



TASMANIA

Tasmanian Industrial Commission

Industrial Relations Act 1984

T No. 10348 of 2002

IN THE MATTER OF an application by
the AMACSU to vary the Licensed Clubs
Award

Re: (a) delete subclause 4 – Minimum
Wage from Clause 8 – wage rates and insert
the Minimum Wage Clause in accordance
with Principle 7 of the Wage Fixing
Principles: and (b) vary the second
paragraph of subclause (h) of Clause 1 –
Annual Leave by deleting all the words after
the word “paid” on the first line and
inserting instead the words “an additional
loading of 17.5 per cent to the amount
prescribed in the paragraph above.”

DEPUTY PRESIDENT WATLING

HOBART, 19 AUGUST 2002

TRANSCRIPT OF PROCEEDINGS

UNEDITED

(WOULD PARTIES PLEASE READ THIS TRANSCRIPT CAREFULLY)
(ANY QUERIES SHOULD BE DIRECTED TO THE COMMISSION WITHIN 14 DAYS)

HEARING COMMENCED 10.35AM

DEPUTY PRESIDENT: I'll take appearances in this matter please.

5 **MR TULLGREN:** If the Commission please, my name is Tullgren and I appear for the applicant, the Australian Liquor, Hospitality and Miscellaneous Workers Union – Tasmanian Branch.

MR MAZENGARB: Mazengarb for the Tasmanian Chamber of Commerce and Industry Limited, if the Commission pleases.

DEPUTY PRESIDENT: Good, thank you. Mr Tullgren?

10 MR TULLGREN: If the Commission please. This is an application to vary the Licensed Clubs Award in two respects. Both variations arise out of the decision in the recent State Wage Case. This first seeks to delete the minimum wage clause appearing in the Award and to insert the minimum wage clause that was approved by the Commission in a recent State Wage Case.

15 The second is to vary the annual leave clause by deleting the current provisions in relation to the payment of leave loading, or an additional payment on annual leave and inserting the payment of a 17 and a half percent loading. That becomes necessary because the existing Award uses a minimum wage rate for the calculation and if the Award was
20 varied to insert the new minimum wage of \$431.40 a week, then that would have an impact on the calculation of annual leave which was unintended. So, it's therefore sought simply to provide that the annual leave loading shall be 17.5 percent, which is the standard loading applying to awards of this Commission. If the Commission
25 please.

DEPUTY PRESIDENT: And the first full pay period to operate ...

MR TULLGREN: Yes, after today.

DEPUTY PRESIDENT: Mr Mazengarb?

30 MR MAZENGARB: Thanks, Mr Deputy President. Once this application was received by the Tasmanian Chamber of Commerce and Industry Limited, again we sought the views of our affected members, and I am pleased to advise that following consultation with those
35 members we have no objection to the application as lodged and put before you today by Mr Tullgren on behalf of the union. And certainly with regard to the operative date, we would agree the operative date as sought being the first full pay period on or after today. If the Commission pleases.

40 DEPUTY PRESIDENT: Thank you. I can indicate to the parties to the consent, the Award will be varied in the manner sought and operative from the first full pay period to commence on or after today. Thank you for your participation.

HEARING ADJOURNED 10.40AM