

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s 23(1) application for award or variation of award

Minister administering the State Service Act 2000

And

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

(T14895 of 2022)

PORT ARTHUR HISTORIC SITE MANAGEMENT AUTHORITY AWARD

DEPUTY PRESIDENT N ELLIS

HOBART, 10 FEBRUARY 2022

Award variation – casual loading – new broadbanding clause – personal leave – operative date from first full pay period on or after 9 February 2022.

DECISION

[1] On 28 January 2022, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to s23(1) of the *Industrial Relations Act 1984* (the Act), an application to vary the Port Arthur Historic Site Management Authority Award (the Award).

[2] At the hearing on 9 February 2022, Ms Kiralee Gates appeared on behalf of MASSA, Ms Jenny Goulding appeared on behalf of the Port Arthur Historic Site Management Authority (PAHSMA) and Tom Lynch appeared on behalf of the Community and Public Sector Union (State Public Services Federation) Inc (CPSU).

[3] The variations to the Award are noted below:

- a) A variation to Part II, 'Salaries and Related Matters' clause 3(d) 'Casual Loading', to increase the casual loading for employees from 20% to 25%;
- b) The addition of a new clause 8 in Part III, 'Classification and Related Matters', 'Broadbanding', which creates a facilitative clause that allows for the Broadbanding of classifications; and
- c) The variation to Part VII, 'Leave and Holidays with Pay', clause 3, 'Personal Leave' increased the amount of accrued personal leave an employee can use for the purpose of carers leave each year to 152 hours.

[4] The CPSU filed written submissions supporting the approval of the variations to the Award and tendered a letter dated 6 December 2021 outlining the outcome of the negotiations and offer from the Department of Premier and Cabinet. Ms Gates agreed to the CPSU submissions.

[5] Both parties submitted the variation sought does not offend the public interest.

[6] I am satisfied that the variations are with the consent of the parties, in the public interest and that no employees are disadvantaged.

[7] The application is granted and pursuant to s24 and s36 of the Act the Award is varied in accordance with the application. The variations effected are operative from the first full pay period on or after 9 February 2022.

[8] An order reflecting this decision will follow.



Appearances:

Ms Kiralee Gates for MASSA
Ms Jenny Goulding for PAHSMA
Mr Tom Lynch for CPSU

Date and place of hearing:

9 February 2022 via Teams