

## **TASMANIAN INDUSTRIAL COMMISSION**

### **Industrial Relations Act 1984**

s23 application for award or variation of award

### **Minister Administering the State Service Act (T14572 of 2017)**

DEPUTY PRESIDENT N M ELLIS

HOBART, 9 JANUARY 2018

## **MEDICAL PRACTITIONERS (PUBLIC SECTOR) AWARD**

### **Award variation – consent application – variation approved – operative date first full pay period on or after 19 December 2017**

#### **DECISION**

**[1]** On 18 December 2017, the Minister Administering the State Service Act (MASSA) lodged with the Tasmanian Industrial Commission, pursuant to Section 23 of the *Industrial Relations Act 1984* (the Act), an application to vary the Medical Practitioners (Public Sector) Award (the Award).

**[2]** At the hearing in Hobart on 19 December 2017, Mr M Johnston appeared for MASSA and Mr G O’Kearney, Mr T Stevens and Dr M Lumsden-Steel appeared on behalf of the Tasmanian Salaried Medical Practitioner Society (TSMPS)

**[3]** Mr M Johnston advised the variation of the Award formed a new consolidated Award with clauses included from the 2015 Agreement, consolidation of provisions and re-ordering of many of the clauses.

**[4]** The variations sought relate to the following clauses:

- Clause 1-Title
- Clause 2– Arrangement;
- Clause 4 – Date of Operation;
- Clause 6 - Supersession and Savings;
- Clause 7 - Definitions;
- Clause 8 - Employment Categories
- Clause 14 – Salaries;
- Clause 20 – Classifications;
- Clause 21 – Meal Allowances;
- Clause 22 – Travel Allowances;
- Clause 23 – Motor Vehicle Allowances;
- Clause 25 – Continuing Professional Development Allowance;
- Clause 28 – Adjustment to Wage Related Allowances;
- Clause 30 – Qualification Allowance;
- Clause 35(b) – Ordinary Hours of Work;
- Clause 35 (e –Reasonable Notice of Roster;

- Clause 36 –Rest Period;
- Clause 37 – Excess Time;
- Clause 38 – On call Arrangements;
- Clause 39 – Call Back;
- Clause 43- Parental Leave;
- Clause 44-Personal Leave;
- Clause 46 – Bereavement Leave;
- Clause 54 – Family Violence Leave;
- Appendix 1- Clause numbers

**[5]** Mr O’Kearney supported Mr Johnston’s submissions in relation to the application and noted the instrument would assist in retaining and attracting Doctors to the system. He expressed appreciation to Mr Johnston on the breadth of work undertaken.

**[6]** Both parties submitted that it was in the public interest that the Award be varied, that no employees would be disadvantaged and commended the variation to the Commission.

**[7]** An email consenting to the variation was received on the day of hearing from Ms N Jones representing the Community and Public Service Union (State Public Services Federation Tasmania) Inc (CPSU).

**[8]** I am satisfied that the variation of this Award is consistent with the public interest requirements of the Act, and does not disadvantage the employees covered by this Award.

**[9]** Pursuant to s24 and s39 of the Act I vary the Award known as the Medical Practitioners (Public Sector) Award, in accordance with the application lodged by MASSA and supported by the parties.

**[10]** Such variation of the Award is to take effect from the first full pay period on or after 19 December 2017

**[11]** An Order reflecting this decision will follow.



N M Ellis  
**DEPUTY PRESIDENT**

**Appearances:**

Mr M Johnston for MASSA  
 Mr G O’Kearney, Mr T Stevens and Dr Lumsden-Steel for TSMPS

**Date and place of hearing:**

2017  
 19 December  
 Hobart