

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s23 application for award or variation of award

Minister administering the State Service Act 2000

(T14585 of 2018)

TEACHING SERVICE (TASMANIAN PUBLIC SECTOR) AWARD

DEPUTY PRESIDENT N M ELLIS

HOBART, 28 MARCH 2018

Award variation- new appointments and promotions- new band 4 classification- new Band 1 Level 13- new classification definition for Senior Education Manager/Director- consent application- consent order issued- operative date from the date of this decision.

DECISION

[1] On 9 March 2018, the Minister administering the State Service Act 2000 (MASSA) lodged with the Registrar, pursuant to Section 23 of the *Industrial Relations Act 1984* (the Act), an application to vary the Teaching Service (Tasmanian Public Sector) Award (the Teaching Award).

[2] At the hearing in Hobart on 28 March 2018, Ms Jacqui Allen appeared for the MASSA. Ms Kirsten Siejka and Ms Jacqui King appeared for the Australian Education Union, Tasmanian Branch (AEU).

[3] Ms Allen advised the variation was by consent and included further "tidying up" of the Award. She advised the variation was to remove the requirement to hold full teacher registration for out of school based vacancies and for Band 2 and 3 school psychologists. It included the insertion of a new definition and Band 4 classification for Senior Education Manager/Director with two levels, insertion of a new Band 1 Level 13 and deletion of the references to duties of Band 1 Level 12 in the definition section and replacement of such with references to Level 13.

[4] Ms Allen withdrew the final section of the Application relating to instrumental musicians, with the consent of the AEU pending further discussions.

[5] Ms Siejka submitted that the AEU supported the application.

[6] All parties stated the variation sought was by consent and does not offend the public interest, does not disadvantage those employees covered by the Award and recommended the variation to the Commission.

[7] It was submitted by the parties the operative date for the variation to the Award was to be from the date of this decision.

[8] The variations to be effected were contained within a draft order as attached to the initiating application.

[9] I am satisfied that the application is consistent with the public interest requirements of the Act and does not disadvantage the Teaching Award covered employees.

[10] The application for variation is granted with an operative date from the date of this decision.

[11] An order reflecting this decision is to follow.



Appearances:

Ms J Allen for MASSA
Ms K Siejka and Ms J King for AEU

Date and place of hearing:

28 March 2018
Hobart