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TRANSCRIPT OF PROCEEDINGS

O/N 1261

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER T.J. ABEY

T No 11737 of 2004

T No 11738 of 2004

BUILDING TRADES AND BUILDING AND CONSTRUCTION INDUSTRY AWARDS

**Application pursuant to the provisions of
section 23(2)(b) of the Industrial Relations Act 1984
by the Construction, Forestry, Mining and Energy
Union, Tasmanian Branch to vary the above awards
re expense-related allowances**

HOBART

11.10 AM, MONDAY, 18 OCTOBER 2004

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

HEARING COMMENCED

[11.30am]

PN1

MR A. BENSON: I appear on behalf of the Construction, Forestry, Mining and Energy Union, Tasmanian Branch.

PN2

MR P. MAZENGARB: I appear in both matters on behalf of the Tasmanian Chamber of Commerce and Industry Limited.

PN3

THE COMMISSIONER: Yes, Mr Benson, it is your application.

PN4

MR BENSON: Yes, I imagine we are joining the two matters?

PN5

THE COMMISSIONER: Yes.

PN6

MR BENSON: The CFMEU seeks to vary the building awards, Commissioner, to increase the stipulated hours contained in those awards to take into account the movements in the share price index over the periods of 1 July 2003 to 30 June 2004. In that regard, Commissioner, the CFMEU has passed on copies of those applications to all the required parties and also submitted a copy of the order from Senior Deputy President Drake from the Federal Commission and a copy of the relevant schedule. The applications themselves, Commissioner, identify the old rate, the calculation and the new rates. I don't suppose there is much else to say other than we seek certification and an operative date being today's date or the first full pay period on or after.

PN7

THE COMMISSIONER: Yes.

PN8

MR BENSON: Thank you, Commissioner.

PN9

THE COMMISSIONER: Thank you, Mr Benson. Mr Mazengarb?

PN10

MR MAZENGARB: Yes, thank you, Commissioner. I am pleased to advise that the chamber has no objection to the applications as lodged in relation to amending both awards. With regard to operative date, we have no objection to the operative date being the first full pay period on or after the day of your decision. If that is today's date, of course, we won't have any opposition to that either.

PN11

THE COMMISSIONER: Yes.

PN12

MR MAZENGARB: If it please.

PN13

THE COMMISSIONER: Having heard the parties I am satisfied that the application is consistent with wage fixing principles and the public interest requirements of the Act. The applications will be granted, operative from the first pay period to commence on or after 18 October 2004. A formal decision to that effect will be issued in the next few days. On that basis the Commission stands adjourned.

ADJOURNED INDEFINITELY