

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s 55(2) application for approval of an industrial agreement

Minister administering the *State Service Act 2000*

and

The Australian Workers' Union, Tasmania Branch

(T14993 of 2022)

AWU PUBLIC SECTOR UNION WAGES AGREEMENT 2022

PRESIDENT D J BARCLAY

HOBART, 23 DECEMBER 2022

Industrial agreement – application by consent - application approved – agreement to effect salary increases - agreement operative from 1 July 2022 and will remain in force until 30 June 2025 - forwarded to registrar for registration.

DECISION

[1] On 20 December 2022, 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 AWU Public Sector Union Wages Agreement 2022 (the Agreement). The Application also seeks the cancellation of the AWU Public Sector Union Wages Agreement 2019 (the 2019 Agreement).

[2] At the hearing in Hobart on 23 December 2022, Jane Hanna and Stuart Locke appeared on behalf of MASSA and Robert Flanagan appeared on behalf of the Australian Workers' Union, Tasmania Branch.

[3] The Agreement follows extensive negotiations including negotiations to vary relevant awards. A detailed offer covering a broad range of industrial matters was made in writing by the employer on 13 December 2022. The Agreement relates to some but not all of those matters. The parties have committed to undertaking further work to draft and implement the outstanding matters.

[4] The Agreement carries forward several clauses from the 2019 Agreement with no changes.

[5] The Agreement provides for salary increases amounting to 9.5% over 3 years. A number of employees will receive a \$1000 cost of living allowance and others will receive lower income payments of between \$500 and \$2000 (payable over three years) depending on their classification.

[6] A new clause includes pay in lieu of deduction of recreational leave where a Head of Agency determines to close the agency (or a part) between Christmas Day and New Year's Day.

[7] The parties submitted that no employees covered by the 2019 Agreement will be disadvantaged by the cancellation of it. I have already noted that several clauses of the 2019 Agreement are replicated in the Agreement. I accept that there will be no disadvantage to employees if the 2019 Agreement is cancelled. Accordingly I cancel the 2019 Agreement.

[8] All parties submitted the Agreement is consistent with the public interest, does not disadvantage those employees covered by it and that there is genuine consent to the Agreement

[9] I am satisfied that the agreement is in the public interest and does not apply for a period in excess of five years. I am satisfied that there is genuine consent to the Agreement. Pursuant to s 55(4) of the Act, the agreement is approved with an operative date being from 1 July 2022 and will remain in force until 30 June 2025. The file will be referred to the registrar for registration of the agreement in accordance with the legislation.



D J BARCLAY
PRESIDENT

Appearances:

J Hanna and S Locke for MASSA
R Flanagan for AWU

Date and place of hearing:

2022
23 December
Hobart