

COMMISSIONER: I'll take appearances please.

MR M. WATSON: May it please the commission, MARK WATSON; I appear on behalf of the Tasmanian Chamber of Commerce and Industry.

5 COMMISSIONER: In both matters, Mr Watson?

MR WATSON: Yes, certainly in both matters - yes.

MR P. GRIFFIN: I appear on behalf of the Shop Distributive and Allied Employees Association, Tasmanian Branch - GRIFFIN, P., and I appear in both matters, thank you. I might just mention I would seek
10 leave to make an amendment to the particular application, T7628, at the appropriate time, Mr Commissioner.

COMMISSIONER: Right, well that will be in a minute's time.

MR D. PYRKE: If the commission pleases, DARRYL PYRKE, appearing on behalf of the Association of Professional Engineers, Scientists and Managers Australia and appearing in both matters.
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COMMISSIONER: Is there any submission by the parties against the approach that we hear these matters jointly?

MR WATSON: No, certainly not; I think that's a sensible approach, commissioner.

20 COMMISSIONER: Yes, right - nothing from the unions? Well, seeing there's no disagreement, these applications will be joined.

Now, Mr Griffin, you seek leave to amend your application.

MR GRIFFIN: Thank you, Mr Commissioner.

COMMISSIONER: You want the fourth MRA as well do you?

25 MR GRIFFIN: As well, yes, if I could ..[inaudible].. yes. Mr Commissioner, due to my absence from the state this past week - this is a little rushed this application - and it was signed and sent in, as I say, in a rather rushed manner as from yesterday but there is - where it does state on that application that the application is considered to
30 be a full bench matter, leave is sought to have this matter joined to T7198 and T7214 of 1997. Of course that should be deleted; it's a typographical error and if it is to be joined with any matter it would be T7574 which is before you on this occasion, Mr Commissioner. That is the amendment I seek.

35 COMMISSIONER: No objections?

MR WATSON: No.

COMMISSIONER: Leave is granted. Who is going to bat?

MR GRIFFIN: Good, thank you, Mr Commissioner. Talks with my colleagues there, I'll take up the challenge, shall we say and what we're seeking through our application is to implement the third MRA which is to be applicable from the first full pay period on or after 3 April this year and in respect of the other application put in by the TCCI, there is a draft copy of what those rates should be in respect of the four grades - and that's Grade 1, 2, 3 and 4. You should be in possession of that, Mr Commissioner, in my understanding. If not, I certainly -

COMMISSIONER: Is this the third and final MRA?

MR GRIFFIN: It is the final MRA, yes.

COMMISSIONER: Not just the third? The third and final.

MR GRIFFIN: Third and final. The final has - yes, is not -

COMMISSIONER: Right, thank you, yes, I've got that document.

MR GRIFFIN: I apologise for that. And it is for those four grades and as you see in that particular document how it is set out in respect of the safety net adjustment and the final weekly wage rate in respect from Grade 3 to Grade 4 - \$400.00 going through to \$480.00.

COMMISSIONER: Yes. It's an agreed document is it - Attachment A to the employer's application?

MR GRIFFIN: It is, Mr Commissioner. And having illustrated that I would conclude in saying that we consider that this matter be agreed to and that the implementation date be from this particular date or the first full pay period on or after it, Mr Commissioner. Thank you.

COMMISSIONER: Any further submissions? Mr Pyrke have you any?

MR PYRKE: Thank you, commissioner, I'd just like to say, yes, we support the application made by both parties. If the commission pleases.

COMMISSIONER: Mr Watson.

MR WATSON: Commissioner, I can indicate that from our point of view this is a consent matter. The order as presented to you attached to our application is in fact an agreed document between the parties and it in fact completes the MRA process for these particular classifications in this award so it is the third and final MRA.

It's our submission that the application is in fact in accordance with the commission's principles and provides no offence to the public interest test of the Act and we would ask that the application be

approved from the first full pay period on or after today's date. If it please the commission.

5 COMMISSIONER: Thank you. Well having heard the submissions of the parties and seeing it's a consent matter and seeing it's part of an agreed program for the variation of this award although albeit a bit late I think, but nevertheless I believe it should be approved and will be approved and be operative the first full pay period to commence on or after today. I'll hand down a written decision and orders in due course - maybe sometime today.

10 This matter is now concluded.

HEARING CONCLUDED