

COMMISSIONER: Take appearances please.

MR D. STRICKLAND: If the commission pleases, I appear on behalf of the Textile, Clothing and Footwear Union of Australia, Tasmanian Branch, STRICKLAND D.

5 COMMISSIONER: Thank you.

MR A. FLOOD: Thank you Mr Commissioner, ANDREW FLOOD, from the Tasmanian Chamber of Commerce and Industry.

COMMISSIONER: Good, thank you. Now have the parties worked out under which wage fixing principle they're dealing with this matter, and where does that sit in relation to the decision of the commission to put the \$10 into this award? And whether or not this particular award can't be moved until September 14? Do you want to go off the record to talk about the issues?

15 MR STRICKLAND: Yes, Mr Commissioner, I think perhaps it might be a good idea.

COMMISSIONER: Yes, right, go off the record.

OFF RECORD

ON RECORD

COMMISSIONER: Right, let the record show we've had off-the-record discussions in relation to future wage increases in relation to this award, and the commission, during that time, has explored with the parties the question of when will the \$10 safety net adjustment be moved into this award, in view of the fact the full bench of the commission has already made a decision in relation to that matter.

25 Let the record show that the commission has been advised that the parties have a definite plan for reviewing this award in terms of wage increases, and the plan is as follows:

The second \$8 safety net adjustment would apply to the award from first full pay period to commence on or after today, being 24 July 1997.

The third \$8 safety net adjustment would be available, on application, no earlier than 25 September 1997, that being the first full pay period, and it would be operative, if it was that date, from the first full pay period from that day.

35 The third MRA would be available, on separate application, no earlier than 26 November 1997.

The fourth and final MRA would be accessible via separate application no earlier than 27 January 1998.

And the \$10 safety net adjustment arising out of the recent full bench decision, would be available no earlier than 28 March 1998.

Is that the parties understanding of the program for wage movements in this award? Mr Strickland?

5 MR STRICKLAND: Yes, Mr Commissioner.

COMMISSIONER: Mr Flood?

MR FLOOD: Yes, that's correct, Mr Commissioner. The basis of those dates is that employers will not be compelled to increase wages more often than once every two months.

10 COMMISSIONER: Right, thank you. Now, we've got an application before us today, application 7042 of 1997, which is the first stage of that program I've just outlined on the record, and it's for the second \$8 safety net adjustment. Mr Strickland?

15 MR STRICKLAND: Thank you, commissioner. The application before you today is - I guess relates back to when the award was last varied on 18 December when it commenced a review in accordance with the structural efficiency principle, to modernise the award in its conditions and rates of pay, consistent with past and existing decisions of the commission in relation to wage increases. This application is a
20 continuation of that, and as you've already outlined, an ongoing process to fully access all the money available under what is now the current Wage Fixing Principles as a result of the 1997 decision.

25 Rather than tamper with the agreement that the parties have, the timetable that is, that's been outlaid by yourself, it's agreed between the parties that the outline should be continued through until 28 March 1998. That will see this award fully up to speed with all that's currently available to it.

Draft orders, I'm not sure whether we provided draft orders with our application -

30 COMMISSIONER: There was a draft order, I don't know whether it's been checked or not.

MR STRICKLAND: They were forwarded to the TCCI, and as I understand them, they are agreed. But, for the sake of the exercise I could hand up what we understand to be the agreed position.

35 COMMISSIONER: Mark this **Exhibit S.1**.

MR STRICKLAND: In accessing the second \$8 safety net adjustment available under the principles, it would be the union's submission that they are consistent with current Wage Fixing Principles, and giving effect to the application wouldn't be contrary to the interests of section

36 of the *Industrial Relations Act*, and in doing that the union would commit itself fully to principle 16 of the current Wage Fixing Principles, that is, that it is committed to the ongoing review process of not only this award, but all awards that it's party to of the commission, and we would seek from the commission approval of our application today with an operative date of 1 April, first full pay period on or after today's date if the commission pleases.

COMMISSIONER: Good, thanks Mr Strickland. Mr Flood?

MR FLOOD: Yes, thank you Mr Commissioner. The union most certainly has provided us with draft orders, some weeks ago, and I've checked those draft orders and we would consent to the application. I'm not sure whether it's appropriate in the course of this application or not, but there appears to be a small error in the award, as it currently stands, and the draft orders that are before you are on page three, subclause (b) - Apprentices, the first line should - reads: the wage rate to be paid to employers, obviously that is incorrect and should read by employers to apprentices.

COMMISSIONER: Right

MR FLOOD: And, other than that, Mr Commissioner, as I said, I have no objection to the application currently before you.

COMMISSIONER: It's a typographical error and I think we'll, with your consent - we'll change it if you like. Happy to do that?

MR STRICKLAND: Yes, sir.

COMMISSIONER: I'm not too sure apprentices really appreciate the employer being paid this amount of money. Right, no further business?

Well, I can indicate that given the agreed program for the award and the submissions presented today, the application will be endorsed and the \$8 will be available from the first full pay period on or after today, and I'll hand down a written decision and orders in due course.

Thanks for your participation.

HEARING CONCLUDED