



## TASMANIAN INDUSTRIAL COMMISSION

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**CITATION:** Variation of Firefighting Industrial Agreement No. 2 of 2022 [2023]  
TASIC 46

**PARTIES:**

Minister administering the State Service Act 2000

United Firefighters Union of Australia, Tasmania Branch

**SUBJECT:** *Industrial Relations Act 1984*, s 59(2) application for variation of Industrial Agreement

**FILE NO:** T15065 of 2023

**HEARING DATE(S):** 5 September 2023

**HEARING LOCATION:** Tasmanian Industrial Commission, Hobart

**DATE REASONS ISSUED:** 7 September 2023

**MEMBER:** President D J Barclay

**CATCHWORDS:** Industrial agreement – variation to delete personal leave clause – application approved – effective from the first full pay period commencing on or after 1 December 2022

**REPRESENTATION:**

Emily Reale for Minister administering the *State Service Act 2000*

Stephen McCallum for the United Firefighters Union of Australia, Tasmania Branch

**VARIATION OF FIREFIGHTING INDUSTRIAL AGREEMENT NO. 2 of 2022 [2023]  
TASIC 46**

**REASONS FOR DECISION**

**HOBART, 7 September 2023**

[1] On 31 August 2023, the Minister administering the *State Service Act 2000* (MASSA) lodged with the Registrar, pursuant to Section 59(2) of the *Industrial Relations Act 1984* (the Act), an application for variation of the Firefighting Industrial Agreement No. 2 of 2022 (the Agreement).

[2] At the hearing on 5 September 2023, Emily Reale appeared on behalf of MASSA. The interests of the affected employees are represented by the United Firefighters Union of Australia, Tasmania Branch (UFUA). The UFUA was represented by Stephen McCallum.

[3] The application was to vary the Agreement by deleting any reference to personal leave. The variation was necessary as a result of a variation of the relevant award. Personal leave will now be governed by the award. The Agreement, now being silent on that point will not be inconsistent with the award.

[4] The variation makes sense as does having one industrial document governing all entitlements to one form of leave.

[5] I am satisfied that the application is consistent with the public interest requirements of the Act, does not disadvantage the employees covered by the Agreement and that there is genuine consent to the variation.

[6] The variation is approved being retrospective in that it will commence on and from the first full pay period on or after 1 December 2022.

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

