

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

and

The Community and Public Sector Union (State Public Sector Federation Tasmania) Inc

(T14748 of 2020)

LEGAL PRACTITIONERS AGREEMENT 2019

PRESIDENT D J BARCLAY

HOBART, 23 MARCH 2020

Industrial agreement – application approved – agreement to effect salary increases – agreement operative from 1 July 2019 until 31 July 2021 – forwarded to registrar for registration

DECISION

[1] On 25 February 2020, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), an application to approve the Legal Practitioners Agreement 2019 (the Agreement) and to cancel previous agreements approved in 2017 and 2018.

[2] At the hearing in Hobart on 27 February 2020, Ms Jane Fitton and Ms Lucy Ross appeared on behalf of MASSA and Ms Natalie Jones appeared on behalf of The Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU).

[3] Ms Fitton submitted that, in respect to coverage of employees it was the aim of the parties that industrial instruments applying to each employee would be limited to one agreement and one award.

[4] As part of that process the 2017 Agreement containing substantive provisions has been incorporated in the Agreement. The 2018 Agreement provided for wage rises which are now superseded by the Agreement.

[5] It is otherwise intended that individual agreements will contain specific provision for employees covered together with the more general terms and conditions provided in the Tasmanian State Service Award so that employees are generally covered by the award and the agreements will contain clauses specific to the roles covered by the Agreement.

[6] The Agreement provides for a pay rise. It also contains other benefits carried over from the 2017 agreement as referred to above.

[7] Ms Jones supported the approval of the Agreement and the cancellation of the old agreements.

[8] I am satisfied that the agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and the term of the agreement does not exceed 5 years. I am satisfied that there is genuine consent to the Agreement by the parties to it. Accordingly I also cancel the Legal Practitioners Agreement 2017 and the Legal Practitioners Agreement 2018.

[9] Pursuant to s55(4) the Agreement is approved with an operative date 1 July 2019 and shall remain in force until 31 July 2021. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s56(1) of the Act.



Appearances:

Ms J Fitton and Ms L Ross for MASSA
Ms N Jones for CPSU

Date and place of hearing:

2020
27 February
Hobart