

## **TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984  
s23 application for award or variation of award

**Minister administering the State Service Act 2000**  
(T14500 of 2017)

DEPUTY PRESIDENT N M WELLS

HOBART, 8 MAY 2017

### **TASMANIAN STATE SERVICE AWARD**

### **TEACHING SERVICE (TASMANIAN PUBLIC SECTOR) AWARD**

### **TasTAFE TEACHING STAFF AWARD**

### **AWU (TASMANIAN STATE SECTOR) AWARD**

Award variation — meal allowance — travel allowance — camping allowance — consent application — consent order issued — operative date from the date of this decision

## **DECISION**

[1] On 4 April 2017, the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 23 of the *Industrial Relations Act 1984* (the Act), an application to vary the *Tasmanian State Service Award* (the TSS Award), the *Teaching Service (Tasmanian Public Sector) Award* (the Teaching Award), the *TasTAFE Teaching Staff Award* (the TasTAFE Award) and the *AWU (Tasmanian State Sector) Award* (the AWU Award).

[2] At the hearing in Hobart on 3 May 2017, Mr K Grey appeared for the MASSA. Mr T Lynch appeared for the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU). Ms K Siejka appeared for the Tasmanian Education Union, Tasmanian Branch (AEU). Ms S Ellis appeared for United Voice (UV) and Mr K Midson appeared for the Australian Workers' Union, Tasmania Branch (AWU).

[3] Mr Grey advised the variation of the Awards reflected periodic increases required for expense allowances related to meals, travel (both accommodation and meals) and camping. Mr Grey made submissions explaining the method used to calculate the camping allowance rate in the TSS Award, the Teaching Award and the TasTAFE Award, noting the calculation of the camping allowance in the AWU Award was different and included only one amount. That amount was calculated at 80% of the aggregate amount of the three camping allowance amounts contained within the three other Awards.

[4] Mr Lynch made detailed submissions in relation to the three separate amounts for the camping allowance contained within the TSS Award. Mr Lynch also explained that the reduction in the travel allowance amount payable for an overnight stay in the City of Perth was reflective of the agreement of all parties to the Awards, that travel allowances should reflect those amounts published by the Australian Taxation Office (ATO).

[5] Ms Siejka, Ms Ellis and Mr Midson all submitted that their respective unions supported the application and echoed the submissions of Mr Lynch.

[6] All parties stated the variation sought does not offend the public interest, does not disadvantage those employees covered by the Award and recommended the variation to the Commission.

[7] Mr Grey submitted that the operative date for the variation to the Award was to be from the date of this decision.

[8] The variations to be effected were contained within a draft order as attached to the initiating application.

[9] I am satisfied that the application is consistent with the public interest requirements of the Act and does not disadvantage the Award covered employees.

[10] The application for variation is granted with an operative date from the date of this decision.

[11] An order reflecting this decision is to follow.



N M Wells  
DEPUTY PRESIDENT

***Appearances:***

*Mr K Grey, for the MASSA*  
*Mr T Lynch, for the CPSU*  
*Ms K Siejka, for the AEU*  
*Ms S Ellis, for UV*  
*Mr K Midson, for the AWU*

***Date and place of hearing:***

2017  
3 May  
Hobart