**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

s23 application for award or variation of award

**Minister administering the State Service Act 2000**

(T14536 of 2017)

DEPUTY PRESIDENT N M WELLS HOBART, 26 JULY 2017

**AWU (TASMANIAN STATE SECTOR) AWARD**

**CUSTODIAL OFFICERS AWARD**

**PORT ARTHUR HISTORIC SITE MANAGEMENT AUTHORITY AWARD**

Award variation — wage related allowances – consent order issued — operative date from the ffppooa 1 July 2017

# **DECISION**

1. On 6 July 2017, 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 *AWU (Tasmania State Sector) Award* (the AWU Award), the *Custodial Officers Award* (the Custodial Award) and the *Port Arthur Historic Site Management Authority Award* (the PAHSMA Award).
2. At the hearing in Hobart on 21 July 2017, Mr Tim Witt appeared for the MASSA. Mr Will Greer appeared for the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU). Ms C Miller, for United Voice (UV), provided written advice that she was unable to make an appearance, but that after consideration of the application, UV consented to the application.
3. Mr Witt advised the variation of the allowances in the relevant Awards reflected an increase to those allowances of 2%. This was effected by virtue of the allowance increase mechanism in each award. The increases were made by calculating the percentage increase to the relevant wage point contained in the mechanism over the period 1 July 2016 to 30 June 2017.
4. The variation of the AWU Award at Part IV – Expense and Other Allowances included an increase to the amounts in clauses 6(a), 7, 8 and 9(a) and (b); and at Part VI – Hours of Work and Overtime for Day Work, included an increase to the amount in clause 6(c)(i).
5. The variation of the Custodial Award included an increase to the amount in clause 14 – On Call.
6. The variation of the PAHSMA Award at Part V – Expense and Other Allowances included an increase to the amounts in clauses 4, 5, 6 and 7; and at Part VII – Hours of Work, Rostering and Overtime, included an increase to the amounts in clause 8(b)(iii).
7. Mr Greer endorsed the submissions of the employer.
8. The parties stated the variation sought does not offend the public interest, does not disadvantage those employees covered by the Awards and recommended the variation to the Commission.
9. Mr Witt submitted that the operative date for the variation to the Award was to be from the first full pay period on or after 1 July 2017.
10. I am satisfied that the application is consistent with the public interest requirements of the Act and does not disadvantage the Award covered employees.
11. The application for variation is granted with an operative date from the first full pay period on or after 1 July 2017.
12. An order reflecting this decision is to follow.

N M Wells

**DEPUTY PRESIDENT**

***Appearances:***

*Mr T Witt,* for the MASSA

*Mr W Greer,* for the CPSU

***Date and place of hearing:***

2017

21 July

Hobart