



Tasmanian Industrial Commission

Industrial Relations Act 1984

T No. 10082 of 2002

IN THE MATTER OF an application by
The Association of Professional Engineers,
Scientists and Managers, Australia, to vary
the Architects Award

Re: to replace Clause 1 – Salary Rates of
Part III – Salaries and Related Matters

COMMISSIONER SHELLEY

HOBART, 28 March 2002

TRANSCRIPT OF PROCEEDINGS

UNEDITED

(WOULD PARTIES PLEASE READ THIS TRANSCRIPT CAREFULLY)
(ANY QUERIES SHOULD BE DIRECTED TO THE COMMISSION WITHIN 14 DAYS)

HEARING COMMENCED 10.32am

COMMISSIONER: I'll take appearances, please.

5 **MR D. PYRKE:** If the commission pleases, DARRYL PYRKE, appearing on behalf of the Association of Professional Engineers, Scientists & Managers, Australia.

MR J. O'NEILL: If the commission pleases, O'NEILL, J., appearing for the Tasmanian Chamber of Commerce and Industry Limited.

COMMISSIONER: Thank you. Mr Pyrke?

10 MR PYRKE: Thank you, commissioner. Commissioner, this is the second of two minimum rates adjustments that were contemplated when the award was created in March of last year. It would help me address the application if I could table an exhibit, please.

COMMISSIONER: **EXHIBIT P.1.**

15 MR PYRKE: Commissioner, the first table of the two tables that you can see in the exhibit mirrors an exhibit that was tabled when the award was created. As you can see, there is a column headed, February 2001 where it sets out the initial rates for the award. This is followed by columns headed August 2001 and February 2002 and these columns reflect the parties intention that there be two minimum rates adjustments and the columns also reflect the actual
20 amounts that were contemplated at the time, in March last year, for those adjustments.

The State Wage Case for 2001 came after March 2001 so there was a need to recalculate the amounts contemplated for the minimum rates adjustments. The results of this recalculation are set out in the second table which you can see in
25 exhibit P.1.

If you compare the amounts in the column headed, April 2002 with the proposed annual salaries and the draft order, you'll see that they're the same. In constructing the draft order we then worked backwards with these numbers to calculate the amounts that you see in the columns headed, base rate and
30 Minimum Rates Adjustment and Safety Net Adjustment in the draft order.

Commissioner, the application has been discussed with the TCCI and I understand that it's got their consent. I submit that the application conforms with the current Wage Fixation Principles. This being the case, I further submit that the application is consistent with the public interest.

35 Commissioner, on the basis of this submission, I believe that it is open to you to make an order in the terms set out in the application and I ask you to do so. On the question of date of effect, I understand that it needs to be not less than six months from the date of the last Minimum Rates Adjustment and accordingly I propose that the first pay period commencing on or after 12 April

40 2002, which is six months from the order in the first Minium Rates Adjustment. If the commission pleases.

COMMISSIONER: So, 12 April?

MR PYRKE: The first pay period commencing on or after.

COMMISSIONER: Thank you. Mr O'Neill?

45 MR O'NEILL: Yes, thank you, commissioner. As Mr Pyrke indicated, discussions have taken place with the TCCI and we consent to the application. It is consistent with the commission's Wage Fixing Principles and does not offend the public interest and we agree with the operative date being the first full pay period on or after 12 April 2002. If it pleases.

50 COMMISSIONER: Thank you. I do note that the previous order was the first full pay period on or after 12 October 2001. I indicate to the parties that the application as sought will be granted with an operative date of 12 April 2002 and a decision will issue to that effect in due course. Thank you.

HEARING CONCLUDED 10.37am