

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.788 of 1987

**IN THE MATTER OF AN
APPLICATION BY THE ASSOCIATION
OF DRAUGHTING, SUPERVISORY AND
TECHNICAL EMPLOYEES (TASMANIAN
BRANCH) FOR THE MAKING OF A
NEW AWARD**

**RE: "SURVEYORS (PRIVATE
INDUSTRY) AWARD"**

COMMISSIONER R.K. GOZZI

HOBART, 29 June 1987

REASONS FOR DECISION

APPEARANCES:

For the Association of Draughting, Supervisory and Technical Employees (Tasmanian Branch)	- Mr P. Baker
For the Tasmanian Confederation of Industries	- Mr T.J. Abey

DATE AND PLACE OF HEARING

18 June 1987 Hobart

This application for the making of the "Surveyors (Private Industry) Award", is for a first award which is to have application to private employees employed in surveying duties as defined in the Definitions Clause of the proposed award document.

The background to this matter being brought before the Commission for an award to be made is that, in the first instance, application was made by The Association of Draughting, Supervisory and Technical Employees, Tasmanian Branch (ADSTE) for the President to make a Declaration in accordance with Section 33(2) of the Industrial Relations Act 1984.

In his Declaration the President stated, inter alia -

"Appropriately qualified surveyors carrying out professional surveying work in private industry are engaged in an occupation in respect of which the Tasmanian Industrial Commission has jurisdiction.

I further declare that employees so classified by private employers are classes of employees for whom an award could be made by the Commission."

Making of the Award**Decision:**

In these consent proceedings both Mr Baker, appearing for ADSTE, and Mr Abey, appearing for the Tasmanian Confederation of Industries, submitted that the proposed award provisions had been fully discussed. What the parties were attempting to achieve was the creation of a flexible document taking into account the special factors unique to this class of employee.

Mr Baker, supported by Mr Abey, expounded on particular clauses in the process of taking the Commission through the document, clause by clause; a most commendable approach in matters of this kind.

At the conclusion of the award hearing I ratified, in transcript, the making of the Surveyors (Private Industry) Award with an operative date, as requested by the parties, of 13 July 1987.

In so doing I was completely satisfied by the parties that the application, as amended by virtue of Amendment No. 1, complied with the Wage Fixing Principles (First Awards and Extensions to Existing Awards) and met all public interest criteria.

Worthy of comment also are the very flexible working arrangements detailed in certain clauses in the award and which were negotiated between ADSTE and TCI.

To help ensure that those arrangements stay "on the rails", ADSTE requested and was granted Leave Reserved in respect of -

- . Definition of casual employees
- . Salaries for Engineering and Mining Surveyors
- . Hours of Work

That is, as this is a first award, working arrangements provided by those clauses and the payment of salaries, in certain circumstances inclusive of overtime, will be monitored by the parties.

Should difficulties be encountered, which is most unlikely given the apparent spirit of the negotiations, matters relating to those clauses can be brought quickly before the Commission.

I commend the parties on the draft document presented.

The newly created award document is attached hereto.

