



TASMANIA

*Tasmanian Industrial Commission*

Industrial Relations Act 1984

T No. 10346 of 2002

**IN THE MATTER OF** an application by  
the Australian Municipal,  
Administrative, Clerical and Services  
Union to vary the Printers Award

Re: (a) Insert in Clause 10 – Annual Leave  
a new subclause (e) – Payment for Period of  
Leave; and (b) Insert the Minimum Wage  
Clause in accordance with Principle 7 of the  
Wage Fixing Principles

DEPUTY PRESIDENT WATLING

HOBART, 21 AUGUST 2002

**TRANSCRIPT OF PROCEEDINGS**

**UNEDITED**

**(WOULD PARTIES PLEASE READ THIS TRANSCRIPT CAREFULLY)  
(ANY QUERIES SHOULD BE DIRECTED TO THE COMMISSION WITHIN 14 DAYS)**

**HEARING COMMENCED 10.30AM**

DEPUTY PRESIDENT: I'll take appearances in this matter please.

**MR PATERSON:** If it please, Deputy President, Ian Paterson for Australian Municipal, Administrative, Clerical and Services Union.

5 **MR HARGRAVE:** If the Commission pleases, Hargrave, J, appearing on behalf of the Printing Industry Association of Australia.

**MS THOMAS:** Jenny Thomas appearing on behalf of the Tasmanian Chamber of Commerce and Industry Limited.

10 DEPUTY PRESIDENT: Good, thank you, Ms Thomas. Have the parties had some pre-hearing discussions in relation to this matter?

MR PATERSON: There has been an exchange of correspondence on this matter and some brief discussions, none of which resolved the differences between us.

DEPUTY PRESIDENT: Right, so it's not a consent matter?

15 MR PATERSON: No.

DEPUTY PRESIDENT: Right. We might go off the record for a minute.

**OFF RECORD 10.32AM**

**ON RECORD 10.45AM**

20 DEPUTY PRESIDENT: Mr Paterson?

MR PATERSON: Thank you , Deputy President. Taking into account the discussions between the parties, as well as the history of the leave loading issue which would be relevant in any arbitration of this matter, I seek to vary the application before you in the sub-clause e,  
25 Payment for Period of Leave, to delete all the words after the percent mark, up until the full stop. And to delete the note between that and variation 2. So the variation to clause e would read:

30 "All employees before going on annual leave shall be paid the amount of wages they would have received in respect of the ordinary time they would have worked had they not been on leave during the relevant period. In addition thereto all employees shall be paid a loading of 17 and a half percent."

DEPUTY PRESIDENT: No objection to the application being amended?

35 MR HARGRAVE: No objection.

MS THOMAS: No.

DEPUTY PRESIDENT: Leave is granted

MR PATERSON: And if I just put on the record, I suppose, I do this  
40 despite my reservations that there will be some considerable  
disadvantage, particularly to juniors who have been advantaged by the  
previous provision. We've also, between the parties, discussed the fact  
that it is possible that there may be employees who are currently  
45 programmed to take annual leave in the expectation of receiving the  
flat dollar amount and we are proposing – we have discussed with the  
employers a prospective operative date for this provision. We have  
tentatively – I think we have agreed to a 1 December operative date to  
allow a bit of breathing space between this the current provision and  
the implementation of the 17 and a half percent.

DEPUTY PRESIDENT: Right. Is that the first full pay period?

50 MR PATERSON: First full pay period on or after the first of December  
2002. So I think that probably should be – I didn't put an operative  
date in the application, so that would be my submissions to you.

DEPUTY PRESIDENT: Good, thank you. Ms Thomas?

55 MS THOMAS: Yes, we give our consent to the application, as  
amended, and from the operative date of the first full pay period from  
the first of December 2002. If it pleases the Commission.

DEPUTY PRESIDENT: Good, thank you. Mr Hargrave?

60 MR HARGRAVE: Commissioner, we concur with the TCCI and we  
give our consent in this matter and we agree to the operative date  
being the first full pay period commencing on or after 1 December  
2002.

DEPUTY PRESIDENT: Good, thank you. Well, I can indicate to the  
parties I will issue orders in due course along the lines of the amended  
65 application and will be operative from the agreed date. That now  
concludes this matter, thank you.

**HEARING ADJOURNED 10.50AM**