

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 2323 of 1990

IN THE MATTER OF an application by
the State Public Services
Federation Tasmania (formerly the
Tasmanian Public Service
Association) to vary the General
Conditions of Service Award

re workplace representatives

DEPUTY PRESIDENT ROBINSON

HOBART, 30 August 1994
continued from 22/10/93

TRANSCRIPT OF PROCEEDINGS

Unedited

DEPUTY PRESIDENT ROBINSON: Any changes in appearances since the last hearing 3 years' ago or whenever it was?

MR R. HUNT: Mr Deputy President, I appear on behalf of the State Public Services Federation, Tasmania, HUNT R. And I think this matter actually got about 15 minutes run in 1993, along with the hearing for payment of wages clause.

DEPUTY PRESIDENT ROBINSON: Right.

MR HUNT: So I was actually there at that - or, here, I should say, on that occasion -

DEPUTY PRESIDENT ROBINSON: Were you? Well, I can be forgiven for not being absolutely up to scratch on that matter.

MR HUNT: I certainly didn't mean to imply anything by that.

DEPUTY PRESIDENT ROBINSON: Thanks for your appearance, Mr Hunt. Any other appearances?

MS. D. RALLINGS: If the commission pleases, my name is DELIA RALLINGS, and I appear on behalf of the Minister for Public Sector Management.

DEPUTY PRESIDENT ROBINSON: Thank you very much. Well, where are we at today? Mr Hunt?

MR HUNT: Mr Deputy President, I wish to indicate that the State Public Services Federation has of course had a long - well, this has been a very, very long matter in terms of the time that has elapsed since we first put that clause -

DEPUTY PRESIDENT ROBINSON: Yes. It was run in sort of tandem with the payment of wages application and priority was given to the payment of wages matter, and so this one took second priority at that time at the request of all the parties, I think.

MR HUNT: Yes. Well, just as a point of explanation, I guess that this matter was first lodged in 1990 and I think it was March 1990 that the first hearing was held.

Now it was very soon after that time that discussions began between the government and the unions over an alternative means of redrawing the award structures and also the award conditions went into that process, and when that process didn't really come to fruition - well, didn't come to fruition, not really - this matter popped out again, and it has only been taken up last year, as I mentioned, in that short hearing where we indicated - we answered, actually, some questions that were put in 1990 in relation to that matter.

But, be that as it may, I am going to ask, and I understand that the employer's representative will support me on this, that we do adjourn this hearing today on the basis that given the long history of the matter and given the time that the clause was first drawn up it is true to say, I, think that industrial relations not only in Tasmania but right across Australia has changed to a significant degree, even in that short period of time.

And we would, therefore, wish to make some significant amendments to the clause.

However, rather than coming up here today and saying these are the amendments and giving them to you without the employer having an opportunity to discuss them with us and point out what they see as the problems with the clause, and so on, what we would like to do is to put that to the government and then come back to you.

It may be that at the end of the day this matter, this particular T No. is not brought to finality in terms of a decision having to be made by yourself on that matter, but there may be another application.

But at this point I am just, well, speculating I guess, about what the future may hold for this application.

DEPUTY PRESIDENT ROBINSON: Right. Would you be seeking an indefinite adjournment, or an adjournment to a definite date?

MR HUNT: I'd suggest an adjournment of 2 months, Mr Deputy President, so that the parties do have some discipline imposed upon them to ensure that your files are kept active, and so on, as well, rather than somebody finding out, you know, in 2 years' time that this matter -

DEPUTY PRESIDENT ROBINSON: Or 3.

MR HUNT: Or 4 - that this matter is still there on the books.

DEPUTY PRESIDENT ROBINSON: Fine. Thanks, Mr Hunt. What's the response?

MR HUNT: If the commission pleases.

DEPUTY PRESIDENT ROBINSON: Thank you.

MS RALLINGS: Mr Deputy President, we agree with this application for adjournment.

DEPUTY PRESIDENT ROBINSON: Yes, I see.

MS RALLINGS: If the commission pleases.

DEPUTY PRESIDENT ROBINSON: Alright, well who am I to tell the parties that their agreement to adjourn should not apply? So I grant the adjournment.

And I really don't know what I will be doing in 2 months' time. That's November. I might well be in hospital, or anything.

But, alright, we'll adjourn until Tuesday the 8th of November, if no-one else has got commitments on that day?

MR HUNT: Mr Deputy President, I can't indicate that I will be available on that day as I will not be working with the State Public Services Federation at that time. So ...

DEPUTY PRESIDENT ROBINSON: Well, congratulations on your move.

MR HUNT: Thank you. I will pass this matter back to my people and I'm sure that we'll have somebody available for that time.

DEPUTY PRESIDENT ROBINSON: Very well.

MR HUNT: Thank you.

DEPUTY PRESIDENT ROBINSON: Okay. I will just make a note in my diary. That will be 10.30 am. I'm not sure which room we will be in.

Right. We are so adjourned. Thank you very much.

HEARING ADJOURNED