

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 December 1995
continued from 6/11/95

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER WATLING: Appearances, 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, Mr Griffin.

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

COMMISSIONER WATLING: All right. 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. Thank you.

MR T.J. EDWARDS: If it please the commission, EDWARDS, T.J., and appearing with me, **MS J. THOMAS**, for the Tasmanian Chamber of Commerce and Industry.

15 COMMISSIONER WATLING: Good. Right. On the last occasion we were together we had a bit of a discussion about progressing this matter and I take it that we're going to do something about it today. Mr Griffin.

20 MR GRIFFIN: Thank you, Mr Commissioner. Yes, we have had no less than two meetings since we last met at the commission here. We have a document together which we - although we haven't come to full agreement on it at this particular stage, there are a couple of outstanding matters which need some further discussion. It is a view that I have, that if we were given that opportunity this morning, in conference with or without your being involved, we shouldn't have any problem.

I must say that we may be able to come to an arrangement, having gone a little bit further in a couple of these particular provisions that have been provided in the document that, as I say, we are almost agreed upon.

25 COMMISSIONER WATLING: So, is that an application to adjourn?

MR GRIFFIN: Yes. I suppose it is, Mr Commissioner, with your permission.

COMMISSIONER WATLING: Mr Pyrke.

30 MR PYRKE: Thank you, commissioner. Yes, I can confirm that we've had the meetings that Mr Griffin has reported to you. I'd say that there's a fair degree of consensus about where we ought to be going. There are, as Mr Griffin said, some issues which remain outstanding. We haven't yet got to the stage where we've got a document which I'm comfortable in putting to my membership for endorsement but I don't think we should be too far away from that. Indeed, we could achieve that this morning. So, with that kind of submission, I'd certainly be endorsing what Mr Griffin
35 has said to you about an adjournment. If the commission pleases.

COMMISSIONER WATLING: Mr Edwards.

40 MR EDWARDS: Thank you, commissioner. Probably, the simplest way would be for me to indicate that we agree largely with the submissions made by both Mr Griffin and Mr Pyrke but discussions have taken place between the parties. There is a very significant degree of agreement on a document. There are some issues outstanding, which I believe, most particularly, Mr Griffin wishes to tease through this morning and we're quite happy to do that. Probably, initially, the parties alone and perhaps

subsequently, with your assistance, sir, which may be required. I think, for that purpose, having today's proceedings is probably beneficial because I think we may need your assistance on a couple of small issues.

5 There are certainly some issues that we have from our side about the format of the document we are producing that we may need to discuss with the commission. It is a little out of the ordinary and for that reason we may seek some guidance from the commission on issues such as presentation and whether certain issues can or can't be included in the award and if so, where and in what form.

10 COMMISSIONER WATLING: I thought you'd be experienced at this now. You've been appearing in this commission for the last 12 years. I thought you'd know all about it. I'm saying this commission.

MR EDWARDS: This commission. I've got some very set views. They don't always accord with those of the commission and we'd like some guidance from the commission.

15 COMMISSIONER WATLING: Well, I think the commission's view is well known as well, quite frankly.

MR EDWARDS: Not on this particular issue, commissioner. This is one I haven't struck before.

COMMISSIONER WATLING: So, it's an exceptional and compelling circumstance -

20 MR EDWARDS: Absolutely. It always is when I ask for your assistance, sir.

COMMISSIONER WATLING: I'm always interested to listen to those types of arguments. I love exercising my brain on them.

MR EDWARDS: And you always do. Unfortunately, when you exercise yours, you force us to exercise ours as well.

25 COMMISSIONER WATLING: Right. That's good. It gets the upper motor neurones going for everyone.

MR EDWARDS: If it please the commission.

COMMISSIONER WATLING: Right. Mr Hampton, it's your understanding, you want an adjournment as well?

30 MR HAMPTON: Yes, Mr Commissioner.

COMMISSIONER WATLING: How long do the parties feel that they would need, because I can do other matters if I have a time, you see. I'm not just going to sit on my hands.

MR EDWARDS: About 45 minutes.

35 COMMISSIONER WATLING: Right. Well, we'll reconvene then at 11.30.

INTO CONFERENCE

NO FURTHER PROCEEDINGS RECORDED

HEARING ADJOURNED