

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.794 of 1987

**IN THE MATTER OF AN
APPLICATION BY TASMANIAN
ELECTRO METALLURGICAL CO. PTY.
LTD. TO VARY THE FERRO ALLOYS
AWARD**

**RE: INSERTION OF NEW
CLASSIFICATION**

DEPUTY PRESIDENT A. ROBINSON

HOBART, 2 July 1987

REASONS FOR DECISION

APPEARANCES:

For Tasmanian Electro
Metallurgical Co. Pty. Ltd.

- Mr. T. J. Abey

DATE AND PLACE OF HEARING:

9 June 1987 Hobart

This matter concerns a consent application to vary the Ferro Alloys Award by insertion of a new classification of "Electronics Tradesman" (as defined) with a wage of \$390.20 per week.

The new classification is necessary because of a substantial upgrading of the Temco plant at Bell Bay. Whilst no person is currently occupying such a position, it is confidently predicted that there will be a need to utilise such classification in the near future.

The classification is taken directly from the Federal Metal Industry Award, Part I, and the rate of pay and definition are also precisely in line with that of the aforementioned Federal award.

Both the employer and the Electrical Trades Union have agreed that the current wage rate may be reviewed in the future in the light of experience, and to that extent the current rate settled upon is without prejudice.

It was submitted that the variation sought is consistent with Principle 12 - First Awards and Extensions to existing awards.

It was also submitted that to vary the award in the terms sought does not offend Section 36, Public Interest.

Since no persons are currently employed in the new classification the operative date sought is the date of decision.

Decision:

I am satisfied on the evidence that there is justification for varying the award in the manner proposed.

In particular I note that the classification of "Electronics Tradesman" is already contained in a significant Federal award and has accordingly been rigorously tested on proper criteria.

The proposal is on all fours with the definition and wage rate prescribed in the Metal Industry Award, Part I, and is therefore consistent with current Wage Fixation Principles, and in particular Principle 12.

In my view it would also be within the public interest to vary the award in the manner sought.

For all of these reasons the claim is granted.

Operative Date:

Having regard for the fact that no person is currently employed and the requirements of Section 37 of the Act, I determine that the operative date of the current amendment will be Tuesday 9 June 1987.

Order:

The order reflecting the terms of the variation is attached.

