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TRANSCRIPT OF PROCEEDINGS

O/N 3432

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER T.J. ABEY

T No 12827 of 2006

AWU (TASMANIAN STATE SECTOR) AWARD

**Application pursuant to the provisions of
section 23(2)(b) of the Industrial Relations Act 1984
by the Minister Administering the State Service Act 2000
to vary the above award re deleting Appendix A -
AWU (Tasmanian State Sector) Training Wage Agreement**

HOBART

9.55 AM, THURSDAY, 3 NOVEMBER 2006

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

HEARING COMMENCED

[9.55am]

PN1

MR P. BAKER: I appear on behalf of the Minister Administering the State Service Act. With me today is MS J. FITTON.

PN2

MR R. FLANAGAN: I appear for the Australian Workers Union, Tasmanian Branch.

PN3

THE COMMISSIONER: Thank you. Yes, Mr Baker?

PN4

MR BAKER: Commissioner, this application is very straightforward. This matter arises due to an application that was made in matter T12807 of 2006 before Commissioner McAlpine in the making of the Tasmanian State Service National Training Wage Award. That award picks up all trainees within the State service, and as a consequence of that, it was determined that we should delete Appendix A of the AWU Award that relates to trainees so that there is no confusion as to which award should apply in the circumstances.

PN5

THE COMMISSIONER: Yes.

PN6

MR BAKER: Accordingly, we would ask that that section of the award known as Appendix A, AWU Tasmanian State Sector Training Wage Agreement, be deleted from today's date.

PN7

THE COMMISSIONER: Yes. Thank you, Mr Baker. Mr Flanagan?

PN8

MR FLANAGAN: Thank you, Commissioner. Commissioner, the AWU does not oppose the application before you today. The history of this matter is that traditionally the AWUs membership in the Tasmanian State Service was regulated by a Federal Award. In January of this year, given the difficulties which flow from the current Federal system, the parties agreed to move the AWUs members out of the Federal system into the State system. And it is because of the previous Federal regulation that there was in fact separate and specific training arrangements contained in the award for the AWUs members.

PN9

Clearly as an organisation we intend that the AWU should continue to have its own discrete award regulation for our membership in the State service, but we also are sympathetic in relation to the administration of traineeship arrangements that the approach adopted on this occasion is appropriate for traineeships. So in those circumstances we would support this variation as it

simply gives effect to the previous proceedings before Commissioner McAlpine. If it pleases the Commission.

PN10

THE COMMISSIONER: Thank you, Mr Flanagan. Having heard the parties, I am satisfied that the application to vary is consistent with the wage fixing principles and the public interest requirements of the Act. The application is granted and will operate from 2 November 2006. A formal decision to that effect will be issued in the next few days.

ADJOURNED INDEFINITELY

[9.57am]