



Tasmanian Industrial Commission

Industrial Relations Act 1984

T No. **9787 of 2001**

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

Re: to give effect to the Third Minimum
Rates Adjustment in accordance with
the Wage Fixing Principles of the
Tasmanian Industrial Commission and
the undertakings given in T7906 of
1998

COMMISSIONER SHELLEY

HOBART, 18 September 2001

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

COMMISSIONER: I'll take appearances, please.

5 **MR I. PATERSON:** If it pleases the commission, IAN PATERSON appearing for the Australian Municipal, Administrative, Clerical and Services Union.

COMMISSIONER: Thank you.

MR R. ROLLINS: If it please the commission, RICHARD ROLLINS appearing for the Tasmanian Chamber of Commerce and Industry.

COMMISSIONER: Thank you. I take it that this is a consent matter?

10 **MR PATERSON:** This is a consent matter, but I'll let Mr Rollins confirm that, but I've had discussions with him briefly now and more extensive exchange between myself and Mr Flood previously. I will, just for the record, again put forward the documentation that was provided in the earlier matter as evidence in this.

15 **COMMISSIONER:** Thank you. We'll mark that.

MR PATERSON: It has actually got an ASU.4 on it.

COMMISSIONER: Well, this is a fresh application so we'd better give it -

20 **MR PATERSON:** Yes. I'm just saying the annotation on the sheet relates to the earlier matter.

COMMISSIONER: Yes. Well, this time we will call it **EXHIBIT P.1.**

25 **MR PATERSON:** Thank you, commissioner. As you can see from the third sheet of this, this is the third and final minimum rates adjustment. The parties have previously agreed that this award would be varied in three minimum rates adjustments.

The total weekly wage is the total weekly wage in that application plus the increases which flowed from the last State Wage Case.

30 In discussions with myself or as a result of discussions between myself and Mr Flood we agreed, and subject to the commission's approval of this format, that we would simplify the expression of the wage rates in this application so that it no longer contained a supplementary payments column and just gave expression to a base rate, a safety net adjustment rate and a total weekly wage rate.

35 So whilst the order is different in appearance to that in P.1, the two reasons for that are that the supplementary payments A has been collapsed back into the base rate and the supplementary payments B reflects, as I said, the recent State Wage Case.

40 I'd submit to the commission that this application is consistent with
the Wage Fixing Principles, particularly principle 2 in relation to
previous State Wage Cases and does in fact give effect to previous
undertakings by the parties to this matter and it's consistent with the
public interest to vary this award in this manner. If the commission
pleases.

45 COMMISSIONER: Thank you. The exhibit P.1 that you've just put
forward, if you add together columns A and B of the supplementary
payments -

MR PATERSON: Supplementary payments A should add in to the
base rate which is - so the 40 - in Level 1, the \$40.50 should add into
\$284.90 to produce \$325.40. At a Level 8 - \$479.80 - just an easy to
50 add spot check - so subject to errors and omissions, I believe I have
correctly manipulated these numbers. The way to check this
documentation is that, as I say, the base rate plus supplementary A
should add to the new base rate in the application before you.

COMMISSIONER: Right. We will check them before issuing final
55 orders, obviously. Thank you. Mr Rollins?

MR ROLLINS: Thank you, commissioner. We have examined this
award and agree with the variation to the supplementary column as
has just been described. We agree that it should be simplified just
60 simply back to having a base rate and safety net adjustment and the
total weekly wage rate columns.

We've examined the proposed variation and believe it is consistent with
the Wage Fixing Principles. We've established that the variation is
correct and we consent to the third minimum rates adjustment with
the Produce Award as at the operational date, the first full pay period
65 commencing on or after 3 October 2001.

COMMISSIONER: Thank you. I indicate to the parties that the
variation sought will be granted subject to checking for any errors or
omissions and the award will be varied from the first full pay period on
or after 3 October 2001 and a decision and order will issue shortly.

70 The matter is adjourned.

HEARING ADJOURNED 10.40am