

**TASMANIAN INDUSTRIAL COMMISSION**  
Industrial Relations Act 1984

T No. 5172 of 1994

**IN THE MATTER OF** an application by the  
Shop Distributive and Allied Employees  
Association, Tasmanian Branch for the  
making of the Retail Pharmacy Award

COMMISSIONER WATLING

HOBART, 18 April 1996  
continued from 21/3/96

**TRANSCRIPT OF PROCEEDINGS**

Unedited

COMMISSIONER WATLING: I'll take appearances in that matter please.

**MR P. GRIFFIN:** Thank you, Mr Commissioner, I appear on behalf of the Shop Distributive and Allied Employees Association, Tasmanian Branch, GRIFFIN, P.

COMMISSIONER WATLING: Thank you.

5 **MR D. PYRKE:** If the commission pleases, DARRYL PYRKE, appearing on behalf of the Salaried Pharmacists Association, Tasmania Branch.

COMMISSIONER WATLING: Good, thank you.

**MR J. HAMPTON:** If the commission pleases, I appear on behalf of the Pharmacy Guild of Australia, Tasmanian branch, HAMPTON, J.

10 COMMISSIONER WATLING: Good, thanks, Mr Hampton.

**MRS H.J.DOWD:** If the commission pleases, I appear on behalf of the Australian Municipal Administrative, Clerical and Services Union - DOWD, H.J.

COMMISSIONER WATLING: And you're intervening in this matter are you?

MRS DOWD: Yes, Mr Commissioner.

15 COMMISSIONER WATLING: And your reason for intervention is what?

MRS DOWD: Just an interest in the proceedings this morning, Mr Commissioner. I am not seeking to be party to the negotiations, et cetera.

COMMISSIONER WATLING: Right.

20 **MR T.J. EDWARDS:** If it please the commission, EDWARDS, T.J. I appear for the Tasmanian Chamber of Commerce and Industry. Appearing with me are **MS J. THOMAS** and **A. CAMERON**.

Do you want me to comment on the intervention application -

COMMISSIONER WATLING: Thank you.

MR EDWARDS: - while I'm on my feet, commissioner?

25 COMMISSIONER WATLING: Yes.

MR EDWARDS: I wouldn't object to the application for intervention solely because of the other issues that are before the commission this morning, and they are to some extent interrelated and I think Mrs Dowd has an interest in those matters, and to ensure continuity I'd have no objection to intervention on that ground.

30 COMMISSIONER WATLING: Good. Any further submissions on the intervention, Mr Griffin?

MR GRIFFIN: No, I've no objection to the intervention. As Mr Edwards has said, I understand Mrs Dowd's interests in the other matters that may come on later this morning in this - these proceedings.

35 COMMISSIONER WATLING: Mr Pyrke?

MR PYRKE: Sir, no opposition to that intervention.

MR HAMPTON: We have no opposition.

COMMISSIONER WATLING: Good. Right. Mrs Dowd, your- you've been granted intervention rights in this matter.

Now, who is going to bat? Mr Edwards?

5 MR EDWARDS: Perhaps it may be appropriate for the applicant to in fact bat on the specific retail pharmacy matter. Before going to that, there's a couple of issues I'd like to just canvass that are a little more global in nature. I understand there's only one matter being called, but I want to make some general observations and put before the commission a piece of correspondence which deals with largely all of the matters that  
10 are before the commission, and I just want to go through and put before the commission exactly what the consultative process has been leading to this point because it will become germane as we deal with each of the matters and I don't want to have to table the same correspondence three or four times.

15 So with the leave of the commission, I'd like to just make a couple of brief observations which sets the scene, I think, hopefully for the rest of the proceedings.

COMMISSIONER WATLING: Well we'll mark this exhibit TCCI.1.

MR EDWARDS: Thank you, commissioner. Commissioner, this piece of correspondence dated the 9th April was forwarded to those people who are listed on the final page of the exhibit which is headed up 'Recipients of Award Restructuring Letter', and they in total comprise the existing parties and persons bound as listed in the Chemists Award.  
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The correspondence was forwarded by TCCI largely as a result of proceedings previously before the commission in respect of an earlier endeavour to finalise the Retail Pharmacy Award and a TCCI application that was before the commission at that time to make other consequential alterations to the Chemists Award. History now records that that process was unsuccessful at that date and new and different applications needed to be made.  
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This correspondence seeks to inform the parties that the TCCI, the Pharmacy Guild, the SDA and the SPA have been negotiating detailed provisions to be incorporated into the Retail Pharmacy Industry Award and that that process culminated in proceedings scheduled to be before the commission today at which time the parties expected to have their new award ratified by the commission.  
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In earlier proceedings, yourself, sir, had expressed extreme concern at the making of this award and the consequential changes it will mean to the Chemists Award, really calling into question the viability of the Chemists Award as it will then be configured.  
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I further go on and say that: Commissioner Watling has indicated that in his view substantive applications to considerably review the operation and extent of the coverage of the Chemists Award will be required before you would entertain the making of the detailed provisions of the Retail Pharmacy Award and the consequential changes to the Chemists Award.  
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In order to facilitate the position that has been adopted by the commission, the TCCI have lodged two applications with the industrial commission, that is:-

1) Amend the Chemists Award by deleting the award in its entirety and replacing it with an award titled the Photographic Industry Award. This award will contain all of the existing provisions of the Chemists Award save and except those that are only  
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relevant to either the Retail Pharmacy Industry Award or the Wholesale Pharmaceutical Award.

5 2) Transfer all existing provisions from the Chemists Award that are relevant to the wholesale pharmaceutical industry into the newly created Wholesale Pharmaceutical Award.

The intention of TCCI in filing these applications is not to disturb existing employees' wage rates and conditions of employment, and as consequence, we invite any union with members covered by the awards to seek discussions with TCCI at their earliest opportunity to canvass any concerns they may have over these applications.

10 The same invitation is extended to employer organisations with a registered in the Chemists Award. Please direct any concerns in this regard to either Jenny Thomas or myself at the TCCI and we will endeavour to ensure that we allay any concerns you may have. Copies of the applications are attached.

15 And we did attach to that the detailed application that had in fact been forwarded that same day I think, to the commission.

20 I think it's important, commissioner, to have that piece of correspondence before the commission because it does two things; it firstly establishes our willingness to consult on these issues and it also establishes both the foundation of the claims and what they seek to achieve by way of those brief summaries at the bottom of the first page of the correspondence.

25 As a result of the sending of that correspondence, there has been only one organisation which has contacted TCCI to express any concern, that being the National Union of Workers. I will deal with their concerns as part of the matters going to the question of the Wholesale Pharmaceutical Award rather than now, suffice to say at the moment that I have received a copy of correspondence from the NUW to yourself, sir, that does accurately set out the position that we have reached with them.

COMMISSIONER WATLING: I was going to say I received a fax yesterday from that organisation.

30 MR EDWARDS: Yes - and I'll come to that when we get to the Wholesale Pharmaceutical Award.

As I see the process today, commissioner, what we're seeking to do as the parties to the Chemists Award as we are at the moment, would be to create a new award called the Retail Pharmacy Award with the detailed provisions to go into that to compliment the earlier processes and procedures that have been before the commission.

35 We would seek to make a new award called the Photographic Industry Award which picks up that portion of the Chemists Award that goes to the question of photographers and sellers of photographic equipment and supplies and put the detailed provisions into the Wholesale Pharmaceutical Award which is a minimalist approach, if I can use that term, to completing the exercise in respect to the making of  
40 that award.

Now that's a shorthand way of describing it but that's exactly what we're seeking to do and I note that the commission has also lodged brought on a number of other matters that will be a tidying up exercise of earlier applications made to do similar things to those that are before the commission today.



Now I make those by way of general comments, sir; they're not intended to go to the substantive making of this application or this award, but I think it's important that the global picture be before us as well.

5 Whilst on my feet, to assist Mr Griffin, I will table one further exhibit which is the Retail Pharmacy Award - the draft order of the parties which is a complete print of the award.

COMMISSIONER WATLING: We'll make - mark this exhibit TCCI.2.

10 MR EDWARDS: Thank you, commissioner. It occurred to us upon our arrival at the commission this morning, commissioner, and it's something that we hadn't taken account of in our drafting, that on the front page of that under clause 2(c) scope, we've listed that the award not apply to persons covered by the Chemists Award. I think as a result of all of the proceedings before the commission today, an alteration would be appropriate to delete reference to the Chemists Award in its totality and justly of hairdressers and health and fitness centres. It's consequential upon the other  
15 applications but it's one we had omitted to take account of.

I table that now solely because that is the culmination of the parties' work on this award, and I'd perhaps then hand over to the applicant to proceed from there.

COMMISSIONER WATLING: Good.

MR EDWARDS: If it please the commission.

20 COMMISSIONER WATLING: Thank you. Mr Griffin.

MR GRIFFIN: Thank you, Mr Commissioner. TCCI exhibit No.2 which has just been handed up is, as Mr Edwards mentioned, a culmination of our dealings in relation to coming to an agreed position in relation to this particular award, and it is an up-to-date document that incorporates all those additionalities which have come about since  
25 we last met here in relation to the changes to what would have been in Chemists Award in relation to meal allowances, supported wage clauses, et cetera, and it is our position to say to you today that it is an agreed position - we have agreed across the board in relation to this particular award being ratified and implemented in order that in relation to the other applications that have been made in respect of those other  
30 awards which will be brought on during these proceedings this morning.

There's not really that much more that I believe there needs to be said, bearing in mind what the commission has mentioned earlier on during these proceedings, and that is, that if the parties at the end of the day agree on specific or all of the agenda within the award, therefore I see no reason why we can't - or why the commission  
35 would not ratify the document and we go from there.

COMMISSIONER WATLING: Do you want to place anything on record about the wage rates and whether they've got minimum rates adjustments and whether it's the first, second, third or fourth MRA?

MR GRIFFIN: Well -

40 COMMISSIONER WATLING: What do you want to say about the operative date?

MR GRIFFIN: Well the operative date - it is agreed that we bring that in on the 1st May of this year, 1996. The wage rates - there is a minimum rate adjustment -

COMMISSIONER WATLING: Now hang on, just before we skip over that, is this the first full pay period on or after the 1st May or the 1st May?

MR GRIFFIN: The first full pay period on or after the 1st May - I'm sorry, Mr Commissioner.

COMMISSIONER WATLING: Good.

5 MR EDWARDS: Commissioner, I know I'm completely out of order by trying to speak at the moment, but as is my wont I'll persist.

COMMISSIONER WATLING: It wouldn't be the first time.

MR EDWARDS: No. Indeed not, sir. To assist the commission, and again Mr Griffin, I have prepared an exhibit on the minimum rates adjustment process, so perhaps if I could table that now -

10 COMMISSIONER WATLING: Oh right. So are you going to address that when you come that question?

MR EDWARDS: I had intended to but Mr Griffin has also got a copy.

COMMISSIONER WATLING: Oh well, Mr Griffin might well want to hand over to you then?

15 MR GRIFFIN: So -

COMMISSIONER WATLING: Do you want Mr Edwards to address that aspect?

MR GRIFFIN: Oh well that's - yes, we could do that, but just to - I do have the same document that Mr -

20 COMMISSIONER WATLING: Oh right, well let's mark this exhibit - minimum rates adjustment - as TCCI.3. Good, thank you.

MR GRIFFIN: Yes, with that, in relation to the minimum rates adjustment, as Mr Edwards has just mentioned, we can hand over to him and he will go through that particular document which has just been handed up.

25 COMMISSIONER WATLING: Right. Any further submissions to put other than this is a complete consent document.

MR GRIFFIN: That's right - no - not from the SDA, Mr Commissioner.

COMMISSIONER WATLING: Right. Mr Pyrke.

30 MR PYRKE: Thanks, commissioner. Sir, I agree with the what Mr Griffin has said to you inasmuch as the parties are agreed in relation to the matters which form the substance of this application. Having said that, we do want to leave some words on the record in relation to clause 8 - Salaries, in relation to that clause. We're not convinced that the relativities for salaried pharmacists are necessarily what they ought to be compared to other professionals.

35 Now to persuade you of that we understand that we'd need to run a full work value case and we'd be persuaded that taking this course isn't appropriate at this time. So whether or not we actually exercise the agreement that we've raised with the Pharmacy Guild that this matter can be looked at in 12 months remains to be seen. Now as the organisations have got to make a .... on that, but subject to those comments, sir, we agree with .... and if the commission pleases, that's all I want to say.



COMMISSIONER WATLING: Good, well on that point, I'd just have to say that you're entitled to make application at any time but you'll have to take your chances at the time and you'll have to run your case as you see fit and I'm sure they'll be response from the other side.

5 COMMISSIONER WATLING: Mr Edwards?

MR EDWARDS: Thank you, commissioner. It might be an opportune time to perhaps deal with the last point first as is again normally my wont. On Mr Pyrke's comments in respect of clause 8 - Salaries, we hear the reservations that he has put on the table; he has done that as part of the negotiations process as well. From our point of view we don't agree with the position adopted by the SPA on that point, but having said that we certainly do acknowledge their right to make whatever application they feel is appropriate at any point in time. I'll go further and say that we are somewhat gratified that Mr Pyrke hasn't chosen to run that case at this time because of the delay it would mean in respect of the finalisation of the award and that -

15 COMMISSIONER WATLING: There's no doubt of that.

MR EDWARDS: - that's certainly a matter we put before him on a number of occasions and we certainly are appreciative that he's chosen the course that he has.

Commissioner, I'll make a few observations about the award. This is the final phase in removing the "community pharmacy industry" from the coverage of the old Chemists Award where it has been for the last millennium into an award of its own. The process has been long-winded, it has been tedious, it has been laborious, it has been difficult, but having said of all that, at the end of the day the parties have been able to come to the commission with a totally agreed document.

The process had its genesis, I suppose, in a wish by the industry to have coverage in an award which could properly reflect the idiosyncrasies of that industry as opposed to the other segments of the so-called chemists industry that were covered by the Chemists Award, those other segments being photographers and sellers of photographic equipment and supplies on the one hand and wholesale pharmaceutical outlets on the other hand. It had always been the position of the industry that there was insufficient commonality between those three segments of the so-called chemistry to be bracketed into the one award, and as a consequence the parties have now been able to bring forward a matter that puts the wholesale - the community pharmacy sector if you like into an award of its own. We haven't called it that, we've called it the retail pharmacy industry.

The making of the award, commissioner, has embodied a broad range of things but most specifically it constitutes a fairly significant structural efficiency exercise in which we have reconsidered in its entirety the totality of the old Chemists Award as it applied to the community pharmacy industry - or retail pharmacy industry - and we have made very, very significant changes to what previously existed. Those changes go not only to the question of the wage rates and the minimum rates adjustment process, they go also to a broad range of matters such as hours of work, penalty rates and virtually every other component of the award has been considered by the parties as part and parcel of this process. The award therefore before the commission by way of exhibit TCCI.2 constitutes a significant rewrite of the existing award conditions.

You, commissioner, are probably as familiar as anyone else in the room with the processes that have been undertaken by the parties. You have participated to the extent that you've chaired conferences between the parties by way of drafting exercises in which the parties have taken the opportunity to explain to you in some considerable detail the purpose and procedures they've adopted in respect of virtually every provision in the award.



As a result of that conference -

5 COMMISSIONER WATLING: I just say, that even though I chaired the conference, Mr Edwards, I'm not going to let you get my hand on the meat hook that way. I need to point out for the record that I never really participated in some things contained in the document on the merit point of view. And I understand its -

MR EDWARDS: That was -

COMMISSIONER WATLING: - it's a consent matter between the parties, but

MR EDWARDS: That was to be my next submission, commissioner, to -

COMMISSIONER WATLING: Right.

10 MR EDWARDS: - to, as you say, absolve you of any blame that you perceive attaches to the parties on their agreement.

COMMISSIONER WATLING: I might well if I have to arbitrate something take a totally different view.

15 MR EDWARDS: Absolutely, and I mean this is coming before the commission as a consent variation. As a consequence I don't perceive that it creates any precedential value for anyone. It's not something I would seek to rely on in an arbitral precedent because it would just not assist.

So I now won't go to the point that I was going to make that -

20 COMMISSIONER WATLING: No. I think the parties understand that I'm accepting this as a consent document.

MR EDWARDS: Yes, that is the way we see it, commissioner, and that was the point I was going to make and - but notwithstanding you had chaired the conferences that doesn't necessarily give you an ownership of the outcome. The ownership belongs with the parties and I think that's rightfully so.

25 The new award, commissioner - well the point that I do make however arising from that conferencing process is that I have no intention unless the commission requires me to slavishly go through the award and detail the changes we've made and explain the new provisions.

30 Everyone in this room is very familiar with it with the possible exception of Mrs Dowd who is not party to the award.

COMMISSIONER WATLING: No, I don't require you to go through every clause, Mr Edwards, as I am familiar with the document even though there may have been some minor changes at the latter part.

35 MR EDWARDS: Perhaps I could explain to the commission the changes that have been made since you last saw the document. It has been simply the incorporation into the award of the supported wage arrangements and I understood you signed an order to that effect earlier this week, sir, and also the variation to the tea money prescription within the award, and I thank your associate for her assistance in getting a copy of that to us yesterday. That was - facilitated the completion of the document in time for  
40 today's proceedings. They are the only changes that have been made since the matter was last before you.



Commissioner, the new encompasses so far as being possible, a uniting of conditions between classifications and conditions that apply to pharmacists, as they are variously described in the document, and pharmacy assistants, which has enabled a streamlining and simplification of the award. There are some areas in which that process hasn't been able to be taken right through to the end. That's regrettable but always in these exercise some compromise is necessary in order to achieve a consent outcome, and the document certainly does reflect that - that compromise.

The changes, in our view, to the conditions also represent what we perceive to be a more contemporary view of actual trading patterns and operations of the industry, and particularly the retail pharmacy industry in this state, and substantially parallel developments that are occurring in other states in the same segment of industry.

The classification structure for pharmacists is largely unaltered from that already contained in the Chemists Award save the relativity and wage rate for a trainee during the first 1,000 hours of experience which the parties have agreed to lift to equate to the pay rate for a pharmacy assistant Grade 1 unqualified, and I think we discussed that with the commission as part of the conferencing procedure and everyone agreed that it would be inappropriate to have that trainee pharmacist on a lesser pay rate than the Grade 1 pharmacy assistant, and as a consequence that's incorporated into the document.

The classification structure for pharmacy assistants has been negotiated taking account of relativities that have been established for sales assistants generally but has also been customised to suit the circumstances of the retail pharmacy industry in Tasmania. That structure is underpinned by a range of competency standards which have been approved by the National Training Board to have universal national application within the community pharmacy industry in Australia. Commissioner, have we previously supplied you with a copy of those competents?

COMMISSIONER WATLING: Yes, during one of the conferences.

MR EDWARDS: We have. Thank you, commissioner. I was just a bit concerned that we hadn't. I had a momentary blank spot.

And it is those competency standards which underpin the way in which the classification structure for the pharmacy assistants works.

It is our submission that the unified national consistency to the training and classification of retail pharmacy assistants will lead to a commonality of approach throughout the country and, thereby, full portability of a qualification through the Pharmacy Assistant Certificate that will enable recognition throughout the entirety of Australia of people who will be able to present to a pharmacy in any state of the country and be able to say, 'I am qualified at this level', and I think that would be a significant advancement both for the pharmacy industry itself and also for the employees concerned.

I think it is also fair to say, commissioner, that the classification wage rates also include an element of compensation for the reduction of some of the penalty rates that previously existed in the Chemists Award and are designed to recognise the changed approach to the trading patterns within the retail pharmacy industry.

To that extent, I would make the submission that I don't think any person could feasibly come before the commission and argue that those rates create any form of precedent for any purpose whatsoever.

Not only are they coming to the commission on a consent basis which would reduce their precedential value, in any event, but additionally they incorporate elements that



would not be common with anyone else coming before the commission. They are specifically customised to this award and this outcome in respect of this series of negotiations.

5 The progression of the wage rates shown in clause 8 of the document to the final rates through an MRA process is illustrated I think, commissioner, by the exhibit tendered to the commission and identified as Exhibit TCCI.3.

The parties have, in effect, agreed that there would be three minimum rates adjustments spaced 9 months apart.

10 The first minimum rate adjustment is incorporated into the wage rates which are in the document before the commission as Exhibit TCCI.2 - that is the draft award - and the next would be due in - what are we in April now - January of 1997 - the 1 February 1997, in fact, if the operative date suggestion that Mr Griffin has put forward is accepted, with the final one due some further 9 months after that.

COMMISSIONER WATLING: And is that subject to a separate application?

15 MR EDWARDS: Yes, commissioner, in accordance with the wage fixing principles the parties would need to make a separate application for each of those minimum rates adjustments, and providing they are made in sufficient time those would be the projected operative dates. They are not guaranteed - as you say, sir, they are subject to separate applications.

20 If I can just explain the document because it probably looks a bit more complicated than it needs to be.

25 What I have incorporated into the document is, firstly, the classification, the base rate relativity, or that will be the base rate relativity at the completion of the MRA process, the normal wording that the commission uses in that regard. It has been incorporated into the draft award.

I then have set out the base rates and next to those the supplementary payment as it would apply in the award as at - hopefully that's what is in TCCI.2 - and it is.

30 Under the column headed, 'Supplementary to MRA' that's the position that would apply in the award as a result of the application of the second minimum rates adjustment.

35 The figures not in brackets show the actual amount of dollars to be put under the supplementary payment column in the award at that time. The amount in brackets shows the increase from the first MRA, and then I have moved to a total wage expression at the time of the third MRA which will be the completion of the process and in accordance with the decision of the full bench of the commission in the State Wage Case of December '95.

I have converted to a total wage expression because there is no need at that point in time to retain the supplementary payment column.

40 Separate to this process there is in the award a safety net adjustment column which is unaffected by the terms of this minimum rates adjustment process, so they apply on top of this.

I haven't sought to complicate the document by putting those in TCCI.3. I think it is complicated enough as it is.

COMMISSIONER WATLING: I can understand that.



MR EDWARDS: Thank you, commissioner.

5 The translation arrangements, commissioner, have been included in the award. You have seen those before as part of the conferencing process. They are found at - well, it was going to be clause 32, that maybe have altered - no, it hasn't altered, it is still 32 - Translation and Savings, and the commission is familiar with that. I simply raise it because I think it is an important clause in the award in the context of the procedure that we have adopted, and the somewhat convoluted process we have been through. It also protects people in a way that was sought by the SDA as part of the negotiations and I think provides a very significant range of safeguards and deals with the processes the parties need to follow as part of moving from the current classification structure in the Chemists Award to the new skills-based training driven classification structure that will exist in this award, presuming our application is successful.

10 Commissioner, it would be submission of TCCI that the current application before you complies with the wage fixing principles and most particularly in that regard we would submit that the application complies with Principles 13(1) and 13(2) of the wage fixing principles handed down by the full bench in the State Wage Case - that being the question of a first award and extension of existing awards - which I think in part would be the appropriate principle for us to be pursuing today.

15 I would, however, make the submission that there is another principle which is equally appropriate - that being the structural efficiency exercise, or the structural efficiency principle, which is Principle No. 2 as I recall it - it is - of the wage fixing principles.

So, in tandem, those two principles have been those that have underpinned the negotiations of the parties, and it would be out submission that they have been complied with in the context of this exercise.

20 In fact, I would make the almost throw away submission: I suppose that this is one of the more fundamental structural efficiency exercises that has been conducted by the parties to awards before this commission. Not necessarily the most fundamental but certainly one of the most fundamental.

25 I would also make the submission, sir, that in our submission the application and the new award as it is before you as TCCI.2 complies with section 36 of the Industrial Relations Act and there is no damage done to the public interest by the successful grant of this application.

30 Unless there are any questions arising from the commission that would in effect be our submission in respect of this application.

35 If it please the commission.

COMMISSIONER WATLING: Thank you.

MR EDWARDS: I might just quickly, sir, take that back and observe and request that of the operative date that we would consent to that operative date suggested by Mr Griffin which would be the beginning of the first pay period to commence on or after the 1st day of May.

40 We are specifically asking the commission to set a prospective date to enable adequate opportunity to put this information out into the field to give people an opportunity to be ready for translation fairly close to that date so as not to cause any undue delay in that process.

45 COMMISSIONER WATLING: And, indeed, even for the commission to process all of this.

MR EDWARDS: Absolutely, commissioner.

COMMISSIONER WATLING: To process all of this stuff.

MR EDWARDS: That's another valid observation, sir.

COMMISSIONER WATLING: Right. Mr Hampton, have you anything further to add?

- 5 MR HAMPTON: Mr Commissioner, only to acknowledge that it is an agreed position and represents what the Pharmacy Guild has been seeking nationally for some time. Thank you.

COMMISSIONER WATLING: Right. Any further submissions? No further submissions. Right.

- 10 There being no further submissions I indicate to the parties that I'll hand down a written decision in due course on this matter, but I can indicate to you now that it will be in favour of the application and it will be operative from the first pay period to commence on or after the 1st of May this year, and I'll do my best to try and get the orders out and the decision out before that time.

- 15 **HEARING CONCLUDED**