

HEARING COMMENCED

DEPUTY PRESIDENT: I'll take the appearances please.

MR D. JOHNSTON: Good morning, Mr Deputy President. If the commission pleases, MR D. JOHNSTON appearing with **MR J. McCABE** for the Minister for Public Sector Management.

DEPUTY PRESIDENT: Thank you, Mr Johnston.

MR T. KLEYN: Mr Deputy President, appearing for the Health Services Union of Australia, Tasmania No. 1 Branch, TOM KLEYN. Thank you.

DEPUTY PRESIDENT: Thank you, Mr Kleyn. Yes, Mr Johnston.

MR JOHNSTON: Firstly, Mr Deputy President, we seek to vary the application to include a number of other amendments to the award.

DEPUTY PRESIDENT: This an attachment which you wish to replace the one that was attached to the application as lodged.

MR JOHNSTON: Yes, that's correct. Replace the current attachment, yes, that's correct.

DEPUTY PRESIDENT: Will you describe the differences between the two attachments please?

MR JOHNSTON: Yes, I can do that now, if you like. With the attachment already before the commission, you'll see that clause 8, if we look firstly at the one before the commission, clause 8 the classifications for executive officer finance and human resources, the administrative and clerical employees and the keyboard employees and office assistants, we want to continue to delete those but we also wish to take out clause 8(g) - translation. Also in clause 7 - no, sorry, clause 7 is the same. If we go to the new attachment, we want to delete the Annexure A and Annexure B - it's the translation tables and conditions of employment respectively. So we just want to add those on.

DEPUTY PRESIDENT: Yes. Is there any objection, Mr Kleyn?

MR KLEYN: No, Mr Deputy President.

DEPUTY PRESIDENT: In those circumstances, leave is granted to amend the application by removing the attachment to the application as lodged and substituting for that attachment, the attachment submitted today by Mr Johnston.

MR JOHNSTON: Thank you, Mr Deputy President. This matter was lodged with the commission on 15 May 1996 with the initial hearing date for 27 May 1996. Unfortunately, due to complications with the

translation process, this hearing did not proceed and at the request of the parties the matter is rescheduled for 3 June 1996.

5 The matter was again rescheduled so that we now find ourselves here today to vary the Tasmanian Ambulance Service Award by deleting all provisions relating to the administrative and clerical positions of the award.

10 Until 1992, the Tasmanian Ambulance Service was a part of the Department of Police and Emergency Services. As a result of the government restructuring the service became part of the Department of Community and Health Services in 1992. As such, Tasmanian Ambulance Service employees were not part of the department at the inception of this award.

15 This application seeks to bring the administrative and clerical employees of that service within the scope of the Community and Health Services (Public Sector) Award and as such put them on a fair and equitable footing with all other administrative employees of the department.

20 While the proposed variations to the award are outlined in the draft order, if the commission - well, I've already summarised those for you so I'll just go past that.

25 Mr Deputy President, the object of this application is to tidy up an inconsistency in the treatment of administrative and clerical employees of the Department of Community and Health Services and provide one set of employment conditions for all administrative and clerical positions of the agency.

The standard employment conditions are those contained within the Community and Health Service (Public Sector) Award with employees of the Tasmanian Ambulance Service gaining these conditions through the scope of that award.

30 Mr Deputy President, the strategy adopted in order to bring the Tasmanian Ambulance Service administrative and clerical employees within the scope of the Community and Health Services Award, has three steps.

35 Firstly, administrative and clerical positions as provided for in the Tasmanian Ambulance Service Award were varied to reflect the adoption of the three stream classification structure. This was accomplished through matter T6130 of 1996 and came into effect from the first full pay period commencing on or after 1 March 1996.

40 The second step in this process involved the administrative and clerical positions being classified under the classification standards of the Community and Health Service (Public Sector) Award and thus

translated to this award. This also came into effect from the first full pay period commencing on or after 1 March 1996.

5 The third step in this process involves the removal of administrative and clerical provisions from the Tasmanian Ambulance Services Award in order that they formally come within the scope of the Community and Health Services (Public Sector) Award. In following this process, a consistency of approach has been ensured for all administrative and clerical employees by the department.

10 Mr Deputy President, in facilitating the translation for the Community and Health Services (Public Sector) Award, a comprehensive consultation process with the relevant employees was undertaken by both the union and the department. All employees were fully informed of the process in total and their specific translation issues. All employees affected by the translation process have benefited from
15 salary increases generated from the translation.

Finally, Mr Deputy President, I believe this application is consistent with public interest requirements of section 36 of the *Tasmanian Industrial Relations Act 1984*.

20 Mr Deputy President, I submit that if the application be approved it would operate from the commencement of the first full pay period on or after the date of your decision.

Mr Deputy President, that concludes my submission. If the commission pleases.

DEPUTY PRESIDENT: Thank you, Mr Johnston. Mr Kleyn?

25 MR KLEYN: Mr Deputy President, the Health Services Union is in full agreement with the application that has been lodged today. As Mr Johnston stated to you, it was something that we were intending to do last year and certainly if the application is granted then it will provide for a much more consistent approach between administrative and
30 clerical officers covered by this award and those covered by the Community and Health Services (Public Sector) Award.

So like the Minister, we seek that the application be approved and we have no difficulties with the operative date. Thank you.

35 DEPUTY PRESIDENT: And you concur with the Minister's submission that there is nothing in the application which contravenes the public interest either in terms of section 36 of the Act or the Wage Fixing Principles?

MR KLEYN: We do indeed, Mr Deputy President.

40 DEPUTY PRESIDENT: Having heard the parties, I am satisfied that the award variation does not conflict with the Wage Fixing Principles,

nor does it contain any elements that are contrary to the requirements of section 36 of the Act as to public interest.

5 Accordingly I will vary the award in the manner as set out in the amended application. That variation will come into effect from commencement of the first full pay period to begin on or after this date.

That concludes the hearing of matter T6216 of 1996.

HEARING CONCLUDED