

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T. No. 5312 of 1994

IN THE MATTER OF an application by the
Australian Municipal, Administrative,
Clerical and Services Union to vary the
Printers Award

re fourth minimum rates adjustment

COMMISSIONER WATLING

HOBART, 5 January 1995

TRANSCRIPT OF PROCEEDINGS

Unedited

COMMISSIONER WATLING: I'll take appearances please.

MRS H.J. DOWD: If the commission pleases, I appear on behalf of the Australian Municipal, Administrative, Clerical and Services Union, DOWD H.J.

COMMISSIONER WATLING: Good, thank you.

5 **MR S.J. GATES:** If the commission pleases, GATES S.J., appearing on behalf of the Tasmanian Chamber of Commerce and Industry.

COMMISSIONER WATLING: Good, thank you. Should we just go off the record for a moment and just see how we're going with draft orders and things like that? Would that be appropriate? Are you happy to do that?

10 **MRS DOWD:** Well, Mr Commissioner, I've actually done a draft order but after speaking to your associate I believe that the draft order is inaccurate in relation to the new principles because I've done it just on the old -

COMMISSIONER WATLING: Yes. We just might go off the record and have a look.

OFF THE RECORD

15 **COMMISSIONER WATLING:** Now I understand, Mrs Dowd, at the start you wish to amend your application.

MRS DOWD: Thank you, Mr Commissioner. The Australian Services Union would like to actually amend its application by including the fact that we wish to remove subclause (3) - Minimum Wage from clause 8 - Wage Rates. That is in Division B. We would like to rename No. 4 - Trainee Clerk, as defined, as subclause (3).

20 We would like to insert into clause 10 subclause (e), after the words 'an amount' - and that will actually then read in the last sentence: In addition thereto all employees shall be paid an amount of 257.40. And delete the words 'equivalent to the minimum wages prescribed in clause 8 - Wage Rates, Division B - Clerk, subclause (3) - Minimum Wage.'

25 We would also like to delete the appendix to the award, which we believe is now obsolete. And from the appendix to the award use the adult entry as a definition to be inserted into clause 7 - Definitions, for adult entry, as defined.

30 That is the way we would actually like to amend our application. If the commission pleases.

COMMISSIONER WATLING: Good, thank you. Any objection?

MR GATES: No, we have no objections to that, Mr Commissioner.

COMMISSIONER WATLING: No objections. Leave granted to amend your application.

MRS DOWD: Thank you.

35 **COMMISSIONER WATLING:** Well you might take me to the substance of the application. I understand that you might - this is the fourth MRA for this award?

MRS DOWD: Yes, it is, Mr Commissioner.

COMMISSIONER WATLING: And you've got an exhibit, I understand, which I have a copy of. Mark this exhibit D.1.

MRS DOWD: Thank you, Mr Commissioner. Mr Commissioner, we're here today in relation to the Printers Award seeking the fourth minimum rates adjustment and some other variations to the award.

5 Under T No. 3923 of 1992, a new classification structure for clerical employees was inserted in Division B. This was by consent of the parties. We also implemented the first minimum rates adjustment to be operative from the 7th October 1992.

Under T.4410 of 1993, we inserted the second minimum rates adjustment operative from the 7th July 1993.

10 Under T.5018 of 1994, we implemented the third minimum rates adjustment to be operative from the 7th April 1994. All of those have been by consent of the parties.

And we are before you today again with a consent position seeking the fourth minimum rates adjustment due the first full pay period on or after the 7th January 1995, as per the schedule for the MRAs in the existing appendix to the award of No. 1 of 1992 consolidated.

15 The draft order that has been presented to the commission I believe is set out in a manner acceptable to the commission. It shows the base rate relativity, the base rate, safety net adjustments and the weekly wage rates. The junior rates have been adjusted as a percentage of Grade 1, 1A, which is the first 12 months for the Grade 1, and it is their weekly wage rate.

20 We seek to remove from clause 8 - Wage Rates, subclause (3) - Minimum Wage, in Division B. We would like to rename subclause (4) - Trainee Clerk, as defined, as subclause (3).

25 And in clause 10 - Annual Leave, in subclause (e), we would like to delete the words in the second sentence which are 'equivalent to the minimum wage as prescribed in clause 8 - Wage Rates, Division B - Clerks, subclause (3) - Minimum Wage', and insert in lieu the words 'of \$257.40'. It would then read: In addition thereto all employees shall be paid an amount of \$257.40.

30 Mr Commissioner, we believe that the appendix to the award is now obsolete and we believe it should be deleted. But in doing so, we believe that the definitions for adult entry in the existing appendix should be inserted in clause 7 - Definitions, as adult entry, as defined.

35 Now, Mr Commissioner, in seeking the fourth minimum rates adjustment for this particular award, in accordance with the principles of August 1991, principle 3.2(b) states: The second and subsequent instalments to these adjustments will not be automatic and an application to vary the relevant award will be necessary. Thus our application of today.

40 I believe that a letter has been forwarded to the commission from Jim Hargraves from PATEFA consenting to the variations to the award for the minimum rates adjustment. I don't believe that it in any way offends the principles to have this application granted. And we would seek an operative date as of the first full pay period on or after the 7th January 1995. If the commission pleases.

COMMISSIONER WATLING: We'll see what the employers have to say.

45 MR GATES: I think that was an entirely reasonable submission. In fact, we're only in a position today to give our consent to the matter and concur with an operative date being first full pay period to commence on or after the 7th January 1995. If the commission pleases.

COMMISSIONER WATLING: And for all the other parts on the amended application, you're happy with?

MR GATES: Yes, commissioner.

5 COMMISSIONER WATLING: Right. Good, thank you. Right, I can indicate to the parties that the application, as amended, will be accepted by the commission. The minimum rates adjustment and all other variations will be operative from the first full pay period to commence on or after the 7th January 1995. And the deletion of the minimum wage clause and the addition of an amount of money in the annual leave clause and the removal of the appendix, and the transfer of the adult entry point to
10 definitions is also endorsed.

I'll hand down a written decision in due course and the orders will accompany that, and that now concludes this matter. Thank you.

HEARING CONCLUDED

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