

**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**T2246 of 1989**

**IN THE MATTER OF AN APPLICATION  
BY THE FEDERATED CLERKS UNION  
OF AUSTRALIA, TASMANIAN BRANCH  
TO VARY THE VEGETABLE  
PRESERVERS AWARD**

**RE: 38-HOUR WEEK; 4% SECOND  
TIER INCREASE AND 3%  
OCCUPATIONAL SUPERANNUATION**

**COMMISSIONER R.J. WATLING**

**HOBART, 27 July 1990**

**REASONS FOR DECISION**

**APPEARANCES:**

For the Federated Clerks Union      - Mr. D. J. Costello  
of Australia, Tasmanian Branch

For the Tasmanian Confederation      - Mr. S. Clues  
of Industries

**DATE AND PLACE OF HEARING:**

17 July 1990      Hobart

This application was made by the Federated Clerks Union of Australia, Tasmanian Branch for the purpose of including the 4% second tier increase, 38-hour week provision and occupational superannuation in the Vegetable Preservers Award and specifically Division B - Clerks.

The parties presented an agreed package of offsets as required by the Wage Fixing Principles for the reduction of ordinary hours of work and the 4% second tier increase.

There was no attempt made to cost the offsets but the parties informed the Commission that they were of the view that the negotiated package was sufficient to warrant the claim being granted.

I am satisfied that the parties in presenting this package of offsets have made every attempt to satisfy the spirit and intent of the Wage Fixing Principles and therefore the claim as it relates to the reduction in hours and the 4% second tier increase is granted and the award will be varied in the manner sought by the parties.

**Superannuation:**

On this particular part of the application the parties presented an agreed clause to be inserted in the award and, without limiting its contents, included:

- (a) 3% of the employee's ordinary time earnings to be placed, by the employer on behalf of the employee, into an approved superannuation fund;
- (b) the approved fund for the purposes of this provision is 'TASPLAN';
- (c) the provision for exemption from the nominated fund; and
- (d) definitions.

This provision is acceptable to the Commission and conforms with the Principles.

The agreed clause will be inserted in the award in the terms sought by the parties.

The Order giving effect to this decision is attached and shall be operative from the beginning of the first full pay period commencing on or after 17 July 1990, being the date the matter was heard.

