

AUSCRIPT PTY LTD

ABN 76 082 664 220

Suite 25, Trafalgar Centre 108 Collins St HOBART Tas 7000

Tel:(03) 6224-8284 Fax:(03) 6224-8293



TRANSCRIPT OF PROCEEDINGS

O/N 9885

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER T.J. ABEY

T No 11088 of 2003

T No 11089 of 2003

**BUILDING AND CONSTRUCTION INDUSTRY AWARD
BUILDING TRADES AWARD**

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

HOBART

9.30 AM, THURSDAY, 30 OCTOBER 2003

HEARING COMMENCED

[9.30am]

PN1

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

PN2

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

PN3

THE COMMISSIONER: Yes, Mr Benson?

PN4

MR BENSON: Commissioner, before I start I need to bring to your attention a couple of amendments to the applications. The Building Trades Award in fact at clause 20 the calculations in the old rate should read: \$21.50; \$21.50; \$5.30; \$5.30; \$5.30 and the new rate should read: \$22.10; \$22.10; \$5.40; \$5.40; and \$5.40. And the percentage change at clause 22 should read 2.7 per cent not 2.8.

PN5

THE COMMISSIONER: Right.

PN6

MR BENSON: With the Building and Construction Industry Award application, Commissioner, the percentage change at clause 22 should read 2.7 per cent, not 2.8.

PN7

THE COMMISSIONER: Yes, okay. And you want to amend your application accordingly?

PN8

MR BENSON: Thank you, Commissioner, yes.

PN9

THE COMMISSIONER: Yes. Yes, Mr Mazengarb?

PN10

MR MAZENGARB: Commissioner, I can advise that I have no objection to the request made by the applicant union to amend the application as so outlined to yourself.

PN11

THE COMMISSIONER: Very well. Is there anything further you would like to add, Mr Benson? Is that your application, you want to vary these allowances?

PN12

MR BENSON: Yes, thank you, Commissioner and those percentage rates.

PN13

THE COMMISSIONER: And those percentage rates. And are you consenting to that Mr Mazengarb?

PN14

MR MAZENGARB: Commissioner, in light of the application as now been amended I can advise the Commission there is no application to the application in its totality - sorry, I should say in the applications in their totality.

PN15

THE COMMISSIONER: In their totality. What is the proposed operative date?

PN16

MR BENSON: The CFMEU seeks an operative date from today's date, Commissioner.

PN17

MR MAZENGARB: Just in relation to that Commissioner the operative date that we would wish to agree to would be the first full pay period on or after today's date for accounting purposes and payment purposes and to be consistent with previous decisions from this Commission. If the Commission pleases.

PN18

THE COMMISSIONER: Are you content with that, Mr Benson?

PN19

MR BENSON: No problem, Commissioner.

PN20

THE COMMISSIONER: Very agreeable parties this morning. I am satisfied that the applications are consistent with the wage fixing principles and the public interest requirements of the Act. The applications are granted and the award will be varied accordingly. A formal decision to that effect will be issued in the next few days. The operative date will be the beginning of the first full pay period to commence on or after today. Thank you for your attendance.

ADJOURNED INDEFINITELY

[9.35am]