

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s.23 application for award or variation of award

Australian Municipal, Administrative, Clerical and Services Union
(T.4546 of 1993)

TEXTILE AWARD

COMMISSIONER R K GOZZI

HOBART, 6 September 1993

Award variation - delete all reference to the FCU and ASU following amalgamation - insert in lieu AMACSU - consent matter - award varied.

ORDER - No. 5 of 1993

The above award is varied in the following manner:

1. Delete Clause 6 - Parties and Persons Bound and insert in lieu thereof the following:

"6. PARTIES AND PERSONS BOUND

Unless otherwise specified, this award shall have application to and be binding upon:

- (a) all employers (whether members of a Registered Organisation or not) who are engaged in the industry specified in Clause 2 - Scope;
- (b) all employees (whether members of a Registered Organisation or not) for whom classifications appear in this award and who are employed in the industry specified in Clause 2 - Scope;
- (c) the following organisations of employees in respect of whom award interest has been determined:
 - (i) the Australian Municipal, Administrative, Clerical and Services Union and the officers of that organisation and their members who are employed in the industry specified in Clause 2 - Scope;
 - (ii) the Construction, Forestry, Mining and Energy Union, Tasmanian Branch and the officers of that organisation and their members who are employed in the industry specified in Clause 2 - Scope; and

(iii) the Textile, Clothing and Footwear Union of Australia, Tasmanian Branch and the officers of that organisation and their members who are employed in the industry specified in Clause 2 - Scope;

(d) the following organisation of employers in respect of whom award interest has been determined:

the Tasmanian Confederation of Industries."

2. Delete Clause 11 - Annualised Salary Agreements and insert in lieu thereof the following:

"11. ANNUALISED SALARY AGREEMENTS

Overtime penalty rates and allowances (Clauses 18 - Hours, 21 - Overtime, 28 - Saturday, Sunday & Holiday Work, 31 - Tea Money) may not apply to employees classified in Grades 4, 5 and 6 provided that a written agreement is reached between the employer and employee for a suitable employment package to take account of work which is likely to be performed outside the ordinary hours (as defined) in Clause 18 - Hours.

An Annualised Salary Agreement shall only be made with employees classified as Grade 3, following the consent of the Federated Clerks Union.

Annualised Salary Agreements shall not apply to any employee classified as Grade 1 or Grade 2.

Agreement shall not be withheld unreasonably.

PROVIDED that:

- (a) The employment package shall be of such a nature as to generate a more advantageous remuneration package than would otherwise be available under award conditions in any agreed time period not exceeding four weeks.
- (b) Either party may terminate the agreement on the giving of four weeks notice.
- (c) One week prior to entering into an agreement of this nature, the employee shall be provided with a copy of this clause.
- (d) All other provisions of the award shall apply.

- (e) During the month of July each year, an employer shall notify the office of the Australian Municipal, Administrative, Clerical and Services Union of the number of agreements made pursuant to this clause during the previous twelve months and the number currently in existence.
- (f) These agreements shall be kept as part of the record required to be kept by employers under Part VII, Section 75 of the Industrial Relations Act 1984."

3. Delete subclause (c) from Clause 27 - Right of Entry of Union Officials and insert in lieu thereof the following:

"(c) For the purpose of Section 77 of the Industrial Relations Act 1984, the following organisation of employees shall be recognised:

the Australian Municipal, Administrative, Clerical and Services Union."

Operative Date

This order shall commence operation from 25 August 1993.

