



TASMANIAN INDUSTRIAL COMMISSION

CITATION: – Filing of the Additional Child Safety Payment and NW Settling-in Trial Payment Agreement 2024 and Variation of the Allied Health Professionals Public Sector Wages Agreement No 2 of 2022 [2024] TASIC 27

PARTIES:

Minister administering the State Service Act 2000

The Community and Public Sector Union (State Public Services Federation) Inc

Health Services Union, Tasmania Branch

SUBJECT: *Industrial Relations Act 1984*, s 55(2) application for filing of an Industrial Agreement and s 59(2) application for variation of Allied Health Professionals Public Sector Wages Agreement No. 2 of 2022

FILE NO: T15172 of 2024 and T15179 of 2024

HEARING DATE(S): 16 October 2024 (T15172 of 2024)

HEARING LOCATION: Tasmanian Industrial Commission, Hobart

DATE REASONS ISSUED: 25 October 2024

MEMBER: President D J Barclay

CATCHWORDS: Industrial agreements – applications approved – effective from date of registration and remains in force until 31 December 2025 – Child Safety Payment – Settling in Payment - Personal Impact Days – associated variation of the Allied Health Professionals Public Sector Wages Agreement No. 2 of 2022

REPRESENTATION:

Jessica Guillamse with Paul Gourlay for the Minister administering the State Service Act 2000

Natalie Jones with Gabby Robertson and Taryn Kruiswijk for The Community and Public Sector Union (State Public Services Federation) Inc

James Milligan with Shane Hamel for the Health Services Union, Tasmania Branch

FILING OF THE ADDITIONAL CHILD SAFETY PAYMENT AND NW SETTling-IN TRIAL PAYMENT AGREEMENT 2024 AND VARIATION OF THE ALLIED HEALTH PROFESSIONALS PUBLIC SECTOR WAGES AGREEMENT NO 2 OF 2022

REASONS FOR DECISION

HOBART, 25 OCTOBER 2024

[1] The Applicant has applied for the registration of the Child Safety and Youth Justice Incentives – Additional Child Safety Payment and NW Settling-in Trial Payment Agreement 2024 (the Agreement). As a result of matters referred to below, there is also an application to vary the Allied Health Professionals Public Sector Wages Agreement No. 2 of 2022 (the 2022 Agreement) to delete reference to Personal Impact Days. The latter application has been dealt with on the papers at the request of the parties, it being appropriate to do so.

[2] The Agreement provides for an Additional Child Safety Payment of \$10,000 payable in two \$5000 instalments for eligible employees (as defined by the Agreement). It also provides for a North-West Settling in Payment (for a trial period) of \$5000 and for Personal Impact Days.

[3] The payments are designed to provide incentives to attract and retain key skills targeted at particular employee cohorts. I take notice of the fact that it is difficult to attract and retain employees in the smaller or more remote towns and cities in Tasmania, such as those in Northwest Tasmania. Such payments are an appropriate way to attempt to attract employees to the State Service.

[4] When the matter came on for hearing, I noted some practical difficulties with the way in which the parties sought to deal with the Personal Impact Days. The 2022 Agreement also dealt with Personal Impact Days. The Agreement seeks to reduce the entitlement to Personal Impact Days by the number of any such days taken under the 2022 Agreement. However, in my view, the Agreement did not adequately deal with that set off and that consideration needed to be given to amending the Agreement and potentially the 2022 Agreement.

[5] As a result of my concerns, the parties have sought leave to substitute a later version of the Agreement which now specifically provides for the set off of days taken under the 2022 Agreement. In addition, the parties have made application to vary the 2022 Agreement by deleting the clause dealing with Personal Impact Days. This results in any inconsistencies between the two agreements relating to these days being resolved.

[6] I grant leave for the parties to substitute the original version of the Agreement (date 10 October 2024) with the new version, which was executed by the parties on 17, 18 and 21 October 2024. It is therefore this Agreement that is the one in respect of which the parties are seeking registration.

[7] I am satisfied that the Agreement does not disadvantage any employees covered by it, that there is genuine consent to the Agreement and its registration, and that the Agreement is in the public interest.

[8] I am satisfied that the variation of the 2022 Agreement does not disadvantage any employees covered by it (given the terms of the Agreement), that there is genuine consent to the variation and that the variation is in the public interest.

[9] Pursuant to s 55(4), the Agreement is approved and will come into force on the date of registration and shall remain in force until 31 December 2025.

[10] Pursuant to s 59(2), the 2022 Agreement is varied in accordance with the application. The variation is effective from the date of this order.

[11] The relevant file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s 56(1) of the Act.

