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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s.23 application for award or variation of award

Health Services Union of Australia, Tasmania No. 1 Branch
(T9527 of 2001)

**DENTISTS AWARD
HOSPITALS AWARD
MEDICAL DIAGNOSTIC SERVICES (PRIVATE SECTOR) AWARD
MEDICAL PRACTITIONERS (PRIVATE SECTOR) AWARD
NURSING HOMES AWARD**

FULL BENCH:
PRESIDENT P L LEARY
COMMISSIONER P C SHELLEY
COMMISSIONER T J ABEY

Award variation - bereavement leave - application approved - operative date ffpp 27 July 2001

ORDER BY CONSENT

NO. 2 OF 2001

THE **DENTISTS AWARD** IS VARIED IN THE FOLLOWING MANNER:

By deleting **Clause 11 - Compassionate Leave** and inserting in lieu thereof a new **Clause 11 - Bereavement Leave**.

11. BEREAVEMENT LEAVE

An employee shall on the death of a member of the employee's immediate family, or a member of the employee's household be entitled upon application being made to, and approved by the employer, to leave up to and including the day of the funeral of such relative and such leave will be without deduction of pay not exceeding the number of ordinary hours worked by the employee in three ordinary days.

Proof of such death, in the form of a death notice or other written evidence, shall be furnished by the employee to the satisfaction of the employer.

PROVIDED that no such payment shall be made in respect of an employee's rostered days off.

PROVIDED FURTHER that this clause shall have no operation while the period of entitlement to leave under it coincides with any other period of entitlement to leave.

The term '**immediate family**' includes:

- (a) spouse (including a former spouse, a de facto spouse and a former de facto spouse) of the employee. A de facto spouse, in relation to a person, means a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; and
- (b) child or an adult child (including an adopted child, a step child, a foster child or an ex nuptial child), parent (including foster parent, step parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse of the employee."

P C Shelley
COMMISSIONER

29 August 2001