

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s55(2) application for approval of an industrial agreement

Minister administering the State Service Act 2000

and

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

(T14995 of 2022)

PORT ARTHUR HISTORIC SITE MANAGEMENT AUTHORITY STAFF AGREEMENT 2022

PRESIDENT D J BARCLAY

HOBART, 23 DECEMBER 2022

Industrial agreement – consent application - application approved – agreement to effect salaries– agreement operative from 1 July 2022 until 30 June 2025 - forwarded to registrar for registration

DECISION

[1] On 23 December 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), the Port Arthur Historic Site Management Authority Staff Agreement 2022 (the Agreement). The Application also sought the cancellation of the Port Arthur Historic Site Management Authority Staff Agreement 2021 (the 2021 Agreement).

[2] At the hearing in Hobart on 22 December 2022, Jane Hanna and Stuart Locke appeared on behalf of MASSA and Natalie Jones appeared on behalf of the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU).

[3] The Agreement is the product of extensive negotiations including negotiations to vary relevant awards. A detailed offer covering a broad range of industrial matters was made in writing by the employer on 1 December 2022. The Agreement relates to some but not all of those matters. The parties have committed to undertaking further work to draft and implement the outstanding matters.

[4] The Agreement will apply for 3 years from 1 July 2022 until 30 June 2025. It provides for salary increases totalling 9.5% over 3 years. A number of employees will receive a \$1000 cost of living allowance and others will receive lower income payments of between \$500 and \$2000 (payable over three years) depending on their classification.

[5] A new clause includes pay in lieu of deduction of recreational leave where a Head of Agency determines to close the agency (or a part) between Christmas Day and New Year's Day.

[6] The Agreement also provides for ongoing review of classifications and rostering arrangements.

[7] The Application also sought cancellation of the 2021 Agreement. The Agreement brings forward all relevant clauses from the 2021 Agreement. Accordingly the parties submitted that no employees covered by the 2021 Agreement will be disadvantaged by the cancellation of it. Accordingly I cancel the 2021 Agreement.

[8] The parties submitted that the Agreement was in the public interest and that there was genuine consent to it. The parties submitted that no employee covered by the Agreement was disadvantaged by it.

[9] 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.

[10] Pursuant to s 55(4) the Agreement is approved with an operative date 1 July 2021 and shall remain in force until 30 June 2025. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s 56(1) of the Act.



Appearances:

J Hanna and S Locke for MASSA
N Jones for CPSU (SPSFT) Inc.

Date and place of hearing:

2022
23 December
Hobart