

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s23(1) application for award or variation of award

The Minister administering the State Service Act 2000
(T14479 of 2017)

NURSES AND MIDWIVES (TASMANIAN STATE SERVICE) AWARD

PRESIDENT D J BARCLAY

HOBART, 24 February 2017

Award variation - allowances – hours of work and overtime – shift workers – parental leave- consent application - consent order issued - operative from date of approval.

DECISION

- [1] On 21 February 2017, The Minister administering *the State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 23(1) of the *Industrial Relations Act 1984* (the Act), an application to vary the Nurses and Midwives (Tasmanian State Service) Award.
- [2] At the hearing in Hobart on 23 February 2017, Mr M Double, Ms L Ross and Ms A Farmer appeared on behalf of MASSA, Ms C Saint appeared on behalf of the Australian Nursing and Midwifery Federation (Tasmanian Branch) (ANMF) and Mr Moore appeared on behalf of the Health Services Union (HSU).
- [3] Ms L Ross sought the following variations to the Award:
- a. Part IV – Allowances – Clause 6 – Provision of Uniforms, Uniform Allowance, Laundering and Equipment;
 - b. Part V – Hours of Work and Overtime – Section C. Special Conditions – Shift Workers Only;
 - c. Part VI – Leave and Holidays with Pay – Clause 2 – Parental Leave
 - d. Part VI – Leave and Holidays with Pay – Clause 3 – Personal Leave
 - e. Part VI – Leave and Holidays with Pay – Clause 4 – Compassionate and Bereavement Leave
 - f. Part VI – Leave and Holidays with Pay – Insert new Clause 10 – Family Violence Leave

- [4] I was told the variations arose as a result of extensive wage bargaining. All parties submitted the variations sought do not offend the public interest, do not disadvantage those employees covered by the Award and recommended the variations to the Commission
- [5] I am satisfied that the variations are in the public interest and that no employees are disadvantaged. I note for example that the variations include the introduction of Family Violence Leave which it to commended.
- [6] The application is granted and pursuant to s24 and 36 of the Act the Award is varied in accordance with the application. The variations to the award are operative from the date of approval of the variations.
- [7] An order reflecting this decision is to follow.



Appearances:

Mr M Double for MASSA
Ms L Ross for MASSA
Ms A Farmer for MASSA
Ms C Saint for ANMF
Mr R Moore for HSU

Date and place of hearing:

2017
23 February
Hobart