

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, 16 April 1991
continued from 3/12/90

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER GOZZI: Changes in appearances please.

MR P. BAKER: Sir, I appear on behalf of the association, P. BAKER.

COMMISSIONER GOZZI: Thank you, Mr Baker.

MR S. CLUES: If it please the Commissioner, I appear on behalf of the Tasmanian Confederation of Industries, CLUES S.

COMMISSIONER GOZZI: Thank you, Mr Clues. Now, Mr Baker, where are we with this ...

MR BAKER: Sir, we've ...

COMMISSIONER GOZZI: ... Blue Hills matter?

MR BAKER: Well, unfortunately, we haven't sort of progressed the matter too far at all, but I think we're in a position to sort of report to you that we are getting there. I spoke to Mr Abey just recently and, in fact, I wrote to him, concerning both the new classification structure and also the minimum rates adjustment.

I have handed to your associate a copy of the proposal which was finalised earlier this year in the State of Victoria before the Victorian Industrial Commission, which is an outline of the classification structure which has been adopted in that state. Jointly it was negotiated by ADSTE and also the Australian Consulting and Surveyors Association in that state.

It is our proposal that a similar document would be negotiated for the Tasmanian award. The structure itself reflects what has been determined in the federal Metal Industry Award, and percentage figures are consistent with those which have flowed into both the Drafting and Technical Officers Award, private industry, and also the Mechanical Engineers and Founders Award.

Insofar as the professional levels are concerned - that is, that those points at 180 and 210% - those figures reflect what has been determined, again, nationally and again, what is proposed for the new Metals and Engineering Award which is in the process of being made or being negotiated between the TCI and ourselves on behalf of the Metal Trades Federation of Unions.

Sir, it would be our position that those discussions will be occurring on the week commencing 29 April. Mr Abey, on behalf of the chamber ... I'm sorry, on behalf of the confederation has indicated that will be appropriate. And it is our intention that both the new salary structure, together with

the commencement of the minimum rates adjustments should commence at a date no later than June of this year.

And it would be our intention, sir, to seek from you a date today in order ... a hearing date, in order that we may work towards that date and come to you with a completed document and the commencement of the minimum rates adjustments. If the commission pleases.

Oh, one final thing, sir, I'll just ... before I forget. An issue which has been of some concern, both to this commission, to yourself in particular, and to other practitioners, has been the module system ...

COMMISSIONER GOZZI: Yes.

MR BAKER: ... that has been associated with a number of the awards. And I'll just hand to you a ... just a document for your information concerning what is proposed as far as those modules are concerned, and indicate that as and when those awards come back up, either for minimum rates adjustment or some form of monitoring review, it will be our intention to vary those 'X' and 'Y' modules to give effect to what is contained in that correspondence.

COMMISSIONER GOZZI: Yes. I must say, as time has gone on, my feeling about the module system has altered somewhat. In fact, I introduced the module system at Pasminco - Rosebery and have had several monitoring conferences since its introduction and it seems to be working extremely well. And from what you've tabled just a moment ago it seems that, rather than having a classification structure, you are going to have a module system based on so many modules completed for progression. Is that ...

MR BAKER: Yes. Yes. And that's what will apply, sir, in the structure that is proposed as far as the Surveyors Award is concerned.

COMMISSIONER GOZZI: All right. Thank you, Mr Baker.

MR BAKER: Thank you, sir.

COMMISSIONER GOZZI: Mr Clues?

MR CLUES: Mr Commissioner, I have very little to add other than echo the comments of Mr Baker, that there has been very little progress made thus far. However, there are meetings scheduled for the latter part of this month to examine an appropriate classification structure and that will include an examination of the proposal put forward to you today by Mr Baker. And there is nothing further to report, subject to questions by the commission.

COMMISSIONER GOZZI: Yes. Thank you, Mr Clues. First off, we'll identify the outline of the classification structure document as Exhibit ADSTE.9, and the correspondence on the module system, ADSTE.10.

I think it's important for me to just highlight again that apart from the classification structure there are other matters outstanding that the parties should address themselves to. Those other matters were raised in previous proceedings, and without detailing every one of them, include preference clause provisions which was part of an earlier exhibit submitted by you, Mr Baker.

MR BAKER: That's correct, sir.

COMMISSIONER GOZZI: The other issue that we canvassed last time was the general tidying up of the award document itself, particularly in respect of language.

I did say in my decision in respect to that particular matter that I would be prepared to accept a draft document at today's hearing which would tidy up that part of the award; obviously that hasn't happened. But I would anticipate that if we are going to lock in a date for the resumption of these proceedings that your draft award document will, in fact, attend to those particular aspects of this matter.

When the structure finally does come forward, of course, you'll need to pay attention to the definitions as well to make sure that the definitions accord with the structure.

Now, in that regard, we have currently in the award a range of definitions which probably don't cover every classification in the salary structure. For instance, if you look at the definitions in clause 7, I can't readily see the definition for a licensed surveyor, for instance.

MR BAKER: I think you'll find it under registered surveyor, sir. It is ...

COMMISSIONER GOZZI: Authorised surveyor?

MR BAKER: Authorised surveyor I think it is, sir, yes. It is a little ambiguous, but I think the new structure will sort of take care of that.

COMMISSIONER GOZZI: Yes. Really all I'm highlighting is that rather than just focusing solely on the structure, these other matters that interlink with the structure also need to be looked at - such as your definitions - and just tidying up the award generally, so when we do resume, what I'd be looking for is an award document - draft order for the whole of the award.

MR BAKER: But I'll undertake, sir, that that will be provided. And I think there are some areas which we want to tidy up on as well.

COMMISSIONER GOZZI: Yes.

MR BAKER: There's a couple of things. I mean, the superannuation clause, for example, needs to be re-examined again.

COMMISSIONER GOZZI: Yes. And you've already foreshadowed that the minimum rates adjustment will also be part of these subsequent proceedings. All right. Well, in the circumstances, we'll go off record and set a date.

OFF THE RECORD

COMMISSIONER GOZZI: All right. Following off record discussions the parties will provide the Commission with the necessary draft order for the entire award when this hearing resumes 10.30 a.m., 24 June. Thank you.

HEARING ADJOURNED