



TASMANIAN INDUSTRIAL COMMISSION

CITATION: Variation of the Health and Human Services (Tasmanian State Service) Award
[2023] TASIC 31

PARTIES:

Minister administering the *State Service Act 2000*

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

SUBJECT: *Industrial Relations Act 1984*, s 23(1) Application for award or variation of award

FILE NO: T15039 of 2023

HEARING DATE(S): 20 June 2023

HEARING LOCATION: Hobart

DATE REASONS ISSUED: 29 June 2023

COMMISSIONER: President Barclay

CATCHWORDS: Award variation – Appendix 11: Dental Officers – consent application – operative from the first full pay period on or after 20 June 2023.

REPRESENTATION:

Minister administering the *State Service Act 2000*: O Clark; R Monty

Community and Public Sector Union (State Public Services Federation Tasmania) Inc: T Lynch

VARIATION OF THE HEALTH AND HUMAN SERVICES (TASMANIAN STATE SERVICE) AWARD [2023] TASIC 31

REASONS FOR DECISION

29 JUNE 2023

[1] On 31 May 2023, The Minister administering the *State Service Act 2000* lodged with the Registrar, pursuant to Section 23(1) of the *Industrial Relations Act 1984*, an application to vary the Health and Human Services (Tasmanian State Service) Award.

[2] The variations are summarised in the Applicant's written submissions as follows:

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- Salary table (move existing salary table from clause 2 to clause 1);
- Classification Descriptors (amended for Senior Clinician Level 4);
- Professional Development Allowance (one existing paragraph deleted to facilitate the implementation of changes to sabbatical leave (see below) and the new professional development allowance provision in the Agreement);
- Sabbatical Leave (removal of the existing award restriction on access to professional development allowance for Dental Officers during year of sabbatical; and change to the number of Dental Officers who can access sabbatical leave per year);
- (New) Motor vehicle entitlements (a new allowance paid in lieu of the entitlement to a private motor vehicle for part-time Dental Officers Level 4 and 6);
- Overtime arrangements (removal of fee-for-service in lieu of overtime provision); and]
- Updated terminology (various changes to terminology throughout the Appendix to reflect changes to position titles and policies within Oral Health Services Tasmania).”

[3] Of note, there is introduced a fortnightly payment model for sabbatical leave and for the professional development allowance. Where motor vehicle allowance is payable to a full time employee, part time employees in that position will now be entitled to payment of the allowance pro rata.

[4] The parties submitted that the variations was in the public interest and that no employee covered by the award would be prejudiced as a result of the variation.

[5] I am satisfied that the variations are in the public interest and that no employees are disadvantaged.

[6] 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 to the Award are operative from the first full pay period on or after 20 June 2023.

[7] An order reflecting this decision will follow.

