

COMMISSIONER: I'll take appearances please?

MR D. O'BYRNE: If the commission pleases, I appear on behalf of the Australian, Liquor, Hospitality and Miscellaneous Workers Union, Tasmanian Branch.

5 **MR R. BROWN:** If the commission pleases, I appear on behalf of the
TCCI - BROWN R.

MR P. NOONAN: If the commission pleases I appear on behalf of the Shop, Distributive and Allied Employees Association, Tasmanian Branch - NOONAN P.

10 COMMISSIONER: Mr O'Byrne?

MR O'BYRNE: Yes, Mr Commissioner. The matter before you today, Mr Commissioner is obviously to complete the minimum rates adjustment for the Baking Industry Award in respect of the amended wage rates as per the agreement that was before you in November of 1996.

That agreement in regards to the creation of the Baking Industry Award outlined a schedule of payments in respect of the minimum rates adjustment and this is the third and final of those rates adjustments.

20 We seek to amend clause 8 of the wage rates. We don't seek to - the exhibit *per se* will not replace clause 8, it will amend it to the points considered within that exhibit. I seek to tender it.

COMMISSIONER: We'll mark this **EXHIBIT A.1.**

25 MR O'BYRNE: As we set out in that exhibit, Mr Commissioner, it outlines the new wage rates in respect of the base rate relativity, the base rate, the supplementary payment, the safety net adjustment and the total weekly wage rate for a bakery employee. It outlines the new wage rates for the apprentices and the adult apprentices.

That is all that needs to be amended in respect of clause 8 as the junior employees in production, distribution and transport and junior employees in sales and in clerical are all outlined in regards to percentages so therefore there is no need to adjust those as they are given as read.

35 We seek the commission to agree to the changes to clause 8 of the award. We submit that it's within the public interest and it's in the wage fixing principles as outlined by the commission.

COMMISSIONER: What about the operative date?

MR O'BYRNE: The operative date - we suggest it's of today's date - the first full pay period on or after. If the commission pleases.

COMMISSIONER: Mr Noonan?

5 MR NOONAN: Yes, Mr Commissioner, I support the exhibit as handed up by Mr O'Byrne, and his submissions, and we would seek an operative date from the first full pay period on or after today's date. If the commission pleases.

COMMISSIONER: Mr Brown?

10 MR BROWN: Thank you, commissioner. We have analysed the draft order and agree that the rates that are prescribed within that are in accordance with the structure previously agreed to and we submit also that the variation is in accordance with the wage fixing principles of this commission and is not contrary to the public interest.

15 In reference to the operative date, we do agree to an operative date of the first full pay period from today's date. If the commission pleases.

20 COMMISSIONER: Well, I can indicate to the parties that I'll be approving the agreed position and it will be operative from the first full pay period to commence on or after today. I'll hand down a written decision in due course with the order attached and I will do that on the basis that it's part of an agreed program and this is the fourth and final MRA and it's in accordance with the wage fixing principles and not contrary to the public interest, so it will be approved.

This matter is concluded.

HEARING CONCLUDED