

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

and

Australian Education Union, Tasmanian Branch

(T14632 of 2019)

Filing of the Teachers Agreement 2017 (No2)

PRESIDENT D J BARCLAY

HOBART, 29 JANUARY 2019

Industrial agreement - application approved - operative from date of registration and shall remain in force until 31 December 2018 - forwarded to Registrar for registration

DECISION

- [1] On 24 January 2019, the Australian Education Union, Tasmanian Branch lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), an application to approve the Teachers Agreement 2017 (No2) (the Agreement). Accompanying the application was an application to cancel the existing 2017 agreement bearing the same name.
- [2] At the hearing in Hobart on 29 January, Mr T Falconer and Ms A Duncombe appeared on behalf of Minister administering the State Service Act 2000 (MASSA), Ms K Siejka and Ms N Mazella appeared on behalf of the Australian Education Union, Tasmanian Branch.
- [3] I was told the most significant aspect of the Agreement was that it now provided for a specialist VET classification scale which enabled VET teachers to progress beyond band 1 level 6 subject to the attainment of relevant qualifications. This was an advantage over old arrangements which saw VET teachers unable to progress past band 1 level 6. I was told that there was genuine agreement and it was submitted that the Agreement was in the public interest.
- [4] 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.
- [5] In respect to the existing agreement I am satisfied that no person is deprived of a benefit from the existing agreement sought to be cancelled who is not a party to the Agreement.
- [6] Accordingly I order cancellation of the existing agreement pursuant to s59 (1) of the Act.
- [7] Pursuant to s55 (4) the Agreement is approved with an operative date from date of registration and shall remain in force until 31 December 2018. 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.
- [8] I note for ease of reference the agreement will be called the Teachers Agreement 2017 (No.2).



Appearances

Mr T Falconer and Ms A Duncombe for MASSA

Ms K Siejka and Ms N Mazella for AEU

Date and place of hearing: 29 January 2019, Hobart