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TRANSCRIPT OF PROCEEDINGS

O/N 0042

TASMANIAN INDUSTRIAL COMMISSION

DEPUTY PRESIDENT R.J. WATLING

T No 11212 of 2003

**HAIRDRESSING, HEALTH AND BEAUTY
INDUSTRY AWARD**

**Application pursuant to the provisions of
section 23(2)(b) of the Industrial Relations Act 1984
by the Shop, Distributive and Allied Employees
Association, Tasmania Branch to vary the above
award re new clause - minimum wage**

HOBART

10.30 AM, TUESDAY, 23 DECEMBER 2003

HEARING COMMENCED

[10.55am]

PN1

MR P. GRIFFIN: I appear on behalf of the Shop, Distributive and Allied Employees Association, Tasmania Branch.

PN2

MR T. STEVEN: I appear on behalf of the Hairdressing Federation of Tasmania.

PN3

MS J. THOMAS: I appear on behalf of the Tasmanian Chamber of Commerce and Industry Limited.

PN4

THE DEPUTY PRESIDENT: Good, thank you. Now, Mr Griffin, you foreshadowed that you wish to seek to amend your application?

PN5

MR GRIFFIN: Yes, I do thank you, Mr Deputy President. As you are aware the application originally was to implement the minimum wage clause but also as you say my intentions to seek leave and that is to amend my application in line with a particular document which I have to tender during the proceedings.

PN6

THE DEPUTY PRESIDENT: We will mark this as an exhibit, this document you want to tender.

PN7

MR GRIFFIN: That is that one, yes.

PN8

THE DEPUTY PRESIDENT: Do you need to use that document?

PN9

MR GRIFFIN: That is the document which - - -

PN10

THE DEPUTY PRESIDENT: Yes, right, so we will mark this exhibit G1.

EXHIBIT #G1 APPLICATION AMENDMENT DETAILS DOCUMENT

PN11

THE DEPUTY PRESIDENT: Good, thank you. Now, do you - is there any opposition to the application being amended in line with exhibit G1?

PN12

MS THOMAS: No.

PN13

THE DEPUTY PRESIDENT: No, they are all shaking their head in agreement. Right, Mr Griffin?

PN14

MR GRIFFIN: Good, thanks, Mr Deputy President. If the document which I have exhibited, if you go to page 2 and you will note there that there has been some formatting changes. One of the reasons that we have made some variances to this particular classification descriptors and I did inform the parties yesterday, Mr Deputy President, we would be seeking leave to vary the relativities that are currently in the award and the actual formatting of how those classifications are put in place. This is in line with your decision from 1st - 2 October when we met previously this year.

PN15

You will note that the first classification area there, Mr Deputy President, is Salon Assistant and then it goes to Salon Co-ordinator, Hairdresser level 1, Hairdresser level 2 and Hairdresser level 3. That as we go further in the document will illustrate, or perhaps when we actually reach those areas I will be able to explain to you how the relativities have been altered as well. Page 3 deals with the Health and Beauty sector and the same thing where the classifications have been - the order has been turned around a little in that the Beauty Consultant is the first of those classifications, then the Salon Co-ordinator. Another change there is that there is no levels as far as the Beauticians are concerned and that is the 100 per cent equivalent, then Beauty Therapist level 1 and another Beauty Therapist level at level 2.

PN16

Page 4, Mr Deputy President, that outlines what I was referring to just a while ago in respect of where the relativities now stand. You will note in clause 2 Wage Rates in Hairdressing that the Salon Assistant is now 85 per cent and the Salon Co-ordinator is 92.1 per cent. My understanding is that the parties do agree to these changes, particularly with Salon Co-ordinator as the 92.1 per cent relates to the Retail Trades Award whereby there are people selling as in retail and commodities from the retail area.

PN17

The tradesman's area of 100 per cent goes to Hairdresser level 1 and increases through to 105 and 110 per cent at Hairdresser level 2 and Hairdresser level 3. Mr Deputy President, those following on from there there are no changes until we come to subsection or subclause (b) Health and Beauty and there has been a change in respect of how the listings in the classifications there have been changed and you will see that we have gone from the lowest to the highest as in the Hairdressing section of the percentage relativities.

PN18

Beauty Consultant is at 85 per cent, Salon Co-ordinator again in alignment with the Retail Trades Award of 92.1 per cent, Beautician at the tradesman's rate of 100 per cent, Beauty Therapist level 1, 105 and Beauty Therapist level 2 at 110 per cent. Mr Deputy President, we have just on that Trainee Beauty Therapist there is a slight variance there in that the Trainee, subsection (2):

PN19

A Trainee Beauty Therapist will be paid a percentage of the weekly wage rate of a Beautician.

PN20

Described under clause 2 Wage Rates, subclause (b) Health and Beauty of that part. And as further we go down to subclause (iii) Juniors, there is a change there as well in that the Junior Salon Co-ordinators will be paid a percentage of the weekly wage rate for a Salon Co-ordinator described in clause 2 Wage Rates. That concludes the variances in that particular part, Mr Deputy President, but attached to this document is, I might refer to it as page 7, and there is the minimum wage which this application was originally put in for. And where we propose to implement that particular section it is at clause 3.

PN21

THE DEPUTY PRESIDENT: Right, so amend your document from clause 9 to clause 3.

PN22

MR GRIFFIN: To clause 3, yes.

PN23

THE DEPUTY PRESIDENT: And that will mean the current clause 3 will be changed to clause 9.

PN24

MR GRIFFIN: Will change to - exactly. Exactly, Mr Deputy President, yes.

PN25

THE DEPUTY PRESIDENT: Right.

PN26

MR GRIFFIN: The particular minimum wage clause does support what the State Wage decision set down some time ago and that minimum rate is \$448.40 per week. It is a clause that now sets the setting all awards as I am sure we are all aware here today and it does consolidate what the minimum rate is for this particular award throughout the State. Mr Deputy President, I don't believe I need to speak any further to it, other than we would - or the union would be of the view that this matter, the implementation date should take effect from the first full pay period on or after 1 January 2004. Thank you.

PN27

THE DEPUTY PRESIDENT: Thank you. Ms Thomas?

PN28

MS THOMAS: Since our last appearance before the Commission in relation to the Hairdressing Award the parties have met on a number of occasions under the guise of an industry work group convened by Mr Steven where these matters were discussed and ultimately agreed to. And I think through that process there are perhaps a number of other matters that the parties to the award may seek to pursue in the new year and they may well result in applications being made to the Commission.

PN29

However, we are here before you today to reflect the parties agreement in relation to the insertion of the minimum wage clause into this award and also it reflects the agreement of the parties in relation to the increases in the wage relativities for those lower level classifications of Beauty Consultant, Salon Co-ordinator and Salon Assistant. We consent to the variation as set out in exhibit G1 and just note that the application is in accordance with the wage fixing principles and certainly the matters do at last finalise the minimum rates adjustment issues in this award. And we consent to the operative date being sought. If it pleases.

PN30

THE DEPUTY PRESIDENT: Good, thank you. Mr Steven?

PN31

MS THOMAS: Mr Deputy President, the Hairdressing Federation notes that all the comments made by Mr Griffin and Ms Thomas are agreed to by us and that we are also notifying the Commission that there are ongoing meetings regarding other possible changes, and they will be brought to bear in one form or other in the new year. But at this point in time we are happy to agree to all of the changes tabled by Mr Griffin.

PN32

THE DEPUTY PRESIDENT: Good, thank you. I can indicate to the parties I will hand down a written decision shortly. It will be in favour of the application. As far as I am concerned it is in keeping with the wage fixing principles, it does finalise the MRA process, you did foreshadow on the last occasion that you still had some work to do on the four relativity questions that you have now dealt with and the minimum wage now goes into this award in keeping with the Full Bench decision. So I see no sort of adverse affects in terms of the wage fixing principles, I think it is very much in line with that. The operative date will be the first full pay period to commence on or after 1 January next year. And that leaves me just to say to you have a good, happy Christmas, look after yourselves, don't eat too much. Thank you.

ADJOURNED INDEFINITELY

[11.08am]

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