

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

s.23 application for award or variation of award

**The Federated Miscellaneous Workers Union of Australia,  
Tasmanian Branch  
(T.3234 of 1991)**

**VETERINARY SERVICES AWARD**

DEPUTY PRESIDENT A. ROBINSON

HOBART, 2 September 1991

Increase wage rates by 2.5%

**REASONS FOR DECISION**

This matter concerns an application by The Federated Miscellaneous Workers Union of Australia, Tasmanian Branch, to vary the Veterinary Services Award by increasing wage rates by \$12.00 per week.

The claim was subsequently amended to increase wage rates and appropriate allowances, if any, by 2.5%.

The matter is one of consent and the parties placed on transcript details of eligibility for the granting of the present application. In particular:

- (a) The FMWU has given a commitment in the following terms, and that commitment will be confirmed in writing, i.e.:

*"It is a term of this award (arising from the decision of the Tasmanian Industrial Commission in the State Wage Case of 13 August 1991) that the union(s) undertake(s), until 30 November 1991, not to pursue any extra claims, award or overaward, except when consistent with those principles."*

- (b) New subclause 13(g) will be inserted in the award:

*"(g) (i) An employer may direct an employee to carry out such duties as are within the limit of the employee's skill, competence and training consistent with the classification structure of this award provided that such duties are not designed to promote de-skilling."*

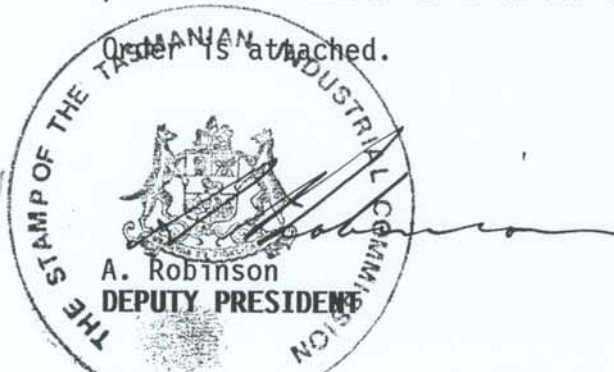
- (ii) *An employer may direct an employee to carry out such duties and use tools and equipment as may be required provided that the employee has been properly trained in the use of such tools and equipment.*
- (iii) *Any direction issued by an employer pursuant to paragraphs (i) and (ii) shall be consistent with the employer's responsibilities to provide a safe and healthy working environment."*
- (c) All other criteria stipulated by the revised Wage Fixation Principles determined by the State Wage Case Full Bench in its decision of 13 August 1991\* have been met, including item 2, Structural Efficiency, (a) to (g) inclusive.
- (d) The 'second structural efficiency increase' was earlier granted on proper criteria.

On all of the evidence before me I am satisfied that the requirements of Section 36 of the Act, and the Principles of Wage Fixation have been met. Accordingly I have decided to grant the application and vary the award by increasing wage rates by 2.5%, with amounts appropriately rounded off. No allowances are involved.

**Operative Date:**

This variation shall have effect from the agreed date of the first full pay period to commence on or after 1 September 1991.

Order is attached.



**Appearances:**

Mr D. Adams for The Federated Miscellaneous Workers Union of Australia, Tasmanian Branch.  
Mr S. Clues for the Tasmanian Confederation of Industries.

**Date and Place of Hearing:**

1991:  
Hobart  
August 28

\* T.3069 and T.3166 of 1991