

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s 23(1) application for award or variation of award

The Minister administering the State Service Act 2000

(T14820 of 2020)

TASMANIAN STATE SERVICE AWARD

HEALTH AND HUMAN SERVICES (TASMANIAN STATE SERVICE) AWARD

DEPUTY PRESIDENT N ELLIS

HOBART, 4 FEBRUARY 2021

Award variation – Part II Salaries and Related Matters - Expenses and Other Allowances - Hours of Work and Overtime for Day Work - Appendix 16 Teacher Assistants, Vet Student Assistants and Participation Assistants Department of Education - Appendix II - Dental Officers-operative date from the first full pay period on or after 1 July 2020.

DECISION

[1] On 22 December 2021, the Minister administering *the State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to section 23(1) of the *Industrial Relations Act 1984*, an application to vary the Tasmanian State Service Award (TSSA) and the Health and Human Services (Tasmanian State Service) Award (HAHSA).

[2] At the hearing on 3 February 2021, Ms Alice van Galen appeared on behalf of MASSA, Ms Natalie Jones appeared on behalf of The Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU (SPSFT) Inc), Ms Caroline Saint appeared on behalf of the Australian Nursing and Midwifery Federation (Tasmanian Branch) (ANMF), Mr James Eddington appeared on behalf the Health Services Union, Tasmania Branch (HSU), and Mr James Katarzynski appeared on behalf of the United Workers Union (UWU).

[3] The variations to both the Awards include replacement of the respective salary tables and an increase to the wage related allowances in line with salary increases from the 2019-2020 financial year.

[4] The Awards contain a mechanism to increase all monetary allowances, and the percentage increase for both Awards is 2.55%, the increase for the preceding year.

[5] The following allowances in the TSSA were increased: First Aid Certificate, Testing and Tagging Allowance, Coxswain's Certificate, Diving Allowance, Tasmanian Prison Services-Special Allowances, Nominee Allowance, Foul and Nauseous Linen Allowance, Availability and Recall allowance and Toileting Allowance. A new table setting out the camping allowance rates provides additional clarity to the clause but does not change the substance of the clause.

[6] The following allowances were varied and increased in the HAHSA: Skills and Qualifications Allowance, Professional Development Allowance, First Aid Certificate, Testing and Tagging Allowance, Special Rates, Allowance for the Management of Deceased Persons Pronounced Dead on Arrival and the Availability and Recall allowance.

[7] A typographical error was agreed to be amended by the consent of the parties in the column of Dental Officers Level 6 Year 1 from \$198,857 to \$198,867.

[8] With the consent of the parties, the United Voice, Tasmanian Branch is updated and replaced with United Workers' Union, Tasmanian Branch in Clause 5 'Award Interest'.

[9] CPSU, HSU, ANMF and the AEU filed written submissions supporting the approval of the variation of the relevant Awards. It was submitted the variation sought does not offend the public interest, does not disadvantage those employees covered by the Award and they recommended the variation to the Commission

[10] I am satisfied that the variation is with the genuine consent of the parties, in the public interest and that no employees are disadvantaged.

[11] The application is granted and pursuant to ss 24 and 36 of the Act the Award is varied in accordance with the application. The variations effected are operative from the first full pay period on or after 1 July 2020.

[12] An order reflecting this decision will follow.



Appearances:

Ms Alice van Galen for MASSA
Ms Natalie Jones for the CPSU (SPSFT) Inc
Ms Caroline Saint for ANMF
Mr James Eddington for HSU
Mr James Katarzynski for the UWU

Date and place of hearing:

2021
3 February
HOBART