

**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**T. No 712 of 1987**

**IN THE MATTER OF** the finalization  
of the Horticulturists Award  
relating to piece-work rates as a  
result of the State Wage Case  
decision

COMMISSIONER WATLING

**HOBART, 2 June 1987**

**TRANSCRIPT OF PROCEEDINGS**

(RESUMPTION)

COMMISSIONER WATLING: I'll take appearances please.

MR HANLON: **HANLON, D.P.** I appear for the Australian Workers' Union.

COMMISSIONER WATLING: Thanks, Mr Hanlon.

MR EDWARDS: If it please the Commission, **EDWARDS, T.J.** I appear for the Tasmanian Confederation of Industries and the Hop Producers' Association of Tasmania.

COMMISSIONER WATLING: Good. Thank you very much.

Well, the purposes of this hearing today is to consider the piece-work rates arising out of the national wage decision.

As you would aware, the national wage decision granted a flat amount and the piece-work rates applying in this award don't provide any formula for the purpose of working out the rates and, before I made some calculation, I thought I'd give the parties an opportunity to be heard on the matter.

Probably for starters it might be just appropriate to go into conference and we will examine the matter and then formally go back on the record after.

Are you happy with that?

MR HANLON: Yes, Mr Commissioner.

MR EDWARDS: That would suit, Mr Commissioner.

...

COMMISSIONER WATLING: Thanks, Mr Hanlon. I believe you've got something ... Oh, Mr Rice, I think we've got an appearance here, haven't we?

MR RICE: **RICE, K.J.** on behalf of Tasmanian Farmers and Graziers Employers' Association.

COMMISSIONER WATLING: Good. Thanks, Mr Rice.

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HANLON - EDWARDS

COMMISSIONER WATLING: Mr Hanlon, I understand you've got something to report arising out of our private discussions.

MR HANLON: Yes, Mr Commissioner.

The parties have conferred on the history of the setting of piece-work rates and that it is agreed that the rates in accordance with the formula set in 1976, that the rates set out in clause 8, sub-clause 6, 'PIECE-WORK', should be amended by the figure of 4.13%.

That then would give an adjustment in sub-clause (i), 'Gooseberries' 8.65.

(ii)(a) 18.09, (ii)(b) 21.45.

(iii) 'Strawberries', (a) 21.86, (b) 23.03.

(iv) 'Blackcurrants', 18.05.

(v) 'Raspberries', 19.43 in (a), and in (b) 23.03.

In (vi) 'Other small fruits' 19.43 and 23.03.

If I could just draw the Commission's attention to another matter in line with the need to provide conformity in the way in which awards are assembled, and make the suggestion that:

Clause 8 'WAGE RATES' - should be the existing numbers deleted and substitute for each sub-paragraph number, which in '1. FRUITGROWER' should become 'A', with a consequential adjustment, then to '2', would be 'VEGETABLES' ... sorry ...

COMMISSIONER WATLING: Which should be 'B'.

MR HANLON: 'B' would be 'VEGETABLES'.

'HORTICULTURAL TRADESMAN' would be 'C'.

And '4' becomes 'D. GENERAL'.

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MR HANLON: `MINIMUM WAGE` becomes `E`.  
`PIECE-WORK` becomes `F`.

MR EDWARDS: That's it.

MR HANLON: That completes it. Which then enables us then to re-number the sub-clauses by the use ... the sub-paragraphs by the use of numbers.

I haven't ...

COMMISSIONER WATLING: No, well we ... I think we can ...

MR HANLON: ... identified those, but I think the position is clear from the point I'm making.

COMMISSIONER WATLING: ... work the numbers out.

Thanks, Mr Edwards.

MR EDWARDS: Yes, Mr Commissioner.

I'm in a position to confirm that during the course of the discussions off the record, agreement has been reached to vary the award in the manner set out by Mr Hanlon. And I confirm that the figures he read into transcript are accurate and are an accurate reflection of an increase of 4.13%.

I also support the variation mentioned by Mr Hanlon, which is a procedural matter essentially, in respect of the conformity in the way awards of this Commission are structured. And I believe the manner he's put that on transcript is an accurate and appropriate way for the award to be structured.

I therefore support those matter that he's put forward.

If it please the Commission.

COMMISSIONER WATLING: Thank you.

Mr Rice, are you happy with the arrangement?

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MR RICE:

Yes, Mr Commissioner.

We, in conjunction with Mr Hanlon and Mr Edwards, agree with the submissions put forward by both parties, sir.

COMMISSIONER WATLING:

Good. Thank you.

Well, the award will be varied in the manner sought. And the re-numbering and lettering will also take place. So this will enable the national wage decision then to flow into this award.

I will now close this matter, thank you.

HEARING CONCLUDED