

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL

IN THE MATTER of a review of Awards pursuant to s.99 of the *Fair Work Act 1994*

Case Numbers 497/2019 and 500/2019

OUTLINE OF SUBMISSIONS CHIEF EXECUTIVE, DEPARTMENT OF TREASURY AND FINANCE

Introduction

1. These submissions are provided in accordance with the Amended Directions issued by Commissioner Aikens on 15 May 2019 in respect to the triennial review of awards pursuant to section 99 of the *Fair Work Act 1994*.
2. The Industrial Relations and Policy Branch of the Department of Treasury and Finance (IRAP) acts on behalf of the declared employer, Chief Executive, Department of Treasury and Finance (CE, DTF) as a party bound to the following Awards:
 - *SA Public Sector and Local Government Entities Clerks Award; and*
 - *Cemetery Employees (SA Authorities) Award.*
3. The proposed changes relate to terminologies, reflecting the current names of agencies and Acts of Parliament, and typographical errors, and therefore the proposed changes are considered to be non-contentious.

SA Public Sector and Local Government Entities Clerks Award

4. It is proposed to amend clause 1.3.2.1 by removing the “Chief Executive, Department of the Premier and Cabinet” and replacing it with “Chief Executive, Department of Treasury

and Finance”, to reflect the change in the *Fair Work (General) Regulations 2009* and the change in the declared employer of public sector employees, accordingly.

5. Furthermore, it is proposed to remove “the Phylloxera and Grape Industry Board of South Australia” and replace it with Vinehealth Australia, to update the title of the agency.
6. It is proposed to amend clause 1.5.7 by replacing “Industrial Relations Commission of South Australia” with “South Australian Employment Tribunal”. Consequently, a number of clauses within the Award are proposed to be amended to reflect name change of the Tribunal.
7. It is proposed to amend clause 4.1.3(c) by removing “Human Rights and Equal Opportunity Commission” and replacing it with “Australian Human Rights Commission”.
8. It is also proposed to correct typographical error identified in clause S4.2.3.

Cemetery Employees (SA Authorities) Award

9. It is proposed to amend clause 1.3.1 by removing the “Chief Executive, Department of the Premier and Cabinet” and replacing it with “Chief Executive, Department of Treasury and Finance”, to reflect the change in the *Fair Work (General) Regulations 2009* and the change in the declared employer of public sector employees, accordingly.
10. It is proposed to amend clause 1.5.2 by replacing “Industrial Relations Commission of South Australia” with “South Australian Employment Tribunal”. Consequently, a number of clauses within the Award are proposed to be amended to reflect name change of the Tribunal.
11. It is proposed to amend existing clause 4.1.3.3 by removing “Human Rights and Equal Opportunity Commission” and replacing it with “Australian Human Rights Commission”.
12. It is proposed to amend existing clause 7.2.1.2 to reflect legislative name change by deleting “*Worker’s Rehabilitation and Compensation Act 1986*” and replacing it with “*Return to Work Act 2014*”.

13. It is also proposed to correct typographical errors identified in clause 7.1.1 and S4.2.3.

Further Submissions

14. The CE, DTF reserves the right to vary or add to these submissions and to make further submissions relating to information that becomes available after this submission is filed, including any material tendered by other parties in this matter.

**SOUTH AUSTRALIAN EMPLOYMENT
TRIBUNAL**

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**OUTLINE SUBMISSIONS
CHIEF EXECUTIVE, DEPARTMENT OF
TREASURY AND FINANCE**

This Submission is filed by:

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