

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

And

The Community and Public Sector Union (State Public Services Federation Tasmania) Inc

(T14855 of 2021)

DEPARTMENT OF POLICE, FIRE & EMERGENCY MANAGEMENT (CPSU) INCIDENT MANAGEMENT OPERATIONS INDUSTRIAL AGREEMENT 2020

DEPUTY PRESIDENT N ELLIS

HOBART, 5 AUGUST 2021

Industrial agreement – application approved –agreement operative from 1 October 2020 and will remain in force until 1 April 2021 - forwarded to registrar for registration

DECISION

[1] On 14 July 2021, the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), the Department of Police, Fire & Emergency Management (CPSU) Incident Management Operations Industrial Agreement 2020 (the Agreement).

[2] At the hearing in Hobart on 4 August 2021, Fiona McDougall and Courtney Collins appeared for MASSA and Thirza White appeared for the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU).

[3] Ms McDougall submitted the terms of the Agreement apply to Department of Police, Fire & Emergency Management (DPFEM) employees who have specific classifications as defined in clause 9 of the Agreement who are undertaking Incident Management Operations within Tasmania and interstate deployments. These arrangements cover the 2020/2021 fire season. It was noted that further negotiations for a longer term Agreement will commence and clause 12 specifies the intention of the parties to negotiate the replacement Agreement by 1 September 2021.

[4] Ms White submitted the Agreement is an interim position pending the final negotiations for a longer term, more comprehensive Agreement. The CPSU agreed to the

registration of this Agreement to ensure DPFEM had the capability required across the fire season to keep the community safe. The previous 2019 Agreement, which covers 2018/19 fire season remains on foot. CPSU noted there had been significant delays in drafting the Agreement due to the requirements of the care-taker mode of Government. CPSU committed to meeting the stated deadline for negotiations.

[5] 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.

[6] 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.

[7] Pursuant to s55(4) the agreement is approved with an operative date from 1 October 2020 and will remain in force until 1 April 2021. 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.



Neroli Ellis
Deputy President

Appearances:

Ms F McDougal and Ms C Collins for MASSA
Ms T White for CPSU

Date and place of hearing:

2021
4 August
Hobart