**TASMANIAN INDUSTRIAL COMMISSION**

*Industrial Relations Act* 1984

s23(1) application for award or variation of award

**Minister administering the State Service Act 2000**

**and**

**Australian Education Union, Tasmanian Branch**

**and**

**Tasmanian Trades and Labor Council**

(T14525 of 2017)

**TASTAFE TEACHING STAFF AWARD**

PRESIDENT D J BARCLAYHOBART, 28 June 2017

**Award variation – compassionate and bereavement leave – parental leave – family violence leave – application granted**

**DECISION**

**[1]** On 9 June 2017, the Minister administering *the State Service Act* 2000 (MASSA) lodged with the Registrar, pursuant to Section 23(1) of the *Industrial Relations Act* 1984 (the Act), an Application to vary the TasTAFE Teachers Staff Industrial Award (the Agreement).

**[2]** At the hearing in Hobart on 27 June 2017, Mr Kleyn and Ms Brady appeared on behalf of MASSA and Ms Siejka appeared on behalf of the Australian Education Union, Tasmania Branch (AEU).

**[3]** I was told that the variations were in line with other public service awards, extending leave entitlements and introducing family violence leave. Mr Kleyn submitted the variations were in the public interest.

**[4]** Ms Siejka submitted that the Award variations were in the public interest and that there was genuine consent to it.

1. I am satisfied, having regard to the nature of the variations, the submissions made and the fact the variations are consistent with the State’s employment policies, that the variations are in the public interest and that no employees are disadvantaged.
2. The application is granted and pursuant to s24 and 36 of the Act the Award is varied in accordance with the application. The variations to the award are operative from the date of approval of the variations with exception of clause 5 (c) (i) (maternity leave which provides for 2 additional weeks leave) and clause 5 (e) – first paragraph (partner leave which provides for 4 additional days leave) which have an operative date of 16 March 2017.
3. An order reflecting this decision is to follow.

David Barclay

**President**

**Appearances:**

Mr T Kleyn for MASSA

Ms M Brady for MASSA

Ms K Siejka for AEU

**Date and place of hearing**:

2017

27 June

Hobart