

## **TASMANIAN INDUSTRIAL COMMISSION**

*Industrial Relations Act 1984*

s55(2) application for approval of an industrial agreement

### **Minister administering the State Service Act 2000**

and

### **Tasmanian Salaried Medical Practitioners' Society (T14816 of 2020)**

### **Tasmanian Visiting Medical Practitioners Agreement 2019**

PRESIDENT D J BARCLAY

HOBART, 23 December 2020

**Industrial agreement – application approved – effective from 3 October 2019 and will remain in force until 1 October 2022 - forwarded to Registrar for registration**

## **DECISION**

**[1]** On 17 December 2020, the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the Industrial Relations Act 1984, an Application to approve the Tasmanian Visiting Medical Practitioners Agreement 2019 (the Agreement).

**[2]** The application also sought the cancellation of the Tasmanian Visiting Medical Practitioners (Tasmanian State Service) Agreement 2018 and the Tasmanian Visiting Medical Practitioners (Tasmanian State Service) Agreement 2016.

**[3]** By agreement of the parties the matter was dealt with by way of written submissions.

**[4]** A number of clauses from the old agreements providing benefits to employees covered by them are carried over into the Agreement. Additionally the Agreement provides for salary increases as follows:

- (a) 2.3% with effect from the first full pay period commencing on or after (ffppcoa) 1 July 2020;
- (b) 2.3% with effect from the ffppcoa 1 July 2021;
- (c) 2.35% with effect from the ffppcoa 1 July 2022.

**[5]** The Agreement also provides for increases to superannuation which benefits are in identical terms to the Tasmanian State Service Award and the Health and Human (Tasmanian State Service) Award (HAHSA). On call allowances are increased by 2.3%. A parental leave, kilometre allowance and a personal leave clause have been included so as to avoid the need to refer to HAHSA. The Agreement also now includes a new Compassionate and Bereavement leave clause which is in identical terms to the HAHSA clause. Finally there is a legacy clause ensuring that attraction payments made to employees in schedule 6 are maintained. I have been asked to redact the names of the persons referred to in schedule 6 when the Agreement is made available to the public. I do so.

**[6]** The Tasmanian Salaried Medical Practitioners' Society filed written submissions supporting the approval of the Agreement.

[7] The parties submitted that the Agreement was in the public interest and that there was genuine consent to it and that no persons affected by the Agreement are disadvantaged. As benefits have been carried over from old agreements I am satisfied that anyone covered by those old agreements does not suffer a detriment by the cancellation of this old agreements. Accordingly I cancel the Tasmanian Visiting Medical Practitioners (Tasmanian State Service) Agreement 2018 and the Tasmanian Visiting Medical Practitioners (Tasmanian State Service) Agreement 2016.

[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.

[9] Pursuant to s 55(4) the agreement is approved with effect from 3 October 2019 and will remain in force until 1 October 2022. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s 56(1) of the Act.



DJ Barclay  
**President**

**Date and place of hearing:**

Determined on the papers