

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 1681 of 1988

IN THE MATTER OF an application
by the Secretary for Labour for
interpretation of the Retail
Trades Award

re definition of Assistant

T Nos 1699 and 1702 of 1988

IN THE MATTER OF applications
by the Shop Distributive and
Allied Employees' Association -
Tasmanian Branch to vary the
Retail Trades Award

re Section Manager/Manageress
and Nightfill Assistants,
respectively

PRESIDENT

LAUNCESTON, 15 November 1988

TRANSCRIPT OF PROCEEDINGS

PRESIDENT: I'll take appearances, thank you.

MR FENTON: If the Commission pleases, **FENTON P.** on behalf of the Shop Distributive and Allied Employees' Association.

PRESIDENT: In all matters?

MR FENTON: In all matters concerned.

PRESIDENT: Yes, thank you.

MR PETTMAN: **PETTMAN G.**, Mr President, in the matter only of T.1681, for the Secretary for Labour.

PRESIDENT: Thank you, Mr Pettman.

MR SMITH: If the Commission pleases, I appear on behalf of the Tasmanian Confederation of Industries, **SMITH T.J.** in all three matters, Mr President.

PRESIDENT: Thank you, Mr Smith.

MR SMITH: If I just may take the opportunity while I'm on my feet, I'd like to thank the Commission and the parties involved in these proceedings for accommodating my request for a delay in the proceedings this morning. It's much appreciated. Thank you.

PRESIDENT: Thank you, Mr Smith. I hope your problems are at least temporarily overcome.

MR SMITH: They are, thank you.

PRESIDENT: Well now, Mr Pettman and Mr Fenton, and, of course, Mr Smith, I have available 2 December and 6 December. That is Friday the 2nd and Tuesday the 6th. I don't care what comes on, on what days. It may be possible to dispose of the interpretation - in a morning do you think, Mr Pettman?

MR PETTMAN: Yes, I foresee no great complications with that matter, Mr President.

There was only one thing I would like to ask. Was it your intention to

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APPEARANCES - PRESIDENT - SMITH -
PETTMAN

MR PETTMAN: have the interpretation on in Hobart or Launceston? Mr Evans of our Hobart office is handling that particular interpretation.

PRESIDENT: Is he? Yes. Well thank you for reminding me of that, Mr Pettman. I'll deal with that question a little later when we find out what will go on, on what day, and then we'll decide where.

MR PETTMAN: Right, thank you, Mr President.

PRESIDENT: Thank you. Mr Fenton, so far as your applications are concerned, that is the definitions and wage rates ...

MR FENTON: Our applications T.1699 and T.1702. If you're looking for a date that can be set, I'm quite happy on either of those two dates.

PRESIDENT: Well that's very good.

I imagine, Mr Fenton, that at least one of those matters, that's 1699, may involve some evidence and possibly inspections or hearings in more than one place.

MR FENTON: I would imagine, sir, that it is going to take quite a while to get through that particular application.

If it suits the Commission, would it be better to go to T.1702, get that out of the way first and then look at T.1699 after that has been settled?

PRESIDENT: Yes. Well then, do you think that we could deal with 1702 and 1681 on the 2nd in Hobart?

MR FENTON: I'd be quite happy with that situation, sir.

PRESIDENT: Mr Smith?

MR SMITH: From the point of view of the Tasmanian Confederation of Industries, that would not pose a problem, particularly when T.1702 is

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PRESIDENT - PETTMAN - FENTON - SMITH

MR SMITH:

very likely to be a consent matter.

In fact, there's a letter been sent to the SDA only yesterday, which they might not yet be in receipt of, that outlines that we would like to meet with them to endeavour to reach an agreed position on that matter. So it's something that wouldn't take a great amount of the Commission's time.

PRESIDENT:

Well thank you for that information, Mr Smith. That may sort itself out, Mr Fenton.

So pro tem we shall list 1681 and 1702 for 10.30 a.m. in Hobart on Friday 2 December. Those two matters therefore stand adjourned to that date.

1699 I think almost sorts itself out, doesn't it? That, if it meets with the convenience of the parties, will be listed for 10.30 a.m. on Tuesday 6 December, and I don't much care if that's in Hobart or in Launceston.

MR FENTON:

I can only speak on behalf of the SDA. We have no objections to either Launceston or Hobart, so depending on where the Commission is most able to get to on that particular day, we're quite happy.

PRESIDENT:

Well it's that time of the year, Mr Fenton, and I think if it could be Hobart perhaps it would suit the Commission better. But I don't know. I mean, I'm flexible on it, Mr ...

MR FENTON:

I'm quite happy with Hobart, sir.

PRESIDENT:

Yes.

MR SMITH:

Hobart's not a problem so far as I'm concerned, Mr President.

PRESIDENT:

Very well, things are going very well, aren't they? So 10.30 a.m. on Tuesday the 6th, in Hobart.

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PRESIDENT - SMITH - FENTON

MR FENTON: Do I take it, sir, that both those ... or T.1702, 1681 and 1699, will be at Lyndhurst and not the Commonwealth Law Courts?

PRESIDENT: Well it will certainly be my wish that they be at Lyndhurst. You'll be advised of time and place, of course.

MR FENTON: Thank you.

PRESIDENT: You can take it as read that it will always be at Lyndhurst unless the hearing rooms have been pre-booked.

T.1699 is formally adjourned to the date indicated, namely the 6th.

HEARING ADJOURNED