

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

T No. 3769 of 1992

**IN THE MATTER OF** an application by  
the Federated Clerks Union of  
Australia, Tasmanian Branch to  
vary the Textile Award

re new classification structure  
and first minimum rates adjustment

COMMISSIONER GOZZI

HOBART, 11 June 1992

TRANSCRIPT OF PROCEEDINGS

Unedited

**MRS H.J. DOWD:** If the commission pleases, I appear on behalf of the Federated Clerks Union of Australia, Tasmanian Branch; DOWD, H.J.

**COMMISSIONER GOZZI:** Thank you, Mrs Dowd.

**MR S. CLUES:** If it pleases the commission, I appear on behalf of the Tasmanian Confederation of Industries; CLUES, S.

**COMMISSIONER GOZZI:** Thank you, Mr Clues. Mr Clues, can you ditto for this one?

**MR CLUES:** Yes, except to the extent that the minimum rate adjustments are different. And I would -

**COMMISSIONER GOZZI:** Well, perhaps you'd just like to take me through it.

**MR CLUES:** Yes, I will.

**COMMISSIONER GOZZI:** Yes, thank you.

**MR CLUES:** Mr Commissioner, as in another matter that has appeared before you today, the parties have been able to reach agreement in relation to the implementation of the first minimum rate adjustment, the introduction of a new classification structure and also the introduction of a number of award flexibility changes that are consistent with the wage fixing principles in the ongoing pursuit of making awards more flexible and efficient to the industries to which they pertain.

In the first instance the parties have reached agreement as to implementation of the first minimum rate adjustment. It will be one of four minimum rate adjustments and they will be of nine monthly intervals. I would like to tender to the commission an exhibit which indicates the agreed amounts which will apply to the new classification structure.

**COMMISSIONER GOZZI:** Exhibit TCI.1.

**MR CLUES:** The exhibit identifies for the commission the quantum that are to apply for each of the four minimum rate adjustments. Each minimum rate adjustment is fully absorbable against over-award payments. And, as has been stated already, they will be in nine monthly instalments. In relation to the new classification structure, it is essentially that which has been inserted into the Clerical and Administrative Award, with the exception that it will be a six-grade structure as opposed to a seven-grade structure.

As yet the parties are not in agreement to the implementation of the seventh grade. For the TCI's part, we do not believe that such a grade is required. For the part of the FCU, I

believe that they will purport to you that it may be required in the future and they wish to reserve their rights in relation to that particular level.

COMMISSIONER GOZZI: Just on that point, and it applies to the bootmakers as well, is it your intention to have a leave reserve clause in the awards in respect to the issues that have been referred to?

MR CLUES: I believe - I would not like to make the award any more cumbersome and technical than it need be. I believe that the record will show that that is the intention of the parties, and should the clerks wish to raise that as an issue today then their rights will be reserved on public record.

COMMISSIONER GOZZI: Yes, as part - I mean, I'm happy with that.

MR CLUES: Thank you, Mr Commissioner. Further, the parties will tender to the commission in a draft order an implementation schedule. That is a schedule that has been designed to assist the users of this particular award in translating existing and new employees from the traditional structure into the new revised structure.

The new classification structure is skill based as opposed to use of service, although there is a requirement for three grades that experience above and beyond 12 months, it will take them to a higher relativity. It is intended that new employees will be graded strictly according to their skill and experience, whilst existing employees will be graded according to their skill, but will have the benefit of moving immediately to level B within those levels which contain reference to 12 months' experience.

In relation to the award flexibility changes that have been agreed, there are three changes: one is the deletion of additional payments, as it has been recognised those skills for which that allowance compensated have been absorbed into the new revised clerical definitions, and therefore it is not required to have such an allowance. The -

COMMISSIONER GOZZI: Well, definitions or -

MR CLUES: The -

COMMISSIONER GOZZI: - or structure?

MR CLUES: The definitions of the classification structure.

COMMISSIONER GOZZI: Yes, right.

MR CLUES: I apologise. The second amendment pertains to the insertion of a provision in the hours clause to work up to 10



ordinary hours in any given day, with the overriding provision that, of course, if they exceed 38 hours in that week, then overtime will apply or whatever working cycle they are on.

The only other amendment to which the commission should have its attention drawn pertains to the insertion of an annualised salary provision, which is similar to that that has been inserted into other awards, which allows for the parties to agree to a annualised salary which would compensate for other penalties and overtime that otherwise might apply if they were being paid strictly in accordance with the award.

Subject to any questions that the commission may have, that would conclude my submission.

COMMISSIONER GOZZI: No. Thank you, Mr Clues. Mrs Dowd?

MRS DOWD: Mr Commissioner, the Federated Clerks Union agrees with the submission put by Mr Clues. There was only one thing that wasn't stated in relation to the annualised salary agreements clause, and that is that that clause will not actually apply to grades 1 and 2. It will only apply to employees in grades 3, 4, 5 and 6. And that also applies to the clause that will be inserted into the Bootmakers Award.

Other than that -

COMMISSIONER GOZZI: Grades 1 and 2?

MRS DOWD: Grades 1 and 2 are excluded from the annualised salaries agreement clause.

COMMISSIONER GOZZI: Yes, right. Yes, okay.

MRS DOWD: And again, Mr Commissioner, we actually seek a date for the first MRA as of the date of receipt of the orders, if the commission pleases.

COMMISSIONER GOZZI: Yes. Thank you, Mrs Dowd. Anything further? Okay.

Well, the Textile Award will be varied in the manner requested from the operative date as also requested by the parties, that being the receipt of the orders by the commission. Thank you for submissions. These proceedings are concluded.

HEARING CONCLUDED