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**AUSCRIPT**

## TRANSCRIPT OF PROCEEDINGS

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O/N 3309

### **TASMANIAN INDUSTRIAL COMMISSION**

### **COMMISSIONER T.J. ABEY**

**T No 12791 of 2006**

**T No 12792 of 2006**

**T No 12793 of 2006**

**BUILDING TRADES AWARD**

**BUILDING AND CONSTRUCTION INDUSTRY AWARD**

**MOBILE CRANE HIRE AWARD**

**Application pursuant to the provisions of  
section 23(2)(b) of the Industrial Relations Act 1984  
by the Construction, Forestry, Mining and Energy Union,  
Tasmanian Branch to vary the above awards  
re expense related allowances**

**HOBART**

**9.35 AM, MONDAY, 18 SEPTEMBER 2006**

**This transcript was prepared from tapes recorded  
by the Tasmanian Industrial Commission**

**HEARING COMMENCED**

**[9.35am]**

PN1

THE COMMISSIONER: Yes, good morning. Let the record note that we have got a new doorknocker, and that is the first time we have used it, so that was our sense of amusement when we came in. Can I take appearances, please?

PN2

MR T. BENSON: I appear on behalf of the CFMEU, Tasmania Branch.

PN3

MS S. HAAS: I appear for the Tasmanian Chamber of Commerce and Industry Limited.

PN4

THE COMMISSIONER: Thank you. Yes. Mr Benson, we can deal with all these three together I think, can't we?

PN5

MR BENSON: Yes, Commissioner, I hope that is the way they go. Just a couple of things before we do start. The Building and Construction Industry Award application, I sent in a revised application. There were some typos in the original one.

PN6

THE COMMISSIONER: Yes.

PN7

MR BENSON: Also with the Mobile Crane Hire Award, Sharon was good enough to let me know that the award had in fact been varied and the meal allowance indicated \$13.60 so I was pretty quick to withdraw that. So there has been an amendment to that application as well, Commissioner.

PN8

THE COMMISSIONER: Right.

PN9

MR BENSON: In essence I suppose the applications themselves contain the old rate, the calculation and the new rate. The calculation is based on CPI. There is a document there that was supplied to me in relation to that matter.

PN10

THE COMMISSIONER: Yes.

PN11

MR BENSON: It should have been - yes, it is, it should have been there for yourself as well. We believe that the applications confirm with the allowance principles of the Commission, that being at principle 8 I think it is. I don't know whether you want me to read that onto the transcript or not.

PN12

THE COMMISSIONER: No. No, I don't need that.

PN13

MR BENSON: Okay. We don't believe it offends the public interest or the Act. And one thing I did want to put on the transcript, Commissioner, was that this is the first time in my memory that the State awards will now exceed the Federal awards. Now, that is a pretty historical occasion. I don't want to say too much about where it came from, but I think a blind man could see. And the State is leading the Federal arrangement - - -

PN14

THE COMMISSIONER: Well, it is red letter day.

PN15

MR BENSON: It certainly is, Commissioner, and I just make that point. Thank you.

PN16

THE COMMISSIONER: Yes. I note the point. Yes, Ms Haas, what is your position?

PN17

MS HAAS: Thank you. The TCCI support and consent to all applications. We have checked the rates of pay and they are correct. The applications are in line with the principles and do not offend the public interest. And we also would like to thank the union for maintaining the award and keeping all three of them up to date. If the Commission pleases.

PN18

THE COMMISSIONER: Yes. Having heard the parties, I have no hesitation in approving the application. The award will be varied. The operative date, Mr Benson, what are you proposing?

PN19

MR BENSON: First full pay period on or after today we would seek, Commissioner.

PN20

THE COMMISSIONER: Yes. The operative date will be the first full pay period on or after 18 September 2006. A formal decision to that effect will be issued in the immediate future. Thank you for your attendance. The Commission stands adjourned.

**ADJOURNED INDEFINITELY**

**[9.40am]**