

COMMISSIONER: I'll take appearances in that matter please.

MR D. PYRKE: If the commission pleases, DARRYL PYRKE appearing on behalf of the Association of Professional Engineers, Scientists and Managers, Australia.

5 COMMISSIONER: Good, thank you.

MS S. STRUGNELL: If the commission pleases, SUE STRUGNELL for the Community and Public Sector Union, seeking leave to intervene in this matter, under 27(2) of the Act.

COMMISSIONER: Yes, and your reason for intervention is?

10 MS STRUGNELL: Sir, we're seeking leave to intervene in order to seek clarification as to the extent to which coverage would validly extend in this application, and how that would read in conjunction with the rules of the organisation.

15 COMMISSIONER: Well, you've got to appreciate that the organisation has been granted an interest via section 65 - they're already in. That case has been run and won. This case is only to insert the name of the organisation in the award.

20 MS STRUGNELL: Thank you sir, I understand that. I was a little confused in terms of what stage this particular application is in terms of others.

COMMISSIONER: Yes, no, the section 65 matter has been heard and a decision has been handed down in relation to that matter, and the interest question has already been determined by me.

MS STRUGNELL: In which case I withdraw my -

25 COMMISSIONER: Right, good, thank you. Mr Pyrke?

MR PYRKE: Thank you commissioner. Sir this application arises as part of the process of rationalisation of state service awards that started in 1990. The process to date has involved a number of elements, as follows.

30 Firstly, in late 1991 the full bench of the commission - which I seem to recall included yourself - brought down a decision that included what's now known as the professional stream, and the case number in that matter was T2399.

35 The second step in the process took place on 6 November last year, when you issued a decision creating the Professional Employees Award

in matter T6472 of 1996. This decision addressed the matters of title and scope, and it followed a hearing on 4 November.

5 The third step in the process took place on 17 December last year, when you determined that the Association has an interest in the award following my submission under provisions of section 63(10)c of the Act, and the case number on this occasion was T6621 of 1996.

10 As I understand it sir, this is a procedural application that's needed to give effect to the key decision that's already been taken. The Act gives no particular guidance regarding the type of submission that is required, so I believe that -

COMMISSIONER: I just need to be satisfied that you were given an interest in the award.

MR PYRKE: Well sir, it's my submission that that happened in matter T6621 of 1996.

15 COMMISSIONER: Yes, good.

MR PYRKE: So I believe that we've addressed the merits of our situation here.

COMMISSIONER: yes, that's all you need to do as far as I'm concerned.

20 MR PYRKE: So, that being the case it's my submission that the application is consistent with the public interest and it doesn't offend the Wage Fixation Principles. I therefore ask that you make an order granting the application with effect from today's date. If the commission pleases.

25 COMMISSIONER: Good, thank you. I can give an indication that an interest has been granted to your organisation, in respect of this award. The award will reflect that you have been granted an interest arising out of application T6221 of 1996.

That concludes this matter.

30 **HEARING CONCLUDED**