



Tasmanian Industrial Commission

Industrial Relations Act 1984

T No. **9540 of 2001**

IN THE MATTER OF an application by
the Australian Municipal,
Administrative, Clerical and Services
Union to vary the Barristers and
Solicitors Award

Re: Clause 8 - wage Rates - second
minimum rate adjustment

DEPUTY PRESIDENT WATLING

HOBART, 30 May 2001

TRANSCRIPT OF PROCEEDINGS

Unedited

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

HEARING COMMENCED 10.34am

DEPUTY PRESIDENT: Appearances, please.

MR I. PATERSON: If the commission pleases, IAN PATERSON,
5 appearing for the Australian Municipal, Administrative, Clerical and
Services Union.

DEPUTY PRESIDENT: Thank you.

MR J. O'NEILL: If it pleases the commission, O'NEILL J., appearing
for the Tasmanian Chamber of Commerce and Industry Limited. If it
pleases.

10 DEPUTY PRESIDENT: Thank you. Mr Paterson?

MR PATERSON: If the commission pleases, as this application is a
continuance of previous matters, I'll be brief. The union seeks to vary
the Barristers and Solicitors Award to incorporate the second
15 minimum rates adjustment in accordance with previous principles
arising out of State Wage Case decisions. In that context this
application is covered by principle 2 of the current Wage Fixing
Principles.

I'd like to tender an excerpt from a document in previous proceedings,
which was the -

20 DEPUTY PRESIDENT: **EXHIBIT P.1.**

MR PATERSON: This was part of a previous submission in the
matter that first introduced the new classifications and rates. We
would rely on the previous undertakings given in support of this
application. Errors and omissions excepted, I believe that this is
25 correct.

I would only further say that the application is in accordance with the
Act, it doesn't offend the public interest and reflects previous
undertakings given by the parties in respect to the variation of this
award. If the commission pleases.

30 DEPUTY PRESIDENT: Thank you. Mr O'Neill?

MR O'NEILL: Thank you, deputy president. We consent to the
application for the second minimum rates adjustment to the Barristers
and Solicitors Award. It is in accordance with principle 2 of the
commission's Wage Fixing Principles and in no way offends the public
35 interest. If it pleases.

DEPUTY PRESIDENT: And the operative date? Is the operative date
in the draft order forwarded to the commission, which is 11 June?

MR PATERSON: That's correct.

DEPUTY PRESIDENT: Is it the first full pay period on or after?

MR PATERSON: Operative date, the first full pay period commencing on or after 11 June 2001.

5 DEPUTY PRESIDENT: I can indicate to the parties that I'm going to approve the award variation. I'll hand down a written decision in due course and note that it is a consent matter and it complies with the Act and the Wage Fixing Principles. Thank you.

HEARING CONCLUDED 10.38am