

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.2106 of 1989

**IN THE MATTER OF AN
APPLICATION BY THE TASMANIAN
CONFEDERATION OF INDUSTRIES TO
VARY THE **TIMBER MERCHANTS**
AWARD BY EXEMPTING KOPPERS
(AUSTRALIA) PTY LTD FROM
SUPERANNUATION PROVISIONS
RELATING TO CLERKS AND SALES
ASSISTANTS.**

COMMISSIONER P A IMLACH

HOBART, 11 September 1989

REASONS FOR DECISION

APPEARANCES:

For the Tasmanian Confederation
of Industries and the Tasmanian
Sawmillers Industrial
Association

- Mr M C Sertori

DATE AND PLACE OF HEARING:

5 September 1989 Hobart

This is an application by the Tasmanian Confederation of Industries to amend the Timber Merchants Award to provide in Clause 64(h)(ii) for the company, Koppers (Australia) Pty Ltd., to be listed as being exempt from contributing to the superannuation fund nominated in that clause namely the Timber Industry Superannuation Scheme (T.I.S.S). Clause 64 relates only to clerks and sales assistants covered by the Award.

Mr M Sertori appeared for the Tasmanian Confederation of Industries and the Tasmanian Sawmillers Industrial Association; there were no appearances for the unions.

Under the terms of Clause 64 of the Award, Koppers (Australia) Pty Ltd is eligible to be exempted from the prescribed fund because:-

- (a) the application for exemption was made prior to the specified time limit, i.e. the 20 August 1989: it was made on the 14 August 1989.

- (b) there is an approved fund already operating throughout Australia for the employees of Koppers (Australia) Pty Ltd., i.e. the B.H.P Employees' Superannuation Fund, which has at present about 25,000 contributors (Federal Metal Industry Award decision in C.No. 35704 of 1989 - Exhibit S3).

2.

(c) there are only two employees in Tasmania covered by Clause 64 (1) of the Award, they are both clerks.

The Award will be amended to provide for the exemption sought from the requested operative date, the first pay period commencing on or after the 1 September 1989.

Mr Sertori explained that the Company's name should have been listed as exempted when Clause 64 was introduced as it was originally exempted with all the other companies named in the Award when the Federal Metal Industries Award superannuation provisions were formally decided.

