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## **TRANSCRIPT OF PROCEEDINGS**

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O/N 9770

### **TASMANIAN INDUSTRIAL COMMISSION**

**COMMISSIONER P.C. SHELLEY**

**T No 11040 of 2003**

### **INSURANCE AWARD**

**Application pursuant to the provisions of  
section 23(2)(b) of the Industrial Relations Act 1984  
by the Tasmanian Chamber of Commerce and Industry Limited  
to vary the above award to delete clause 25 - preference  
of employment and to amend clause 27 - right of entry of  
union officials**

**HOBART**

**12.00 PM, THURSDAY, 25 SEPTEMBER 2003**

PN1

MS J. THOMAS: I appear for the Tasmanian Chamber of Commerce and Industry Limited.

PN2

THE COMMISSIONER: Now, for the record, the other parties to this award, being three unions, the National Union of Workers, AMACSU and the Shop Employees Union, have all been served with notices of the hearing today and correspondence is on file from the Australian Municipal, Administrative, Clerical and Services Union to say that they consent - and also from the National Union of Workers to say that they have no objections insofar as the application is consistent with the provisions of the award and that they had no intention of attending this hearing. The Shop Employees Union has not sent in any response at all but I am satisfied that they have been notified, in which case we will hear this matter ex parte. Ms Thomas?

PN3

MS THOMAS: Yes. This is, I hope, a fairly straight forward application to vary the Insurance Award by deleting clause 25, Preference of Employment, and to renumber all subsequent clauses accordingly and to amend clause 27, Right of Entry of Union Officials, by deleting the existing provision in its entirety and inserting in lieu thereof:

PN4

*Right of entry shall be in accordance with section 77 of the Industrial Relations Act 1984.*

PN5

The TCCI made this application on noting that preference of employment is no longer an industrial matter so that clause would be inconsistent with the Industrial Relations Act, with awards only being capable of having industrial matters within them. The right of entry of union officials is quite comprehensively dealt with in the Industrial Relations Act and the TCCI sees there being no need for anything other than a reference to the Industrial Relations Act in the Award. At the time of making this application the TCCI did correspond with the unions party to this award, including the SDA, and I will just for the record hand that record up. I did have conversations with Ian Patterson of the Clerical Union and received correspondence from Doug Cameron of the NUW but have heard nothing from the SDA.

PN6

THE COMMISSIONER: We will mark that TCCI1.

**EXHIBIT #TCCI1 CORRESPONDENCE FROM TCCI TO UNIONS  
PARTY TO THE AWARD**

PN7

MS THOMAS: So we would simply put that the application and the amendments to the award ensures that the award is consistent with the Industrial Relations Act and we would recommend that you would approve the variation operative from today's date. If it pleases the Commission.

PN8

THE COMMISSIONER: Thank you. Well, I indicate that the award will be varied in the manner sought for the reason that it is consistent with the provisions of the Industrial Relations Act and that a decision will issue in due course. I adjourn the matter sine die.

**ADJOURNED INDEFINITELY**

**[12.15pm]**

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**EXHIBIT #TCCI1 CORRESPONDENCE FROM TCCI TO UNIONS  
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