

TASMANIAN INDUSTRIAL COMMISSION
Industrial Relations Act 1984

T Nos 6387, 6383 and 6401 of
1996

IN THE MATTER OF applications by the
Australian Municipal, Administrative,
Clerical and Services Union to vary the
Barristers and Solicitors Award, the Clerical
and Administrative Employees (Private
Sector) Award and the Public Accountants
Award

re Clause 8 - third \$8 safety net
adjustment

PRESIDENT

HOBART, 12 August 1996

TRANSCRIPT OF PROCEEDINGS

Unedited

PRESIDENT: Appearances, please.

MRS H. DOWD: If the commission pleases, I appear on behalf of the Australian Municipal Administrative, Clerical and Services Union DOWD H.J.

PRESIDENT: Thank you, Mrs Dowd.

5 **MS J. THOMAS:** JENNY THOMAS, appearing for the Tasmanian Chamber of Commerce and Industry Ltd.

PRESIDENT: Thank you, Ms Thomas. Mrs Dowd?

10 MRS DOWD: Thank you, Mr President. The applications before you today are seeking to vary the Barristers and Solicitors Award, the Clerical Administrative Employees Private Sector Award and the Public Accountants Award for the third \$8.00 arbitrated safety net adjustments.

We refer to the wage fixing principles of the Tasmanian Industrial Commission under T.5214 of 1994, a decision of the full bench of December 1994 and amended under T.6284 of 1996 and 6305 of 1996 on 24 July 1996.

15 The main principle relating to the third arbitrated safety net adjustment is Principle 7.3 and particularly in reference to the award level at 7.3.2.

All of these awards, Mr President, have actually been varied for the first and second arbitrated safety net adjustments. I believe all of them were - the second safety net adjustment was granted on 26 July 1995.

20 PRESIDENT: Do you believe, or do you know?

MRS DOWD: I do know, Mr President. I am just trying to - I had them all written down as three separate applications - so I am trying to amalgamate the three together.

PRESIDENT: Yes.

25 MRS DOWD: They were all the 26 July 1995 so, therefore, Principle 7.3.2.1 and 7.3.2.2 have actually been satisfied in relation to the fact that they have their first and second safety net adjustments and also the fact that more than 12 months has elapsed between the second and the third.

30 The Australian Services Union commits itself to the Principle 7.3.2.3 in relation to reviewing the award and, Mr President, we would actually seek the ratification of our application. Draft orders have been forwarded to the commission and also to the TCCI in relation to the three awards. The draft orders have all been checked by Ms Thomas and also Mr Cameron in Launceston of the TCCI, and we believe that they have all been confirmed in relation to the figures in the draft orders, and what we are seeking to do is to actually delete the existing clause 8 in those three awards and insert new clauses reflecting the third arbitrated safety net adjustment in those awards. And we would seek that the operative date be the first full pay period on or after today's date. If the commission pleases.

35 PRESIDENT: Okay. Thank you, very much, Mrs Dowd. And so the features are the same in respect of all - each of the three awards?

40 MRS DOWD: Yes, Mr President.

PRESIDENT: Is there anything else that has been tackled through the orders? Has anything been done with the minimum wage?

MRS DOWD: No, I haven't adjusted the minimum wage in any of the draft orders that I have actually prepared. The only adjustments have been to reflect the \$8.00 safety net adjustment and if any allowances are applicable, as in the Public Accountants Award. Those allowances have actually been adjusted by the 5.75%.

5 PRESIDENT: Very good. So that's in what areas? Can you point me to them?

MRS DOWD: In the Public Accountants in Division A on the second page, at the top of the page in relation to the employees being in charge and responsible for the work of certain employees - they have been increased - and, again on the third page, the allowances in relation to stenographers and operators of certain equipment. They have
10 been adjusted by the 5.75%, and also in Division 4, allowances for qualification on that same page. They have also been adjusted by the 5.75%.

PRESIDENT: Yes, and they are rounded off to the nearest 10 cents?

MRS DOWD: They have been rounded off to the nearest 10 cents, Mr President. And the last adjustment is on the very last page under the additional payments in Division
15 B. Again they have been adjusted by the 5.75% and rounded to the nearest 10 cents.

PRESIDENT: Yes. All right. Okay, thanks very much, Mrs Dowd. Ms Thomas?

MS THOMAS: Yes. Thank you, Mr President. I can confirm in all matters that draft orders are agreed. We are satisfied that each application meets the requirements of the wage fixing principles and we give our consent to an operative date of the first full
20 pay period to commence on or after 12 August 1996. If it please the commission.

PRESIDENT: The 12th of August?

MS THOMAS: Is it the 12th today?

MRS DOWD: Yes.

MS THOMAS: Thank you.

25 PRESIDENT: Your mention of a date threw me, actually. Today's date, yes, all right. Okay, thank you very much for your submissions in respect of these three awards. They will be varied in the manner sought by the applicant with effect from the first full pay period to commence on or after today's date.

Thank you very much for your contributions this morning.

30 **HEARING CONCLUDED**