



TASMANIA

Tasmanian Industrial Commission

Industrial Relations Act 1984

T No. **9758 of 2001**

IN THE MATTER OF an application by
the Australian Municipal,
Administrative, Clerical and Services
Union to vary the Public Accountants
Award

Re: Part IV, Clause 2

COMMISSIONER IMLACH

HOBART, 6 September 2001

TRANSCRIPT OF PROCEEDINGS

Unedited

(WOULD PARTIES PLEASE READ THIS TRANSCRIPT CAREFULLY)
(ANY QUERIES SHOULD BE DIRECTED TO THE COMMISSION WITHIN 14 DAYS)

HEARING COMMENCED 10.30am

COMMISSIONER: I'll take appearances.

MR I. PATERSON: If the commission pleases, IAN PATERSON, appearing for the Australian Municipal, Administrative, Clerical & Services Union.

COMMISSIONER: Thanks, Mr Paterson.

MR J. O'NEILL: If it pleases the commission, O'NEILL J., appearing for the Tasmanian Chamber of Commerce and Industry Limited.

COMMISSIONER: Thanks, Mr O'Neill. Yes, Mr Paterson?

10 MR PATERSON: Thank you, commissioner. This is a matter that comes before you following on work previously done on this award. This application seeks to vary Part IV, Clause 2, particularly in respect of the rate per kilometre for employees who use their own means of conveyance in travelling in connection with the employer's business.

15 The rates that are inserted there are drawn from the current rates that are provided for by the Australian Taxation Office for allowable deductions for motor vehicle expenses.

The second part of this application is to provide for a 17.5 per cent leave loading in lieu of the previous provision which applied a minimum wage approach to the question of leave loading.

20 The third part of this application is to insert a new bereavement leave provision. This bereavement leave provision, which I'll speak to in a little more detail than the other two matters, arose out of an application by the Health Services Union in respect of other awards and we approached the Chamber of Commerce and Industry to seek their consent to include a like provision in this award.

25 I think the most compelling argument that was raised in the proceedings that the Health Services Union brought was that a person could in fact be taking personal care leave providing palliative care to somebody who was dying would then be denied bereavement leave on the death of a person who they had been caring for. I think that clearly is the most compelling reason for this variation.

30 In effect, the variation applies the entitlement to a member of the employee's immediate family or household and it is consistent with the entitlements and the definitions in the carer's leave provision as in this award at this point in time.

If the commission pleases, I understand there will be consent on this matter. I would submit to you that it is in accordance with the Wage Fixing Principles and the public interest to vary the award in this way

40 and we'd seek an operative date being the first full pay period on or
after today's date. If the commission pleases.

COMMISSIONER: Yes. Thanks, Mr Paterson. Mr O'Neill?

MR O'NEILL: Thank you, commissioner. I will be very brief. As Mr
Paterson outlined to you, we've discussed these matters. There is
45 consent. The application before you is in accordance with the public
interest and the Wage Fixing Principles and we also consent to the
operative date. If it pleases.

COMMISSIONER: Thanks, Mr O'Neill. Thank you, gentlemen. I
indicate now, this agreement will be approved, operative from the
50 agreed date, the first full pay period commencing on or after today.

This matter is closed.

HEARING CONCLUDED 10.35am