

## **TASMANIAN INDUSTRIAL COMMISSION**

### ***Industrial Relations Act 1984***

s55(2) application for approval of an industrial agreement

### **United Voice, Tasmania Branch**

and

### **Minister administering the State Service Act 2000**

(T14628 of 2018)

## **EDUCATION FACILITY ATTENDANT JOB SECURITY INDUSTRIAL AGREEMENT 2019**

DEPUTY PRESIDENT N M ELLIS

HOBART, 23 January 2019

### **Industrial agreement – application approved – operative from FFPPOA date of registration – forwarded to Registrar for registration**

#### **DECISION**

**[1]** On 21 December 2018, the United Voice, Tasmania Branch (UV) and the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the Industrial Relations Act 1984 (the Act), the *Education Facility Attendant Job Security Industrial Agreement 2019* (the Agreement).

**[2]** At the hearing in Hobart on 16 January 2018, Ms C Miller and Ms J Armstrong appeared for UV. Mr M Watson appeared for MASSA.

**[3]** The Agreement applies to only those employees who are engaged as Education Facility Attendants as defined by the Agreement at clause 8 and covered by the *Facility Attendants (Tasmanian State Service) Award*.

**[4]** Mr Watson submitted that the Agreement demonstrates the high regard and important role in which Education Facility Attendant's (EFA) play in the school environment. He stated that it mirrors the 2013 Agreement, with the addition of clause 7 (vi), which outlines the intention to undertake a joint review of the FECA formula during the life of the Agreement.

**[5]** Mr Watson submitted that the Agreement does not offend the public interest test under the Act, does not disadvantage concerned employees and does not exceed the five year term. Mr Watson sought approval of the Agreement.

**[6]** Ms Miller submitted that job security is the single most important issue for EFA members. She stated the Agreement recognised the value that EFA's deliver to the schools and education of Tasmanian children. She outlined the important clauses, noting clause 4 outlines the term of the four year Agreement. Ms Miller also noted clause 7 recognises the value of the EFA's crucial part in the state service, and the endorsement of the FECA model of staffing. This will be jointly reviewed during the life of the Agreement.

[7] Ms Miller submitted that clause 9 provides direct employment for EFA's for the life of the Agreement, resulting in no further contracting out of labour, including new facilities built during the life of the Agreement. She stated that clause 14 outlines implementation of any necessary staffing adjustments through natural attrition or reassignment of duties.

[8] Ms Miller advised that the UV members have attended membership meetings in Hobart, Launceston and Ulverstone. Regional teleconferences were also held. Members voted, by a show of hands, providing unanimous support endorsing the Agreement.

[9] Ms Miller confirmed that the Agreement is in the public interest for all Tasmanians, that no employees are disadvantaged by the content of the Agreement, and that there is genuine consent of the parties. She commended the Agreement for approval.

[10] I am satisfied that the Agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and the term of the Agreement does not exceed 5 years.

[11] Pursuant to s55(4) the Agreement is approved with an operative date from the first full pay period on or after the date of registration. The Agreement shall remain in force until 31 December 2022.

[12] The file will now be referred to the Registrar for registration in accordance with the requirements of s56(1) of the Act.



N M Ellis  
**DEPUTY PRESIDENT**

**Appearances:**

Ms C Miller and Ms J Armstrong for United Voice, Tasmania Branch  
Mr M Watson for the Minister administering the State Service Act 2000

**Date and place of hearing:**

2019  
16 January  
HOBART