

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

and

United Firefighters Union of Australia, Tasmania Branch

(T14800 of 2020)

FIRE FIGHTING INDUSTRIAL AGREEMENT 2019

PRESIDENT D J BARCLAY

HOBART, 14 OCTOBER 2020

Industrial agreement – application approved – agreement operative from 1 July 2019 and will remain in force until 30 June 2021- forwarded to registrar for registration

DECISION

[1] On 18 September 2020, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section s55(2) of the *Industrial Relations Act 1984* (the Act), the Fire Fighting Industrial Agreement 2019.

[2] At the hearing in Hobart on 23 September 2020, Mr Tim Witt and Ms Courtney Collins appeared on behalf of MASSA, and Mr Leigh Hills appeared on behalf of the United Firefighters Union of Australia, Tasmania Branch (UFUA).

[3] At the hearing I noted some issues of potential ambiguity in the proposed agreement. The parties agreed that they would file an amended agreement which they have done. I also note that the application seeks the cancellation of old agreements.

[4] The parties have also provided written submissions in support of the Application.

[5] The Agreement has come about after extensive negotiations. The Agreement provides for salary increases and improvements in terms and conditions of employment. There are new classification descriptors which reflect the current and future direction of the Service. The Agreement also contains provision for an international deployment allowance and provision for a consulting forum to focus on firefighter's wellbeing both physical and mental.

[6] An issue I raised was in respect to status quo in the dispute resolution clause. The parties have clarified that the status quo is intended to reflect the status quo at the time the dispute arises.

[7] I am satisfied that, in respect to the termination of the Tasmanian Fire Fighting Industry Employees Industrial Agreements 2014, 2016 and 2018 that no employee who has the benefit of those agreements will be disadvantaged by their cancellation. All

provisions conferring benefits to employees have been preserved, where they have not been changed, in the Agreement. Accordingly I order the termination of those agreements.

[8] I am satisfied that the Agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and the term of the agreement does not exceed 5 years. I am satisfied that there is genuine consent to the Agreement by the parties to it.

[9] Pursuant to s55(4) the Agreement is approved with an operative date of 1 July 2019 and will remain in force until 30 June 2021. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s56(1) of the Act.



Appearances:

Mr T Witt and Ms C Collins for MASSA
Mr T Hills for UFUA

Date and place of hearing:

2020
23 September
Hobart