

**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984  
s.23 application to vary an award

**Federated Clerks Union of Australia**  
**Tasmanian Branch**  
(T.2742 of 1990)

**TOTALIZATOR AGENCY AWARD**

COMMISSIONER P A IMLACH

4 December 1990

Hours of work - standard hours - 38 Hour week

**REASONS FOR DECISION**

This was an application by the Federated Clerks Union of Australia, Tasmanian Branch (the Union), made under Section 23 of the Act, for an amendment to the Totalizator Agency Award (the Award) to provide for the ordinary hours of work in the Award to be set at 38 hours per week.

At the hearing on 15 November 1990, Mr D Fry appeared for the Union and produced an exhibit which set out the offsets proposed in exchange for the introduction of the 38 hour week into the Award. The main offsets were:

- . a phased introduction (39 hours from 1 January 1991 and 38 hours from 1 August 1991);
- . payment of wages may be made by electronic funds transfer (EFT);
- . by agreement between the employer and the employee the period of annual leave may be split.

Mr Fry advised that, in practice, by agreement all the full-time Totalizator Agency staff currently worked 37 1/2 hours per week, but the changes proposed would benefit the part-time and casual staff (employed by contractors) who currently worked a 40 hour week.

Mr T Abey, who appeared for the Tasmanian Confederation of Industries, on behalf of the Totalizator Agency Board (the Board), confirmed agreement to the Unions' proposals.

As indicated at the end of the hearing, I endorse the agreement between the parties for the implementation of a 38 hour working week in the Award. I find that the agreement is within the Wage Fixation Guidelines and is not against the public interest.

The first phase of the introduction of the reduced hours will commence from 1 January 1990 and the second phase from 1 August 1991.

An order relating to the first phase of reduced hours to 39 is attached, operative from 1 January 1990.

A further order reflecting the second phase reduction to 38 hours will be issued in July 1991.



Appearances:

D Fry for the Federated Clerks Union of Australia, Tasmanian Branch.

T Abey for the Tasmanian Confederation of Industries.

Dates and place of hearing:

1990.

Hobart:

October 29;

November 15.