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IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T712 of 1987

IN THE MATTER OF AN APPLICATION BY THE TASMANIAN TRADES AND LABOR COUNCIL FOR VARIATION OF ALL PUBLIC AND PRIVATE SECTOR AWARDS AND AGREEMENTS TO INCREASE ALL WAGES, SALARIES AND ALLOWANCES BY 6.7 PERCENT AND TO VARY THE PRINCIPLES TO CONFORM WITH THE DECISION OF THE FULL BENCH OF THE AUSTRALIAN CONCILIATION AND ARBITRATION COMMISSION

AND

T665 and T691 of 1987

IN THE MATTER OF AN APPLICATION BY THE TASMANIAN PUBLIC SERVICE ASSOCIATION AND THE TASMANIAN TEACHERS' FEDERATION RESPECTIVELY TO VARY NOMINATED PUBLIC SECTOR AWARDS TO INCREASE SALARIES TO REFLECT MOVEMENT IN THE CONSUMER PRICE INDEX FOR HOBART FOR THE MARCH, JUNE, SEPTEMBER AND DECEMBER QUARTERS OF 1986

ORDER -

**No. 1 of 1987
(Consolidated)**

AMEND THE **DENTAL OFFICERS AWARD** BY DELETING ALL CLAUSES CONTAINED THEREIN AND INSERT IN LIEU THEREOF THE FOLLOWING:

S082

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1. TITLE

This award shall be known as the "Dental Officers Award".

2. SCOPE

Subject to the exceptions and conditions contained herein, this award shall apply to all persons employed under the provisions of:

- (a) the Public Service Act 1973, in the Department of Health Services; or
- (b) the Hospitals Act 1918, in a public hospital, who, being an employee within the meaning of Part V of the Public Service Act 1973, and being a Dental Officer upon the date upon which this award comes into force, occupies a position, the duties of which require the performance of dental work of a professional and/or administrative nature, or who after that date is appointed to one of such positions.

3. ARRANGEMENT

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4. DATE OF OPERATION

This award shall come into operation as from the beginning of the first pay period to commence on or after 10 March 1987.

Provided that it is a term of this award (arising from the decision of the Tasmanian Industrial Commission in the National Wage Case flow-on of 1987) that the unions undertake that for the period of the package they will not pursue any claims, award or overaward, except where consistent with the National Wage Case Principles.

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5. SUPERSESSION AND SAVINGS

This award incorporates and supercedes the Dental Officers' Award (No. 1 of 1986).

Provided that the provisions of the Public Service Act 1973 and the Regulations made thereunder, and the respective by-laws and standing orders of the public hospital concerned shall continue to apply to officers or classes of officer covered by this award where such Act, Regulations, by-laws and standing orders are applicable, save in so far as the salaries to be received by, and the conditions of service of, such officers or classes of officer, are inconsistent with the provisions of this award.

Provided further, that no right, obligation or liability incurred or accrued under any of the abovementioned provisions shall be affected by the replacement and supercession

6. PARTIES AND PERSONS BOUND

Unless otherwise specified, this award shall have application to and be binding upon:

- (a) the Tasmanian Public Service Association and the officers of that organisation and their members for whom classifications appear in this award;
- (b) the Public Service Board and the Director-General of Health Services in relation to all officers (as defined) for whom classifications appear in this award, whether members of a registered organisation or not;
- (c) the Tasmanian Trades and Labor Council.

7. DEFINITIONS

In this award, unless the contrary intention appears:

'Dental Officer' means a person registered as a dentist under the Dentists' Act 1919;

'Officer' means an adult person permanently or temporarily employed under the provisions of -

- (i) the Public Service Act 1973, in the Department of Health Services; or
- (ii) the Hospitals Act 1918, in a public hospital, who, being an employee within the meaning of Part V of the Public Service Act 1973, and being a Dental Officer upon the date upon which this award comes into force, occupies a position, the duties of which require the performance of dental work of a professional and/or administrative nature, or who after that date is appointed to one of such positions;

'Public Hospital' means a public hospital within the meaning of the Hospitals Act 1918.

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8. SALARIES

An officer classified or graded within a Class or Grade prescribed by this award shall, subject to satisfying the prescribed requirements, be paid at the salary rate determined for the relevant classification, as hereinafter set forth.

1. DENTAL OFFICER

Salary per annum
\$

Class I

1st year of service	27498
2nd year of service	28914
3rd year of service	30332
4th year of service	31752
5th year of service and thereafter	33170

Class II

Grade 1	34588
Grade 2	36009
Grade 3	37423

Class III

Grade 1	38840
Grade 2	40267
Grade 3	41687
Grade 4	43314

Class IV

Grade 1	46158
Grade 2	49206

Class V

54396

2. SPECIALIST DENTAL OFFICER

Grade 1	44125
Grade 2	47171
Grade 3	50219

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9. CONDITIONS OF SERVICE

The conditions of service of officers shall be as follows:

- (a) for officers appointed under the provisions of the Public Service Act 1973 - in accordance with the provisions of the General Conditions of Service Award of this Commission;
- (b) for officers appointed under the provisions of the Hospitals Act 1918 - in accordance with such of the provisions of the 'Conditions of Service' clause of the Hospital Employees' (Public Hospitals) Award of this Commission as are applicable.

10. NEW APPOINTMENTS AND PROMOTIONS

The commencing salary of a person or officer either on first appointment or on promotion to a position classified within a class or grade in respect of which a salary scale is prescribed by this award shall be as for the first year of service on that scale except where on the determination of the controlling authority, having regard to the qualifications and the practical experience in the practice of dentistry of such person or officer, a higher commencing salary is warranted.

11. QUALIFICATIONS

No person shall be eligible to hold a position classified or graded within a class or grade prescribed by this award unless he fulfils the following minimum requirements:

- (a) Dental Officer Class I - unless he is a Dental Officer as defined in this award;
- (b) Dental Officer Class II and above - unless he has the requirements for Class I, and in addition has had at least five years practical experience in the practice of dentistry subsequent to attaining such requirements.

PROVIDED THAT in any particular case where, in the opinion of the controlling authority concerned, special circumstances exist, a person may be appointed to any one of the abovementioned positions without fulfilling the specific requirements prescribed therein, where such person holds qualifications and has had practical experience in the practice of dentistry deemed by the controlling authority to be appropriate to the satisfactory performance of the duties and responsibilities of such position.

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12. SALARY INCREMENTS

- (a) Except where otherwise specifically determined by this award, or where inconsistent with any Act, an officer while holding a position classified or graded within a class or grade of a classification in respect of which a salary scale is prescribed by this award, and who, for not less than twelve months, has been in receipt of a salary less than the maximum salary prescribed for such classification, shall, subject to satisfactory service, be entitled to receive the annual increment prescribed for such classification until the maximum salary is reached.

PROVIDED THAT an officer who was an officer on the date of this award shall be entitled to receive such increment on the anniversary of the date upon which he received his last salary increment in respect of his present position.

- (b) An officer whilst continuing to hold the same office or position shall, unless the controlling authority otherwise determines, be deemed, for the purposes of this clause, to have been in receipt of a salary during any period of leave without pay in the twelve months immediately following the date upon which his previous salary increment was awarded.
- (c) Notwithstanding anything contained in this award, no officer shall be entitled to receive any increase in salary by virtue of this clause unless, in the opinion of the controlling authority, his conduct, diligence and efficiency during the twelve months immediately prior to the date from which such increase would be payable shall be been satisfactory.

A. Robinson
DEPUTY PRESIDENT

26 May 1987