

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s.23 application for award variation

National Union of Workers, Tasmanian Branch
(T.Nos. 3788 and 4115 of 1992)

Australian Municipal, Administrative, Clerical and Services Union
(T.4181 of 1992)

WHOLESALE TRADES AWARD

COMMISSIONER R J WATLING

20 January 1995

Wage rates - State Wage November 1989 - Structural Efficiency Principle - first & second minimum rates adjustment - Commercial Travellers, Transport and Clerical classifications - classification structure - classification definitions - Principles satisfied - consent matter - award varied - operative fpp 20 January 1995

REASONS FOR DECISION [Previous Decision]

These applications are part of the award restructuring programme for the Wholesale Trades Award. Specifically the applications deal with the inclusion of classification definitions and structures, minimum rate adjustments and the integration of the various classifications.

The variations come before the Commission as consent matters and are best summarised as follows:

1. Insert within definition of 'Warehouse and Storeworker - Level 1' the following:
 - operates small delivery vehicle.
 - loads and unloads vehicle.
 - clerical duties associated with the operations of the warehouse.
2. Insert within definition of 'Warehouse and Storeworker - Level 2' the following:
 - operates a truck up to 10 tonnes
 - clerical duties of a level higher than level 1 associated with the operations of the warehouse.
3. Increase wage rates for clerical, commercial traveller and transport classifications to reflect first and second minimum rate adjustments.

4. Insert clerical classification structure with a provision to the effect of:

“This classification structure shall not apply to employees who perform clerical and/or administrative tasks incidental or peripheral to the warehouse, distribution and/or manufacturing operations of the employer.”

5. Any consequential amendments as deemed necessary or appropriate.
6. Consolidate, neuter gender and rectify incorrect cross-referencing in the award.

In respect of the minimum rates adjustments for clerical, commercial traveller and transport classifications it was also agreed that there would be four adjustments of which the first two would be operative from the date of the decision, the third six months after that date and the fourth six months after the operative date of the third minimum rates adjustment.

It must be noted that separate applications will be required for third and fourth minimum rates adjustments.

I have considered the submissions of the parties and arrived at the conclusion that the agreement, as outlined in the draft orders forwarded to the parties for their consideration, is consistent with the Wage Fixing Principles and therefore the award will be varied in the manner sought.

The Order giving effect to this decision is attached and will be operative from the first full pay period commencing on or after 20 January 1995.



Appearances:

Mr P Richardson and Mr D Strickland for the National Union of Workers, Tasmanian Branch.

Mrs H Dowd for the Australian Municipal, Administrative, Clerical and Services Union.

Mr B Hansch for the Transport Workers' Union of Australia, Tasmanian Branch.

Mr P Targett for the Tasmanian Chamber of Commerce and Industry Limited.

Date and place of hearing:

1992

Dec 18

1994

Sept 15

Oct 19

Nov 25

1995

Jan 10