

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 2316 of 1990

IN THE MATTER OF an application by the Association of Draughting, Supervisory and Technical Employees, Tasmania Branch (Metals and Engineering Workers' Union) to vary the Surveyors (Private Industry) Award

re initiation of a program to restructure the award

T No. 3435 of 1991

IN THE MATTER OF an application by the Metals and Engineering Workers' Union to vary the Surveyors (Private Industry) Award

re persons employed in surveying duties and other associated duties

COMMISSIONER GOZZI

HOBART, 14 February 1992
Continued from 8/11/91

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER GOZZI: It almost feels like, here we are again.

MR BAKER: Yes. It's only been 15 months, hasn't it?

COMMISSIONER GOZZI: Yes. I can say with some confidence there are no changes in appearances.

MR BAKER: With confidence.

COMMISSIONER GOZZI: Mr Baker, what's happening?

MR BAKER: I'll allow Mr Abey to give the report.

COMMISSIONER GOZZI: Mr Abey, oh, well, that's -

MR ABEY: Thank you, Mr Commissioner. I know you'll be shocked when I tell you that we are, unfortunately, not in a position to proceed today. But progress is being made.

COMMISSIONER GOZZI: Well, yes.

MR ABEY: The circumstances, Mr Commissioner, is that, as you are aware, we have a difficulty, one major difficulty with the graduate entry point and the MEWU have come up with a proposition which is being closely looked at. And one of the difficulties is that the negotiating party for our side is myself and one member of the executive of the Association of Consulting Surveyors. It is a major issue for the association and it was - the gentleman concerned, Mr Medbury, is anxious to get input from other members of the association.

A regular meeting of the association was programmed for December but, for various reasons, that didn't occur. The next meeting of the association is programmed for 6 March and we would like a date, at your convenience, after that time in which we, hopefully, can, once and for all, progress this to finality.

COMMISSIONER GOZZI: Mr Abey, the graduate entry point is really the difference between you and the - or the employers and the MEWU in respect of what are the parameters. I think the association - the MEWU is looking for around about 135%, isn't it, from memory? Is it 135%?

MR ABEY: One hundred and thirty, I think, sir.

MR BAKER: One hundred and thirty.

MR ABEY: One hundred and thirty, I think, sir.

COMMISSIONER GOZZI: One hundred and thirty per cent.

MR ABEY: And they've put to us a proposal to effectively phase that in over a period of years which has got

some attraction. We're still in two minds. At the moment there is a structure whereby the graduate comes in and then there is a scale of some 4 or 5 years. Now, frankly, that is the formula which best suits this profession and the notion of a spot entry point for a graduate does impose some real difficulties.

COMMISSIONER GOZZI: So the MEWU is proposing 130% as a spot entry point with no progression.

MR ABEY: That's, in essence, the proposal.

COMMISSIONER GOZZI: Isn't that consistent with what happens - what the metal industry provides for?

MR ABEY: Yes.

MR BAKER: Perhaps I may interpose. Basically, what Mr Abey says is correct. We would propose to do away with the scale and a graduate surveyor would progress through the range in incremental 5% steps upon having reached a degree of competence within their field of expertise. Now whereas the entry point, if it's obtained in a couple of years time, would be somewhat higher initially. It does allow - well the door is left open then to the employer that the survey does not automatically progress up the scale unless the graduate has obtained the necessary qualifications.

Now there is, I suppose, that fundamental difference between us but in the discussions that we had with Mr Medbury I am - well I won't say I'm confident but I believe that we can, in fact, reach an accommodation between the two parties. I think one of the difficulties that we had earlier on was that the Surveyors Association themselves didn't bother to read the material and digest it in a thorough reading of it or pose questions arising out of it until we'd have our periodical meetings between the TCI, themselves and us. And that, of course, first of all, led to some of the difficulties that have arisen.

But that really is the only area of disagreement between us. You know, we've got a scale, we've rewritten all the definitions which are agreeable to all of the parties and it may well be that if we can't reach an agreement arising out of this that two things will need to be done, as I see it. One is that we put into the award those areas which are agreed and those outstanding issues, such as the entry point and the progression for the qualified surveyor, may well need to be arbitrated by yourself.

COMMISSIONER GOZZI: Yes, that's what we've been talking about.

MR BAKER: Yes. We would be somewhat loathe to do that, I

think would be true to say from both our point of view. We would prefer to come to you and say: Look, this is the package which we've negotiated.

COMMISSIONER GOZZI: Yes, I would prefer you to do that as well, obviously.

MR BAKER: Yes. But I think it is getting to the stage where it simply cannot be allowed to be dragged on any longer. I think -

COMMISSIONER GOZZI: Well from my point of view I'm relaxed about it. Obviously, I'd like you to agree on a package but if ultimately you can't, well the only option really you have is to say at some point: Well we've given it a go and we'll have to have it arbitrated.

MR ABEY: I would point out that the graduate entry point is of fundamental importance in this profession because that's exactly where the - basically that's where all the new employees come from; they graduates first year out of uni.

COMMISSIONER GOZZI: Yes, that's right.

MR ABEY: And that's really their only scope for employment so it is a critical issue and, in essence, you're talking about, you know - I know over a period of time, but in essence, you're talking about suddenly increasing that point from about \$21,000 to about \$28,000. So it's not insignificant.

COMMISSIONER GOZZI: No, it's not.

MR ABEY: And they're not exactly travelling all that well at the moment because of the downturn in the building industry. But we'll work at it assiduously and I hope we can reach an accommodation.

COMMISSIONER GOZZI: All right, Mr Abey and Mr Baker, rather than listing it and pinning you down I could commit to you that once you've reached agreement you contact me or my associate, more precisely, we can slot it in fairly quickly before a normal hearing rather than just listing it for a 10.30 date now. When you've reached agreement let us know and we'll put it in as quickly as possible within, say, about 10 days or so, of you notifying us, before a 10.30 hearing because if you're agreed it shouldn't take very long and if you're not agreed well it might just a bit longer to get a hearing day put aside.

But I really wouldn't want to lock in a day unnecessarily if I could avoid it at this stage. All right, we'll adjourn sine die and you'll let me know when you're ready to proceed. Thank you.

HEARING ADJOURNED

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