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TRANSCRIPT OF PROCEEDINGS

O/N 9288

TASMANIAN INDUSTRIAL COMMISSION

COMMISSIONER P.C. SHELLEY

T No 10458 of 2002

PUBLIC VEHICLES AWARD

Application pursuant to the provisions of section 23(2)(b) of the Industrial Relations Act 1984 by the Australian Municipal, Administrative, Clerical and Services Union to vary the above award re structural efficiency and minimum rates adjustment to vary wage rates for employees other than clerical and administrative employees

HOBART

9.30 AM, WEDNESDAY, 26 MARCH 2003

Continued from 4.3.03

PN106

THE COMMISSIONER: Now, Mr Paterson, do we have a consent order?

PN107

MR PATERSON: No, we don't. We have consent on the document, but we have uncovered - Mr Cameron has uncovered some discrepancies in the numbers. We have just looked at a couple of matters in particular relating to the first and second MRA where the rates are actually less than the current award rate and they wouldn't move in excess of the current award rate until - it looks like on my calculations - until the fourth MRA. So we need to re-visit that question.

PN108

THE COMMISSIONER: That is ASU - - -

PN109

MR PATERSON: ASU2 - well, 1 and 2, the documents that were put up last time.

PN110

THE COMMISSIONER: Okay.

PN111

MR PATERSON: And at the other end of the issue that has been raised just recently by Mr Cameron, relayed to me by Ms Thomas, is that because some of the rates in this award have been so low, the standard approach of adjusting initial starting base rates on the relevant relativity applied to the 365.20 produces a huge hike in the weekly wage just by virtue of the moving of the base rate. Mr Cameron wants to put some proposals to us on a different form of phasing in the process.

PN112

THE COMMISSIONER: What, with more stages?

PN113

MS THOMAS: No.

PN114

THE COMMISSIONER: No?

PN115

MR PATERSON: Probably, I would imagine that he is talking about a lower starting base rate and larger MRAs, I think would have to be the answer. We are not talking about any more than four stages six months apart. That would stop either the four MRAs, as I understand it. It may be, in a couple of the classifications, the movement would be more evenly balanced across the MRAs. I believe that is the issue that we are being asked to consider. I think some of this may be errors and some of it is - probably relates to omissions, if you like, in terms of rates that probably should be saved.

PN116

THE COMMISSIONER: Okay. Well, the errors and omissions shouldn't be a problem, but it sounds like there are some further negotiations needed in respect of those low-paid classifications. Have you had any feedback from the TWU?

PN117

MR PATERSON: I have spoken to their - and it is interesting that one of the MRA problems is within their classifications. I have spoken to one of their national industrial officers who indicated she had no issue with the body of it and was leaving the State - that is Michael Cook - to check the figures and come back to us on those. There was no formal response, but no issues or problems have been raised by them.

PN118

THE COMMISSIONER: Okay. So what do you propose should now happen? Obviously you need a little bit more time.

PN119

MR PATERSON: I don't think it is a lot of time that we need and I presume it is a question of whether this is a matter that could be - given that it is only the - well, not "only", but given that it is the wages and the MRA process that we are talking about we may be in a position to provide the draft consent order without requiring a further hearing. However, should you wish to go to a hearing it should be a short matter. From my personal point of view I think we would probably need till the end of next week to conclude that and I would like to think that we could have a document to you by Thursday next week.

PN120

THE COMMISSIONER: Okay. I think probably it would be necessary to have a hearing to keep the award history file properly up to date.

PN121

MR PATERSON: And that ensures that all parties are informed of the progress.

PN122

THE COMMISSIONER: Yes. Okay. Is there anything else that you wish to add?

PN123

MR PATERSON: No, thank you, Commissioner.

PN124

THE COMMISSIONER: Okay. Ms Thomas?

PN125

MS THOMAS: Yes, thank you. Mr Paterson has outlined the situation as at today's date. Unfortunately we couldn't quite finalise the document. The issue is with the phasing in of the MRAs and getting those base rates up to where they need to be and I think it will result in larger MRAs and the increases spread over the proposed four increases that we are looking at. So we will sort that out. Mr Cameron has undertaken to put a proposal to Mr Paterson within the next few days, so we should be able to finalise this within a week or so.

PN126

THE COMMISSIONER: Okay. Well, we might just go off the record.

OFF THE RECORD

PN127

THE COMMISSIONER: This matter is adjourned until 9.30 am, Thursday, 3 April.

ADJOURNED UNTIL THURSDAY, 3 APRIL 2003