

AUSCRIPT AUSTRALASIA PTY LTD

ABN 72 110 028 825

Suite 25, Trafalgar Centre 108 Collins St HOBART Tas 7000

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

**AUSCRIPT**

**TRANSCRIPT OF PROCEEDINGS**

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O/N 3574

**TASMANIAN INDUSTRIAL COMMISSION**

**COMMISSIONER J.P. McALPINE**

**T No 12864 of 2006**

**TASMANIAN STATE SERVICE  
NATIONAL TRAINING WAGE AWARD**

**Application pursuant to the provisions of  
section 23 of the Industrial Relations Act 1984  
by the Minister administering the State Service  
Act 2000 to vary the above award re Clause 12(c) -  
School Based Traineeships**

**HOBART**

**9.30 AM, WEDNESDAY, 3 JANUARY 2007**

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

**HEARING COMMENCED**

**[9.30am]**

PN1

MR P. BAKER: I appear on behalf of the Minister administering the State Service Act 2000.

PN2

MR T. JACOBSON: I appear on behalf of the Health Services Union of Australia, Tasmania Number 1 Branch.

PN3

THE COMMISSIONER: Thank you. Who is going to fire away?

PN4

MR BAKER: Thank you, Commissioner. Commissioner, I shall be brief. This matter actually pertains to an earlier matter - - -

PN5

THE COMMISSIONER: Is this a New Year's resolution?

PN6

MR BAKER: I hope so.

PN7

THE COMMISSIONER: So do I.

PN8

MR BAKER: I am lost for words.

PN9

THE COMMISSIONER: That is unusual.

PN10

MR BAKER: Give me 30 seconds and I will compose myself. This arose out of matter T12807 of '06 in the making of the State Service National Training Wage Award. When the award was originally made, it was the intention, certainly of the applicant, which was the Minister, that we should delete this proviso that goes to a reduction in wages for school based apprentices which is contained in clause 12(c)(i), (ii), (iii), (iv) and (v).

PN11

Trainees under this award receive a wage rate that is reduced by 20 per cent, which takes into account the time they have spent off the job in training. The current proviso that exists in the award actually does enable the employer to reduce that wage by a further 20 per cent in certain circumstances.

PN12

It has not been, and it is not the intention of the Government, to impose that further reduction of wages on persons at any employers as trainees. The award should have been tidied up when the award was made in October. That was an oversight on my part, and what we simply seek to do is remedy the award and give effect to what is the current practice within the State Service.

PN13

Commissioner we would say that firstly the draft order as prepared by your associate is consistent with the thrust of the application. The application is consistent with the wage fixing principles and does not offend the public interest at section 36 of the Act, and I would ask that the variation be approved from the first full pay period on or after today. Thank you, sir.

PN14

THE COMMISSIONER: Thank you. Mr Jacobson?

PN15

MR JACOBSON: I will be even briefer, Commissioner. The HSUA supports the application made on behalf of the Minister and seeks that the variation to the award be made.

PN16

THE COMMISSIONER: Okay. Well, I am quite comfortable and I agree that it is actually in the public interest and certainly doesn't offend the wage fixing principles. It is the sensible thing to do. I am happy to approve it as of the first full pay period from today, whenever that is. Okay. Both comfortable?

PN17

MR BAKER: Thank you, sir.

PN18

MR JACOBSON: Yes, sir.

PN19

THE COMMISSIONER: Then we will adjourn.

**AT 9.35 AM THE MATTER WAS ADJOURNED INDEFINITELY**