

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

T No. 3677 of 1992

**IN THE MATTER OF** an application  
by the Australian Workers' Union,  
Tasmania Branch to vary the  
Agriculturists Award

re second structural efficiency  
principle adjustment; first  
minimum rate adjustment;  
superannuation; 38 hour week;  
further implement decision of 30  
August 1991 (T.226 of 1985)

COMMISSIONER WATLING

HOBART, 28 February 1992

**TRANSCRIPT OF PROCEEDINGSs**

Unedited

COMMISSIONER WATLING: I'll take appearances in this matter, please.

MR G. COOPER: If the commission please, I appear on behalf of the Australian Workers' Union, Tasmanian Branch, COOPER G.

COMMISSIONER WATLING: Good. Thank you.

MR G. WARN: If it pleases the commission, WARN G, I appear on behalf of the Transport Workers' Union of Australia.

COMMISSIONER WATLING: Good. Thanks, Mr Warn.

MR D. STRICKLAND: Thank you, Mr Commissioner, STRICKLAND D, seeking leave to intervene in this matter. If the commission pleases.

COMMISSIONER WATLING: Right.

MR W.J. FITZGERALD: If it pleases, commissioner, I appear on behalf of the Tasmanian Confederation of Industries, and I also seek leave to appear on behalf of the Tasmanian Farmers and Graziers Association, FITZGERALD, W.J.

COMMISSIONER WATLING: Right. I take it that you have authority to do that?

MR FITZGERALD: I have certainly oral authority to do that, commissioner. I don't know whether that presents any problem in terms of the commission's requirements. I'd be completely frank about -

COMMISSIONER WATLING: It does. The Act, of course you know, because the Act says only those people that have authority to appear can appear.

MR FITZGERALD: Yes. If it presents any problems, commissioner - it is probably more a courtesy thing rather than a procedural thing. I can appear on behalf of the Tasmanian Confederation of Industries, and if that is the case I would simply leave it at that.

COMMISSIONER WATLING: Now, Mr Cooper, we've had an application to intervene here. Have we any objection to the intervention?

MR COOPER: Commissioner -

COMMISSIONER WATLING: And, or do we feel that we should hear submissions from the intervener first before we - or would we prefer to proceed off the record first to discuss some issues before we actually get to hear the reasons for intervention?

MR COOPER: Commissioner, I think it would be most appropriate, given that there has only been limited discussion on the intervention, that we do go off the record to discuss the issues involved.

But, before we do that, there is a preliminary matter that I would like to raise, and that is with respect to the application T.3677. Should I do that now or when we come back on the record?

COMMISSIONER WATLING: What, are you seeking leave to amend it, are you?

MR COOPER: Yes.

COMMISSIONER WATLING: Right, well just so we know what we are talking about, I might hear your submission on that question first so the other parties and the intervener know exactly what is before us today.

MR COOPER: Right. Well, commissioner, in the course of the discussions that have resulted in a draft award that we will be tendering later on in these proceedings the parties have agreed to actually implement two minimum rates adjustments and the 2.5. Now I would like to seek leave to amend the application to read rather than first minimum rates adjustment - well, it still actually is the first minimum rates adjustment, but it will actually incorporate two minimum rates adjustments - and it will also go further to implement the 2.5% wage increase that was available to us under the August '91 decision. If the commission pleases.

COMMISSIONER WATLING: Right. Any objection to the alteration of the - the amending of the application - sorry. No objection. Leave is granted to amend the application.

So we are all clear what's before us in relation to this application? That's the second structural efficiency increase, the question of minimum rates adjustments for this award, the inclusion of a provision for superannuation, the inclusion of a provision for a 38-hour week, further implementation of the decision of the 30th of August 1991, and the 2.5% increase arising out of the August '91 state wage case decision. We will now proceed off the record, thanks

OFF THE RECORD

COMMISSIONER WATLING: Mr Strickland?

MR STRICKLAND: Thank you, Mr Commissioner. Well, thanks for that adjournment. The NUW has addressed its concerns that it

had this morning, and we intend to take no further part in these proceedings. If the commission pleases.

COMMISSIONER WATLING: Thanks, Mr Strickland.

Right, we might go off the record now to consider the contents of that document, thank you.

OFF THE RECORD

NO FURTHER PROCEEDINGS RECORDED

HEARING ADJOURNED