

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T No. 2316 of 1990

IN THE MATTER OF an application
by the Association of Draughting,
Supervisory and Technical
Employees, Tasmania Branch to vary
the Surveyors (Private Industry)
Award

re initiation of a program to
restructure the award

COMMISSIONER GOZZI

Hobart, 19 August 1991
continued from 24/6/91

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER GOZZI: Are there any changes in appearances?

MR T.J. ABEY: I think - on this occasion I appear for the TCI, ABEY T.J. I think Mr Clues appeared last time.

COMMISSIONER GOZZI: I think that's right, Mr Abey. This is the tenth hearing in this matter. It started in March 1990. How are you going with it, Mr Baker?

MR BAKER: I don't know whether I disappoint you or what but it certainly won't be the last.

COMMISSIONER GOZZI: We're going for a record then.

MR BAKER: The situation is that we had a - that is, the union, had a meeting with both the TCI and the Australian Consulting Surveyors Association and we have exchanged a fair amount of correspondence in so far as a proposed new structure is concerned.

The proposed new structure is consistent with documents which we've previously presented to the commission. And we have had some discussions concerning, basically, the bottom end of the structure and also the top end of the structure. The bottom end of the structure revolves around where the 100 per cent figure would fit in on the scale and the level of work which is required at that level.

There has been some considerable discussions between us as to where that point should fit. And there's also been discussions between the parties as to the top end structure, that is, the fully professional surveyor and the type of structure we're looking for at the top end. I should also add that we've had discussions concerning the entry point for the graduate surveyor. I think it's been no secret that we've always felt that that entry point has been somewhat on the low side and our discussions with the TCI and the ACSA have been as to establishing a - what we would consider - proper and correct entry point.

I might add that we've now reached the situation where the parties, following the last round of negotiations, agreed to, sort of, go back and do some more homework. The ACSA are, in fact, to respond to us in so far as the professional structure is concerned at the top end of the scale, and at the bottom end, on our part, we're to look at the 100 per cent level and those classifications falling below that point. And, basically, Mr Commissioner, that's where it is at the present time.

COMMISSIONER GOZZI: Right. So, really, at this stage there's still a fair bit to go to try and get the structure lined up properly relative to the 100 per cent rate.

MR BAKER: Well, yes. We did have some heated discussions, I might add, as to exactly where the 100 per cent figure lies. I'm in no doubt that we can sort that problem out. As I said, the position now is that we've indicated that we'll have a look at the bottom end of the structure. The employers are going to have a look at the top end of the structure and, basically, what's been proposed for the middle structure is all but agreed between the parties. So, we're all but there other than, I suppose, the top and the bottom end.

COMMISSIONER GOZZI: Yes, I suppose one of the concerns that I have, not only with this exercise but with a lot of interim exercises, is that the focus isn't lost in respect of making the award structurally efficient. I mean, the second instalment has been awarded and there are these outstanding issues which need to be finalised and, as long as that's being attended to reasonably, well then I guess I'm reasonably relaxed about it.

Just remind me, Mr Baker, did the - following 4 December decision 1990, did all those other provisions in the award that were discussed at that time: sick leave was one, dispute and grievance procedure, did they all find their way into the award?

MR BAKER: To the best of my knowledge, Mr Commissioner, yes.

COMMISSIONER GOZZI: Yes. So, it's just structure now at this stage.

MR BAKER: Yes, it's only the structure. And as a consequence of the structure, of course, would be the introduction of the minimum rates adjustment figures.

COMMISSIONER GOZZI: Yes.

MR BAKER: Because the appropriate points would need to be consistent with what has happened in other state awards and, you know, you would recall what we've done as far as the Draughting and Tech. Officers Award is concerned.

COMMISSIONER GOZZI: Yes. Well, from my notes from the hearing on 24 June, it appears that an MRA schedule has been developed. Has that been agreed?

MR BAKER: No, it hasn't been agreed. It's been developed.

COMMISSIONER GOZZI: So, you're still going to do that as well.

MR BAKER: Yes.

COMMISSIONER GOZZI: Depending on where the 100 per cent comes in, I suppose.

MR BAKER: Well, it's not so much where the 100 per cent comes in, it's what is expected of an individual to perform at that level. It's, sort of, the range of duties and the level of responsibilities.

COMMISSIONER GOZZI: Yes, but you'd be using the MRA adjustments to get up to \$407, wouldn't you?

MR BAKER: Oh, yes, yes.

COMMISSIONER GOZZI: So, there's no disagreement at \$407 in this award as the 100 per cent.

MR BAKER: No, no. It's just what constitutes a person at that level.

COMMISSIONER GOZZI: Right. Well, what are you proposing at this stage, then, that we adjourn sine die or put in a hearing or what?

MR BAKER: Well, no, I think the matter should continue before the commission. I mean, I made comments at the last hearing that I thought it had, sort of, dragged on unduly. However, with our last meeting I think some progress has been finally made as far as this award is concerned. And I would certainly, you know, look at another date, you know, another 6 weeks or 8 weeks' time or something so that we can come back and, hopefully, get the exercise finished before the end of this year.

COMMISSIONER GOZZI: Yes, all right. Thank you, Mr Baker. Mr Abey, anything further that you want to add?

MR ABEY: Thank you, Mr Commissioner. Just two or three points. Firstly, I accept - I didn't realise it's the tenth hearing on this matter but I accept your research in relation to it.

I would point out, of course, from our point of view it is a relatively new award. It's not as if it's something that's been dragged out of the 1930s or '40s. So, the structure is not in a crisis situation so far as its application. Prior to the invention of structural efficiency it was considered appropriate.

We do have some difficulties. This question of where the 100 per cent cuts in is a linchpin argument, and that will need to be resolved before we get too much further down the track. And the other point: I wouldn't underestimate that this is not an easy exercise to get to the final position.

We're talking about - if you slavishly follow models which may have been developed in the Drafting and Technical Officers

Award or Metal Industry Award and you slavishly talk about a graduate entry point of what amounts to about \$27,500 or \$28,000, and at the moment the graduate entry point is \$20,700, we're talking about a lot of money and it's not just that simple to say that these are the benchmarks and that's what you've got to do. It's - now we're not putting our head in the sand and saying \$20,700 is the right figure but, nonetheless, that this is the actual figure now and we suggest the market figure. So somewhere between the two there's got to be a means of achieving a desired outcome from both sides, and I think that can be done, but it is difficult and it is time-consuming and everyone's got a lot of things on their plate, so I'd suggest an adjournment for probably 8 weeks is more realistic.

COMMISSIONER GOZZI: Yes. The graduate entry point currently at \$20,700 would be on \$407 below the 100 per cent level, wouldn't it? Just take \$407 at the 100 per cent level, if that's where you want to get to, then \$407 by 52 takes you up over \$20,000.

MR ABEY: Yes. I accept that, but you see you're coming from a structure whereby there is a graduate entry point and there's automatic progression for 6 years. (I've just lost the wage - salary schedule.)

COMMISSIONER GOZZI: Yes, I -

MR ABEY: Now, that's different to what applies in these new drafting and technical officers. Now what I'm saying is that I suspect at the end of the day it is appropriate to still have a years of service for the graduate because that's unquestionably what happens out in the field. You come -

COMMISSIONER GOZZI: Well, yes, fundamentally, I've got no problem with that at all.

MR ABEY: Yes.

COMMISSIONER GOZZI: It's a 5 year progression scale for -

MR ABEY: Five year progression, yes.

COMMISSIONER GOZZI: Yes, and it's a 3 year for the graduate surveyor under articles. What's the difference between the two?

MR ABEY: I don't think -

COMMISSIONER GOZZI: Have you got - the graduate surveyor under articles stops at the third year at \$24,203 -

MR ABEY: Yes.

COMMISSIONER GOZZI: - but the graduate surveyor goes on for another 2 years.

MR ABEY: Mr Baker -

MR BAKER: Perhaps if I might explain. They are, in fact, one and the same, but when a surveyor qualifies or obtains his qualification from the university, he then becomes - and goes and works for a surveying firm, he is classified to be under articles because he is required to achieve a certain degree of expertise within his field work and coupled with his educational background. Now at an appropriate point in time, which is normally 12 months after the completion of his educational requirements, he then sits for an examination based on educational ability, field techniques and ethical practice - whatever that means.

COMMISSIONER GOZZI: Yes.

MR BAKER: And he would then progress to through the graduate surveying structure. In the event that he didn't get there, he would still be - if he failed that examination which I understand is highly unlikely, he would move to the second year under articles.

COMMISSIONER GOZZI: And if he's successful, where does he go?

MR BAKER: He would simply transfer to the graduate surveyor structure.

COMMISSIONER GOZZI: But there's no difference in the -

MR BAKER: No, there's not, but whereas the surveyor under articles is a 3 year scale, and the graduate surveyor is a 5 year structure.

COMMISSIONER GOZZI: So if the graduate surveyor for some reason doesn't satisfy the examination aspects of it, presumably, he'd stay under the graduate's surveyor scale, would he - graduate surveyor under articles scale?

MR BAKER: Well I would presume he probably wouldn't be working in the industry, sir.

COMMISSIONER GOZZI: Yes. I'm just wondering because - see, if he moves across the graduate surveyor scale, is there a need to have - the rates are identical.

MR BAKER: Well that's one of the things that we're looking at at the present time.

COMMISSIONER GOZZI: Yes.

MR BAKER: I mean, we'll come back to you, sir, with a structure that - certainly from that part on will bear little resemblance to what is there at the present time.

COMMISSIONER GOZZI: Well, what are you looking at for the entry point - the graduate entry point, at a hundred and what per cent?

MR BAKER: Well, I'm looking at the 125 per cent figure which, in round figures, is around \$26,000.

COMMISSIONER GOZZI: Yes. Well obviously you've got some more talking to do.

MR BAKER: Obviously we have, sir.

COMMISSIONER GOZZI: All right. Mr Abey, anything else you want to add at this stage?

MR ABEY: No.

COMMISSIONER GOZZI: All right. Well we'll go off the record and set a date.

OFF THE RECORD

COMMISSIONER GOZZI: These proceedings are adjourned to 10.30 on 30 October. Thank you, gentlemen.

MR BAKER: Thank you.

HEARING ADJOURNED