of the National wine industry, and the recent achievement of a specific Wine Industry Award in name is of enormous benefit when compared to how some other industries fared by being grouped together. Of course a “name” is only the start of a process that has many twists and turns, and some interest groups have expressed dissatisfaction with the outcome achieved to date. A balancing act is always hard to achieve and various groups within the wine industry still have the opportunity to advocate for what they would like to see within the Award.

The annual reporting season is upon us with financials, annual reports and nominations to be considered. The association is no different in that regard, and I ask that members and regions give consideration about representation on the association’s committees. In the coming weeks there will be the opportunity to nominate, so please think about making the commitment to contribute to the South Australian wine industry.

In the past few days, I have had the opportunity to deliver some of the training sessions covering the important changes to the *Fair Work Act*. I have enjoyed the robust discussions about these changes, but also the opportunity to discuss concerns of members with regard to the state of the wine industry.

I would like to say thank you to one of our staff members, Tanya Best, who has decided to relocate with her partner to Queensland. Tanya has provided the front line experience for members and the public who contact the association, and we all wish her well – in sunny Queensland.



Brian Smedley

FEATURE ARTICLES

SAWIA responds to draft Wine Industry Award 2010

NB: The following article applies only to constitutional corporations covered by the Federal Industrial Relations system (Workplace Relations Act 1996).

As reported in past newsletters the process of creating modern awards has been underway since mid 2008, and SAWIA has taken the lead in representing the wine industry since that time.

On 22 May 2009, the Australian Industrial Relations Commission (AIRC) issued an exposure draft award - the *Wine Industry Award 2010*. A copy is available from the News section of the Federal IR page (Employee Relations section) of SAWIA's [website](#).

SAWIA has considered the contents of the proposed Award, and made a detailed submission to the AIRC on 12 June 2009 highlighting a range of important points including:

- § Significant concerns regarding the potential for employment costs to increase based on the current version of the award
- § Greater flexibility for minimum engagement periods for casuals particularly in vineyards
- § A longer time period (12 months rather than 6 months) before an employer would need to consider conversion to some other form of employment
- § Inclusion of a piece work clause particularly in vineyards
- § Flat rates during vintage for "additional" casuals working in vineyards and wineries
- § Greater flexibility in operating hours during vintage particularly in vineyards
- § Reviewing penalty rates applying in cellar door operations on weekends
- § Clarification of shift operating hours and breaks
- § Certainty within the proposed classification structure particularly the movement between grades.

SAWIA's submission balanced the need to address the aspects of the draft award that the Association does not support, while considering the needs of all other state and federal wine industry awards. Not surprisingly, with five awards effectively being merged into one award, there are issues about costs and application of provisions. A copy of SAWIA's submission is available from the News section of the Federal IR (Employee Relations) page of SAWIA's [website](#).

At this time, all wine grape growing and wine production is covered by the one Award. This issue, together with the issues about contents raised by all parties throughout Australia, will be the subject of a Full Bench hearing of the AIRC in Sydney on 1 July. SAWIA will be attending the hearing and making a presentation to the Full Bench of the AIRC.

The AIRC will then finalise the modern *Wine Industry Award 2010* early in September 2009. This will be followed by a process of determining the "transition" provisions (how we get from where we are to the new terms and conditions), which will be undertaken during the fourth quarter of 2009. SAWIA will continue to strongly represent our members and the wine industry throughout this process.

SAWIA members are reminded that modern awards are due to commence on 1 January 2010.

Any questions can be directed to Brian Smedley on 8222 9274 or brian@winesa.asn.au.

2009 Vintage Report

Australia's winegrape crush declined by 7% to 1.71 million tonnes in 2009, according to the 2009 WFA Vintage Report. This was below the five-year average of 1.79 million tonnes, but still higher than estimated and greater than required to meet current demand.

Red winegrapes accounted for 52% of total intake, with Shiraz accounting for 23.6% of the total crush. Chardonnay was next at 23.4%, with Cabernet Sauvignon third at 14.5% and Merlot following at 7.4%.

Semillon remained the second most popular white variety at 4.5% of total crush, while Colombard was third at 3.7% and Sauvignon Blanc tonnage was close behind. Pinot Gris & Grigo production increased significantly and now represents 2.4% of total crush, ahead of Riesling at 2.2%.

The full report will be available [here](#) not later than Monday 22 June.

Wine Industry Salary & Benefits Survey Report 2009 just released!

NB: This article applies to all South Australian employers.



The *2009 Wine Industry Salary & Benefits Survey Report* is now available to help your business undertake performance reviews and salary negotiations in the lead up to the new financial year. In this difficult economic environment, the survey report can be an invaluable guide in helping to structure remuneration packages that attract and/or retain employees without paying "above the market".

The 2009 Survey Report is specific to the wine industry, and includes salary data on a national and state basis for 58 positions involved in winemaking, viticulture, warehouse, sales, accounting, marketing, human resources and administration - typically those positions not covered by any industrial award. In response to increased demand, 8 new positions were included in the 2009 survey, further enhancing its usefulness.

In addition to job salary information, the report covers how and when pay is reviewed, salary movement percentages (actual for 2009 and forecast for 2010), pay policy and practices, superannuation benefits, employer provided car practices, "at risk" incentive payments and share schemes.

For the first time, the survey reports supplementary information for a "small business" category - those businesses with annual revenue of less than \$10 million. This information is reported in a separate series of tables.

Order your copy of the 2009 Wine Industry Salary & Benefits Survey Report by clicking [here](#) and faxing the completed order form to 8222 9276.

For more information, contact Brian Smedley on 8222 9277 or brian@winesa.asn.au.

Early Bird Registration for Wine Industry Environment Conference – Register now!



Early bird registration is now open for the 5th Australian Wine Industry Environment Conference on 23 September 2009 at the National Wine Centre.

We are delighted to advise that SAWIA has been successful in its application for a federal government grant, and the conference is being supported by funding from the Australian Government Department of Agriculture, Fisheries and Forestry under its Promoting Australian Produce (Major Events) program. As a direct result of this support, early-bird registration is only \$295 for the full day Conference, and \$185 for the Technical Tour. This represents simply outstanding value for an important event that should not be missed!

The Conference will focus on the international global picture, regional approaches to sustainability, resource security and opportunities for moving the industry forward. An optional full-day Technical Tour will follow the Environment Conference on Thursday 24 September.

To register on-line click [here](#), or to obtain more information visit SAWIA's [website](#) or contact Marcia Burnett on 8222 9271 or marcia@winesa.asn.au.

Gramp Hardy Smith Memorial Prize and SAWIA Silver Medal



The Gramp Hardy Smith Memorial Prize for the 2008 year has been presented to Rauri Tonkin in recognition of his outstanding grades in the Bachelor of Oenology (Honours) at the University of Adelaide.

The Gramp Hardy Smith prize was established in 1938, by the South Australian Wine Industry Association, as an annual prize to commemorate the lives of three prominent members, Messrs H Gramp, TM Hardy and S Hill Smith, who were tragically killed in a plane crash on 25 October of that year on their way to represent the industry in Canberra.

With the ongoing support of Constellation Wines Australia (Hardy Wine Company), Pernod Ricard Pacific and Yalumba Wine Company, this coveted prize is awarded to the most outstanding student graduating from either the Bachelor of Oenology or the Bachelor of Science (Viticulture) at the University of Adelaide each year.

Rauri has commenced as a winemaker with Brokenwood Wines in the Hunter Valley and will do a vintage in Germany later this year. SAWIA Members will have the chance to meet Rauri at the SAWIA annual luncheon in August.



The South Australian Wine Industry Association's Silver Medal has been awarded to Sarah Ann Madigan.

This prestigious prize is awarded to the student with the second aggregate results in Bachelor of Agricultural Science (Oenology), Bachelor of Oenology (Honours), Bachelor of Agriculture Science (Viticulture Science) or Bachelor of Science (Viticulture) Honours.

Brian Smedley and Marcia Burnett from SAWIA attended the University of Adelaide's award dinner ceremony to personally congratulate this year's worthy recipients.

Fair Work Act 2009 / Unfair Dismissal Laws - Operational on 1 July 2009!

NB: The following article applies only to constitutional corporations covered by the Federal Industrial Relations system (Workplace Relations Act 1996).

The *Fair Work Act 2009* becomes operational on 1 July 2009, with the following new or changed provisions applying from that date:

- § Unfair dismissal laws
- § Enterprise bargaining arrangements
- § Good faith bargaining rules
- § Protections related to employees workplace rights (including remedies for unlawful dismissal)
- § Protected industrial action rules
- § Expanded union right of entry provisions
- § Stand down provision
- § Transfer of business provisions
- § Transitional arrangements for current industrial instruments (i.e. existing agreements and or awards).

Both Fair Work Australia and Fair Work Ombudsman also commence operations on 1 July 2009.

Other key aspects of the Act will become operational on 1 January 2010, including the 10 National Employment Standards (that will replace the 5 current Australian Fair Pay and Conditions Standards) and the introduction of modern awards.

During June, SAWIA has been conducting regional sessions on the National Industrial Relations System changes outlined above. Still to come are sessions in Langhorne Creek (23 June) and Coonawarra (24 June). Click [here](#) to download a registration form.

In Nov/Dec 2009, SAWIA will be conducting further sessions on the changes as well as informing participants about the National Employment Standards and Modern Awards that will apply in the wine industry from 1 January 2010. The November sessions are a must attend for all wine industry employers!

If you have any questions please contact Egon Schwidder on 8222 9273 or egon@winesa.asn.au.

South Australia to join National Industrial Relations System from 1 January 2010

NB: This article applies to all South Australian wine industry employers.

The South Australian (SA) Government announced on 8 June that all private sector employers currently observing the State Industrial Relations System (e.g. sole traders, partnerships and some trusts) would be transferred to the National Industrial Relations System from 1 January 2010.

Paul Caica (SA Industrial Relations Minister) said that in-principle agreement had been reached with the Federal Government to participate in the new system for the private sector. The SA Government is now negotiating final details with the Deputy Prime Minister and Minister for Employment Relations, Julia Gillard. Once the details are finalised, the SA Government will commence the legislative process to refer the necessary powers to the Commonwealth in order to implement the single Industrial Relations system for the private sector in this state.

For the wine industry this means that all South Australian employers and their employees will be subject to the National Industrial Relations System from 1 January 2010.

During June, SAWIA is conducting sessions on the National Industrial Relations System changes that are being progressively implemented on 1 July 2009 and 1 January 2010.

In November 2009, SAWIA will be conducting further sessions on the National Employment Standards (NES) and Modern Awards that will apply in the wine industry from 1 January 2010. The November sessions are a must attend for all wine industry employers!

Any questions can be directed to Egon Schwidder on 8222 9273 or egon@winesa.asn.au.

Submissions to Environment Protection Authority

SAWIA has recently prepared a number of submissions, with regard to two draft documents that were recently released by the Environment Protection Authority (EPA):

- § *Draft South Australian Biosolids Guidelines for the Safe Handling and Reuse of Biosolids 2009*
- § *Draft Protocol for the Beneficial Application of Waster Derived Products to Land (Waste Derived Soil Enhancers).*

The first EPA draft paper relates to the use of biosolids originating from domestic wastewater treatment facilities and systems (including septic tank effluent disposal schemes). Whilst fairly straightforward, SAWIA submitted that some of the terminology was considered confusing, and there needed to be greater emphasis on soil health more generally.

The second EPA draft document applies to organic wastes from agriculture and primary production (so called Type A) and suitable industrial wastes (Type B) that are proposed to be used as soil enhancers. SAWIA submitted that several aspects of this document are somewhat confusing, most notably the requirements for users of Type A products - likely to be the area of most concern to the wine industry. While the intention appears to be that end users of Type A products will not need to apply for a licence, this was not clear, and a number of other sections of the document also require greater clarity.

Both EPA draft documents can be found [here](#), while SAWIA's submissions are available from the Noticeboard of the Environment page of SAWIA's [website](#).

Members seeking information about these documents can contact Mark Gishen on 8222 9212 or mark@winesa.an.au.

EMPLOYEE RELATIONS & OHSW

South Australian State Wage Case

NB: The following article applies only to non-constitutional corporations covered by the State Industrial Relations system (Fair Work Act 1994).

SA Unions has lodged its application for the 2009 State Minimum Wage Case, seeking an increase to the adult award wages in all South Australian State Awards of 3.91% or \$21.35 per week (from the current \$546.65 per week to \$568.00 per week). The application also seeks to increase work related allowances by 3.91%.

SAWIA will be representing members at a meeting of employer groups to discuss the grounds of the application and any points of consensus prior to reporting back to the South Australian Industrial Relations Commission on 8 July 2009.

SAWIA will ensure members are kept informed as this matter progresses. If you have any questions or comments, please contact Egon Schwidder on 8222 9273 or egon@winesa.asn.au.

Australian Fair Pay Commission - 2009 General Wage Review

NB: The following article applies only to constitutional corporations covered by the Federal Industrial Relations system (Workplace Relations Act 1996).

The Australian Fair Pay Commission (AFPC) is due to announce its 2009 Minimum Wage Decision in early July 2009. Any increase to wages and allowances will be applicable from the first pay period on or after 1 October 2009.

SAWIA lodged a submission to the AFPC in which we provided an update on the issues affecting the wine industry including:

- § Water restrictions
- § Level of employment
- § Export performance
- § Domestic sales
- § Impact of the global financial crisis.

SAWIA has recommended that the AFPC should consider the challenges facing the wine industry in these unprecedented times. SAWIA's submission concluded that the 2009 wage-setting decision must have a primary focus on retaining and creating jobs so any increase to wages should be kept to a minimum.

SAWIA will advise members on the outcome of the 2009 General Wage Review as soon as the AFPC releases its decision. In the interim, members can direct queries to Egon Schwidder on 8222 9273 or egon@winesa.asn.au.

Income tax withholding rates and thresholds to change from 1 July 2009

Members are reminded that changes to individual income tax rates and thresholds will affect the amount employers need to withhold from payments made to employees. From 1 July, employers need to use new tax tables to calculate withholding amounts from these payments, even if the payment relates to a period before this date.

New tax tables are available from the Australian Taxation Office's website [here](#). After 26 June, paper copies of the new tables can also be ordered from the Australian Taxation Office by phoning 1300 720 092.

SUSTAINABILITY & WATER

National Packaging Covenant reporting season

The National Packaging Covenant (NPC) is a voluntary initiative, by Government and Industry, to reduce the environmental effects of packaging on the Environment. It aims to achieve, with the help of all participants, a recycling target of 65% for packaging and no further increases in packaging waste disposed to landfill by the end of 2010.

SAWIA has run a successful NPC Mentoring Program for several years, which helps members participate while significantly reducing the commitment of time and resources. As part of this program, SAWIA has developed a set of pro-forma reporting tools designed to simplify the reporting process and increase the quality of data reported.

More than 20 companies participated last year, and they will be contacted shortly, with data required to be submitted in August.

SAWIA members interested in joining the NPC Mentor Program should contact Mark Gishen on 8222 9212 or mark@winesa.asn.au.

Update - Treated Timber Guidelines & Water Policy

Under guidance of SAWIA's Environment Committee we have been actively working on the development and review of several SAWIA policy and guideline documents.

The *Treated Timber Waste Management Guidelines* are nearly finalised and will address many of the risks and hazards associated with the management of treated timber, especially used CCA (copper chromate arsenate) vineyard posts. The guidelines will set out the recommended practices for storage and transport management in an easy to read tabular format. These practices are based on a risk analysis that was conducted using a wide range of available research and reference data that is also provided.

The *Water to Wine* water policy for the South Australian wine industry was initially released in 2006, and is now being updated to reflect the current operating environment including:

- § Changes to the domestic and export market outlook
- § Continuing drought in Australia and its impact on water availability and quality
- § Development of market based water trading systems
- § Updated projections for the impacts of climate change.

Both of these documents are expected to be complete and ready for release by August this year. In the interim, members wanting to provide feedback or obtain further information should contact Mark Gishen on 8222 9212 or mark@winesa.an.au.

Wine Industry Sector Agreement - Last chance to sign up!



If you haven't yet signed up to participate in the Wine Industry Sector Agreement, there is still time! Don't forget to sign and return your Participant Commitment form by 30 June 2009, and show your commitment to measuring and reporting greenhouse gas emissions from your business for 2009/2010.

Forms can be downloaded [here](#) or contact Jodie Pain (Project Manager) on 8222 9278 or jodie@winesa.asn.au.

In late August/ early September 2009, workshops will be held in each major region to demonstrate use of the Australian Wine Carbon Calculator, and to identify the data that participating businesses will need to collect in order to measure their greenhouse gas emissions for 2009/2010.

A registration flyer for the workshops will be available in July from the website (above), and will also be distributed to all businesses that have signed up under the Agreement.

The Wine Industry Sector Agreement - Climate Change and Greenhouse Emissions Reduction is a two year project to inform the wine industry of issues surrounding climate change, while encouraging and assisting industry to measure and report their carbon footprint. The South Australian Wine Industry Association and the Wine Grape Council of South Australia signed the Sector Agreement with the State Government in accordance with the Climate Change and Greenhouse Emissions Reduction Act 2007.

Water update – opening allocations and carryover access

Karlene Maywald (Minister for the River Murray) announced on 15 June that irrigators will begin the 2009-10 water year on 1 July with a 2% opening allocation and access to 60% of approved carryover water. Inflows still remain at extremely low levels although there has been a slight improvement due to recent rainfall.

Overall River Murray system inflows during 2008-09 were the third driest in 118 years of records. The Murray-Darling Basin experienced its ninth consecutive autumn with below average rainfall. River Murray system inflows during May were only 90 GL compared to the historical minimum of 75 GL in 1902.

Water availability to the states in 2009-10 is dependent on future rainfall and inflows. The Department of Water, Land and Biodiversity Conservation is completing projections on possible inflow scenarios which will be used to provide an indicative irrigation allocation outlook for 2009-10. This information should be available prior to the end of the month.

For more information, visit the Drought page of SAWIA's [website](#).

SALES MARKETING & PROMOTION

Canberra International Riesling Challenge

Entries are being called for the 10th Canberra International Riesling Challenge, which brings together many of the world's finest Rieslings from both hemispheres. In 2008, there were more than 500 entries, with 304 of those from Australia.

Entries close on 17 July, with winners to be announced on 16 October 2009. For more information, click [here](#) or email riesling@webone.com.au.

India / China Export Business Lunch

The Australia India Business Council and Australia China Business Council are hosting a business luncheon on Friday 26 June, including a presentation by the Premier, Hon. Mike Rann, on *South Australia's Trade Developments with China and India*. Visit the Noticeboard of the SAWIA Export page of the association's [website](#) for more information including registration details.

Our thanks to Darren White of Export Assist (SAWIA's sponsor) for bringing this event to the attention of SAWIA's members. Darren can be contacted on 8357 9043 or darren@exportassist.com.au.

Australian wine consumer preferences for eco-friendly claims

The findings of a research project aiming to assess wine consumer preferences for eco-friendly wines will be presented on 23 June (5.45 to 6.45pm) at the University of South Australia (City West Campus, room H5-26). This project follows up an earlier research project, and is part of the University's Masters of Marketing program.

Findings and recommendations will include the following areas:

- § The extent an eco-friendly claim (carbon neutral vs. organic) would add value to a wine
- § How attractive the market is for such a positioning
- § Consumer willingness to pay for eco-friendly claims.

Results are based on an on-line survey involving about 750 Australian wine consumers.

The presentation is free of charge. Please rsvp urgently to Herve Remaud at herve.remaud@unisa.edu.au.

WineFest China

WineFest China is being held in Beijing from 16 – 24 January 2010. WineFest China includes the Beijing Wine & Spirits Festival which is open to the Public, and the World Wine & Spirits Industry Expo which is open to Trade.

For more information, click [here](#) or contact Ms. Lily Xie at lilyxie@bj-relation.com or +86 10 85866611.

OTHER

Finlaysons Roadshow XVII - Surviving the Credit Crush



Finlaysons Roadshow XVII, *Surviving the Credit Crush*, will soon be coming to a venue near you. South Australian seminars include Coonawarra (3 August), Barossa (26 August) and McLaren Vale (1 September), so put those dates in your diary now!

Finlaysons Roadshow XVII is about identifying and taking advantage of opportunities, while ensuring that the back door is covered by taking appropriate defensive actions. Seminar topics include:

- § Where to find the opportunities in 2009
- § Marketing organic, biodynamic, carbon neutral or green wines
- § Marketing and distribution joint ventures
- § Financial strategies to win in a recession and preserving your relationship with your banker.

SAWIA's July newsletter will include full details on how to register for this seminar. In the interim, contact Michael Hall of Finlaysons on 8235 7604 or Michael.hall@finalysons.com.au with any questions.

Vale Nic Law

Family, friends and colleagues gathered in Adelaide recently to farewell Nic Law, joint CEO of Barossa-based Tarac Technologies and a long-time supporter and engaged participant in the Australian wine industry.

On behalf of members, SAWIA extends deepest sympathies to Nic's family and friends, and our thoughts are with Nic's colleagues at this sad time.

Young Winemaker of the Year nominations

Nominations have now opened for The Wine Society's *Young Winemaker of the Year Award*, which recognises the efforts of winemakers under the age of 30 who are primarily responsible for the production of the wine. In addition to the *Young Winemaker* title, there are also the *Members' Choice* and *Sommeliers' Choice* awards.

Nominations close on 28 August with the winner to be announced on 20 November 2009. To register or obtain more information, click [here](#).

Applications for young researcher award

Applications close on 3 July 2009 for young scientists and innovators to apply for up to \$50,000 to advance Australia's grape and wine and other rural industries.

Applications for the *2009 Science and Innovation Awards* are open to Australians aged 18 to 35 who work or study in rural industries. There are 14 awards available, one of which is sponsored by the Grape and Wine Research and Development Corporation for innovative grape and wine industry projects.

Since 2001, more than 130 young Australians have received awards, including 2008 award winner Dr Richard Muhlack, who is investigating innovative ways of producing renewable energy from winery waste, such as grape skins and stalks.

The 2009 award winners can use their funding for a range of activities such as conducting research projects, visiting industry or attending conferences. The awards also allow winners to build their networks and gain skills in media liaison to help promote their research.

Application forms are available [here](#). For more information email scienceawards@brs.gov.au or phone (02) 6272 5039.

Dates for your diary

2009

- § 21-25 June, [Vinexpo](#), Bordeaux (France)
- § 23 June, [Fair Work Act 2009 & Unfair Dismissal Laws](#), Langhorne Creek
- § 24 June, [Fair Work Act 2009 & Unfair Dismissal Laws](#), Coonawarra
- § 24-25 June, [Winery Engineering Association National Conference and Exhibition](#), Barossa Valley
- § 24-30 June, [G'day UK](#)
- § 29 June – 1 July, [Wine Marketing Australasia](#), Sydney,
- § 1-31 July, [Coonawarra Cellar Dewellers](#)
- § 3-5 July, [China Int'l Alcoholic Drinks Expo](#), Beijing
- § 9 July, [Guangdong International Wine & Spirits Expo](#), China
- § 3 August, Finlaysons Wine Roadshow 2009, Coonawarra
- § 22-23 August, [Barossa Gourmet Weekend](#), Barossa
- § 26 August, Finlaysons Wine Roadshow 2009, Barossa
- § 27-30 August, [Taste of Melbourne](#)
- § 1 September, Finlaysons Wine Roadshow 2009, McLaren Vale
- § 23 September, [Wine Industry Environment Conference](#), Adelaide
- § 24 September, [Wine Industry Environment Conference Technical Tour](#), Barossa
- § 24-26 September, [Vietwine '09](#), Hanoi
- § 1-3 October, [Food & Hotel Vietnam](#), Ho Chi Minh City
- § 16-18 October, [Coonawarra Cabernet Celebrations](#)
- § 4-6 November, [Hong Kong International Wine & Spirits Fair](#)
- § 12-13 November, [Winefuture Rioja 09](#), Spain
- § 18-20 Nov, [Food & Hotel China](#), Shanghai
- § 19-21 November, [Shanghai International Wine & Spirits Bonded Expo](#), China
- § 24-28 November, [SIMEI 2009](#), Milan (Italy)
- § 26-28 November, [Interwine China](#) (autumn), Guangzhou
- § 1-3 December, [SITEVI 2009](#), Montpellier (France)

2010

- § 16-24 January 2010, [WineFest China](#), Beijing
 - § 20-23 April, [Food & Hotel Asia](#), Singapore
 - § 3-8 July 2010, [WineTech 2010](#), Adelaide
-

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