# Industrial Relations Act 1984 s 55 Industrial Agreement

# AWU BUSHFIRE SUPPRESSION OPERATIONS AND PLANNED BURNS AGREEMENT No.2 of 2021

#### Between the

Minister administering the State Service Act 2000

and the

Australian Workers Union, Tasmania Branch



# I TITLE

This Agreement shall be known as the AWU Bushfire Suppression Operations and Planned Burns Agreement No.2 of 2021.

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#### 3 APPLICATION

This Agreement is made in respect of Parks and Wildlife Service employees within the Department of Natural Resources and Environment Tasmania, covered by the AWU (Tasmanian State Sector) Award and AWU Public Sector Union Wages Agreement 2022, undertaking bushfire suppression operations and planned burn operations.

#### 4 DATE AND PERIOD OF OPERATION

- 4.1 This Agreement cancels and replaces the AWU Bushfire Suppression Operations and Planned Burns Industrial Agreement 2021 which was registered on 1 September 2021.
- 4.2 This Agreement applies with effect from 1 September 2021 and will remain in force until 30 June 2024.

#### 5 PARTIES BOUND

This Agreement is between the Minister administering the State Service Act 2000 and the Australian Workers Union, Tasmania Branch (AWU).

#### 6 RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement prevails to the extent of any inconsistency that occurs between this Agreement and the AWU (Tasmanian State Sector) Award, and the AWU Public Sector Union Wages Agreement 2022, as amended from time to time or any registered Agreement with the Minister administering the State Service Act 2000.

#### 7 DEFINITIONS

#### Bushfire Incident levels

A Level 2 Bushfire is a developing or developed bushfire of medium size or complexity carrying moderate risk that will generally require the use of resources from outside the Region and could involve one or several agencies. The bushfire is not likely to be contained in one operational work period. The Incident Controller may be undertaking more than one functional role but will normally have delegated at least one functional role. This may require the deployment of some components of an Incident Management Team. The bushfire may be conducted under single agency or District/Regional level multi-agency oversight.

A Level 3 Bushfire is a major bushfire carrying high risk that involves many resources and inter-agency operations. This may involve multiple land tenures and/or jurisdictions. The bushfire may require the commitment of resources over an extended period of time (days or weeks) to resolve. It will require the establishment of a dedicated Incident Control



Centre. It will require the deployment of a well-resourced Incident Management Team and may be conducted under State level oversight.

#### Planned Burns

Simple planned burns are characterised by low risk, low intensity, small area, low potential impact on assets, completion in one shift and minimal variation of fuel and terrain.

Complex planned burns are characterised by moderate to high risk, a range of fire intensity, medium to large areas, significant potential impact on assets and/or involve a variety of fuels and terrain.

#### 8 BUSHFIRE SUPPRESSION OPERATIONS

- 8.1 Employees undertaking Bushfire Suppression Operations are to be paid for hours worked in accordance with Part VI Hours of Work and Overtime for Day Work, Clause 3, Bushfire Fighting specified in the AWU (Tasmanian State Sector) Award.
- 8.2 Employees appointed to a role specified in Schedule I are to be paid at the appropriate rate specified for the role, which is also the rate to be used for calculating any penalty and overtime payments that apply, subject to sub clause 8.3 of this clause.
- 8.3 Employees appointed to a role specified in Schedule I whose normal duties are classified at a higher substantive level than a role designated in Schedule I are to be paid their substantive salary, which is to be the basis for the calculation of any penalty and overtime payments.
- 8.4 Roles for Bushfire Suppression Operations are set out in Schedule I. The Deputy Secretary, Parks and Wildlife Service (or Delegate) will determine the bushfire level based on the criteria defined for bushfire incident levels in this Agreement and will appoint the Incident Controller.

#### 9 BUSHFIRE SUPPRESSION ROLES

- 9.1 Schedule I prescribes the salary level applicable for Bushfire Suppression Operations roles as appointed by the Incident Controller effective from the date of registration of this agreement.
- 9.2 The structure and appointment of roles is at the discretion of the Incident Controller based on a determination of which roles are required to effectively manage the bushfire. Inclusion of roles in the table does not imply that roles are required or appointed for every bushfire.



- 9.3 Employees will not be appointed to bushfire suppression roles unless they have the necessary skills, qualifications and expertise required to perform the role.
- 9.4 An employee must be appointed to, or exercise the responsibilities of, the roles listed in Schedule I for a minimum of four hours to be eligible to receive the salary rate specified in that Schedule.
- 9.5 For the purposes of this agreement this clause applies to permanent, fixed term, fixed-term casual and seasonal employees.
- 9.6 Bushfires are classified and managed in accordance with agency bushfire management policy and Inter-Agency Fire Management Protocol.

#### 10 PLANNED BURN OPERATIONS

- 10.1 Employees undertaking planned burns are to be paid for hours worked according to the relevant provisions specified in the AWU (Tasmanian State Sector) Award.
- 10.2 Employees appointed to a role specified in Schedule 2 are to be paid at the appropriate rate specified for the role, which is also the rate to be used for calculating any penalty and overtime payments that apply.
- 10.3 Planned burns are classified and managed in accordance with agency bushfire management policy and Inter-Agency Fire Management Protocol.
- 10.4 The Deputy Secretary, Parks and Wildlife Service (or Delegate) will determine the planned burn level based on the criteria defined for incident levels in this Agreement and appoint the Incident Controller, who will determine what roles are required for the planned burn as per Schedule 2.

#### II PLANNED BURN ROLES

- 11.1 Schedule 2 prescribes the salary level applicable for planned burn roles as appointed by the Incident Controller effective from the date of registration of this agreement.
- 11.2 The structure and appointment of roles is at the discretion of the Incident Controller based on a determination of which roles are required to effectively manage the planned burn. Inclusion of roles in the table does not imply that roles are required or appointed for every planned burn.
- 11.3 Employees will not be appointed to planned burn roles unless they have the necessary skills, qualifications and expertise required to perform the role.



- 11.4 An employee must be appointed to, or exercise the responsibilities of, the roles listed in Schedule 2 for a minimum of four hours to be eligible to receive the salary rate specified in that Schedule.
- 11.5 For the purposes of this agreement this clause applies to permanent, fixed term and fixed-term casual and seasonal employees.

## 12 SALARY AND CLASSIFICATION STRUCTURE OF SCHEDULE | AND 2

- 12.1 The salary and classification structure referenced in Schedule 1 and Schedule 2 refers directly to classifications that are not contained within the AWU (Tasmanian State Sector) Award.
- 12.2 For the purposes of this Agreement the classification structure and descriptors for Band 7 and Band 8 are incorporated where relevant for Schedule 1 and Schedule 2 as set out at Schedule 3.
- 12.3 The salaries for Band 7 and Band 8 are set out below. Any future increases during the life of this agreement (including Band 7 and Band 8) will occur in line with the increases made in accordance with the AWU Public Sector Union Wages Agreement Band Levels.

Classification	Salary effective  I December	2.35% increase	3,5% increase from	3% increase from
	2020	FFPPCOOAI	FFPPCOOA I	FFPPCOOA I
		December	December	December
		2021	2022	2023
B7-R1-2	\$114,077	\$116,758	\$120,845	\$124,470
B7-R1-3	\$116,358	\$119,092	\$123,260	\$126,958
	ADVANCED ASSSESSMENT POINT			
B7-R2-2	\$118,685	\$121,474	\$125,726	\$129,498
B7-R2-3	\$120,116	\$122,939	\$127,242	\$131,059
ADVANCED ASSSESSMENT POINT				
B8-R1-2	\$124,222	\$127,141	\$131,591	\$135,539
B8-R1-3	\$126,707	\$129,685	\$134,224	\$138,251
ADVANCED ASSSESSMENT POINT				
B8-R2-2	\$131,180	\$134,263	\$138,962	\$143,131
B8-R2-3	\$132,672	\$135,790	\$140,543	\$144,759

#### 13 WINCHING AVAILABILITY ALLOWANCE

For the purpose of this clause 'fire season' means a period with a start date and end date nominated by the Agency during which bushfires are likely to occur, spread and do sufficient



damage to warrant organised fire control in Tasmania. The length of the season may vary from year to year.

- 13.1 The Agency shall determine the number of employees required to make up a winching crew or participate in winching operations.
- 13.2 The Agency may invite nominations from employees:
  - a, willing to be trained in winching operations; and
  - b. who will, if required, be available to participate in winching operations.
- 13.3 Following nomination, the Agency may select employees to be trained in winching operations and who will, if required, be available to participate in winching operations.
- 13.4 Once the capability to conduct winching operations exists (typically, by a winching helicopter being accessible) a selected employee trained in winching operations may be required to be available to conduct winching operations and/or may be required to work and be pre-positioned during the fire season.
- 13.5 A requirement to be available to conduct winching operations is by way of direction from the Agency and/or by way of a publication of a roster. Subject to subclause 13.8, a selected employee trained for winching operations must, on direction, be available to conduct winching operations during periods they are rostered to be available for firefighting duties, including ordinary working hours.
- 13.6 An employee selected to conduct winching operations pursuant to subclause 13.3 and continues to be available to conduct winching operations should they be directed or rostered to do so will be paid a \$1500 allowance per fire season (the winching availability allowance).
- 13.7 The winching availability allowance is payable in addition to the Availability allowance as provided for in the AWU (Tasmanian State Service Award) (Part VI, Cl. 6). The availability allowance in the Award will apply if an employee is on the availability roster for fire suppression.
- 13.8 An employee that has been trained in and selected to conduct winching operations will, if required, be available to participate in winching operations unless:



- a. the employee has a satisfactorily evidenced medical reason not to be available;
- b. the employee no longer meets the minimum training or qualification requirements prescribed by the Agency;
- c. the employee is no longer accredited for winching;
- d. the employee is on any form of leave prescribed in the AWU (Tasmanian State Sector) Award.
- 13.9 Where an employee is unavailable to participate in winching operations for a period or periods totalling 15 working days or more during the course of the fire season, the allowance will be adjusted on a pro rata basis.
- 13.10 The winching availability allowance is payable for the 2021/22 fire season to those employees that were selected and required to be available to conduct winching operations for the 2021/22 fire season notwithstanding the registration of this Agreement occurring after the conclusion of that season.
- 13.11 Subject to the subclauses of this clause, the winching availability allowance will be paid annually on the first full pay period after the fire season has ended.
- 13.12 The winching availability allowance will be automatically adjusted annually from the first full pay period commencing on or after 1 July each year by the same percentage as the salary rate for the lowest level of the Band 4 classification of the Tasmanian State Service Award increases between 1 July in the preceding year and 30 June of that year.
- 13.13 The parties will review the safety, training and general operations relating to the duty of winching after each fire season has ended.

#### 14 GRIEVANCES AND DISPUTE SETTLING PROCEDURE

- 14.1 The parties are committed to avoiding industrial disputation about the application of this Agreement.
- 14.2 If a grievance or dispute arise about the application of this Agreement;
  - (i) In the first instance, it is to be dealt with at the workplace by appropriate employer and employee representatives;
  - (ii) In circumstances where discussions at that level fail to resolve the grievance or dispute, the issue will be referred to appropriate union and management representatives; and



- (iii) If still unresolved, the matter will be referred to the Tasmanian Industrial Commission.
- 14.3 Where a grievance or dispute is being dealt with under this process, normal work will continue.
- 14.4 This grievance and dispute procedure does not take away an employee's rights to seek redress of a grievance either under the *State Service Act 2000* or the *Industrial Relations Act 1984*, or any other relevant legislation.

#### 15 NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, they will not initiate any additional claims regarding salary or conditions of employment.



## SCHEDULE I. BUSHFIRE SUPPRESSION OPERATIONS ROLE TABLE

Appointed Role	Level 2 Incident	Level 3 Incident
Incident Controller	B7-R1-2	B8-R1-2
Deputy Incident Controller	B6-R1-3	B7-R1-2
Safety Advisor(reporting to IC)	B6-R1-3	B7-R1-2
PLANNING	Level 2 Incident	Level 3 Incident
Planning Officer	B6-R1-3	B7-R1-2
Deputy Planning Officer	N/A	B6-R1-3
Plans Unit Leader	N/A	B5-R1-3
Intelligence Officer (reporting to IC)	N/A	B7-R1-2
Intelligence Unit Leader (reporting to Planning Officer)	N/A	B5-R1-3
Situation and Analysis Unit Leader	N/A	B5-R1-3
Situation and Analysis Officer	B4-R1-3	B4-R1-3
Modelling and Predictions Unit Leader	N/A	B5-R1-3
Fire Behaviour Analyst (FBAN)	B6-R1-3	B6-R1-3
Mapping Unit Leader	N/A	B5-R1-3
Mapping Officer	B4-R1-3	B4-R1-3
Resource Unit Leader	N/A	B5-R1-3
Resource Officer	B4-R1-3	B4-R1-3
Management Support Officer	B3-R1-3	B3-R1-3
IRMS Operator	B3-R1-3	B3-R1-3
PUBLIC INFORMATION AND LIAISON	Level 2 Incident	Level 3 Incident
Public Information Officer	B6-R1-3	B7-R1-2
Information & Warnings Unit Leader	N/A	B5-R1-3
Media Unit Leader	NA	B5-R1-3
Media Officer	<u>B4-R1-3</u>	B4-R1-3
Community Liaison Unit Leader	NA	B5-R1-3
Community Liaison Officer	B4-R1-3	B4-R1-3
OPERATIONS .	Level 2 Incident	Level 3 Incident
Operations Officer	B6-R1-3	B7-R1-2
Deputy Operations Officer	B5-R1-3	B6-R1-3
Divisional Commander	B5-R1-3	B5-R1-3
Sector Commander	B4-R2-3	B4-R2-3
Crew Leader	B4-R1-3	B4-R1-3
Air Attack Supervisor	B4-R1-3	B5-R1-3
Air Base Manager	B4-R1-3	B5-R1-3
Plant Operations Manager	B4-R1-3	B5-R1-3
Staging Area Manager	B4-R1-3	B5-R1-3
Air Observer	B4-R1-2	B4-R1-2
LOGISTICS	Level 2 Incident	Level 3 Incident
Logistics Officer	B6-R1-3	B7-R1-2
Deputy Logistics Officer	N/A	B6-R1-3
Supply Unit Leader	N/A	B5-R1-3

Finance Officer (reporting to IC)	N/A	; B7-R1-2
Finance Officer (reporting to Logistics Officer)	N/A	B6-R1-3
Facilities Unit Leader	N/A	B5-R1-3
Ground Support Unit Leader	N/A	B5-R1-3
Catering Unit Leader	N/A	B5-R1-3
OTHER ROLES	Level 2 Incident	Level 3 Incident
IILU Liaison Officer	N/A	B7-R1-2
Staging Area Support Officer	N/A	B3-R1-3
Logistics Support Officer	N/A	B3-R1-3
State Fire Duty Officer	B7-R1-2	B7-R1-2
State Deputy Fire Duty Officer	B6-R1-3	B6-R1-3
Resource Officer	B4-R1-3	B4-R1-3
Administrative Officer	B3-R1-2	B3-R1-2

# SCHEDULE 2. PLANNED BURN OPERATIONS ROLE TABLE

Planned Burning Operations	Simple	Complex
State Fire Duty Officer	B7-R1-2	B7-R1-2
State Deputy Fire Duty Officer	B6-R1-3	B6-R1-3
Resource Officer	B4-R1-3	B4-R1-3
Administrative Officer	B3-R1-2	B3-R1-2
Incident Controller	B5-R1-3	B6-R1-3
Operations	N/A	B5-R1-3
Sector Commanders	B4-R1-3	B4-R1-3
Media Officer	N/A	B4-R1-3
Logistics/Resourcing/Admin Officer	N/A	B4-R1-3
Air Base Manager	N/A	B4-R1-3
Navigator	B4-R1-1	B4-R1-1
Bombardier	B3-R1-2	B3-R1-2
Divisional Commander	N/A	B4-R2-3

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# SCHEDULE 3. CLASSIFICATION DESCRIPTORS FOR BANDS 7 AND 8

Band 7	
Focus	Work within a specialised program or engaged in complex activities within a functional area. The work usually integrates varied and diverse organisational policies and rules with support systems and processes for effective operational outcomes.  Roles with a management focus, or specialists involved with a specialised program, lead an activity or program unit within a functional area.  A management role interprets policies, regulations and guidelines to determine milestones, objectives, methods and priorities to support complex activities within a specified program.  Specialists develop operational rules, guidelines and systems to achieve program objectives. This may modify the approach to established processes within a
	defined policy, regulatory and operational framework.
Context and Framework	The work area unit or program activities have a direct and significant effect on organisational outcomes and the achievement of corporate objectives. Established decision-making and operational frameworks may require considerable interpretation and initiative to provide effective program and service delivery outcomes.  A complex specialised environment implementing conventional plans, systems and procedures. These evolve and are modified according to policy, regulatory and/or technological requirements and developments.  Guidance and instruction may on occasion be received on the implementation of highly technically complex modifications that provide solutions consistent with policy, regulatory and/or technological requirements and developments.  Operates with considerable autonomy and is required to provide leadership regarding the design, development and operation of function and/or program activities.  Defines core program and service delivery issues to develop options and recommendation for operational change and/or for new research projects.
Expertise	High level specialised expertise in the relevant discipline and associated field of activity gained through extensive experience.  High level knowledge of the operational and service delivery processes of government, the relevant technical, administrative and/or clerical discipline, field and program area, the relevant industry sector and the employing Agency and of the interaction between them.  Management roles require highly developed management skills and expertise to lead a defined complex activity or program within a functional area.  Roles providing technical or policy advice require highly developed expertise based on specialised subject matter knowledge.
Interpersonal Skills	Leads and motivates to gain the co-operation of others in the achievement of difficult and sometimes conflicting objectives, which may include incompatible processes, in developing or implementing improvements to established plans, systems and procedures.  Manages staff and stakeholders and promote co-operation, teamwork and understanding in undertaking specialised processes.  Develops productive relationships with specialists and stakeholders with similar levels of skill and experience in related field or program area to share ideas and resolve problems.

	Clearly articulates complex and difficult issues to staff and stakeholders in terms which are understandable by the audience.  Represents the organisation with the authority to conduct and commit to a negotiated outcome regarding operational processes for the area of responsibility and which may have operational implications beyond the functional area or program activity.  Models a high standard of ethical behaviour and promotes values and a workplace culture to support this standard.
Judgement	Identifies, defines and develops options and recommendations to implement and improve the delivery of complex specialised programs and/or services within a
	functional area which may include responding to new and emerging
	developments. Solutions are constrained by the existing policy and regulatory framework,
	budget and resource considerations and established program delivery methodologies.
	Highly developed conceptual and reasoning skills to research, investigate, analytical and appraisal skills.
	Options provided and solutions recommended may require the development of new operational systems and methods for improved service delivery outcomes.  Alternative sources of advice may be limited within the Agency.
Influence of	Advice and recommendations are provided directly to the manager of the
Outcomes	function or program area and/or indirectly to the Head of Agency in relation to the management of the activity or program unit and the development and/or implementation of new plans, systems or procedures. Service delivery or program outcomes are altered.
	There is a clear and direct effect on the effective and efficient operation of the function or program and on the implementation of government policy through program and service delivery outcomes.
	Advice provided is authoritative, specialised, consultative and/or management advice to a particular program or range of activities.
Responsibility for	Responsible for efficient and effective program or service delivery including
Outcomes	budget management, optimal use of resources and maintaining and/or modifying
	policy, administrative processes and research projects. This includes planning
	future activities, negotiating for appropriate resources and determining measures for accountability.
	Managers are accountable for managing the performance and development of
	staff. Technical, administrative and/or clerical specialists are accountable for
	mentoring and role-modelling less qualified or experience staff.
	Considerable independence in determining priorities and approach to managing
	the activities of the program or unit.  Specialists are required to remain abreast of contemporary developments in the
	discipline or field and related subject matter.
	Responsibility may be shared with relevant specialists and executive management for the development of strategy, policy or program implementation especially
	with regards to new developments.

Focus	Roles with a management focus lead a function or program unit to deliver
	outcomes that are of significant strategic importance for the Agency.
	Technical, administrative and/or clerical specialists responsible or involved with a
•	highly specialised program contribute to the strategic planning and decision
	making process. This involves developing and/or modifying operational program
	strategies, policies and rules and supporting systems and procedures to achieve
	specified outcomes.
	Determines appropriate milestones, priorities and approach to program delivery.
Context and	The function or program activities have a direct and significant effect on
Framework	organisational outcomes and the achievement of corporate objectives.
Framework	
	Considerable operational autonomy with operational direction according to
	government policy and broad corporate objectives.
	A complex specialised environment which requires the development,
	implementation and modification of program-specific strategy, policy, regulatory
	or technological developments.
	Established precedents and policies may require interpretation for operational
	effectiveness. Emerging issues can be due to significant operational concerns and
	can anticipate regulatory change.
	Shares the determination of program-specific policy and processes to meet core
	organisational objectives and strategies. This can include broadly based
	operational policies, professional programs, organisation-wide policies and
	specialised projects.
Expertise	High level and/or specialist knowledge and expertise through extensive
EXPERTISE	experience.
	High level understanding of the structures and processes of government, the
	relevant technical, administrative and/or clerical discipline, field and program area,
	the relevant industry sector and the employing Agency and of the interaction
	between them.
	Management roles require highly developed management skills and expertise to
1.01:15	manage and lead a functional unit or program.
Interpersonal Skills	Leads and motivates to gain the co-operation of others in the achievement of
	challenging, difficult and sometimes conflicting objectives, which may include
	incompatible processes, in developing or implementing improvements to
	established principles, precedents and procedures.
	Manages staff and stakeholders and promotes co-operation, teamwork and
	understanding in undertaking demanding and complex work.
	Develops productive relationships with specialists and stakeholders with similar
	levels of skill and experience in various fields to share ideas and to resolve
	problems.
	Clearly articulates highly complex and difficult issues to staff and stakeholders in
	terms that are understandable by the audience.
	Represents the organisation with the authority to conduct and commit to a
	negotiated outcome regarding strategies, policies, programs and objectives for
	the area of responsibility and which have implications for the agency.
RANCOCCUTE AND ADDRESS OF THE PROPERTY OF THE	Models a high standard of ethical behaviour and promotes values and a
	workplace culture to support this standard.
ludromont	Identifies, defines and develops options for complex policy and program delivery
Judgement	within a functional area and recommends solutions to unusual or emerging
	problems.

	Solutions are constrained by the existing policy and regulatory framework, budget and resource considerations and established program delivery methodologies.  Highly developed conceptual and reasoning skills. Flexibility, creativity and innovation regarding the implementation of government and organisational strategy and policy and the integration of relevant solutions from diverse disciplines or fields.  Options provided and solutions recommended
Influence of Outcomes	Advice and recommendations are provided to the Head of Agency in relation to the effectiveness of functional or program activity and service delivery. There is strong influence on other functional areas within the Agency and occasionally on related functions in other Agencies.  The nature of the response required to address emerging trends may alter the way work is organised and/or performed within the function or program area. Developments may improve program functions and organisational efficiency and performance and result in a better alignment and integration of activities within the functional area.  Community, client and stakeholder regards for the implementation of government policy through program or service delivery outcomes may be affected.
Responsibility for Outcomes	Responsible for the efficient and effective operation of the function or program requiring budget management, optimal use of resources and maintaining and/or modifying strategy and policy, administrative processes and research projects. This includes planning future activities, negotiating for appropriate resources and determining measures for accountability.  Managers are accountable for the performance and development of staff.  Technical, administrative and/or clerical specialists are accountable for mentoring and role-modelling less qualified or experienced staff.  Specialists are required to remain abreast of contemporary developments, to identify emerging trends and to maintain a network of peers and specialists in the subject area.  Responsibility may be shared with relevant specialists and executive management for the development of program strategy, policy or implementation especially with regard to new developments.

## **SIGNATORIES**

SIGNED FOR AND ON BEHALF OF
The Minister administering the State Service Act 2000 Signed: UM CUCAHUNOLL
Name: AMANDA RUSSEW
Date: 24  4   23
SIGNED FOR AND ON BEHALF OF
The Australian Wockers' Union, Tasmania Branch
Signed:
Name: Wal WAKEFIEW).
Date: 24-4-2023

5/5/2023