

**HEARING COMMENCED 10.30am**

COMMISSIONER: I'll take appearances.

**MR P. BAKER:** Sir, I appear on behalf of the applicant organisation - P. BAKER.

5 COMMISSIONER: Thanks, Mr Baker.

**MR M. WATSON:** May it please the commission, MARK WATSON. I appear on behalf of the Tasmanian Chamber of Commerce and Industry.

10 COMMISSIONER: Thanks, Mr Watson. Mr Baker, is the purple in honour of the Royal purple, now assuming positions of rank? Is that what it is?

MR BAKER: No, actually, it has more to do with warmth than the particular colour.

15 COMMISSIONER: I see. I just want to confirm that congratulations are due, is that correct?

MR BAKER: Well, I suppose they are, commissioner, yes.

COMMISSIONER: Yes, good. That's excellent.

20 MR BAKER: Thank you, sir. This morning's application is straightforward. It arises actually out of a previous hearing and decision of the commission in matter T7268 of 1997 in relation to an award variation which was sought by this organisation in respect of the introduction of a supplementary payments program under Principle 5 - Minimum Rates Adjustment of the commission's Wage Fixing Principles, and that was on the last occasion that we were before you, we sought to vary the apprentices and unapprenticed junior rates by the inclusion of a minimum rates adjustment program.

25 The first part of that program was acceded to by this commission by a decision of yourself, sir, dated 26 November 1999. Consequently six months has or are about to elapse between the issuing of the first order and the time that the second order is due. I should have indicated that the first order was in fact operative from the first full pay period on or after 1 December of last year and to that end, sir, we would now seek from the commission approval to vary the award to reflect the second instalment of the minimum rates adjustment schedule. To that end, Mr Commissioner, I would table to you a draft order which I have already provided to Mr Watson.

35 COMMISSIONER: We'll call that **EXHIBIT B.1**. Thank you.

MR BAKER: Sir, with those remarks and subject to any comments from yourself, or questions, I would conclude my submissions there and in doing so I would ask that the commission accede to our request to vary the award in the manner sought consistent with the current Principle 5 of the commission's Wage Fixing Principles as enunciated in last year's 1999 State Wage Case decision and we would seek an operative date of the first full pay period on or after 1 June. Thank you, sir.

COMMISSIONER: Thank you, Mr Baker. Mr Watson?

MR WATSON: Thank you, commissioner. As Mr Baker has said, he has provided a draft order for variation of the award to reflect the second increase in the four stage process as per this matter. We have checked the draft order as tabled as B.1, and indicate that it does concur with the original schedule of rates that were set on the last occasion and therefore we consent to the variation based on the original agreement from the first full pay period on or after 1 June 2000. If it pleases.

COMMISSIONER: Thank you, Mr Watson. Yes, well, I indicate now that this application will be approved from the agreed operative date in accordance with the previous decision and I look forward to the next application.

Now before I close, Mr Baker and Mr Watson, I'm looking forward to a finalisation of all other matters. What do you say?

MR BAKER: Not the only one, sir. As a matter of fact I asked my trusty assistant to make himself available to go through the document and conclude it - hopefully conclude it. We are going to sit down for an hour or two tomorrow afternoon and hopefully we'll finalise it.

COMMISSIONER: Good.

MR BAKER: But as I think I indicated on the last occasion, it's really just a question of tidying up the words. But it seems to be that last hurdle has become almost an insurmountable obstacle.

COMMISSIONER: Yes, well, thanks, Mr Baker. I'm sure you'd say the same, Mr Watson?

MR WATSON: Yes, I'm not directly involved in that one, commissioner. Are we talking about the award review?

COMMISSIONER: Yes.

MR WATSON: Yes, Mr Flood is looking after that and I'm sure he'll put all his efforts into meeting Mr Baker's time frames but I haven't spoken to him recently about it, but Mr Baker probably knows more than I do at this stage.

COMMISSIONER: All right, thanks, Mr Watson. Yes, well I recommend that to you, Mr Baker, and through you Mr Flood, you might tell him. If the commission can assist even in your conferences by way of, shall we say, a bit of leverage or whatever, only too pleased.

- 5 All right. Thank you, gentlemen, this matter is closed.

**HEARING CONCLUDED 10.30am**