

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s23 application for award or variation of award

Minister administering the State Service Act 2000
(T14499 of 2017)

DEPUTY PRESIDENT N M WELLS

HOBART, 8 MAY 2017

AMBULANCE TASMANIA AWARD

NURSES AND MIDWIVES (TASMANIAN STATE SERVICE) AWARD

Award variation — meal allowance — travel allowance — camping allowance — consent application — consent order issued — operative date from the date of this decision

DECISION

[1] On 4 April 2017, the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 23 of the *Industrial Relations Act 1984* (the Act), an application to vary the *Ambulance Tasmania Award* (the Ambulance Award), the *Nurses and Midwives (Tasmanian State Service) Award* (the Nurses Award) and the *Facility Attendants (Tasmanian State Service) Award* (the FA Award).

[2] At the hearing in Hobart on 3 May 2017, Mr K Grey appeared for the MASSA. Ms S Ellis appeared for United Voice, Tasmanian Branch (UV).

[3] Mr Grey advised at hearing that the variations sought for the FA Award were incomplete and further changes were to be made to allowances within that Award. Ms Ellis submitted that she had not had an opportunity to consider the additional changes to be made to the Award and sought time to consider those further inclusions.

[4] Following discussions on transcript the applicant party sought, and was granted, leave to amend the initiating application by way of deleting any reference to the FA Award. The applicant undertook to file a separate application under s23 of the Act to deal with all required variations to the FA Award. Accordingly the hearing for the application in T14499 of 2017 proceeded on the basis of varying the Ambulance Award and the Nurses Award only.

[5] Mr Grey submitted that the variation of the Awards reflected periodic increases required for the overnight accommodation rate for the City of Perth, Western Australia and the incidental allowance payable whilst travelling. It was indicated that no variations were required for meal allowances as those allowances were contained within an industrial agreement.

[6] The accommodation amount payable for an overnight stay in the city of Perth, Western Australia, was reduced to reflect the agreement of all parties to the Awards that travel allowances should reflect those amounts published by the ATO.

[7] Mr Grey stated the variation sought does not offend the public interest, does not disadvantage those employees covered by the Awards and he recommended the variation to the Commission, with the operative date for the variation to the Award to be from the date of this decision.

[8] The variations to be effected were contained within a draft order as attached to the initiating application.

[9] I am satisfied that the application is consistent with the public interest requirements of the Act and does not disadvantage the Award covered employees.

[10] The application for variation is granted with an operative date from the date of this decision.

[11] An order reflecting this decision is to follow.



N M Wells
DEPUTY PRESIDENT

Appearances:

Mr K Grey, for the MASSA

Date and place of hearing:

2017
3 May
Hobart