



TASMANIAN INDUSTRIAL COMMISSION

CITATION: Filing of the Firefighting Industrial Agreement 2022 [2023] TASIC 6

PARTIES:

Minister administering the State Service Act 2000/Department of Police, Fire and Emergency Management

United Firefighters Union Australia, Tasmania

SUBJECT: *Industrial Relations Act 1984*, s 55(2) application for filing of Industrial Agreement

FILE NO: T15005 of 2023

HEARING DATE(S): 6 March 2023

HEARING LOCATION: Tasmanian Industrial Commission, Hobart

DATE REASONS ISSUED: 6 March 2023

MEMBER: President D J Barclay

CATCHWORDS: Industrial agreement – application approved – consolidation of agreements – alterations to classifications – salary and allowance increases - effective from 1 July 2022 until 30 June 2025 - cancellation of 2019 agreements

REPRESENTATION:

PARTIES:

Blair Dowker, David Appleyard and Erin Baker for Minister administering the State Service Act 2000

Leigh Hills for United Firefighters Union Australia, Tasmania

FILING OF THE FIREFIGHTERS INDUSTRIAL AGREEMENT 2022 [2023] TASIC 5**REASONS FOR DECISION****6 MARCH 2023**

[1] On 1 March 2023, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 55(2) of the *Industrial Relations Act 1984* (the Act), the Fire Fighting Industrial Agreement 2022. The Agreement also seeks the cancellation of the Fire Fighting Industrial Agreement 2019 and the Department of Police, Fire & Emergency Management (UFUA) Incident Management Operations Industrial Agreement 2019 (the Old Agreements).

[2] The Agreement is brought for approval effective from 1 July 2022 until 30 June 2025. Negotiations for a new agreement have commenced.

[3] The Agreement substantially consolidates the terms of the Old Agreements and introduces amendments to classification clauses, TOIL arrangements and translation arrangements (particularly in light of the cancellation of the Old Agreements) among others. Indeed some 80 clauses are lifted from the Old Agreements.

[4] There are also increases to salary and allowances together with lower income payments, and a one off State Fire Commission Firefighter Supplement to, in part, offset the fact that the employees did not receive a 2021 salary increase.

[5] Notably while there is a no further claims clause that is subject to matters specifically referred to in clause 1.9. There is also the ability for the parties to refer the matters in that clause to the Commission. Additionally further commitments have been given by the Department by letter of 2 February 2023 (which is attached to this decision). The consent by the union to the Agreement is subject to these commitments.

[6] The parties submitted that no employees covered by the Old Agreements would be disadvantaged by their cancellation. Given that some 80 clauses of those agreements have found their way into the Agreement, I accept that submission. Accordingly the Old Agreements are cancelled.

[7] Having regard to the submissions of the parties and the terms of the Agreement I am satisfied that the agreement is consistent with the public interest requirements of the Act, does not disadvantage the employees concerned, and obviously the term of the agreement does not exceed 5 years. I am satisfied that there is genuine consent to the Agreement by the parties to it.

[8] Pursuant to s55(4) the Agreement is approved with an operative date 1 July 2022 and shall remain in force until 30 June 2025. The file will now be referred to the Registrar for registration of the Agreement in accordance with the requirements of s56(1) of the Act.

