

CLAUSE NOTES

Crown Employees (Salaries) Bill 2014

PART 1 PRELIMINARY

Clause 1: Short Title

Clause 2: Commencement on a day to be proclaimed.

Clause 3: Interpretation of words used in the Bill. It includes the principle definitions of:-

- 'crown employee' which means a person appointed under the State Service Act, Police Service Act, Parliamentary Privilege Act, Governor of Tasmania Act or by Crown Prerogative.
- 'regulations' means as described in Part 5 of this Bill.
- 'salaries' which means salary and salary related allowances in awards, agreements or other instruments or such other arrangements as may be prescribed in regulations to which the crown employee is entitled.
- 'salary progression increments' which means the various entitlements within a classification by which a crown employee may receive salary advancement.

PART 2 SALARY PAUSE

Clause 4: Defines salary as it relates to Part 2

Clause 5: Provides for a Salary Pause to apply to Crown employees for a period of twelve months and establishes the commencement date of the pause for

Crown employees under each award, agreement or instrument of appointment current in place, as set out in Schedule 1

The clause provides that salary progression increments are deferred for Crown employees who were employed before the commencement of this Act for a period of 12 months from the date on which they were due to be paid.

The clause also provides for crown employees, to whom the specified awards or agreements, which are the subject of applications presently awaiting determination or finalisation by the Tasmanian Industrial Commission set out in Schedule 2, apply.

By virtue of this clause, once the matter has determined or finalised the specified award or agreement, any salary increase will take effect. Future salary increases will be paused commencing from the day after the date the determination takes effect.

Clause 6: Provides that to the extent of any inconsistency, the salary pause and deferral of salary progression increments prevails over industrial agreements, awards, determinations or instruments of appointment, contracts of employment and any other employment arrangements for Crown employees in place before or made after the commencement of Part 2 of the Bill.

PART 3 SALARY INCREASES

Clause 7: Provides that following the salary pause, future salary increases will be indexed at 2 per cent per annum or as otherwise prescribed by regulation. It also provides

for the regulations to specify the date in which the salary increase takes effect.

Clause 8: Provides that to the extent of any inconsistency, the salary increases in section 7 prevails over any industrial agreements, awards, determinations or instruments of appointment, contracts of employment and any other employment arrangements for Crown employees in place before or made after the commencement of Part 3 of the Bill.

PART 4 INDUSTRIAL RELATIONS ACT 1984 AMENDED

Clause 9: Provides that the Principal Act for Part 4 is the *Industrial Relations Act 1984*.

Clause 10: Amends Division 2 of the Principal Act to insert a new section 20A. The new section requires the Tasmanian Industrial Commission, in the performance of its functions or exercise of its powers to give effect to the salary pause, including deferment of salary progression increments, and future annual salary increases for Crown employees provided in this Bill or by way of regulations, for any decisions or determinations made by the Tasmanian Industrial Commission made on or after 28 August 2014.

PART 5 MISCELLANEOUS

Clause 11: Provides for the Governor to make regulations for the purposes of the Act. The regulations may provide for salary increases for Crown employees and override provisions of the *Industrial Relations Act 1984*.

Salary increases may be applied differently in particular circumstances.

Clause 13: Provides for the Act to be administered by the Treasurer and the Department of Premier and Cabinet.

SCHEDULE 1 SALARY INCREASES

Schedule 1: The Schedule contains a list of awards, industrial agreements and instruments of appointment to which the Bill applies and the date the Salary Pause ends and the salary increases commence.

SCHEDULE 2 MATTERS

Schedule 2: The Schedule specifies matters that relate to applications made to the Tasmanian Industrial Commission prior to 28 August 2014 relating to certain nurses, paramedics and salaried medical practitioners that will be permitted to stand, However, any salary increases will be paused for twelve months from the date they were due.