

COMMISSIONER WATLING: Appearances, please.

MR D. O'BYRNE: If the commission pleases, I appear on behalf of the Australian Liquor, Hospitality and Miscellaneous Workers' Union - Tasmanian Branch.

COMMISSIONER WATLING: Thank you, Mr O'Byrne.

5 **MR T.J. EDWARDS:** If it please the commission, EDWARDS, T.J., and appearing with me **MS J. THOMAS** for the Tasmanian Chamber of Commerce and Industry.

COMMISSIONER WATLING: Thanks, Mr Edwards. Mr O'Byrne.

10 MR O'BYRNE: Yes, Mr Commissioner. The application before you today seeks to vary the Wholesale Plant Bakeries Award in regards to the wage rates. I have a form of a draft order in front of me, which I will tender as an exhibit.

COMMISSIONER WATLING: Mark this exhibit A.1.

15 MR O'BYRNE: The exhibit before you adjusts the wage rates for bakery employees, Level 1 to 7, as per the exhibit for apprentice rates and also the adult apprentices. The reason for such is in line with the agreement that was made as per the implementation of the Wholesale Plant Bakeries Award on 1 October 1995. The parties at that stage agreed to the implementation of the minimum rates adjustments and this reflects that agreement.

We request the operative date be of today's date. We submit -

COMMISSIONER WATLING: The first full pay period on or after today?

20 MR O'BYRNE: The first full pay period on or after today's date, Mr Commissioner. We submit to the commission that it's in line with the wage fixing principles and is in the public interest. If the commission pleases.

COMMISSIONER WATLING: Okay. Mr Edwards.

25 MR EDWARDS: Thank you, commissioner. The position to lend the support of the TCCI to the application which seeks to complete the minimum rates adjustment process in the Wholesale Plant Bakeries Award, as Mr O'Byrne has taken the commission to. This is the finalisation of the process commenced in October 1995, which was before the commission in proceedings at that stage as exhibit A.2 and set forward the proposed minimum rates adjustment schedule.

30 The document you have before you, by way of exhibit A.1 today, we've had the opportunity of having had that document in advance of today's proceedings. We have checked the document and we believe it to be correct. That is, the wage rates contained therein are an accurate reflection of the final minimum rates adjustment in the award. It has been computed, taking the pre-existing base rate and adding to it the new supplementary payment, which incorporates the second minimum rates
35 adjustment, setting aside in a separate column the safety net adjustment figure of \$24.00 and giving therefore the new weekly wage rate, which is the same as that contained in exhibit A.2 from the earlier proceedings, save and except that it has been adjusted by the third safety net adjustment of \$8.00.

40 The same exercise has been conducted for apprentices' rates and adult apprentices' rates, although I'm sure the commission will have noted that the adult apprentice rates in fact line up with the first three bakery employee levels in terms of percentage relativity and also precisely in terms of dollar figures.

Having said that, commissioner, we again indicate our consent to the application in the form it's been presented in exhibit A.1.

COMMISSIONER WATLING: Are you really?

MR EDWARDS: Sorry?

5 COMMISSIONER WATLING: Are you really? You don't want me to take out clause 8 and insert this as clause 8, do you?

MR EDWARDS: No. That's why I was very careful, I think, commissioner, to say that we've agreed to the wage rates that are shown in exhibit A.1.

COMMISSIONER WATLING: Yes. Well -

10 MR EDWARDS: I hope I was careful enough to say that. That was my intent.

COMMISSIONER WATLING: Yes. So, you're really wanting me to take those wage rates that exist currently in clause 8 and replace them with these wage rates?

MR EDWARDS: Yes, we do.

COMMISSIONER WATLING: And leave all the other -

15 MR EDWARDS: Leave the verbiage intact.

COMMISSIONER WATLING: In the award?

MR EDWARDS: Yes.

COMMISSIONER WATLING: Right.

20 MR EDWARDS: I thought I was careful enough to get around that but if not, I stand corrected, sir.

25 We believe the application is in accordance with the agreement of the parties some 12 months ago. It complies with the wage fixing principles of this commission because it's the finalisation of the minimum rates adjustment process and does no violence to the public interest, as set out in section 36 of the Industrial Relations Act. If it please the commission.

COMMISSIONER WATLING: No further submissions? I will indicate to the parties, clause 8 in the award will be varied in respect of the figures only appearing in that clause and the operative date will be the first full pay period to commence or after today and I'll hand down a written decision and a order in due course. Thank you.

30 **HEARING CONCLUDED**