**TASMANIAN INDUSTRIAL COMMISSION**

*Industrial Relations Act* 1984

s55(2) application for approval of an industrial agreement

**Minister administering the State Service Act 2000**

**and**

**The Community and Public Sector Union (State Public Services Federation Tasmania) Inc.**

(T14509 of 2017)

**PORT ARTHUR HISTORIC SITE MANAGEMENT AGREEMENT 2016**

PRESIDENT D J BARCLAYHOBART, 30 May 2017

**Industrial agreement – application for approval - application approved - operative from date of registration - forwarded to Registrar for registration**

**DECISION**

**[1]** On 5 May 2017, the Minister administering *the State Service Act* 2000 (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act* 1984 (the Act), an Application to approve the Port Arthur Historic Site Management Agreement 2016 (the Agreement). The Application was amended by an amended application dated 30 May 2017.

**[2]** The amended application came on for hearing in Hobart on 30 May 2017. Mr K Grey appeared on behalf of MASSA with Ms C Armstrong of the Port Arthur Historic Site Management Authority (PAHSMA) and Mr T Lynch appeared on behalf of the Community and Public Sector Union (State Public Services Federation Tasmania) Inc. (CPSU)

**[3]** Mr Grey told me the Agreement dealt with matters such as cashing out leave, email and internet access, novated leasing, lactation breaks and salary increases. I was also told that increases to allowances was to be dealt with separately in an application is to be brought to the Commission shortly.

**[4]** Mr Lynch told me the Agreement was in line with other public sector agreements. He noted that the existing agreement was still in effect to preserve any rights not dealt with in this Agreement. He submitted the agreement was in the public interest and that there was genuine consent to the Agreement. He also moved for approval of the Agreement.

**[5]** Both parties submitted that no person covered by the Agreement was disadvantaged.

**[6]** I am satisfied that the agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and the term of the agreement does not exceed 5 years. I am satisfied there is genuine consent to the Agreement.

**[7]** Pursuant to s55(4) the agreement is approved with an operative date from date of registration and shall remain in force until 30 June 2018. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s56(1) of the Act.

David Barclay

**President**

**Appearances:**

Mr K Grey for MASSA

Ms C Armstrong for PAHSMA

Mr T Lynch for CPSU

**Date and place of hearing**:

2017

30 May

Hobart