**TASMANIAN INDUSTRIAL COMMISSION**

*Industrial Relations Act* 1984

s55(2) application for approval of an industrial agreement

**Minister administering the State Service Act 2000**

**and**

**Australian Nursing and Midwifery Federation (Tasmanian Branch)**

**and**

**Health Services Union, Tasmanian branch**

(T14480 of 2017)

**NURSES AND MIDWIVES (TASMANIAN STATE SERVICE) AGREEMENT 2016**

PRESIDENT D J BARCLAYHOBART, 24 February 2017

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

**DECISION**

**[1]** On 21 February 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 Nurses and Midwives (Tasmanian State Service) Agreement 2016 (the Agreement).

**[2]** At the hearing in Hobart on 23 February 2017, Mr M Double, Ms L Ross and Ms A Farmer appeared on behalf of MASSA, Ms C Saint appeared on behalf of the Australian Nursing and Midwifery Federation (Tasmanian Branch)(ANMF) and Mr Moore appeared on behalf of the Health Services Union (HSU).

**[3]** Mr Double advised that the Agreement came out of a wages bargaining process which led to the agreement and also to variations to the relevant award. The Agreement is supplementary to other agreements and I was told it was intended to consolidate those agreements in due course.

**[4]** Mr Double submitted that the Agreement was made by genuine consent noting that it went to a vote of the workforce affected by the Agreement. He submitted that no employees were disadvantaged and that the Agreement was in the public interest. Ms Saint and Mr Moore echoed those submissions.

**[5]** 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.

**[6]** Pursuant to s55(4) the agreement is approved with an operative date from the 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 M Double for MASSA

Ms L Ross for MASSA

Ms A Farmer for MASSA
Ms C Saint for ANMF

Mr R Moore for HSU

**Date and place of hearing**:

2017

23 February

Hobart