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TRANSCRIPT OF PROCEEDINGS

O/N 103705

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER J.P. McALPINE

T No 13382 of 2008

FIRE SERVICE AWARD

**Application pursuant to the provisions of
section 32 of the Industrial Relations Act 1984
by the Minister administering the State Service
Act 2000 for rescission of the above award**

HOBART

9.00 AM, TUESDAY, 31 MARCH 2009

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THE COMMISSIONER: May I have appearances, please?

MR P BAKER: Sir, I appear on behalf of the applicant. P. Baker.

5 MS JACKSON: Commissioner, Kate Jackson appearing on behalf of the CPSU (SPSFT) Inc.

THE COMMISSIONER: Mr Baker, over to you.

10 MR BAKER: Thank you, sir. This is part of the ongoing process of tidying up the application of the Tasmanian State Service Award. Employees generally within, those employees other than career firefighters are engaged under the terms of the Fire Service Award. And in addition to that there are three industrial agreements that apply to clerical and administrative, operational and technical staff.

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In order, I will progress through this. Those three industrial agreements have been rescinded in that – sorry, they are – chose the wrong words there.

THE COMMISSIONER: Actually - - -

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MR BAKER: The Minister has withdrawn from those three relevant industrial agreements in matters 13383, 13384 and 13385 of 2009. The 30-day period expires on 2 April, if my arithmetic is correct. In addition to that, sir, there has been an amendment made to the Tasmanian State Service Award in matter T133387 [sic] of

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THE COMMISSIONER: It must be double three - - -

MR BAKER: I think there's one too many threes in that letter. It should be 13387

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THE COMMISSIONER: Yes.

MR BAKER: And there is a new appendix 10 that was made to the Tasmanian State Service Award which encapsulated the provisions of those three industrial agreements. So to all intents and purposes now, the salaries, their conditions of employment for employees engaged in the Tasmanian Fire Service, excluding career firefighters is the Tasmanian State Service Award.

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THE COMMISSIONER: Okay. Sorry, just before you're in full flow – you seem to be disturbed.

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MS JACKSON: Commissioner, if I could, that's appendix 9, the new Fire Service one.

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MR BAKER: I do beg your pardon

MS JACKSON: Thank you.

THE COMMISSIONER: Thank goodness that there is someone who knows what's going on.

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MR BAKER: Yes.

THE COMMISSIONER: Thank you.

10 MR BAKER: In appendix 9. So all the salaries and conditions of employment are now, or will be drawn – sorry, I'll rephrase that – are all drawn from the Tasmanian State Service Award rendering the Fire Service Award redundant. Accordingly, sir, I would ask that the Fire Service Award be rescinded. Thank you.

15 THE COMMISSIONER: Thank you. Ms Jackson.

MS JACKSON: Commissioner, we are happy to support rescinding the Fire Service Award. There's nothing left in this award now that has application for these people. They are adequately covered by the Tasmanian State Service Award.

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THE COMMISSIONER: Thank you. You're in raging agreement then.

MR BAKER: Yes, sir. I know that may sound peculiar or strange but there are some things which we can agree on.

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THE COMMISSIONER: Yes. All right. Okay. Well, look I don't see there's an issue with either the public interest or wage fixing principles or anything else, because basically, as you've said, it doesn't affect anyone any more. Okay. Look I'm more than happy to rescind this as of today's date, if that suits.

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MR BAKER: Yes, thank you.

THE COMMISSIONER: And hopefully we can move on. Thank you.

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MATTER ADJOURNED INDEFINITELY