



*Tasmanian Industrial Commission*

Industrial Relations Act 1984

T No. **9905 of 2001**

**IN THE MATTER OF** an application by the Tasmanian Chamber of Commerce and Industry Limited to vary the National Training Wage (Tasmanian Private Sector) Award

Re: Clause 9 – Part-time Traineeships:  
Wage Rates

DEPUTY PRESIDENT WATLING

HOBART, 30 November 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 10.31am**

DEPUTY PRESIDENT: I'll take appearances, please.

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

5 DEPUTY PRESIDENT: Thank you.

**MR T. KLEYN:** Deputy president, TOM KLEYN, appearing on behalf of the Health Services Union of Australia, Tasmania No. 1 Branch.

DEPUTY PRESIDENT: Thank you. Mr O'Neill?

10 MR O'NEILL: Thank you, sir. Sir, this application has been made to vary the National Training Wage (Tasmanian Private Sector) Award in respect of clause 9 - Part-time Traineeships, wage rates table 2. The wage level B was incorrect and this application simply corrects that error in the recent order that came down in respect of this matter and that was a consolidation of No. 1 of 2001.

15 I wish to tender, if I may, a draft order.

DEPUTY PRESIDENT: I think the record should show that it's not an error of this commission. In fact, the commission included in the order that which was requested by the parties. The parties presented a draft order and I assumed that the draft order was correct and that both  
20 parties, both sides, the employer side and the employee side were in agreement with the figures. So, your submission in relation to the order being not correct. The order in fact was correct because it was what the parties wanted and they got exactly what they wanted, however, the parties, I take it, you're telling me, were incorrect in  
25 putting that draft order up for me to approve.

MR O'NEILL: Yes, sir. I didn't put that very well, I must admit. The original draft order that was put to the commission was incorrect and therefore the order reflected that error.

DEPUTY PRESIDENT: Good.

30 MR O'NEILL: Thank you, sir.

DEPUTY PRESIDENT: Mr Kleyn?

MR KLEYN: Deputy president, we have no objection to the application made by the TCCI. I concur that the parties that put the orders up originally had made an error, so we don't object to the  
35 application today. Thank you.

DEPUTY PRESIDENT: The operative date, from today I take it?

MR O'NEILL: Yes, thank you, sir.

DEPUTY PRESIDENT: Good. No objection to that, Mr Kleyn?

MR KLEYN: No, deputy president.

40 DEPUTY PRESIDENT: I can indicate that I'll hand down a written decision and it will be in support of the application to vary the award. It will be operative from the first full pay period to commence on or after today and I don't think there's any more I need say. Thank you.

**HEARING CONCLUDED 10.38am**