IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.1375 of 1988
T.1455 of 1988

IN THE MATTER OF APPLICATIONS BY THE ASSOCIATION OF DRAUGHTING, SUPERVISORY AND TECHNICAL EMPLOYEES, TASMANIAN BRANCH TO VARY THE SURVEYORS (PRIVATE INDUSTRY) AWARD

RE: 4% SECOND TIER INCREASE, NEW CLASSIFICATIONS, SCOPE, DEFINITIONS, LEAVE, HOURS OF WORK AND SUPERANNUATION

COMMISSIONER R. K. GOZZI

HOBART, 26 July 1988

REASONS FOR DECISION

APPEARANCES:

For the Association of Draughting, Supervisory and Technical Employees, Tasmanian Branch - Mr. P. Baker

For the Tasmanian Confederation of Industries - Mr. T.J. Abey

DATE AND PLACE OF HEARING:

12 July 1988 Hobart

These applications, which were joined for the purpose of hearing, concern -

(a) the variation of the Surveyors (Private Industry) Award (the Award) to incorporate in the scope clause reference to duties associated with surveying work,

(b) the inclusion of new definitions for survey drafting assistant and survey drafting technician, and

(c) consequential variations reflecting the parties negotiated agreement on the 4% second tier increase, on the one part, and

(d) the inclusion of a new clause 25 dealing with superannuation, on the other part.

This award was first made by me in June 1987 following the declaration by the President in accordance with Section 33(2) of the Industrial Relations Act 1984.

At that time I commended the parties on the flexible working arrangements contained in the Award.

The most recent variations sought by the parties, superannuation to one side, maintain the overall thrust of the Award document in as much as the proposed changes will further enhance what is already a "supremely flexible award", to quote Mr Abey.

Both Mr Baker and Mr Abey contended that the inclusion of new definitions for survey drafting assistant and survey drafting technician, classifications which are also found in the Mechanical Engineers and Founders Award, will facilitate award rationalisation which in itself is a worthy objective.

It is evident from the submission of the parties that the inclusion of these classifications will facilitate further increased flexibility and eliminate potential demarcation problems.

The inclusion of the definitions, which I endorse, have also been put forward by the parties as an efficiency measure to be counted towards the granting of the 4% second tier increase.

In speaking to that part of the application Mr Abey reminded the Commission that when the Award was first made by me in 1987 it was established in an environment where productivity and efficiency of operation was uppermost in the minds of the parties.

Therefore, submitted Mr Abey and Mr Baker, it had proved difficult to provide many more offsets in return for the 4% increase in salaries.

Notwithstanding, I accept that the parties have made a genuine attempt to further examine working arrangements subject to the Award and the additional consequential changes satisfy the necessary second tier criteria of the Restructuring and Efficiency Principle.

Some of the key offsets agreed by the parties include:

- reducing the number of awards required to be observed by the private industry employers subject to this Award as a consequence of the inclusion of new classifications as outlined above,

- provision in clause 9 - Annual Leave for an annual close down during which period a portion of annual leave is to be taken. This, it was submitted by the parties, will enable employers to shut down their operation for a time when due to lack of work activity or some other appropriate circumstance it is unviable to operate a particular establishment or a part of the enterprise,

- the Hours of Work clause has also been varied so as to permit the working of the pre existing 38 hour week over a greater span,

- notification of sick leave has been reduced from 4 hours to 30 minutes.

As I have already stated, with the introduction of the above award variations the Award will be further refined to the advantage of employers.

The co-operative approach of Mr Baker and his organisation in order to achieve this measure of "leaness" in this award, is to be applauded.

In support of the endeavours of the parties in this matter, given the history of the award and the efficiency of its operation , and the genuine attempt made to further streamline working arrangements, I endorse the operative dates for the second tier increase.

That is 2% from 12 July 1988 and a further 2% from 1 September 1988.

The other consequential award variations, as discussed above, are also endorsed.

My order giving effect to this decision is attached.

SUPERANNUATION

Principle 7 of the Wage Fixing Principles allows the Commission to made consent awards "providing for employer contributions to approved superannuation schemes for employees covered by such ... consent awards".

I am satisfied that the proposed clause requested to be inserted in the Award sits squarely with all of the essential prerequisites outlined in the above Wage Fixing Principle.

Therefore the clause will be allowed and as requested by the parties , it will commence operation as from 1 January 1989.

My order giving effect to this decision is also attached. [Correction Order]