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## **TRANSCRIPT OF PROCEEDINGS**

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O/N 9305

### **TASMANIAN INDUSTRIAL COMMISSION**

#### **DEPUTY PRESIDENT WATLING**

**T No 10757 of 2003**

#### **HAIRDRESSING, HEALTH AND BEAUTY INDUSTRY AWARD**

**Application pursuant to the provisions of  
section 23(2)(b) of the Industrial Relations Act 1984  
by the Shop, Distributive and Allied Employees  
Association, Tasmanian Branch to vary the above award  
re fourth minimum rate adjustment**

**HOBART**

**2.15 PM, MONDAY, 31 MARCH 2003**

**HEARING COMMENCED**

**[2.15pm]**

PN1

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

PN2

MR. T. STEVEN: I appear on behalf of the Hairdressing Federation of Tasmania.

PN3

MS J. THOMAS: I appear for the Tasmanian Chamber of Commerce and Industry limited.

PN4

THE DEPUTY PRESIDENT: Good, thank you. Let the record show that the parties have had discussion with the Commission prior to formally opening these proceedings about the formatting of the wage rates and classification structuring and classification descriptors in this award. During the course of the conference it was agreed with the parties and the Commission that the Commission, in drawing the orders arising out of this case, will do so by bringing it closer to the format of the Commission in relation to the set out of the wage rates and classification descriptors.

PN5

It is also my understanding that this application only seeks to vary the award to reflect the fourth minimum rate adjustment and the parties intend leaving it to the Commission to draft the order in the Commission's format. Is that your understanding of this application, Mr Griffin?

PN6

MR GRIFFIN: That is my understanding, Mr Deputy President, yes.

PN7

THE DEPUTY PRESIDENT: So any document that you tender showing me variations to the wage rates it will only be for that purpose, to show me what the parties have agreed on the new amounts to be?

PN8

MR GRIFFIN: Precisely.

PN9

THE DEPUTY PRESIDENT: Right. Is that your understanding, Mr Steven?

PN10

MR STEVEN: Agreed.

PN11

THE DEPUTY PRESIDENT: Yes?

PN12

MS THOMAS: Yes, it is, thank you.

PN13

THE DEPUTY PRESIDENT: Right. Yes, Mr Griffin?

PN14

MR GRIFFIN: Good, thanks very much for that, Mr Deputy President. Precisely as you say, this application is to advance the fourth minimum rate adjustment which concludes particular series of events in this matter over probably the last two years, to bring this particular award up to where it should be in conjunction with all the other awards. What it does do it provides the minimum rate adjustment process, the conclusion of that, which takes the MRA column out of the actual wage rates clause and where it has been absorbed into the base rate column.

PN15

In conjunction with that comes the safety net adjustment and then the total weekly wage rates. What we have sought today also, Mr Deputy President, is that the draft order that was put in with the application which showed a deficit of \$2 on the first two classification rates, in both the hairdressing area and also the beautician clause as well. In discussion with the parties it is agreed that that variation to the draft I sent in be varied to make that safety net adjustment \$108 in all those classifications except the last two.

PN16

The reason for that is there was a safety net adjustment, I think it was the year 2000 safety net adjustment, whereby there were two rates set. Those employees earning less than - or approximately \$490 received a \$13 wage increase. Those in excess of that \$490 wage rate received a \$15 increase. With this last minimum rate adjustment it takes those first two classifications in both those areas up to the \$108, Mr Deputy President. I do have a document here which I have already provided to the other parties and which I hand up to the Commission.

PN17

THE DEPUTY PRESIDENT: Mark this exhibit SDA 1.

#### **EXHIBIT #SDA 1 DOCUMENT**

PN18

MR GRIFFIN: And I would just reiterate what you mentioned and that is that this document is only in respect of the actual rates of pay that we are seeking through the fourth minimum rate application.

PN19

THE DEPUTY PRESIDENT: Right, and you rely on the Commission to send out the order in the format adopted by the Commission?

PN20

MR GRIFFIN: As agreed, Mr Deputy President, yes.

PN21

THE DEPUTY PRESIDENT: Yes. Good, thank you.

PN22

MR GRIFFIN: What we are seeking that these rates of pays, as agreed with the parties over a period of time, that this actual application be granted and that it proceed from the first full pay period on or after 1 April 2003.

PN23

THE DEPUTY PRESIDENT: Good, thank you.

PN24

MR GRIFFIN: And that concludes what I need to say, Mr Deputy President.

PN25

THE DEPUTY PRESIDENT: Good, thank you. Ms Thomas, have you a view?

PN26

MS THOMAS: Yes. We give our consent to the variation of the award in respect to the phasing in of this final portion of the minimum rates adjustment, along with that minor adjustment to the safety net adjustment amounts for those classifications Mr Griffin has referred to. We also acknowledge that you will be issuing an order which effectively deletes the divisions from part 3 of this award, and the operative date being the first full pay period 1 April 2003. If it pleases.

PN27

THE DEPUTY PRESIDENT: I think during the course of the conference we were discussing whether the classification descriptors were back the front to the wage rate clauses. You are right, the Commission did - the Commission as currently constituted did pick that problem up on the last order that the Commission as currently constituted did, so as it stands at the moment the award has beauty consultant level 1 classification descriptor, and it has beauty consultant level 1 in the wage rate as opposed to being vice versa on the earlier one. Good, thank you. Mr Steven, have you - - -

PN28

MR STEVEN: Mr Deputy President, I don't have anything further to add other than the Hairdressing Federation of Tasmania agrees and acknowledges all the points made by the STA and the TCCI and I would also just like to acknowledge my colleagues in the work and negotiations they have made over the last two and a half years that we have been working on the restructure of the award and the introductions of the minimum rate adjustments.

PN29

THE DEPUTY PRESIDENT: Good. Thank you very much. Well, I can indicate to the parties I will hand down a written decision in due course. I will be as quick as I can and you can advise your members that the award will be varied in the manner sought and operative from the date sought, so I don't mind if you go ahead and notify your members of the new wage rates just in case they are - hopefully there is not, but if there is a slight delay in the order coming out, but you can be well assured the decision will be in favour of the application. That concludes this matter, thank you.

**ADJOURNED INDEFINITELY**

**[2.28pm]**

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