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TRANSCRIPT OF PROCEEDINGS

O/N 1407

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER T.J. ABEY

T No 11792 of 2004

ENTERTAINMENT AWARD

Application pursuant to the provisions of section 23(2)(b) of the Industrial Relations Act 1984 by the Australian Municipal, Administrative, Clerical and Services Union to vary the above award to give effect to the minimum rates adjustment and to insert the minimum wage clause

HOBART

9.30 AM, THURSDAY, 25 NOVEMBER 2004

This transcript was prepared from tapes recorded by the Tasmanian Industrial Commission

PN1

MR I. PATERSON: I appear for the Australian Municipal, Administrative, Clerical and Services Union.

PN2

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

PN3

THE COMMISSIONER: Mr Paterson?

PN4

MR PATERSON: Thank you, Commissioner. This is a matter that goes back some years in terms of commencement of our discussions to amend this award. It is an outcome that is agreed between the parties. It, in effect, finalises an adjustment to the base rate to lift the lowest rates in the award up to the minimum wage. The actual adjustment to the base rate, if I can refer you back to the decision of President Leary in T11064 of 2003, where the first step of the process was identified as an adjustment from 40 to 38 hours, and the second two steps were increasing the minimum rate.

PN5

We agreed that where the difference between the base rate minimum wage and the actual rate in the award was less than 5 per cent it would be moved in one step and where it was more than 5 it would be implemented in two equal steps. There are a couple of minor rounding-up adjustments made in that. Ms Thomas and I have gone through this and we believe that we have completed the process in the manner that we intended whereby the minimum rate is now \$12.30 an hour. We have also simplified the layout of the wages clause by listing classifications rather than with a single line of wages alongside the listing.

PN6

So in the first part you will see a rate for gate or entrance supervisor specified and night security attendant specified and then a list of classifications saying the following classifications: cashier/receptionist, ticket seller or money collector, turnstile attendant collecting money, change person, program seller and collector of motor vehicle charges, all those positions, all those classifications attract the base rate of \$8.67, \$3.65 safety net for an hourly wage rate of \$12.32. That format is followed through in the classifications.

PN7

This concludes the process of adjusting this award to bring it up to the 38-hour standard and to lift the rates to the rate specified in the minimum wage decision of the Commission and the application also inserts the minimum wage clause into the award. Unless there are any further questions you have on the process?

PN8

THE COMMISSIONER: Thank you, Mr Paterson.

PN9

MR PATERSON: Thank you.

PN10

THE COMMISSIONER: Ms Thomas?

PN11

MS THOMAS: Yes, this is a consent matter. The TCCI has been working with Mr Paterson on bringing this award up to date and, certainly, our members have appreciated - even though the award did start from an historically very low base, our members have appreciated the phasing in. In reality, some employers still use this award and the phasing in of it has been welcomed. I am not sure if you mentioned the operative date but it is mentioned in the application of the first full pay period on or after 1 December 2004. If it pleases, we consent.

PN12

THE COMMISSIONER: Thank you. Having heard the parties, I am satisfied that the application is consistent with the wage-fixing principles and reflects the intent, I think, of the August '03 safety net adjustment decision. The award will be varied in accordance with the application operative from the beginning of the first full pay period to commence on or after 1 December 2004. A formal decision to that effect to that effect will be issued in the next few days. The Commission stands adjourned.

ADJOURNED INDEFINITELY

[9.38am]