

## **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**

(T14948 of 2022)

## **LEGAL PRACTITIONERS AGREEMENT 2021**

PRESIDENT D J BARCLAY

HOBART, 20 JUNE 2022

**Industrial agreement – application approved – agreement to effect salary increases – agreement operative from 1 August 2021 until 31 July 2022 – forwarded to registrar for registration**

## **DECISION**

**[1]** On 16 June 2022, 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 2021 (the Agreement) and cancels the 2019 agreement approved on 25 February 2020.

**[2]** At the hearing in Hobart on 20 June 2022, Mr Oliver Clarke and Ms Alice Van Galen appeared on behalf of MASSA and Mr Tom Lynch appeared on behalf of The Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU).

**[3]** The Agreement essentially provides for a salary increase in line with increases applicable to other public servants in Tasmania. Otherwise the Agreement contains all relevant clauses from the 2019 agreement.

**[4]** The Agreement is to apply for only 1 year. I was told that the parties are in negotiations for the inclusion of legal practitioners in the Tasmanian State Service Award. Accordingly the Agreement and the relevant Award are likely to be sought to be cancelled by the parties around the time of the expiry of the Agreement.

**[5]** Mr Lynch supported the approval of the Agreement and the cancellation of the old agreement and confirmed genuine consent to the Agreement.

**[6]** 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. I am satisfied that no persons to whom the 2019 Agreement applies will be disadvantaged by its cancellation. Accordingly I also cancel the Legal Practitioners Agreement 2019.

[7] Pursuant to s55(4) the Agreement is approved with an operative date 1 August 2021 and shall remain in force until 31 July 2022. 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:**

Mr O Clark and Ms A Van Galen for MASSA  
Ms T Lynch for CPSU

**Date and place of hearing:**

2022  
20 June  
Hobart