



TASMANIAN INDUSTRIAL COMMISSION

CITATION: Filing of the Parks and Wildlife Service Industrial Agreement 2022 [2023] TASIC 32

PARTIES:

Minister administering the *State Service Act 2000*

Community and Public Sector Union (State Public Service Federation Tasmania) Inc

SUBJECT: *Industrial Relations Act 1984*, s 55(2) application for filing of Industrial Agreement

FILE NO: T15043 of 2023

DATE REASONS ISSUED: 30 June 2023

COMMISSIONER: President Barclay

CATCHWORDS: Industrial agreement – application approved – effective from 1 January 2022 and will remain in force until 1 June 2024.

REPRESENTATION:

N Jones and T White for the Community and Public Sector Union (State Public Service Federation Tasmania) Inc.

K Gates and D Appleyard for the Minister administering the *State Service Act 2000*

FILING OF THE PARKS AND WILDLIFE SERVICE INDUSTRIAL AGREEMENT 2022 [2023] TASIC 32

REASONS FOR DECISION

30 JUNE 2023

[1] On 20 June 2023, the Minister administering the *State Service Act 2000* lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), an application to file the Parks and Wildlife Service Industrial Agreement 2022 (the Agreement). The parties also apply for the cancellation of the Parks & Wildlife Service Industrial Agreement 2009 (the Previous Agreement).

[2] The revised clauses include:

- “•Clause 1 – A new ‘Application’ clause
- Clause 2 - Date and Period of Operation – cancellation and replacement with date of effect and in force until.
- Clause 4 – Provides a relationship to the PSUWA
- Clause 5 – Definitions – updates
- Clause 6 –Day Worker Clause (New)
- Clause 7 –Shift Worker Clause (New)
- Clause 8 – Shift Work Leave - provisions amendment
- Clause 9 - Salary Loadings - updates including clarification of record keeping requirements and grandfathering of employees in receipt of the overtime loading at the time of registration
- Clause 10 – Transitional Arrangements - updated
- Clause 11 – Bushfire Suppression Operations and Planned Burns Operations updated
- Clause 12 - Broadbanding Pilot Program clause (New)
- Clause 13 - Winching Availability Allowance Clause (New)
- Schedule 1 – Weekend days and Holidays with Pay Salary Loading (New Schedule)
- Schedule 2 – Bushfire Suppression Operations Role Table (New Schedule)
- Schedule 3 – Broadbanding Pilot Program (BPP) (New Schedule)”

[3] The amendments are self-explanatory. Of significance are the inclusion of loadings which had become unaligned from rates prescribed in the Tasmanian State Service Award. The agreement now ensures loadings are updated. The Agreement now also ensures, where appropriate, consistency with the AWU Agreement.

[4] The parties submitted that no employees covered by the Agreement would be disadvantaged by the Agreement, the approval would be in the public interest and it is made with the consent of the parties.

[5] Having regard to the submissions of the parties and the terms of the Agreement, I am satisfied that the agreement is consistent with the public interest, and it does not disadvantage the employees concerned. I am satisfied that there is genuine consent to the Agreement by the parties and that the Agreement is not for a period of more than five years.

[6] In respect to the cancellation of the Previous Agreement, no employees to whom that agreement applies will be disadvantaged from its cancellation. In light of the terms of the Agreement I accept those submissions. Accordingly the Previous Agreement is cancelled.

[7] Pursuant to s 55(4) of the Act, the Agreement is approved, effective from 1 January 2022, and will remain in force until 30 June 2024. The file will now be referred to the Registrar for registration in accordance with s 56 of the Act.

