**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

s23 application for award or variation of award

**Minister administering the State Service Act 2000**

(T14498 of 2017)

DEPUTY PRESIDENT N M WELLS HOBART, 8 MAY 2017

**HEALTH AND HUMAN SERVICES (TASMANIAN STATE SERVICE) AWARD**

**PORT ARTHUR HISTORIC SITE MANAGEMENT AUTHORITY AWARD**

Award variation — meal allowance – travel allowance – consent application — consent order issued — operative date from the date of this decision

# **DECISION**

1. On 4 April 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 *Health and Human Services (Tasmanian State Service) Award* (the HAHSA and the *Port Arthur Historic Site Management Authority Award* (the PAHSMA Award).
2. At the hearing in Hobart on 3 May 2017, Mr K Grey appeared for the MASSA. Mr T Lynch appeared for the Community and Public Sector Union (State Public Services Federation Tasmania) Inc (CPSU).
3. Mr Grey advised the variation of the Awards reflected periodic increases required for expense allowances related to meals and travel (both accommodation and meals).
4. Mr Lynch made submissions in relation to how the variations sought applied to the current wording in the Awards, including substituting the Taxation Determination reference in 2015 (from the Australian Taxation Office (ATO)) for the 2016 year reference.
5. The variations sought increased the amounts payable for meal allowances and accommodation and meals whilst travelling. The accommodation amount payable for an overnight stay in the city of Perth, Western Australia, was reduced to reflect the agreement of all parties to the Awards that travel allowances should reflect those amounts published by the ATO.
6. Both Mr Grey and Mr Lynch stated the variation sought does not offend the public interest, does not disadvantage those employees covered by the Award and recommended the variation to the Commission with the operative date for the variation to the Award to be from the date of this decision.
7. The variations to be effected were contained within a draft order as attached to the initiating application.
8. I am satisfied that the application is consistent with the public interest requirements of the Act and does not disadvantage the Award covered employees.
9. The application for variation is granted with an operative date from the date of this decision.
10. An order reflecting this decision is to follow.

N M Wells

DEPUTY PRESIDENT

***Appearances:***

*Mr K Grey,* for the MASSA

*Mr T Lynch,* for the CPSU

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

2017

3 May

Hobart