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NEW SOUTH WALES
INDUSTRIAL GAZETTE

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CONTENTS

Vol. 367, Part 1

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Pages 1 - 185

		Page
Awards and Determinations		
Awards Made or Varied		
Advertising Sales Representatives (State) Award	VSW	1
Bootmakers and Heel Bar Operatives, &c. (State) Award	VSW	2
Building and Construction Industry (State) Award	VIRC	4
Building Crane Drivers (State) Award	VIRC	7
Building Employees Mixed Industries (State) Award	VIRC	9
Commercial Travellers, &c. (State) Award	VSW	14
Concrete Pipe and Concrete Products Factories Consolidated (State) Award	VSW	16
Confectioners (State) Award	VSW	18
Crown Employees (Department of Environment and Climate Change - Parks and Wildlife Group) Field Officers and Skilled Trades Salaries and Conditions 2007 Award	VIRC	20
Crown Employees (Skilled Trades) Award	VIRC	22
Crown Employees (Storemen, &c.) Award	VSW	24
Dairying Industry Employees (State) Award	VSW	26
Drug Factories (State) Award	VSW	28
Engine Drivers, &c., General (State) Award	VIRC	31
Entertainment and Broadcasting Industry - Live Theatre and Concert (State) Award	CORR	32
Food Preservers (State) Award	VSW	33
Gangers (State) Award	VSW	35
General Construction and Maintenance, Civil and Mechanical Engineering, &c. (State) Award	VIRC	38
Glass Makers (State) Award	VSW	47
Glass Workers (State) Award	VIRC	49
Government Railways (Building Trades Construction Staff) Award	CORR	51
Government Railways (Building Trades Construction Staff) Award	VIRC	53
Government Railways (Building Trades Maintenance Staff) Award	CORR	55
Government Railways (Building Trades Maintenance Staff) Award	VIRC	56
Grocery Products Manufacturing (State) Award	VSW	57
Higher School Certificate and School Certificate Marking and Related Casual Employees Rates of Pay and Conditions Award	RIRC	61
Horticultural Industry (State) Consolidated Award	VSW	83
Joiners (State) Award	VIRC	85
Landscape Gardeners, &c. (State) Award	VSW	87
Landscape Gardeners, &c., On Building and General Construction and Maintenance, Civil and Mechanical Engineering (State) Award	VSW	89
Mannequins and Models (State) Award	VSW	92
Motor Vehicle Salesperson (State) Award	VSW	94
Mushroom Industry Employees (State) Award	VSW	96
Plant, &c., Operators on Construction (State) Award	VIRC	98
Plasterers, Shop Hands and Casters (State) Consolidated Award	VIRC	100
Printing Industries (State) Award	VSW	101
Professional Engineers and Professional Scientists (Private Industry) (State) Award	VSW	103
Professional Surveyors (Private Industry) (State) Award	VSW	105

Public Health Service Employees Skilled Trades (State) Award (Incorporating the Ambulance Service of NSW Skilled Trades)	VIRC	107
Quarries, &c. (State) Award	VSW	109
Refractory Industry (State) Award	CORR	112
Restaurant, &c., Employees' Retail Shops (State) Award	VSW	113
Retail Services Employees (State) Award	VSW	115
Rock and Ore Milling and Refining (State) Award	VSW	118
Shop Employees (State) Award	VSW	120
Spastic Centre of New South Wales (Allied Professional Staff) (State) Award 2004	RVIRC	123
Spastic Centre of New South Wales Enterprise (State) Award, The	RVIRC	124
State Sports Centre Trust Casual Event Staff (State) Award 2004	RIRC	125
Storemen and Packers Bond and Free Stores (State) Award	VSW	132
Storemen and Packers, General (State) Award	VSW	134
Storemen and Packers, Wholesale Drug Stores (State) Award	VSW	136
Storemen and Packers, Wholesale Paint, Varnish and Colour Stores (State) Award	VSW	138
Teachers (Independent Schools Early Childhood Service Centres Other Than Pre-Schools) (State) Award 2008	RIRC	140
Tennis Strings and Sutures Industry (State) Award	VSW	171
University Unions (State) Award	VSW	173
Van Sales Employees' (State) Award	VSW	175
Vehicle Industry - Repair Services and Retail (State) Award	VSW	177
Warehouse Employees' - General (State) Award	VSW	180
Warehouse Employees Drug (State) Award	VSW	182
Wholesale Fruit and Vegetable Employees' (State) Award	VSW	184

NEW SOUTH WALES

INDUSTRIAL GAZETTE

Printed by the authority of the Industrial Registrar

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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[†]These Presidential members are also Judicial members of the Industrial Relations Commission of New South Wales in Court Session, established as a superior court of record pursuant to section 152 of the *Industrial Relations Act 1996*.

INDUSTRIAL REGISTRAR

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ACTING DEPUTY INDUSTRIAL REGISTRAR

Ms M. ANASTASI

ADVERTISING SALES REPRESENTATIVES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1812 of 2008)

Before Commissioner Bishop

10 October 2008

VARIATION

1. Delete subclause (b) of clause 6, State Wage Case Adjustments, of the award published 11 May 2001 (324 I.G. 738), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against;
 - (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991 other than Safety Net, State Wage Case, and Minimum Rates Adjustments "
2. Delete Table 1 - Rates of Pay, of Part B, Monetary Rates, and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1- Rates of Pay**

Classification	Former Award Rate (Per Week) 26 October 2007 \$	Minimum Award Wage Rate (Per Week) 26 October 2008 \$
Representative	595.20	619.00
Probationary Representative	560.20	582.60
At 17 years of age	291.80	303.50
At 18 years of age	349.60	363.60
At 19 years of age	407.90	424.20
At 20 years of age	466.30	485.00

3. This variation shall take effect from the first pay period commencing on or after 26 October 2008.

E. A. R. BISHOP, Commissioner

BOOTMAKERS AND HEEL BAR OPERATIVES, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 5, State Wage Case Adjustments, of the award published 11 April 2008 (365 I.G. 433) and insert in lieu thereof the following:

5. State Wage Case Adjustments

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1 - Wage Rates of Part B Monetary Rates and insert in lieu thereof the following:

Table 1 - Wage Rates

Group No.	Description	Total Wage \$
1	Heel Bar Operative	579.80
2	Boot or Shoe Repairer	600.60
3	Bespoke Bootmaker	616.20
4	Surgical Bootmaker	631.80

3. Delete Items 1 and 2 from Table 2 - Other Rates and Allowances of the said Part B and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(ii)	Repair anatomical, surgical or orthopaedic boots or shoes	8.20 per week
2	11	Minimum loading Adult	3.60
		Junior	3.10

4. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

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(001)

SERIAL C6855

BUILDING AND CONSTRUCTION INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete the tables in paragraph (a) of subclause 18.1 of clause 18, Classifications and Wage Rates of the award published 31 August 2001 (327 I.G. 279), and insert in lieu thereof the following:

Classification	Weekly Rate	Relativity %
Construction Worker Level 8 (CW8)	751.50	125
Construction Worker Level 7 (CW7)	727.70	120
Construction Worker Level 6 (CW6)	706.10	115
Construction Worker Level 5 (CW5)	686.40	110
Construction Worker Level 4 (CW4)	664.80	105
Construction Worker Level 3 (CW3)	643.00	100
Construction Worker Level 2 (CW2)	623.60	96
Construction Worker Level 1 (CW1(d))	609.60	92.4
Construction Worker Level 1 (CW1(c))	597.60	90
Construction Worker Level 1 (CW1(b))	588.80	88
Construction Worker Level 1 (CW1(a))	575.80	85

Old Wage Group	New Wage Group	Hourly Rate
	\$	\$
Carpenter Diver	CW8	27.71
Foreperson (as defined)	CW8	24.32
Sub Foreperson	CW7	23.02
Carver	CW5	20.20
Special Class Tradesperson (Carpenter and/or Joiner, Stonemason)	CW5	20.20
Special Class Tradesperson (Plasterer)	CW5	20.08
Special Class Tradesperson (Bricklayer)	CW5	20.00
Marker or Setter Out (Artificial Stoneworker, Stonemason, Bridge and Wharf Carpenter, Carpenter and/or Joiner, Marble and Slateworker)	CW4	19.62
Marker or Setter Out (Caster, Fixer, Floorlayer Specialist, Plasterer)	CW4	19.49
Marker or Setter Out (Bricklayer, Tiler, Hard Floor Coverer)	CW4	19.41
Marker or Setter Out (Roof Tiler, Slate Ridger or Roof Fixer)	CW4	19.28
Marker or Setter Out (Painter)	CW4	19.08
Letter Cutter	CW4	19.62
Signwriter	CW4	19.08
Artificial Stoneworker, Carpenter and/or Joiner, Bridge and Wharf Carpenter, Marble and Slate Worker, Stonemason	CW3	19.02
Caster, Fixer, Floorlayer Specialist, Plasterer	CW3	18.90
Bricklayer, Tiler	CW3	18.82
Roof Tiler, Slate Ridger, Roof Fixer	CW3	18.69

Painter	CW3	18.49
Shophand	CW3	18.32
Quarryworker	CW3	18.32
Labourer (1) - Rigger, Dogger	CW3	18.32
Machinist	CW3	18.32
Labourer (2) - Scaffolder (as defined), Powder Monkey, Hoist or Winch Driver, Foundation Shaftworker (as defined), Steel Fixer including Tack Welder, Concrete Finisher (as defined)	CW2	17.80
Labourer (3) - Trades labourer, Jack Hammerman, Mixer Driver (concrete), Gantry Hand or Crane Hand, Crane Chaser, Cement Gun Operator, Concrete Cutting or Drilling Machine Operator, Concrete Gang including Concrete Floater (as defined), Roof Layer (malthead or similar material), Dump Cart Operator, Concrete Formwork stripper, Mobile Concrete Pump Hoseman or Line Hand	CW1(d)	17.42
Plasterer's Assistant	CW1(d)	17.42
Terrazzo Assistant	CW1(d)	17.42
Labourer (4) - Builders Labourer other than as specified herein)	CW1(c)	17.09

2. Delete the table appearing in paragraph (a) of subclause 24.3 of clause 24, Allowances and insert in lieu thereof the following:

24.3 Tool Allowance

- (a) A tool allowance shall be paid for all purposes of the Award to tradesperson and apprentices in their respective trades in accordance with the following table:

Trade	Tool Allowance \$
Artificial stoneworker, carpenter and/or joiner, carpenter-diver, carver, bridge and wharf carpenter, letter cutter, marble and slate worker, stonemason	25.80
Caster, fixer, floorlayer specialist, plasterer	21.30
Bricklayer, Tilelayer, Hard Floor Coverer	18.30
Rooflayer, Ridger or Roof Fixer	13.50
Signwriter, Painter	6.20

3. Delete the amounts of "\$69.80" and "\$3.50" appearing in paragraphs (a) and (c) of subclause 24.4 of clause 24, Allowances and insert in lieu thereof the following amounts of "\$72.90" and "\$3.70" respectively.
4. Delete the amount of \$11.30 appearing in subclause 24.6 of clause 24, Allowances and insert in lieu thereof the following:
- \$11.90
5. Delete the amount of "\$1431.00" appearing in subparagraph 24.7.2 (a) of 24, Allowances and insert in lieu thereof the following:
- \$1495.00
6. Delete subclause 37.12 of clause 37, Living Away From Home - Distant Work, and insert in lieu thereof the following:

37.12 Table of Allowances

Item No.	Clause No.	Description	Amount \$
1	37.3(b)	Living away from home weekly rate	398.40
2	37.3	Living away from home daily rate	57.00 p/d

3	37.4(a)(iii)	Meals while travelling	11.90 p/meal
4	37.4	Return journey	19.70
5	37.6 (a)	Returning to usual place of residence for a weekend while on distant work Apprentices and Builders' Labourers	33.40
6	37.7(b)	Weekly camping rate	165.40 p/w
7	37.7(b)	Daily camping rate	23.70 p/d

7. Delete subclause 38.12 of clause 38, Fares and Travel Patterns Allowance, and insert in lieu thereof the following:

38.12 Table of Fares and Travel Patterns Allowances

Item No.	Clause No.	Description	Amount \$
1	38.1.1(a)	Fares within the counties	16.50 p/d
2	38.1.1(b)	Fares within a 50 kilometre radius	16.50 p/d
3	38.4.1(b)	Use of own vehicle outside radial areas	0.47 p/km
4	38.8.2	Use of own vehicle transferring between sites	0.89 p/km
5	38.11.1	Apprentices fares	
		1st year	15.30 p/d
		2nd year	15.80 p/d
		3rd year	15.90 p/d
		4th year	16.10 p/d

8. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

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(084)

SERIAL C6862

BUILDING CRANE DRIVERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Table 2 - Other Rates and Allowances of Part B, Monetary Rates of the award published 22 April 2005 (350 I.G. 345), and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1.	8(iii)	Overtime meal allowance	11.90 per meal
2.	8(iii)(a)	Meal interval	11.90 per meal
3.	10A(i)	Travel Allowance	16.50 per day
4.	10A(ii)	Travel within 50 km from depot	16.50 per day
5	10 I (ii)	Transfer of Work Sites	0.89 cents per klm
6.	10D(i)(b)	Excess travel	0.47 cents per klm
7.	10M	Travelling time allowance	9.80 per week
8.	11(iii)(b)	Living away from home weekly rate	398.40 per week
9.	11(iii)(b)	Living away from home daily rate	57.00 per day
10.	11(v)(c)(iii)	Meals while travelling	11.90 p/meal
11.	11(vi)	Return journey	19.70
12.	11(xi)(b)	Weekly camping rate	164.70 per week
13.	11(xi)(b)	Daily camping rate	23.50 per day
14.	12A	Industry Allowance	23.50 per week
15.	12B	Multi Storey Allowance - From 4th floor level to 10th floor level From 11th floor level to 15th floor level From 16th floor level to 20th floor level From 21st floor level to 25th floor level From 26th floor level to 30th floor level From 31st floor level to 40th floor level From 41st floor level to 50th floor level From 51st floor level to 60th floor level From 61st floor level onwards	0.48 per hour extra 0.55 per hour extra 0.64per hour extra 0.82 per hour extra 1.00 per hour extra 1.06 per hour extra 1.20 per hour extra 1.39 per hour extra 1.46 per hour extra
16.	12C	Towers Allowance Up to 15 metres For every additional 15 metres	0.55 per hour 0.55 per hour
17.	12D(ii)	Dirty work	0.55 per hour extra

2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

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(058)

SERIAL C6856**BUILDING EMPLOYEES MIXED INDUSTRIES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Part B, Monetary Rates, of the award published 16 November 2001 (329 I.G. 577), and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 -Wages**

	Base Rate \$	Supplementary Payment \$	SWC Adjustments \$	Tool Allowance \$	Ordinary Weekly Rate \$
Carpenters & Joiners	367.30	38.20	215.40	25.80	646.70
Bricklayers	367.30	38.20	213.30	18.30	637.10
Plumbers including: Gasfitters & Drainers	369.60	38.00	215.50	25.80	n/a
Painters, Including: Signwriters Marblers, Grainers & Artworkers	367.30	38.00	215.40	6.20	n/a

Builders Labourer

Classification	Previous Ordinary Weekly Rate \$	SWC Adjustments \$	Current Ordinary Weekly Rate \$
1. Rigger, Dogger	431.40	146.20	577.10
2. Scaffolder (as defined), powder monkey hoist or winch driver, foundation shaftperson (as defined), concrete finisher (as defined), steel fixer including tack welder	420.20	145.80	566.00
3. Bricklayer's labourer, plasterer's labourer, assistant rigger (as defined), assistant powder monkey (as defined) demolition work (after 3 months experience) gear hand, pile driver (concrete), hammerperson, mixer driver (concrete), steel erector, aluminium alloy structural erectors, (whether pre-fabricated or otherwise), gantry hand or crane hand, crane chaser, cement gun operator, concrete cutting or drilling	408.00	145.30	553.30

machine operator, concrete gang including concrete floater (as defined), roof layer (malthoid or similar material) dump cart operator, under pinner, steel or bar bender to pattern or plan, concrete formwork stripper			
4. Builder's labourer employed on work other than that specified in (1) to (3) hereof	384.20	168.50	552.70

Apprentices

Carpenters/Joiners/Bricklayers/Painters

	Indentured \$	Trainees \$
1st Year	217.00	243.50
2nd Year	317.40	356.30
3rd Year	420.30	461.90
4th Year	491.50	518.80

Plumbers

	\$	\$
1st Year	219.10	247.50
2nd Year	320.20	359.90
3rd Year	421.80	465.60
4th Year	496.10	523.80

Table 2 - Allowances

Item	Clause	Description	Amount \$
1	16.1	Tool Allowance	
	16.1	Carpenter/Joiner	25.80 per week
	16.2	Bricklayer	18.30 per week
	16.3	Plumber	25.80 per week
	16.4	Painter	6.20 per week
2	16.4	Plumber - Registration Allowance	0.50 per hour
	16.2.2	Adjustments	
	16.2.3	Ships Plumber	0.28 per hour
	16.3.2	Drainer (amount to be deducted)	0.05 per hour
	16.3.3	Signwriter	0.45 per hour
	16.3.4	Marbler and Grainer	0.45 per hour
	16.3.5	Ship Painter	0.35 per hour
	16.3.6	Casual Ships Painter	13.99 per day
	16.3.7(a)	Signwriter, Grainer, Gilder on Ship work	0.77 per hour
16.3.7(b)	Artworker Grade 2	0.44 per hour	
		Artworker Grade 1	0.79 per hour
All Employees			
3	17.2.1	Insulation	0.69 per hour
4	17.2.2	Hot Work	
		between 46 and 54 degrees	0.55 per hour
		exceeding 54 degrees	0.69 per hour
5	17.2.3	Cold Work	0.55 per hour
6	17.2.4	Confined Spaces	0.69 per hour
7	17.2.5	Swing Scaffold	
		first four hours	3.99
		every hour after	0.78 per hour
8	17.2.6	Wet Work	0.55 per hour

9	17.2.7	Dirty Work	0.55 per hour
10	17.2.8	Towers Allowance above 15 meters in height each additional 15 meters	0.55 per hour 0.55 per hour
11	17.2.9	Toxic Substances preparation and application when air conditioning plant not operating Close Proximity to employees so engaged	0.69 per hour 0.45 per hour 0.55 per hour
12	17.2.11	Computing Quantities All Trades except Plumbers Plumbers	3.99 per day 0.55 per hour
13	17.2.12	Asbestos Eradication	1.85 per hour
Carpenters, Joiners and Bricklayers Only			
14	17.3.1	Roof Work	0.69 per hour
15	17.3.2	Ship Repair	13.42 per week
16	17.3.3	Second Hand Timber	2.17 per day
17	17.3.4	Acid Work	1.46 per hour
18	17.3.5	Cleaning Down Brick Work	0.50 per hour
19	17.3.6	Bagging	0.50 per hour
20	17.3.7	Brick Cutting Machine	0.69 per hour
21	17.3.8	Heavy Blocks weighting over 5.5 kg and under 9 kg weighting over 9 kg and under 18 kg weighting over 18 kg	0.55 per hour 1.01 per hour 1.40 per hour
Carpenters, Joiners, Bricklayers and Painters			
22	17.4.1	Tunnel and Shaft	0.69 per hour
23	17.4.2	Furnace Work	1.46 per hour
24	17.4.3	Explosive Power Tools	1.31 per hour
Plumbers Only			
25	17.5.1	Chokages	6.28 per day
26	17.5.2	WC's Urinals	0.69 per hour
27	17.5.3	Height Work	0.55 per hour
28	17.5.4	Lead Burner Lead Burner in Chemical Works Oxyacetylene or Electric Welding Certificate Welding in Compliance with AS4041-1998 Welding other than under 17.5.4(c)	0.70 per hour 0.92 per hour 0.50 per hour 0.73 per hour Min per day \$5.60 0.12 per hour
29	17.5.5	Using or in close proximity to Asbestos	0.69 per hour
30	17.5.6	Slaughter Yards	1.31 per hour
31	17.5.7	Roof Work	0.77 per hour
32	17.5.8	Use of Licences Plumber's Licence Gasfitter's Licence Drainer's Licence Plumber's and Drainer's Licence Plumber's and Gasfitter's Licence Gasfitter and Drainers Licence	0.84 per hour 0.84 per hour 0.74 per hour 1.13 per hour 1.13 per hour 1.58 per hour
33	17.5.9 (a) (b) (c)	District Allowance	0.89 per hour 1.46 per hour 1.46 per hour
Ship Plumbers			
34	17.6.1	Ballast and Oil Tanks	0.69 per hour
34	17.6.2	Bilges	0.50 per hour
38	17.6.3	Diesel Engines	0.50 per hour

Painters			
37	17.7.2	Height Work	0.50 per hour
38	17.7.3	Use of Rigging or Scaffold Certificate	0.55 per hour
39	17.7.4	Spray Allowance	0.55 per hour
40	17.7.5	Power Tools	0.55 per hour
Builders Labourers			
41	16.4.2	Builders Labourer engaged on maintenance	14.53 per week
	16.4.3	Builders Labourer other than on maintenance	9.73 per week
42	17.8.1	Work on Acid Resistant Brick Work	0.52 per hour
	17.8.2	Boilers, furnaces, Kilns, etc	0.52 per hour
43	17.9.1	Apprentices use of Rigging or Scaffold Certificate	0.55 per hour
44	18	<p>Leading Hand Carpenters and Bricklayers In charge of: not more than 1 person more than 2 but not more than 5 persons more than 5 but not more than 10 persons more than 10 persons</p> <p>Plumbers In charge of: up to 2 journeypersons 3 to 5 journey persons 5 to 10 journeypersons over 10 journeypersons</p> <p>Painters In charge of: 1 to 5 journeypersons (and/or apprentices) 6 to 15 journeypersons (and/or apprentices) more than 15 journeypersons (and/or apprentices)</p> <p>Builders' Labourers In charge of not less than 2 nor more than 5 persons not less than 5 nor more than 10 persons more than 10 persons</p>	<p>Per week</p> <p>15.70 week 34.40 week 43.90 week 58.60 week</p> <p>0.75 per hour 0.88 per hour 1.13 per hour 1.46 per hour</p> <p>6.91 per day 8.61 per day 11.77 per day</p> <p>28.50 per week 35.70 per week 48.20 per week</p>
45	20.3.2	Ships Work - Special Places	0.50 per hour
46	20.3.3	Insulations with granulated cork	0.50 per hour
47	20.4	Removal Bitumous Compounds	0.50 per hour
48		Industry Allowance	24.40 per week
49	15.2	Overtime Meal Allowance	11.90 per meal
50	22.3.1(b)	Living Away from Home - Weekly	398.40 per week
51	22.3.1(c)	Living Away from Home - Daily	57.00 per day
52	22.4.1(a)(iii)	Travel Expenses - Meal	11.90 per meal
	22.4.1(b)(i)	Return Journey	19.70 per occasion
54	22.6.5	Weekend Return Home	33.40 per occasion
55	24.1.1	First Aid Allowance	2.28 per day
56	26.2.1	Loss of Tools and Clothing	1495.00

2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

COMMERCIAL TRAVELLERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1810 of 2008)

Before Commissioner Bishop

10 October 2008

VARIATION

1. Delete subclause (b) of clause 51, Arbitrated Safety Net Adjustments of the award published 9 November 2001 (329 I.G. 329), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent over award payments; and/or
 - (ii) award wage increases since 29 May 1991 other than Safety Net, State Wage Case, and Minimum Rates Adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B**Table 1 - Remuneration****Part I - Local Employees**

Classification	Former Award Rate Per Week 16 October 2007 \$	Minimum Award Wage Rate Per Week 16 October 2008 \$
Local Employee	606.70	631.00
Local Wholesale Merchandiser	565.90	588.50

Part II - Country Employees

Classification	Former Award Rate Per Week 16 October 2007 \$	Minimum Award Wage Rate Per Week 16 October 2008 \$
Country Employee	640.50	666.10
Country Wholesale Merchandiser	595.60	619.40

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount \$ From 1st Pay Period Commencing 16 October 07	Amount \$ From 1st Pay Period Commencing 16 October 08
1.	12(I)(a)	Locomotion Allowance - Local Employees up to 2,000 cc: standing charge allowance weekly amount	185.55 per week 20.45 cents r km	185.55 per week 20.45 cents r km
2.	12(I)(b)	Locomotion Allowance - Local Employees over 2,000 cc: standing charge allowance weekly amount	204.70 per week 0.22 per km	204.70 per week 0.22 per km
3.	12(ix)	Employee required to provide station wagon/tow a trailer or caravan	5.95 per week	6.20 per week
4.	12(xiv)	Wholesale part-time/casual merchandiser	51.2 cents per km	51.2 cents per km
5.	12(xv)	Part-time Local employees/vehicle related expenses (private vehicles)	43.9 cents per km	43.9 cents per km
6.	12, Part B (ii)	Standing Charge Air-conditioning Allowance - employee provides vehicle fitted with air-conditioning unit	3.85 per week	4.00 per week
7.	12, Part B (iii)	Dry cleaning and Laundry Allowance	5.30 per week	5.51 per week
8.	16(i)(a)	Locomotion Allowance - Country Employees up to 2,000 cc: standing charge allowance weekly amount	192.35 per week 20.45 cents per km	192.35 per week 20.45 cents per km
9.	16(i)(b)	Locomotion Allowance - Country Employees over 2,000 cc: standing charge allowance weekly amount	206.75 per week 0.22 per km	206.75 per week 0.22 per km
10.	16(ix)	Employees required to provide station wagon/tow a trailer or caravan	6.85 per week	7.10 per week
11.	16(xiv)	Wholesale part-time/casual merchandiser shall be paid for use of his/her motor vehicle	51.2 cents per km	51.2 cents per km
12.	16(xv)	Part-time Country Employees/vehicle related expenses (private vehicles)	43.90 cents per km	43.90 cents per km
13.	16, Part B (ii)	Standing Charge Air-conditioning Allowance	3.95 per week	4.10 per week
14.	16, Part B (iii)	Dry Cleaning and Laundry Allowance	1.94 per week	2.02 per week

3. This variation shall take effect from the first pay period commencing on or after 16 October 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

CONCRETE PIPE AND CONCRETE PRODUCTS FACTORIES CONSOLIDATED (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1837 of 2008)

Before Commissioner McKenna

7 October 2008

VARIATION

1. Delete subclause (d) of clause 4, Rates of Pay of the award published 29 June 2001 (325 I.G. 929), and insert in lieu thereof the following:
 - (d) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (A) any equivalent overaward payments; and/or
 - (B) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Level 1	547.40	21.90	569.30
Level 2	551.50	21.90	573.60
Level 3	563.60	21.90	586.10
Level 4	584.50	21.90	607.90
Level 5	618.20	21.90	642.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	8(viii)	Leading Hands in charge of - 2 employees 3-6 employees more than 6 employees	15.60 20.60 24.70	16.20 21.40 25.70
2	8(i)	Industry allowance (other than tile factories)	15.70 p/wk	16.30 p/wk
3	8(i)	Industry allowance for tile factories	10.30 p/wk	10.70 p/wk
4	8(ii)	Lumpers of cement/concrete articles	0.45 p/hr	0.47 p/hr
5	8(ii)	Preparing/Applying epoxy based materials	0.61 p/hr	0.63 p/hr
6	8(iii)	Sand blasting	0.61 p/hr	0.63 p/hr

7	8(iv)	Working in the rain	0.22 p/hr	0.23 p/hr
8	8(v)	Bituminous preparations	0.45 p/hr	0.47 p/hr
9	8(vi)	Slurry work	1.32 p/day	1.37 p/day
10	8(vii)	Wet money	1.51 p/day	1.57 p/day
11	12(d)	Meal allowance	11.20 p/meal	11.85 p/meal
12	24(b)	First-aid	2.29 p/day	2.38 p/day
13	27(iv)(a)	Country work (7days)	299.30 p/wk	312.15 p/wk
14	27(iv)(b)	Country work (broken week)	42.75 p/night	44.60 p/night
15	31(a)(ii) 31(b)(ii)	Clothing Boots	1.71 p/wk 2.13 p/wk	1.78 p/wk 2.22 p/wk
16	Appendix 1	Fork lift Allowance	5.30 per	5.50 per
17	35	Loss of clothing - maximum of	579.70	594.20

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 27 October 2008.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

CONFECTIONERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1891 of 2008)

Before Commissioner McKenna

9 October 2008

VARIATION

1. Delete subclause (e) of clause 10, Wages, of the award published 29 August 2008 (366 I.G. 465), and insert in lieu thereof the following:
 - (e) The rates of pay in this Award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete table (i), Adult Employees of Table 1 - Rates of Pay, and Table 2 - Other Rates and Allowances, of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Rates of Pay

- (i) Adult Employees -

Level	Total Rate Per Week \$
Level 5	536.75
Level 4	552.65
Level 3	562.75
Level 2	593.10
Level 1	610.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	12	First-Aid Allowance	10.91 per week
2	12	Heat Allowance - In excess of 46° Celsius In excess of 56° Celsius	0.36 per hour 0.46 per hour
3	8	Meal Allowance	9.83 per week
4	24	Laundry Allowance	2.71 per week

3. This variation shall come into effect on and from the first pay period to commence on or after 11 October 2008.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

**CROWN EMPLOYEES (DEPARTMENT OF ENVIRONMENT AND
CLIMATE CHANGE - PARKS AND WILDLIFE GROUP) FIELD
OFFICERS AND SKILLED TRADES SALARIES AND CONDITIONS
2007 AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Department of Environment and Climate Change NSW.

(No. IRC 1897 of 2008)

Before Commissioner Ritchie

9 October 2008

VARIATION

1. Delete subclause 7.1 of clause 7, Allowances of the award published 12 October 2007 (363 I.G. 1404) and insert in lieu thereof the following:
 - 7.1 Allowances payable in subclauses 7.2, 7.3 and 7.4 shall be adjusted on 1 July each year in line with the increases in the Consumer Price Index for Sydney during the preceding year (March quarter figures):
 - 7.1.1 Allowance rates contained in this clause are effective from 1 July 2008.
2. Delete subclause 7.2 of the said clause 7, and insert in lieu thereof the following:
 - 7.2 A boot allowance is payable to any officer who works in the field where suitable boots are not provided by the Department. The allowance is to be a maximum of \$142 per pair of boots, on condemnation of the previous pair, endorsed by the Area Manager, Regional Manager or Branch Director PWG.
3. Delete subparagraphs (i) and (ii) of paragraph 7.3.3, of subclause 7.3 of the said clause 7, and insert in lieu thereof the following:
 - (i) Where meals are provided by the Department, \$62.20 or \$2.59 per hour
 - (ii) Where meals are not provided by the Department, \$99.52 or \$4.14 per hour
4. Delete Table 1 of paragraph 7.4.5, of subclause 7.4 of the said clause 7 and insert in lieu thereof the following:

Table 1

Grade	With Dependents	Without Dependents
A	\$3,732	\$2,612
B	\$4,976	\$3,483
C	\$6,220	\$4,354

5. This variation shall take effect from the first full pay period commencing on or after 1 July 2008.

D.W. RITCHIE, Commissioner

Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES (SKILLED TRADES) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete from Table 2 - Tool Allowances of Part B, Rates and Allowances of the award published 12 October 2007 (363 I.G. 1291) the undermentioned classifications and tool allowances prescribed therefore and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount Per week
1	5	Tool Allowances	
		Blacksmith	25.80
		Bodymaker, First Class	25.80
		Boilermaker and/or Structural Steel Tradesperson	25.80
		Bricklayer	18.30
		Bridge and Wharf Carpenter and/or Civil Engineering Construction Carpenter	25.80
		Cabinet Maker	10.30
		Carpenter	25.80
		Drainer	25.80
		Farrier	25.80
		Fitter	25.80
		Forger and/or Faggoter	25.80
		Machinist, First Class (Metal Trades)	25.80
		Machinist (Metal Trades) Special Class	25.80
		Marker Off	25.80
		Motor Mechanic	25.80
		Painter	6.20
		Panel Beater	25.80
		Patternmaker	25.80
		Plant Mechanic	25.80
		Plasterer	25.80
		Plumber	25.80
		Plumber and Gasfitter	25.80
		Plumber, Gasfitter and Drainer	25.80
		Sewing Machine Mechanic	25.80
		Sheetmetal Worker, First Class	25.80
		Shipwright/Boatbuilder	25.80
		Signwriter	6.20
		Slater and Tiler	13.50
		Stonemason	25.80
		Stonemason-Carver	25.80
		Tilelayer	18.30
		Toolmaker	25.80

		Toolsmith	25.80
		Trimmer (Motor)	25.80
		Turner	25.80
		Vehicle Builder	25.80
		Watchmaker	8.56
		Welder, Special Class	25.80
		Welder, First Class	25.80

2. Delete from Table 3 - Allowances, of the said Part B, Items 50 to 58, inclusive and Items 60, 64 and 65 inclusive and insert in lieu thereof the following:

Item No	Clause No.	Brief Description	Amount
50	8.1	Excess fares and travelling time to and from place of work	20.41 p.d.
51	8.1.1	If employer provides or offers to provide transport free of charge	8.23 p.d.
52	8.2	Excess fares and travelling to and from work: - first year apprentices (or probationers) - to all other apprentices	17.10 p.d. 19.88 p.d.
53	8.2.1	If employer provides or offers to provide transport free of charge - to first year apprentices - to all other apprentices	6.84 p.d. 8.12 p.d.
54	9.3.3	Meal allowance: - after working in excess of four hours - for each subsequent meal	11.90 10.15
55	9.8	Tea Money: - required to work overtime for one and a half hours or more without being notified on the previous day or earlier, for a meal - after each four hours on continuous overtime, for each meal	11.90 10.04
56	14.4	Expenses of reaching home and of transporting tools from distant work	19.74
57	14.5.1	Allowance for board and lodging: - while on distant work - for broken parts of week	398.40 p w 57.00 p.d.
58	14.6	Camping allowance	23.50 p.d.
60	14.7	Returning home for the weekend from distant work	33.99
64	22.6.2	Supply of boots Accrual of credit	32.91 3.76 p.w.
65	23.2	Reimbursement for loss of tools	1,495.00

3. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

CROWN EMPLOYEES (STOREMEN, &c.) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1811 of 2008)

Before Commissioner Bishop

10 October 2008

VARIATION

1. Delete subclause (xi), of clause 2, Wages, of the award made 9 November 2007 (364 I.G. 230), and insert in lieu thereof the following:
 - (xi) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or;
 - (ii) award wage increases since 29 May 1991, other than Safety Net, State Wage Case and minimum rates adjustments "
2. Delete Appendix I - Minimum Award Wage Rates and Appendix II - Allowances and Special Rates, and insert in lieu thereof the following:

APPENDIX I**MINIMUM AWARD WAGE RATES**

Classification	Minimum Award Wage Rates (Per Week) State Wage Case 2007 \$	Minimum Award Wage Rates (Per Week) State Wage Case 2008 \$
Storeman and/or Packer	598.70	622.60
Assembler	600.20	624.20
Forklift Driver	604.40	628.60
Leading Hand	600.80	624.80
Charge Hand ~	603.00	627.10

APPENDIX II**ALLOWANCES AND SPECIAL RATES**

Item No.	Subject	Amount State Wage Case 2007 \$	Amount State Wage Case 2008 \$
1.	Charge Hands (1-5 employees)	17.80	18.50
2.	Charge Hands (6-10 employees)	26.60	27.70
3.	Charge Hands (over 10 employees)	36.80	38.30
4.	Single Employee	14.05	14.60
5.	Forklift Driver	71 cents per hour	74 cents per hour
6.	Mobile Crane	84 cents per hour	87 cents per hour
7.	Mobile Crane	84 cents per hour	87 cents per hour

3. This variation shall take effect from the first pay period commencing on or after the 16 December 2008.

E. A. R. BISHOP, Commissioner

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DAIRYING INDUSTRY EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1925 of 2008)

Before Commissioner Murphy

17 October 2008

VARIATION

1. Delete subclause (f) of clause 3, Wages, of the award published 4 May 2001 (324 I.G. 474) and insert in lieu thereof the following:
 - (f) The rates of pay in this award include the adjustments payable under the State Case 2008. These adjustments may be offset against:
 - (i) any equivalent over-award payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Table 1 - Rates of Pay, Table 2 - Rates of Pay - Apprentices, and Table 5 - Other Rates and Allowances, of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Rates of Pay

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment %	SWC 2008 Amount \$
Support Operator - Grade 1	541.20	4.0	562.80
General Operations - Grade 2	549.90	4.0	571.90
Specialist Operator - Grade 3	618.20	4.0	642.90
Senior Operator - Grade 4	664.70	4.0	691.30

Table 2 - Rates of Pay - Apprentices

Apprentice - Rates of Pay Percentage of Specialist Operator Grade 3 - \$642.90		
1st Year	60%	\$385.75
2nd Year	65%	\$417.90
3rd Year	75%	\$482.20
4th Year	85%	\$546.45

Table 5 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	18 (b)	Meal Allowance	8.10 p/meal	8.55 p/meal
2	18 (d)	Spending the night away from their homes/property on which they are employed	44.30 p/night	46.20 p/night
3	18 (d)	Spending the night away from home/property were employed - apprentices	37.95 p/night	39.55 p/night

4	3 (b) (iv)	Apprentices completing 3 years trade course	0.67 p/wk	0.70 p/wk
5	18 (c)	Motor Vehicle Allowance	0.49 per km	0.52 per km
6	19 (c)	First-aid allowance	2.00 p/day	2.10 p/day

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

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DRUG FACTORIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees and another.

(Nos. IRC 1062 and 1064 of 2008)

Before Commissioner Bishop

28 July 2008

VARIATION

1. Delete subclause (a) of Clause 4, Arbitrated Safety Net Adjustment, of the award published 1 June 2001 (325 I.G. 1), and insert in lieu thereof the following:
 - (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1 - Wages of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

Item No.	Classification	Base Rate (Includes 2007 SWC) \$	SWC 2008 Per Week \$	Total Rate Per Week \$
DIVISION I -				
1	Chief Chemist	676.05	27.05	703.10
2	Research Chemist	637.15	25.50	662.65
3	Analytical and/or Process Chemist	607.20	24.30	631.50
4	Trainee Chemist - First year of adult service Second year of adult service Third year of adult service	556.30 572.70 589.20	22.25 22.90 23.55	578.55 595.60 612.75
5	Laboratory Assistant	564.30	22.55	586.85
DIVISION II -				
6	Pill Making	568.30	22.75	591.05
7	Pill and Tablet Making	568.30	22.75	591.05
8	Manufacturing complex Pharmaceuticals involving a chemical change	568.30	22.75	591.05
9	Granulating (hand, Machine and/or hot table)	568.30	22.75	591.05
DIVISION III -				
10	Tablet Compressing	562.20	22.50	584.70
11	Hydrogen Peroxide	562.20	22.50	584.70
12	Spirit recovery still operator	562.20	22.50	584.70
13	Spiritous percolating	562.20	22.50	584.70
14	Nail Lacquer	562.20	22.50	584.70
15	Manufacturing empty hard Gelatine capsules	562.20	22.50	584.70
16	Machine attendant	562.20	22.50	584.70

DIVISION IV -				
17	Fluid Magnesia	557.70	22.30	580.00
18	Emulsions (cod liver oil and paraffin types)	557.70	22.30	580.00
19	Toothpaste	557.70	22.30	580.00
20	Ointments	557.70	22.30	580.00
21	Cosmetics for Males and Females	557.70	22.30	580.00
22	Perfumes	557.70	22.30	580.00
23	Creams	557.70	22.30	580.00
24	Lotions and repellents	557.70	22.30	580.00
25	Hair Sprays	557.70	22.30	580.00
26	Hair oils and hair tints	557.70	22.30	580.00
27	Manufacturing pharmaceuticals not otherwise provided for	557.70	22.30	580.00
28	Bottle Checker and Sorter	557.70	22.30	580.00
29	Filling raw materials, partly processed materials &/or finished products into bulk receptacles for subsequent processing	557.70	22.30	580.00
30	Manufacture for any of the above items for aerosol packs	557.70	22.30	580.00
DIVISION V -				
31	Laboratory Attendant	548.50	21.95	570.45
32	Household chemicals, cleaners and detergents	548.50	21.95	570.45
33	Bottle washer (by hand or machine)	548.50	21.95	570.45
34	Quality Inspector	548.50	21.95	570.45
35	APC and Seiditz powder machine operator	548.50	21.95	570.45
36	Filling and finishing retail packs up to transfer point from factory end of line packaging departments to warehouse and dispatch departments	548.50	21.95	570.45
37	Cutting, filling or sealing Ampoules	548.50	21.95	570.45
38	All other employees not otherwise provided for	548.50	21.95	570.45

3. Delete Items 1, 2, 3, 4, 5, 6, 8 and 9 of Table 2 - Other Rates and Allowances, of the said Part B and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	3(d)(i)	Junior trainee lab assistant who undertake an appropriate certificate course	1.86 per week
2	3(d)(ii)	Senior hands	5.30 per week
3	3(d)(iii)	Charge Hands Allowance: In charge of 1 to 5 employees In charge of 6 to 10 employees In charge of more than 10 employees	20.60 per week 24.60 per week 29.80 per week
4	3(d)(iv)	Employees appointed as checkers	4.50 per week
5	15(e)(i)	Engaged on morning or afternoon shifts	16.35 per shift
6	15(e)(ii)	Engaged on night shifts	22.02 per shift
8	28(f)	Required to perform work of an unusually Dirty, dusty and/or offensive nature or Temperatures of abnormal heat/cold	0.49 per hour
9	28(q)	Appointed as first-aid attendant	2.97 per day or shift

4. This variation shall take effect from the first full pay period to commence on or after 11 September 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

ENGINE DRIVERS, &c., GENERAL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Item 13 of Table 2 - Other Rates and Allowances of Part B, Monetary Rates of the award published 2 November 2001 (329 I.G 164), and insert in lieu thereof the following:

13.	23.3(a)	Overtime Meal Allowance	Eff. 16/10/08 11.90 per occasion
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2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

**ENTERTAINMENT AND BROADCASTING INDUSTRY - LIVE
THEATRE AND CONCERT (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C6758 published 26 December 2008

(366 I.G. 1546)

(No. IRC 665 of 2008)

CORRECTION

1. Delete the fourth column in Table 3, Reimbursement of Expenses of Part 9, Monetary Rates, and substitute the following new column:

Amount from first full pay period after 13/09/08 \$
2007 - 4%
904.38
684.03
797.61
623.48

G. M. GRIMSON *Industrial Registrar.*

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FOOD PRESERVERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1890 of 2008)

Before Commissioner McKenna

9 October 2008

VARIATION

1. Delete clause 15, State Wage Case Adjustments, of the award published 30 May 2008 (365 I.G. 1726), and insert in lieu thereof the following:

15. State Wage Case Adjustments

The rates of pay in this Award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Adult Classification	Former Rate of Pay \$	SWC June 2008 %	Weekly Rate of Pay \$
Group 1	553.90	4.0	576.05
Group 2	549.10	4.0	571.05
Group 3	545.50	4.0	567.30
Group 4	541.80	4.0	563.45
Group 5	537.60	4.0	559.10
Group 6	535.00	4.0	556.40
Forklift with lifting capacity up to and including 4.5 tonnes	553.90	4.0	576.05
Lifting capacity over 4.5 tonnes	560.20	4.0	582.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4.2	Number of employees - less than 3 employees	12.98 per week
		3 to 10 employees	20.06 per week
		11 to 20 employees	30.77 per week
		21 or more employees	43.75 per week
2	7.2	Wet Places	0.69 per hour extra

3	7.3	Dirty Work	1.05 per hour extra (1.88 minimum)
4	7.4	Heavy Weights	0.49 per hour or part thereof
5.	7.5	Carton Stacking	0.40 extra per hour or part thereof
6	7.6.1	Cold Temperatures (between minus 1° and minus 7° Celsius)	0.69 per hour
7	7.6.2	Cold Temperatures (between minus 8° and minus 18° Celsius)	1.05 per hour
8	7.6.3	Cold Temperatures (below minus 18° Celsius)	1.71 per hour
9.	7.8.2	Pea-vining	6.86 per week
10.	7.10	Fumigation Gas	8.74
11.	13.7.1	Meal Allowance	16.36
12.	14.2	First-aid	3.30 extra per day

3. This variation shall take effect from the first full pay period to commence on or after 11 October 2008.

D. S. McKENNA, Commissioner

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GANGERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1973 of 2008)

Before Commissioner Tabbaa

29 October 2008

VARIATION

1. Delete subclause (vii) of clause 2, Wages - Private Sector of the award published 25 January 2002 (330 I.G. 1143) and insert in lieu thereof the following:
 - (vii) The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Private Sector - Rates of Pay**

Item No.	Clause No.	Classification	Rate \$
Gangers in Charge of a gang which includes:			
1	2(i)(a)	Up to 9 persons	671.80
2	2(i)(b)	From 10 to 15 persons	681.50
3	2(i)(c)	16 persons or more	688.70
A Ganger in charge of 12 persons or more:			
4	2(ii)(a)	Plate Laying - Permanent way	701.40
5	2(ii)(b)	In tunnel, drive or shaft	701.40
The rates prescribed in subclause (ii) of clause 2, Wages - Private Sector are inclusive of a rate for supervising plant items.			
New South Wales, including the County of Yancowinna			
Less than 100 persons on time sheets -			
Timekeepers who are responsible for computing payments and allocating costs -			
6	2(v)	On works where cash orders or cheques for advance pay are issued	642.00
7		Where no cash order or pay cheques for advance pay are issued	632.80
8		Assistant or check-time keeper	623.10
9		Timekeepers and store-keepers (combined)	632.80
10		Storekeepers	631.20

New South Wales, including the County of Yancowinna			
100 persons or more on time sheets -			
Timekeepers who are responsible for computing payments and allocating costs -			
11	2(v)	On works where cash orders or cheques for advance pay are issued	646.90
12		Where no cash order or pay cheques for advance pay are issued	642.00
13		Assistant or check-time keeper	631.70
14		Timekeepers and store-keepers (combined)	642.00
15		Storekeepers	632.30

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7(iv)(c)(1)	Return home up to 100 km	47.80
2	7(iv)(c)(1)	Each additional 10 km	2.05
3	7(v)	Meal while travelling	11.95
4	7(v)	Bed while travelling	59.00
5	13(ii)(a)(1)	Fares - persons not camped	1.42 per week 0.32 per day
6	13(ii)(a)(1)	Maximum Fares	3.33 per week
7	13(ii)(b)(1)	Travelling Allowance	Per Day
		More than 3 but not more than 10 km	5.10
		More than 10 but not more than 20 km	10.20
		More than 20 but not more than 30 km	15.35
		More than 30 but not more than 40 km	20.50
		More than 40 but not more than 50 km	25.15
		More than 50 but not more than 60 km	30.40
		More than 60 but not more than 70 km	35.35
		More than 70 but not more than 80 km	40.35
		More than 80 but not more than 90 km	44.50
		More than 90 but not more than 100 km	50.60
8	7(i)	Meal allowance	11.95
		Each subsequent meal	10.00
9	7(iii)	Meal allowance	11.95
Where gangs include one or more plant items, as defined, a Ganger shall be paid for each day or part thereof the following allowance:			
10	3(i)	Up to 3 major plant items	3.16
11	3(i)	4 to 5 major plant items	5.25
12	3(i)	6 or more major plant items	8.44
13	3(iv)(a)	Industry Allowance	23.80 per week
14	3(vi)	Inclement weather	26.69 per week
15	7(iv)(a)	Country Work	414.90 per week
16	16(i)	Distant Places	1.25 per day
17	16(i)	Western Division	1.85 per day
18	16(ii)	Distant Places	1.25 per day
19	16(iii)	Distant Places	1.85 per day
20	20(i)	Wet places	0.55 per hour
21	20(ii)	Water Depth	
		Over 457.2 mm	3.69 per day
		Over 914.4mm	4.43 per day
22	20(iii)	Slurry	0.51 per hour

23	21	Working in the rain	2.76 per day
24	26(ii)	First Aid	2.45 per day
25	28	Height Money	0.55 per hour

NOTE: Expense related allowances appearing in this award have been increased up to and including the respective CPI indexes as of 30 June 2008. Item 15 is adjusted in accordance with the General Construction and Maintenance, Civil and Mechanical Engineering (State) Award. Other allowances are inclusive of adjustments in accordance with the June 2008 State Wage Case decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 13 November 2008.

I. TABBAA, Commissioner

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(349)

SERIAL C6867

GENERAL CONSTRUCTION AND MAINTENANCE, CIVIL AND MECHANICAL ENGINEERING, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 648 of 2008)

Before Commissioner Ritchie

8 October 2008

VARIATION

1. Delete subclause (v) of clause 3, Wages of the award published 24 March 2006 (358 I.G. 449), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2006 and 2007. These adjustments may be offset against:
 - (a) any equivalent overaward payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Classifications and Rates of Pay

Section 1 - Daily Hire Classifications	The rates of pay in these columns have been calculated on the basis that the industry allowance, follow the job loading, sick leave allowance and travel pattern loading are applicable. Where these amounts are not applicable, hourly rates of pay should be calculated in accordance with Clause 3 - Wages.		
Classification	Base Weekly Rate \$	All Purpose Daily Hire Hourly Rate \$	Casual Hourly Rate \$
Civil Construction Worker - Grade 1	551.30	16.59	19.91
Civil Construction Worker - Grade 1 is comprised of the following classifications: Construction Worker, Other Adzeperson, augerperson or sawperson Assistant depotperson Axeperson Ballast - labourer discharging from punt Bridge foundations - labourer engaged in boring for (except machine person) Compressed and/or mastic asphalt labourer;			

<p>Caulker Crusher feeder and sand roller attendant Divers' pumper Flying fox - labourer Forest devil - labourer Incinerator attendant (Cockatoo Dockyard) Labourer destroying rabbits (if required to provide transport \$1.55 per day extra and \$1.11 cents per week extra shall be paid for each dog not exceeding two dogs) Pole erecting - labourers erecting telegraph poles, electric lights and/or power poles Signalperson - cable way Turfing, cutting and/or laying - including landscaping on civil engineering construction - labourers engaged in Underground Trench & Excavation Trench labourer 0.9m-3m (when required to use pneumatic machines shall be paid at least machine person's rates) Irrigation Labourer - boring test or other holes by hand Labourer cutting noxious weeds with hoe</p>			
<p>Layer-on of hot mastic asphalt compounds in supply channels, expansion joints or cracks in concrete channels Maintenance persons - in channels Painter or layer of bitumen, colfix, laykol or any similar substance Railway Construction - Group (A): Back Bolter Boxer-up Brakesperson, spragger or spragsperson Cutting and/or breaking rails - labourer Erector of grade indicators Fettler Heelperson Jackperson (two to be paid alike) Labourer erecting stanchions for the overhead wiring for railways and tramways Linker-in Leverperson Loading, unloading and/or stacking rails and/or sleepers and/or new material - labourer Packer on metal roads and/or in yards Packers (two) with leverperson on metal roads and/or in yards in gangs of eight or more employees Packers (two) with leverpersons on muck roads in gangs of eight or more employees Punchperson, hydraulic and/or crowperson Rail pressing - labourer Rail Protection Officer - Level 1 Re-railing and/or re-sleepering - labourer Sleeper spacer and squarer Straightening gang - labourer in</p> <p>Road Construction and Maintenance Tar and/or bituminous labourer - other</p>			

Land and Water Conservation & Irrigation Labourer cleaning silt pits-irrigation area			
Cylinder Sinking Employees working in cylinders or caissons with or without air pressure excavating earth other than rock, concrete, sandstone and/or strata other than earth less than 6.1 metres deep (26 cents per shift extra for each additional 6.1 metres of depth or part thereof) Cylinder sinking - Benoto process - attendant			
Civil Construction Worker - Grade 2	558.90	16.80	20.16
Civil Construction Worker - Grade 2 is comprised of the following classifications Railway Construction - Group (B): Fastener, fisher-up and/or ratchet borer Lifting ganger's offsider Rail Protection Officer - Level 2 Rail welder's assistant Road Construction & Maintenance Maintenance labourer Bituminous gang labourer			
All other attendants at stone handling plant Maintenance patrolperson Land and Water Conservation & Irrigation Helper - Hand Boring Plant Test Well Borer Construction Worker, Other Bankperson - in connection with dredges including employees laying or removing pipes between dredge and shore Construction Worker Group 1 Amenities attendant (including camp) Sanitary and/or garbage labourer Clerical work - labourer Labourer tarring bridge and/or other woodwork Fencer Traffic controller General labourer - not otherwise classified Greaser Labourer - bending, reinforcing steel Labourer - planting, spraying and/or lopping trees Labourer - loading, unloading and/or stacking materials other than cement Machineperson's assistant Motor and/or pump attendant Pile driver - topperson Pile pointer, ringer and/or shoer Scabblor Temporary building - labourer erecting Tipperson and/or loading tallyperson Tradeperson's labourer - on construction work Cylinder Sinking Air Lock Attendant			
Civil Construction Worker - Grade 3	586.60	17.55	21.06

<p>Civil Construction Worker - Grade 3 is comprised of the following classifications: Construction Worker, Other Barring down - labourers Bridge carpenters' labourer (including demolition work) Diver's Attendant Laboratory testing assistant Pipe - cement monier and/or concrete - labourer engaged in the manufacture of Pipe layer and/or joiner Pipe liner hand working inside pipe Sand blast operator</p> <p>Underground & Trench Excavation Trench labourer 3m-6m</p> <p>Irrigation Labourer using hand trowels on cement or concrete channels Labourer using shovel for constructing cement channels - known as laying on</p>			
<p>Road Construction and Maintenance Manual kerb extruding machine operator Labourers engaged in the erection and placement of steel wire mattresses Labourers engaged in the erection, placement and repairs of permanent safety crash barriers</p> <p>Land & Water Conservation & Irrigation Spray Operator</p> <p>Railway Construction - Group I: Leader linker-in Rail Protection Officer - Level 3 Rail welder Operators of track laying renewal machines as follows: (i) Sleeper gantry operator (ii) Sleeper feed operator (iii) Sleeper pick-up operator (iv) Rail alignment operator Assistant operator of track tamping machine Operator of "Pan Driver" machine or similar Operator of Hi Rail vehicle</p> <p>Railway Construction - Group (D): Operator Ballast Regulating Machine</p> <p>Concrete Construction Central Mortar Batch Plant Operator (this rate is inclusive of any extra payment) Concrete Worker - including floater form erector and/or stripper, jazerperson and/or tamperperson, concrete cutting or drilling machine operator, kerb and/or gutter layer Labourer bending, reinforcing steel to pattern or plan</p>			

<p>Cement gun operator - other Assistant concrete pump operator Pressure grouter's assistant</p> <p>Construction Worker - Group 2 Bricklayer's labourer Cement - labourer loading, unloading and/or stacking Crane chaser Erector structural steel Greaser attending machinery cable way above ground level Worker - placing precast blocks and metal strips in reinforced earth constructions Machine drill and/or tool sharpener Machineperson and/or pneumatic pickperson Timberperson up to 6.1m in depth Pegperson and/or employee boning Powder monkey's assistant Preload wire winding machine operator Rigger's assistant and/or hemp rope splicer Storeperson</p>			
<p>Cylinder Sinking Employees working in cylinders or caissons with air pressure in rock, concrete, sandstone and/or strata other than earth less than 6.1 metres deep (26 cents per shift extra for each additional 6.1 metres of depth or part thereof)</p>			
<p>Civil Construction Worker - Grade 4</p>	598.00	17.86	21.43
<p>Civil Construction Worker - Grade 4 is comprised of the following classifications: Construction Worker Other Wharf Preservation Operator (this rate is inclusive of any extra payment for the use of creosote and working afloat in a scow) Concrete Construction Central concrete batch plant - weigher and batcher (this rate is inclusive of any extra payment) Cement Gun Operator - wet - underground Manhole builder Concrete finisher Concrete kerb finisher & patcher (steel, wooden, rubber or mechanical trowels) Labourer placing and/or tack welding, reinforcing steel Pressure grouter</p> <p>Underground & Trench Excavation Tunnel miner - assisting All other labour in tunnelling crew Trench labourer over 6.1-12.2m</p> <p>Road Construction & Maintenance Hot mix plant operator, other Field assistant Storeperson Stone handling plant attendant Labourers engaged in the erection and placement of steel wire box gabions</p>			

Land and Water Conservation & Irrigation Driller - hand boring plant			
Construction Worker Group 3 Augerperson - pneumatic or electrically powered augers and/or timber boring machines Frankipile operator Pile driver Powder monkey Scaffolder (certificated) Timberperson over 6.1m in depth Wire rope splicer (not being a certified rigger)			
Civil Construction Worker - Grade 5	613.40	18.28	21.94
Civil Construction Worker - Grade 5 is comprised of the following classifications: Construction Worker, Other Pile driver - loading on sheer legs or pile frame up to 30.5tonnes lift Operator of mobile track drill independent rotation			
Concrete Construction Cement gun operator - dry - underground Road Construction & Maintenance Hot mix operator - plant with capacity of under 1474.2 kg per batch Pug Mill Rated Capacity 1474.2kg per batch or equivalent Land and Water Conservation & Irrigation Gemco drill operator Trainee channel attendant Railway Construction - Group E: Operator track tamping machine Rail Protection Officer - Level 4 Construction Worker Group 4 Dogperson Rigger (certificated) and wire rope splicer			
Civil Construction Worker - Grade 6	626.70	18.64	22.37
Civil Construction Worker - Grade 6 is comprised of the following classifications: Construction Worker Other Pile driver - loading on sheer legs or pile frame over 30.5tonnes lift Road Construction & Maintenance Pug mill rated capacity 1474.7kg but less than 6000kg Underground & Trench Excavation Tunnel miner Shaft miner Concrete liner in tunnel Mechanical miner operator			
Civil Construction Worker - Grade 7	630.70	18.75	22.50
Civil Construction Worker - Grade 7 is comprised of the following classifications: Road Construction & Maintenance			

Pug mill rated capacity of 6000kg or more Land & Water Construction & Irrigation Percussion Drill Operator - Research				
Civil Construction Worker - Grade 8		632.80	18.80	22.56
Civil Construction Worker - Grade 8 is comprised of the following classifications Construction Worker Other Labourer - using boat for the recovery of flotsam and jetsam Diver				
Civil Construction Worker - Grade 9		645.50	19.15	22.98
Civil Construction Worker - Grade 9 is comprised of the following classifications Underground & Trench Excavation Miner attending tunnel boring machine Civil Construction Worker - Grade 10		666.20	19.71	23.65
Civil Construction Worker - Grade 10 is comprised of the following classifications Underground & Trench Excavation Miner operating tunnel boring machine				
Youths	Percentage of Civil Construction Worker Grade 2 (\$558.90) %			
At 15 years of age	50.5	282.24	9.29	11.15
At 16 years of age	61.5	343.72	10.96	13.15
At 17 years of age	71.5	399.60	12.47	14.96

Section 2 - Weekly Hire Classifications	The rates of pay in these columns have been calculated on the basis that the industry allowance, sick leave allowance, and travel pattern loading are applicable. Where these amounts are not applicable, hourly rates of pay should be calculated in accordance with Clause 3 - Wages.			
Classification	Base Weekly Rate	All purpose weekly hire rate hourly rate with sick leave allowance	All purpose weekly hire hourly rate without sick leave allowance	Casual Hourly Rate
	\$	\$	\$	\$
Rotary Earth Digger (auger type) Operator				
(i) >From 48.5 to 74.6kw	583.20	16.95	16.28	20.34
(ii) Over 74.6 to 111.9kw	592.80	17.20	16.53	20.64
(iii) Over 111.9kw	601.90	17.44	16.77	20.93
(iv) Assistant	531.40*	15.59	14.91	18.71
Driller - Operator - Shot Drilling Machine - Large	600.50	17.41	16.73	20.89
Driller - Operator - Diamond and/or Shot Drilling Machine - Small	587.40	17.06	16.39	20.47
Driller - Operator's Assistant--Diamond and/or Shot Drilling Machine - Large	565.60	16.49	15.81	19.79
Driller - Operator's Assistant - Diamond and/or Shot Drilling Machine - Small	565.20	16.48	15.80	19.78

Tamrock D.H.A. 800 Drill Operator (Note: Operator setting diamonds and/or keeping safe custody of diamonds shall be paid 5 cents per hour in addition to the above rates.)	644.70	18.57	17.90	22.28
Premix and Asphalt, Central Asphalt Depot Senior Operator	670.20	19.24	18.57	23.09
Automatic Kerb Extruding, Trimmer and Paver Machine Operator				
(i) 48.5kW and under	597.50	17.33	16.65	20.80
(ii) Over 48.5kW but less than 97kW	617.90	17.86	17.19	21.43
(iii) Slipform Concrete Paving Machine - Operator	633.30	18.27	17.60	21.92
(iv) Curing and Texture Machine Operator	599.90	17.39	16.72	20.87
Traffic Line Marking Operator or machine attendant	596.20	17.29	16.62	20.75
Other attendant	580.30	16.88	16.20	20.26
Tow Truck Attendant- Sydney Harbour Bridge	593.20	17.21	16.54	20.65
Artesian and Sub Artesian Bores:				
Assistant - cable tool rigs	552.20	16.14	15.46	19.37
Helpers - cable tool rigs	549.40	16.06	15.39	19.27
Assistants - rotary hammer drill rigs	585.80	17.02	16.35	20.42
Helpers - rotary hammer drill rigs	584.00	16.97	16.30	20.36

Rate increased in accordance with the Award Review Classification Rate for 2007.

Table 2 - Other Rates and Allowances

Item No.	Clause Reference	Brief Description	Amount \$
1	3(vii)	Sick Leave Allowance	25.60 per week
2	3(vi)	Industry Allowance	23.50 per week
3	3(viii)	Leading hand in charge of - More than 2 and up to 5 employees More than 5 and up to 10 employees More than 10 employees	0.53 per hour 0.77 per hour 1.00 per hour
4	5(i)(a)	Working in Rain	2.66 per day
5	5(ii)(a)(1)	Wet Places	0.53 per hour
6	5(ii)(a)(4)(i)	Water over 45.5cm	3.54 per day
7	5(ii)(a)(4)(ii)	Water over 91.4cm	4.30 per day
8	5(ii)(b)	Work in Slurry	0.49 per hour
9	5(iii)	Snow over 15.2cm Snow over 2.5cm and less than 15.2 cm	4.30 per day 2.89 per day
10	5(iv)	Confined Space	0.66 per hour
11	5(v)(a)	Distant Places Distant Places - western division	1.12 per day 1.85 per day
12	5(v)(b)	Distant Places - Snowy River, etc.	1.85 per day
13	5(vi)	Road Construction - Distant Places	1.12 per day
14	5(vii)	Height Money	0.53 per hour
15	5(viii)	Explosive Power Tools	1.21 per day
16	5(ix)	Heavy Blocks - Over 5.5 kg and up to 9 kg Over 9 kg and up to 18 kg Over 18 kg	0.53 per hour 0.96 per hour 1.35 per hour
17	5(x)	Roof Repairs	0.53 per hour
18	5(xi)(a)	Epoxy Materials	0.66 per hour

19	5(xi)(c)	Working in close proximity to the above	0.53 per hour
20	5(xii)	Cleaning Down Brickwork	0.49 per hour
21	5(xiii)	Refractory Brickwork	1.60 per hour
22	5(xiv)(i)	Towers Allowance - Above 15 metres Each further 15 metres	0.53 per hour 0.53 per hour
23	5(xv)	Coal Wash	0.53 per hour
24	5(xvii)	Dust Allowance	11.75 per week
25	17	Meal Allowance Each subsequent meal	12.00 per meal 10.00 per meal
26	25(ii)(1)	Return Home Allowance Each additional 10km beyond 100km	47.75 per occasion 2.05 per 10km
27	25(ii)(4)	Camping Allowance	22.30 per day
28	26(i)(a)	Excess Fares	15.40 per day
29	26(i)(a)	Excess Fares - transport provided	5.90 per day
30	26(i)(b)	Travel Pattern Loading	11.85 per week
31	27(iv)(a)	Country Allowance - Unbroken week	414.90 per week
32	27(iv)(c)	Return Home Allowance Each additional 10km beyond 100km	47.75 per occasion 2.05 per 10km
33	27(vi)	Meal whilst travelling	12.00 per meal
34	27(vi)	Bed Allowance whilst travelling	59.00 per occasion
35	28(iii)	First Aid Allowance	2.38 per day
36	5(xvii)	Tow Truck Attendant	0.71 per hour

Note: The allowances are contemporary for expense related allowances as at 30 June 2008 other than Items 27, 28 and 29 which are adjusted in accordance with the NBCIA and for work related allowances are inclusive of adjustments in accordance with the June 2006 and June 2007 State Wage Case Decisions of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period commencing on or after 1 October 2008.

D.W. RITCHIE, Commissioner

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GLASS MAKERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1838 of 2008)

Before Commissioner McKenna

17 October 2008

VARIATION

1. Delete clause 4, Arbitrated Safety Net Adjustment, of the award published 22 June 2001 (325 I.G. 719), and insert in lieu thereof the following:

4. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:

- (A) any equivalent overaward payments; and/or
- (B) award wage increases since 29 May 1991, other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Wages**

	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Plant Assistant	549.60	22.00	571.60
Process Assistant	555.70	22.20	577.90
Melt Operator			
(a) as defined	561.60	22.50	584.10
(b) as defined	575.30	23.00	598.30
Glass Maker	587.50	23.50	611.00
Machine Attendant			
(a) as defined	555.70	22.20	577.90
(b) as defined	575.30	23.00	598.30
Ware Maker	624.70	25.00	649.70
Ware Handler	561.60	22.50	584.10
Mobile Handler			
(a) as defined	561.60	22.50	584.10
(b) as defined	574.60	23.00	597.60
Goods Handler	584.30	23.40	607.70
Store Attendant	561.60	22.50	584.10
Verifier	573.10	22.90	596.00
Artisan	573.10	22.90	596.00

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	3(iii)(a)	Leading Hands	34.65	36.05
	3(iii)(b)	Section Leader	16.20	16.85
	3(iii)(c)	Charge Hand	29.55	30.75
2	3(iv)	Casuals Employees	20%	20%
3	3(v)	Additional Rates - 6months	13.15	13.70
		- 12 months	14.35	14.90
		- 18 months	14.85	15.45
4	3(vi)	Metrology	13.95	14.50
5	3(vii)	Settler Down	16.30	16.95
6	5(A)	Soda Ash (p/hr)	1.37	1.42
7	5(B)	Boiler firing (p/hr)	0.76	0.79
8	5(C)	Raw Materials (p/hr)	0.51	0.53
9	5(D)	Skimming and floater set (p/hr)	1.97	2.05
10	5(E)	Furnace Repair (p/hr)	10.70	11.10
11	5(I)	Jack Bolt Tensioner (p/hr)	5.80	6.05
12	5(G)	Loading/ Unloading (p/hr)	5.80	6.05
13	15j	Meal Allowance	11.35	12.00
14	23	Motor Vehicle Allowance p/km	0.56	0.60
15	24	First-aid p/shift	2.75	2.86

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 27 October 2008.

D. S. McKENNA, Commissioner

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GLASS WORKERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Table 2 - Other Rates and Allowances of Part B Monetary Rates of the award published 20 April 2001 (324 I.G. 84) and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances of Part B Monetary Rates

Work Related Allowances

1. Call Out and Availability Allowance (clause 10)

- | | |
|-------|---------|
| (i) | \$22.80 |
| (ii) | \$77.30 |
| (iii) | \$86.70 |
| (iv) | \$96.40 |

2. Leading Hand (clause 51)

- | | | |
|-------|--------------------------|--------|
| (i) | 2 and up to 5 employees | \$5.74 |
| (ii) | 5 and up to 10 employees | \$7.23 |
| (iii) | more than 10 employees | \$9.67 |

3. Construction Work (clause 15)

- | | | |
|------|----------|---------|
| (i) | per day | \$4.90 |
| (ii) | per week | \$24.30 |

4. Special Loading \$91.30 (clause 51)

Expense Related Allowances

5. Meal Allowance (clause 29)

- | | |
|------|---------|
| (i) | \$12.60 |
| (ii) | \$12.60 |

6. Country Work (clause 17)

- | | |
|-------|---------|
| (i) | \$15.70 |
| (ii) | \$70.00 |
| (iii) | \$19.50 |

7. Compensation for Clothes & Tools (clause 14)

\$1495.00

8. Tool Allowance (clause 49)

- (i) \$6.20 per week
- (ii) \$6.20 per week

9. Car Allowance per km (clause 11)

\$0.89

10. First Aid Allowance (clause 20)

\$2.52 per day

General Conditions (clause 21)

11. Work at Height (clause 21(1))

- (i) \$3.21
- (ii) \$3.21
- (iii) \$5.75
- (iv) \$10.86
- (v) \$3.69
- (vi) \$3.21
- (vii) \$2.81
- (viii) \$5.75
- (ix) \$10.86

12. Multi-Storey Allowance (clause 21(2))

- (i) \$0.42
- (ii) \$0.50
- (iii) \$0.78
- (iv) \$1.02
- (v) \$1.25

13. General (clause 21(3))

- (i) \$0.52
- (ii) \$0.63
- (iii) \$0.52 between 46°C & 54°C/\$0.59 exceeding 54°C
- (iv) \$0.52
- (v) \$0.63
- (vi) \$0.52

14. Collecting Monies (clause 21(3))

- (i) \$8.40

2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

(357)

SERIAL C6860

GOVERNMENT RAILWAYS (BUILDING TRADES CONSTRUCTION STAFF) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C6444 published 2 May 2008

(365 I.G. 868)

(No. IRC 1646 of 2007)

CORRECTION

1. Delete the amount of "\$10.90" appearing in subclause (iii) of clause 5, Overtime and insert in lieu thereof the following:

\$11.30

2. Delete subclause (i) of clause 6, Rates of Wages, Tools and Special Allowances and insert in lieu thereof the following:

- (i) Employees of the classifications specified hereunder shall be paid at the following rates of wages per week:

Classification	Base* rate per wk	Tool Allowance per wk	Special Allowance per wk	Additional loading per wk	Trades- persons' Allowance per wk	SWC 2000-2007	Total per wk
	\$	\$	\$	\$	\$	\$	\$
Bricklayer	366.00	17.50	12.88	59.87	16.25	139.00	611.50
Bridge Carpenter	366.00	24.70	12.88	59.87	16.25	139.00	618.70
Carpenter and joiner	366.00	24.70	12.88	59.87	16.25	139.00	618.70
Painter	366.00	5.90	12.88	59.87	16.25	139.00	599.90
Signwriter	375.80	5.90	12.88	59.87	16.25	139.00	609.70
Plaster and Fibrous Plaster Fixer	366.00	20.40	12.88	59.87	16.25	139.00	614.40
Plumber and Gasfitter	369.10	24.70	12.88	59.87	16.25	121.00	623.80

* Please note the base rate includes the now deleted basic wage component of \$121.40

Provided that the amount shown as additional loading comprehends consideration for over award payments.

3. Delete the amount of "\$381.10" appearing in subclause (v) of clause 12, Distant Work and insert in lieu thereof the following:

\$390.20

4. Delete the amount of "\$10.90" appearing in subclause (viii) of clause 12, Distant Work and insert in lieu thereof the following:

\$11.30

G. M. GRIMSON *Industrial Registrar.*

Printed by the authority of the Industrial Registrar.

(357)

SERIAL C6944

GOVERNMENT RAILWAYS (BUILDING TRADES CONSTRUCTION STAFF) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete the amount of "\$11.30" appearing in subclause (iii) of clause 5, Overtime and insert in lieu thereof the following:

\$11.90

2. Delete subclause (i) of clause 6, Rates of Wages, Tools and Special Allowances of the award published 2 May 2008 (365 I.G. 868), and insert in lieu thereof the following:

- (i) Employees of the classifications specified hereunder shall be paid at the following rates of wages per week:

Classification	Base* rate per wk \$	Tool Allowance per wk \$	Special Allowance per wk \$	Additional loading per wk \$	Trades- persons' Allowance per wk \$	SWC 2000-2008 \$	Total per wk \$
Bricklayer	366.00	18.30	12.88	59.87	16.25	163.44	636.74
Bridge Carpenter	366.00	25.80	12.88	59.87	16.25	163.72	644.52
Carpenter and joiner	366.00	225.80	12.88	59.87	16.25	163.72	644.52
Painter	366.00	6.20	12.88	59.87	16.25	162.99	624.19
Signwriter	375.80	6.20	12.88	59.87	16.25	162.98	633.98
Plaster and Fibrous Plaster Fixer	366.00	21.30	12.88	59.87	16.25	163.56	639.86
Plumber and Gasfitter	369.10	25.80	12.88	59.87	16.25	171.85	655.75

* Please note the base rate includes the now deleted basic wage component of \$121.40

Provided that the amount shown as additional loading comprehends consideration for over award payments.

3. Delete the amount of "\$390.20" appearing in subclause (v) of clause 12, Distant Work and insert in lieu thereof the following:

\$398.40

4. Delete the amount of "\$11.30" appearing in subclause (viii) of clause 12, Distant Work and insert in lieu thereof the following:

\$11.90
5. This variation shall take effect from the beginning of the first pay period to commence on or after 8 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

GOVERNMENT RAILWAYS (BUILDING TRADES MAINTENANCE STAFF) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C6445 published 2 May 2008

(365 I.G. 890)

(No. IRC 1647 of 2007)

CORRECTION

1. For the amount of "\$10.50" appearing in subclause (vi) of clause 4, Overtime, substitute the following:
\$11.30
2. Delete subclause (i) of clause 5, Rates of Wages, Tool and Special Allowances and substitute the following:
 - (i) Employees of the classifications specified hereunder shall be paid at the following rates of Wages per week:

Classification	Base* rate per wk \$	Tool Allowance per wk \$	Special Allowance per wk \$	Additional loading per wk \$	Trades- persons' Allowance per wk \$	SWC 2000-2007 \$	Total per wk \$
Bricklayer	366.00	17.50	12.88	59.87	16.25	139.00	611.50
Bridge Carpenter	366.00	24.70	12.88	59.87	16.25	139.00	618.70
Carpenter and joiner	366.00	24.70	12.88	59.87	16.25	139.00	618.70
Painter	366.00	5.90	12.88	59.87	16.25	139.00	599.90
Signwriter	375.80	5.90	12.88	59.87	16.25	139.00	609.70
Plaster and Fibrous Plaster Fixer	366.00	20.40	12.88	59.87	16.25	139.00	614.40
Plumber and Gasfitter	369.10	24.70	12.88	59.87	16.25	121.00	623.80

* Please note the base rate includes the now deleted basic wage component of \$121.40

Provided that the amount shown as additional loading comprehends consideration for over award payments.

G. M. GRIMSON *Industrial Registrar.*

Printed by the authority of the Industrial Registrar.

(358)

SERIAL C6943

GOVERNMENT RAILWAYS (BUILDING TRADES MAINTENANCE STAFF) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete the amount of "\$11.30" from subclause (vi) of clause 4, Overtime of the award published 2 May 2008 (365 I.G. 890) and insert in lieu thereof the following:

\$11.90

2. Delete subclause (i) of clause 5, Rates of Wages, Tool and Special Allowances and insert in lieu thereof the following:

- (i) Employees of the classifications specified hereunder shall be paid at the following rates of Wages per week:

Classification	Base* rate per wk \$	Tool Allowance per wk \$	Special Allowance per wk \$	Additional loading per wk \$	Trades- persons' Allowance per wk \$	SWC 2000-2008 \$	Total per wk \$
Bricklayer	366.00	18.30	12.88	59.87	16.25	163.44	636.74
Bridge Carpenter	366.00	25.80	12.88	59.87	16.25	163.72	644.52
Carpenter and joiner	366.00	25.80	12.88	59.87	16.25	163.72	644.52
Painter	366.00	6.20	12.88	59.87	16.25	162.99	624.19
Signwriter	375.80	6.20	12.88	59.87	16.25	162.98	633.98
Plaster and Fibrous Plaster Fixer	366.00	21.30	12.88	59.87	16.25	163.56	639.86
Plumber and Gasfitter	369.10	25.80	12.88	59.87	16.25	171.85	655.75

* Please note the base rate includes the now deleted basic wage component of \$121.40

Provided that the amount shown as additional loading comprehends consideration for over-award payments.

3. This variation shall take effect from the beginning of the first pay period to commence on or after 8 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

GROCERY PRODUCTS MANUFACTURING (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1802 of 2008)

Before Commissioner Macdonald

7 October 2008

VARIATION

1. Delete clause 9, State Wage Case Adjustments, of the award published 2 May 2008 (365 I.G. 910), and insert in lieu thereof the following:

9. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1, Wages, (Divisions 1 to 7) of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages**Division 1 - Condiments**

Classifications	Former award rate per week 14/10/2007 \$	Minimum award rate per week 14/10/2008 \$
Rice, Oatmeal, Barley, Split Peas or Mustard Miller	563.90	586.50
Operator Rice Par Boiler	563.90	586.50
Assistant Operator Rice Par Boiler	553.00	575.10
Assistant Miller	553.00	575.10
Rice Fumigator	553.00	575.10
Assistant Rice Fumigator (Certified)	541.30	563.00
Coffee, Chicory, Malt or Peanut Roaster	553.00	575.10
Coffee Roaster after 18 months' continuous service or cumulative service	556.80	579.10
Person in Charge of Vacuum Pan making coffee essence	553.00	575.10
Condiment Miller	546.50	568.40
Icing Sugar Miller	546.50	568.40
Person in Charge of Bulk Stores	546.50	568.40
Drying Person and Stove Person	545.00	566.80
Presser and Bran Tub Man	542.30	564.00
Kilnman	541.30	563.00
Packerman	537.00	558.50
Rice Tipper - Tallying Off	536.40	557.90
Stacker - Over 7 High	541.30	563.00

Loader	535.60	557.00
Loader - Murrumbidgee Irrigation Area	541.30	563.00
Pulveriser Operator - Rollerman	545.00	566.80
Mustard Blender	553.00	575.10
Mustard Siever	542.30	564.00
Mustard Seed Cleaner	542.30	564.00
Mustard Dryer	542.30	564.00
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 2 - Cereal Foods

Section A - Macaroni, Vermicelli or Spaghetti

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Macaroni, Vermicelli or Spaghetti Plant - Man in Charge	564.00	586.60
Machine Operator	540.20	561.80
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Section B -Other Cereal Foods

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Miller and/or Roller Person	550.00	572.00
Ovensperson, Stoveperson, Cooker, Dressing Room and Drying Room Person	550.00	572.00
Pressperson and/or Moulder	542.30	564.00
Packer	537.00	558.50
Wheat Cleaner	536.40	557.90
Corn Mill Operator	563.90	586.50
Silo Operator	552.20	574.30
Flavourperson	550.00	572.00
Person Working at Silos	536.40	557.90
Puffing Tower Operator	562.10	584.60
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 3 - Jellies, Puddings, Custards, Self-raising Flour and Cake Mixes

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Person actually engaged in mixing from a formula the ingredients for custard powder, jelly blending, baking powder, puddings, self-raising and cake mixes and who in addition may be in charge of employees doing such work	553.00	575.10
Machine Operator Maintenance	553.00	575.10
Flour Tipper	537.00	558.50
Adequate Weigher	537.00	558.50

Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 4 - Noodles and Soup Powders

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Cooker	536.60	558.10
Drum Dryer Operator	536.60	558.10
Person actually engaged in mixing from a formula ingredients for noodles and soup powders	553.00	575.10
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 5 - Boot, Floor and Stove Polishes

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Person in Charge of one or More Persons	551.50	573.60
Paste Maker	538.50	560.00
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 6 - Drugs

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Miller	564.40	587.00
Assistant Miller	549.20	571.20
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

Division 7 - Miscellaneous

Classifications	Former Award Rate Per Week 14 October 2007 \$	Minimum Award Rate Per Week 14 October 2008 \$
Combined Miller	558.90	581.30
Stone Dresser	558.90	581.30
Fork Lift Driver	547.10	569.00
All Other Employees	531.40	552.70

3. Delete Table 2, Other Rates and Allowances of the said Part B, and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Subject Matter	Amount \$
1	6(i)	Shift Work - Day, Afternoon, Night	58.03 per week
2	6(ii)	Shift Work - Day, Night	58.03 per week
3	6(iii)	Shift Work - Afternoon, Night	85.72 per week
4	6(iv)	Shift Work - Afternoon	85.72 per week
5	6(v)	Shift Work - Night	128.60 per week
6	6(vi)	Shift Work - Change of Shift	29.85 per week
7	7(iii)	Leading Hands	4.57 per day
8	7(iv)(a)	Mill Hand - making mustard	2.62 per shift
9	7(iv)(b)	Grinding Chillies	83 cents per hour
10	7(iv)(c)	Packing/Unpacking	1.24 per day
11	10(iv)	Meal Allowance - more than two hours overtime	7.58 (1st meal)
12	10(iv)	Meal Allowance - six hours or more	6.37 (2nd meal)
13	31	Dusty Conditions	2.77 per shift
14	4(e)(i)	Payment for Meal Break on Day Shift Where Mill Runs Two Shifts	2.25 per shift

4. This variation shall take effect from the first full pay period commencing on or after 14 October 2008.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

HIGHER SCHOOL CERTIFICATE AND SCHOOL CERTIFICATE MARKING AND RELATED CASUAL EMPLOYEES RATES OF PAY AND CONDITIONS AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act 1996*.

(No. IRC 1622 of 2008)

Before Commissioner McLeay

13 November 2008

REVIEWED AWARD

This award is arranged as follows.

Section 1 - The Award

Clause No.	Subject Matter
1.	Award Title
2.	Intention
3.	Definitions

Section 2 - Conditions of Marking and Related Matters

4.	HSC Marking Procedures
5.	Marking of Written Papers
6.	Privacy

Section 3 - Conditions of Employment

7.	Duties of Marking, Advice Line and Inquiry Centre Staff
8.	Hours of Work
9.	Provision of Facilities
10.	Recruitment and Appointment of Marking Staff
11.	Termination of Services
12.	Qualifications
13.	Reporting of Performance
14.	Family Leave Provisions

Section 4 - Rates of Pay and Allowances

15.	Rates of Pay and Allowances
16.	Deduction of Unions' Membership Fees
17.	Superannuation
18.	Salary Sacrifice to Superannuation

Section 5 - Award Compliance and Related Matters

19.	Nomination of Unions' Representatives
20.	Dispute Resolution Procedures
21.	No Further Claims
22.	Anti-Discrimination
23.	Occupational Health and Safety

24. Area Incidence and Duration

Schedule 1

Table 1 - Weekday, Weekday Supplementary,
Weeknight/Saturday and Sunday Rates

Table 2 - Domestic Marking Rates

Table 3 - Languages Other Than English (LOTE) Examiners
Hourly Rates

Table 4 - Other Rates and Allowances

SECTION 1 - THE AWARD**1. Title**

This award shall be known as the Crown Employees (Higher School Certificate and School Certificate Marking and Related Casual Employees) Rates of Pay and Conditions Award.

2. Intention

The award accommodates reforms attaching to the implementation of standards referenced assessment for the New HSC from 2000 and the School Certificate from 1998 arising from the Government's White Paper "Securing Their Future".

3. Definitions

- 3.1 "the Act" means the *Public Sector Employment and Management Act 2002*.
- 3.2 "Assistant Officer in Charge HSC Inquiry Centre" means a person employed as such to assist the Director, Examinations and Certification, or delegate, in the supervision of the HSC Inquiry Centre.
- 3.3 "Assistant Supervisor of Marking" means a person employed as such to assist the Supervisor of Marking.
- 3.4 "Board" means the Board of Studies, a statutory body corporate established by Section 99 of the *Education Act 1990*.
- 3.5 "Corporate marking" means the marking, pilot marking, briefing, standards setting and other activities associated with HSC examination and SC test responses, whether written or other, carried out at centres designated by the General Manager during the day and night.
- 3.6 "Director, Examinations" means the person holding or acting in the Senior Executive position appointed as such pursuant to Section 17 of the *Public Sector Employment and Management Act 2002*.
- 3.7 "Discrepant" means a difference in the marks allocated to a student's examination response which has been double marked which exceeds the parameters set out in clause 4.2 of this award. For questions where a single mark is awarded by each examiner, two marks are discrepant if their difference is equal to or greater than a fixed proportion of the maximum mark value of the question.
- 3.8 "Domestic Marker" means a person employed as such to undertake a program of marking of the HSC/SC and paid by the number of scripts marked, with additional payment on an hourly basis for briefing and pilot marking.
- 3.9 "Domestic Marking" means the marking, pilot marking, briefing, standards setting and other activities associated with HSC examination and SC test responses, whether written or other, where the responses are collected by or delivered to the markers to mark in their own time, and at individual locations.
- 3.10 "Double Marking" means a process where two markers make independent judgements concerning the relative merit of a student's examination response and each allocates a mark in accordance with the

- approved marking scheme and with each marker being unaware of the mark allocated by the other marker.
- 3.11 "Employees" means Markers, Domestic Markers, Senior Markers, Assistant Supervisors of Marking, Supervisors of Marking, HSC Advice Line Subject Coordinators, HSC Advice Line Advisers, Assistant Officer-in-Charge Inquiry Centre, Inquiry Officers, LOTE Examiners, LOTE Casuals and HSC Advice Line Operational Managers.
- 3.12 "General Manager" means the person holding or acting in the position of Department Head of the Office of the Board of Studies.
- 3.13 "HSC" means the Higher School Certificate examination.
- 3.14 "HSC Advice Line Adviser" means a person employed as such to provide advice to students at the HSC Advice Line.
- 3.15 "HSC Advice Line" means the telephone advisory service operating in the weeks immediately prior to and during the HSC examination period to offer HSC students advice and information from highly qualified teachers casually employed by the Board of Studies for that purpose.
- 3.16 "HSC Advice Line Staff" means persons employed in the classifications of HSC Advice Line Adviser, HSC Advice Line Subject Coordinator and HSC Advice Line Operations Manager.
- 3.17 "HSC Advice Line Subject Coordinator" means a person employed as such to coordinate the work of HSC Advice Line Advisers in specific HSC subjects, courses or parts of courses at the HSC Advice Line.
- 3.18 "HSC Advice Line Operational Manager" means a person employed as such to manage the HSC Advice Line.
- 3.19 "HSC Inquiry Centre" means the HSC telephone inquiry service which operates following the release of HSC results and is staffed by Inquiry Officers and the Assistant Officer-in-Charge HSC Inquiry Centre.
- 3.20 "HSC Inquiry Centre Staff" means persons employed in the classifications of Inquiry Officer and the Assistant Officer in Charge HSC Inquiry Centre.
- 3.21 "Inquiry Officer" means a person employed as such to answer inquiries from students at the HSC Inquiry Centre.
- 3.22 "Itinerant marking" means the marking, pilot marking, briefing, standards setting and other activities associated with HSC examination and SC test responses, whether written or other, which occurs at various successive locations and where the markers travel between these decentralised locations at which the responses are produced or held.
- 3.23 "Languages other than English (LOTE) Examiner" means a person employed as such released from their normal teaching duties while on full pay during the normal working day, to conduct speaking and listening skills examinations in languages other than English at schools, colleges or special examination centres designated by the General Manager for students other than those being taught as part of the Examiner's normal teaching duties. LOTE Examiners do not assign marks.
- 3.24 "Languages other than English (LOTE) Casual" means a person employed as such (who is not normally employed in a teaching position for which paid relief is provided) to conduct speaking and listening skills examinations in languages other than English at schools, colleges or special examination centres designated by the General Manager. LOTE Casuals do not assign marks.
- 3.25 "Marker" means a person employed as such for the purpose of Corporate marking or Itinerant marking.
- 3.26 "Marking Staff" means all persons employed in the classifications of Markers, Senior Markers, Assistant Supervisors of Marking and Supervisors of Marking.

- 3.27 "Paid Relief" means the reimbursement made to a school, college or school system to cover the employment of a replacement teacher to replace the teacher involved in marking or the Languages other than English (LOTE) Examiner conducting languages other than English examinations (as per definition), with the intention that the reimbursement made is to enable a replacement teacher to perform the normal duties of the teacher involved in marking or the teacher conducting languages other than English examinations.
- 3.28 "Parties" means the General Manager and the unions.
- 3.29 "SC" means the School Certificate tests.
- 3.30 "Senior Marker" means a person employed as such to undertake marking as required and to supervise a team of markers under the direction of the Supervisor of Marking and the Assistant Supervisor of Marking.
- 3.31 "Supervisor of Marking" means a person employed as such to manage the marking operation in particular subjects, courses or parts of courses as determined by the General Manager.
- 3.32 "Unions" means the New South Wales Teachers Federation, the National Tertiary Education Industry Union of New South Wales and the New South Wales Independent Education Union.

SECTION 2 - CONDITIONS OF MARKING AND RELATED MATTERS

4. HSC Marking Procedures

- 4.1 Double Marking shall be used for questions which require an extended response such as essays, creative writing and responses to literature and will be used in all subjects where double marking was applied in the 1998 HSC.
- 4.2 The identification of discrepant marks will be made in accordance with the following parameters:
- (a) For questions where a single mark is awarded by each examiner - where the difference between the two examiners' marks is equal to or greater than one-third of the range of marks allocated to the question.
 - (b) Where the mark awarded for the question comprises marks awarded to a number of part questions - where the difference between the total mark awarded for the question by each examiner is equal to or greater than one-quarter of the range of marks.
- 4.3 Where marks for a student's examination response are found to be discrepant pursuant to clause 4.2, the student's examination response will undergo a third independent marking.
- 4.4 The parties to the award agree to consult in relation to the application of double marking and discrepant marking prior to each marking period.

5. Marking of Written Papers

- 5.1 The majority of marking of written papers is undertaken by marking staff travelling to a centre to mark between 4.00 p.m. and 9.00 p.m. Monday to Friday and 9.00 a.m. and 5.00 p.m. on Saturdays.
- 5.2 A proportion of marking of written papers may occur between 9 am and 5.30 pm Monday to Friday in the case only of:
- (a) briefing, pilot marking, standards setting and other related duties performed during the day prior to the commencement of evening marking at a centre or at the conclusion of the marking program for a course; and
 - (b) corporate marking performed in accordance with sub-clauses 5.3 to 5.5, referred to as day marking.

- 5.3 The particular subjects, courses or parts of courses to be marked by corporate marking between 9 am and 5.30 pm Monday to Friday:
- (a) in the Sydney metropolitan area will be rotated from year to year and will not include subjects, courses or parts of courses in which there is itinerant marking;
 - (b) in areas outside the Sydney metropolitan area may be rotated from year to year and will not include subjects, courses or parts of courses in which there is itinerant marking.
- 5.4 No more than 12 per cent of the total hours of written marking shall be marked by corporate marking between 9 am and 5.30 pm Monday to Friday.
- 5.5 At the beginning of each year the parties agree to consult over the operation of corporate marking between 9 am and 5.30 pm Monday to Friday in the preceding marking period. Such consultation shall include, without being limited to, discussion of the following issues - the mix of metropolitan and non-metropolitan corporate marking between 9 am and 5.30 pm Monday to Friday and the subjects in which corporate marking between 9 am and 5.30 pm Monday to Friday is utilised.

6. Privacy

The parties note the regulations to the *Education Act* 1990. In respect of the HSC Advice Line and HSC Inquiry Centre, information regarding individual students, individual Advice Line staff, individual Inquiry Centre staff and individual schools will not be publicly disclosed.

SECTION 3 - CONDITIONS OF EMPLOYMENT

7. Duties of Marking, Advice Line and Inquiry Centre Staff

7.1 Marking Staff

Without limiting the generality of clause 7.4, the duties of marking staff involve attendance at designated venues according to a program determined by the General Manager comprising pilot marking, marking, briefing, standards setting and other activities associated with examination scripts, projects and performances for School Certificate and Higher School Certificate assessment purposes. These activities can take place in a range of school, marking centre and domestic settings.

7.2 HSC Advice Line Staff

Without limiting the generality of clause 7.4, the duties of HSC Advice Line staff engaged for the HSC Advice Line service are to provide guidance and reassurance to individual candidates up to the commencement of nominated subject examinations about aspects of their studies. The Advice Line is a telephone service set up and supported by the Office and staffed by suitably qualified teaching service personnel.

7.3 Inquiry Centre Staff

Without limiting the generality of clause 7.4, the duties of Inquiry Centre staff are to respond to student and teacher questions regarding aspects of their Higher School Certificate results and assessment marks.

7.4 Duties as Directed

- (a) The General Manager, or his/her delegate, nominee or representative, may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training, consistent with the classifications covered by this award and provided that such duties are not designed to promote deskilling.
- (b) Any directions issued by the General Manager pursuant to paragraph (a) of this clause shall be consistent with the General Manager's responsibility to provide a safe and healthy working environment.

8. Hours of Work

- 8.1 The ordinary hours of work for Employees shall be:
- (a) Monday to Friday Corporate Marking SC and HSC:
 - (i) 9 am to 5.30 pm; or
 - (ii) 4 pm to 9 pm.
 - (b) Monday to Friday HSC Advice Line - 4 pm to 10 pm in two shifts of 4 pm to 7 pm and 7 pm to 10 pm.
 - (c) Saturday Corporate Marking SC and HSC and the conducting of languages other than English speaking and listening skills examinations on Saturdays 9 am to 5 pm.
 - (d) Saturday HSC Advice Line - 10 am to 6 pm in two shifts of 10 am to 2 pm and 2 pm to 6 pm.
 - (e) Sunday HSC Advice Line - 10 am to 10 pm in three shifts of 10 am to 2 pm, 2 pm to 6 pm, and 6 pm to 10 pm. In exceptional circumstances, by agreement between the parties, work may be performed in two shifts of 10 am to 4 pm and 4 pm to 10 pm, with a paid meal break of 40 minutes at a time that is convenient to both the HSC Advice Line staff person and the General Manager.
 - (f) Monday to Friday HSC Inquiry Centre - no more than eight hours employment in the period 8.30 am to 6 pm.
 - (g) Itinerant Marking - 9 am to 3.30 pm Monday to Friday, 9 am to 5 pm Saturday.
- 8.2 Provided that, with the exception of the HSC Advice Line staff, all other Employees will be entitled to a one-hour meal break between the hours, as applicable, of :
- (a) 12.30 pm to 2 pm, Monday to Friday;
 - (b) 6 pm to 7.30 pm, Monday to Friday;
 - (c) 12.30 pm to 2 pm, Saturday.
- 8.3 With the exception of HSC Advice Line staff, employees will be entitled to a morning and afternoon tea break of ten minutes each on each work day which will count as time worked or, in the case of HSC Advice Line staff, reasonable breaks each hour will be provided.
- 8.4 Hours of work for Languages other than English (LOTE) Examiners shall be pursuant to the minimum shift engagement of three hours between 9 am to 3.30 pm on weekdays.
- 8.5 With the exception of HSC Advice Line staff and HSC Inquiry Centre staff, and at the request of the markers of a particular subject, Supervisors of Marking may ask the Director, Examinations to vary the hours of work for that subject as follows :
- (a) Commencing work at 8.30 am and finishing at 4.30 pm on Saturdays.
 - (b) Commencing work at 4 pm and finishing at 9.15 pm and 8.45 pm respectively on Monday to Friday.
- 8.6 Subject to the progress of marking in particular subjects, courses or parts of courses, Supervisors of Marking may request the Director, Examinations to allow an unpaid lay night where no marking is undertaken in a particular subject, courses or parts of courses on that night.

- 8.7 Itinerant examiners shall have up to one hour of unpaid travelling time, with one hour for lunch for the remuneration as applicable according to whether they are released from full-time teaching or not as set out in clauses 15.2.2 and 15.2.3 respectively. All other marking shall be remunerated at the applicable rates as set out in clauses 15.2.1 and 15.2.4. Additional travelling time shall be paid at the weekday rate as set out in clause 15.2.3.
- 8.8 Employees engaged in Corporate Marking may, subject to the agreement of the majority of employees affected, reach agreement with the relevant Supervisor of Marking to work beyond the scheduled finishing times described in clause 8.1. In the event this involves Employees working beyond their regular shift of 9 am to 5.30 pm weekdays and 9 am to 5 pm Saturday until 6.30 pm then a further meal allowance is payable notwithstanding the provisions of clause 15.5.

9. Provision of Facilities

9.1 Parking

Free secure car parking spaces and free transport to rail will be provided for HSC Advice Line staff who work past 6.30 p.m.

9.2 Tea/Coffee

9.2.1 Adequate tea, coffee, milk, sugar and refrigerator facilities will be provided at each marking centre.

9.2.2 Access of employees to tea and coffee facilities will, at all times, be subject to the directions of the Supervisors of Marking to ensure minimal interruption to the marking process.

9.2.3 Employees will supply their own cups for tea and coffee during the employment.

9.3 Occupational Health and Safety

9.3.1 Marking centres will be clean and tidy prior to the commencement of marking each day in accordance with occupational health and safety legislation standards.

9.3.2 Personal headsets will be provided for HSC Advice Line and HSC Inquiry Centre staff.

9.4 Proof of Identity

Employees will supply their own photograph, of a standard passport size, for attachment to an identification card. Employees will carry identification cards at all times during the marking, the HSC Advice Line and the HSC Inquiry Centre processes. Employees will replace photographs in the event of the loss of a card.

9.5 Other Facilities

Marking centres will be provided with adequate toilets, first-aid facilities and eating areas.

10. Recruitment and Appointment of Marking Staff

10.1 Supervisors of Marking

Supervisor of Marking applications will be considered by a Selection Committee chaired by the Director, Examinations. The following factors will be used in selecting the most eligible applicant.

10.1.1 Previous marking experience as a Senior Marker, Coordinating Senior Marker or Assistant Supervisor of Marking.

10.1.2 Substantial and recent teaching experience at a senior level.

- 10.1.3 Demonstrated high level organisational, management and leadership skills. eg. position on staff.
- 10.1.4 Demonstrated ability to manage a complex operation such as a marking centre.
- 10.1.5 Qualifications in the subject - university degree or recognised equivalent.
- 10.1.6 Membership of professional bodies associated with the subject, eg. curriculum committees, professional associations, etc.

10.2 Advice Line Subject Coordinators

Subject Coordinators will be considered by a Selection Committee chaired by the Director, Examinations. The following factors will be used in selecting the most eligible applicant.

- 10.2.1 Previous experience as an Adviser or Assistant Subject Coordinator.
- 10.2.2 Previous marking experience as a Senior Marker, Coordinating Senior Marker, Assistant Supervisor of Marking or Supervisor of Marking.
- 10.2.3 Substantial and recent teaching experience at a senior level.
- 10.2.4 Demonstrated high level organisational, management and leadership skills. eg. position on staff.
- 10.2.5 Qualifications in the subject - university degree or recognised equivalent.
- 10.2.6 Membership of professional bodies associated with the subject, eg. curriculum committees, professional associations, etc.

10.3. Criteria for Marker and Adviser Selection

10.3.1 The Office of the Board of Studies will ensure that subject specific criteria used by the Supervisor of Marking (SOM)/Advice Line Subject Co-ordinator (SC) when making his/her selection/non-selection conforms with the general selection criteria and has been applied consistently across the subject/course.

The following general criteria will be used in selecting markers and advisers.

- 10.3.1.1 Total number of years teaching the subject/course - As a general guide, three years' experience teaching the subject/course at a senior level will be regarded as a minimum requirement for appointment as a marker/adviser.
- 10.3.1.2 Recent teaching of the subject/course - As a general guide, an applicant who has not taught the course/subject in the last 3 years is regarded as not having recent teaching experience.
- 10.3.1.3 Retired applicants - The requirement for adequate recency of teaching will mean that, in most cases, retired applicants will not be eligible for appointment.
- 10.3.1.4 Qualifications - Normally a degree with a major in the subject or a program of study deemed to be equivalent is required for appointment as a marker/adviser.
- 10.3.1.5 Current position within the school - School Principals are not eligible for appointment as a marker/adviser. Preference is given to teachers directly involved in the organisation and teaching of the subject.
- 10.3.1.6 Part-time and casual teachers - In most cases, applicants who are casual teachers will not have sufficient teaching experience. However, there may be instances where the applicant is a casual teacher but has had experience teaching blocks of

senior classes which may amount to the minimum required years teaching experience for appointment.

- 10.3.1.7 Turnover of markers/advisers - A minimum of 10 per cent of markers/advisers appointed each year will not have marked/advised previously. This is a policy aimed at increasing the pool of teachers with marking/advising experience in each subject.

In subjects where the number of applicants exceeds the number of available positions, a limit on the number of years for appointment to marking/advising may be applied.

- 10.3.1.8 Topic expertise - Where necessary, an applicant may be appointed on the basis of the expertise they have in a particular area of the subject/course.
- 10.3.1.9 Previous satisfactory marking/advising - Although previous marking/advising experience should be considered in determining an applicant's qualifications for appointment, the Office of the Board of Studies will not automatically reappoint a marker/adviser from the previous year. Markers deemed to have an unsatisfactory performance level may not be appointed in subsequent years.
- 10.3.1.10 Other relevant experience in promoting the subject - An applicant who has not had any recent experience teaching the course or the subject may be appointed if the Office of the Board of Studies deems their experience relevant to the marking program.
- 10.3.1.11 Distance - Appointment of markers/advisers will be restricted to teachers who can ensure that they will be able to commence marking as scheduled each day. Any applicant who is outside reasonable distance from the marking centre must show ability to get there on time.

Applicants who live a long distance from the Advice Line/marketing centres but have indicated that they intend to take leave if appointed will be considered eligible in terms of this criterion.

- 10.3.1.12 Signature of the Principal - The Principal (or Dean of Studies at TAFE or relevant supervisor) is required to sign a declaration concerning the applicant's employment status and availability. If the applicant is working at a school/college, but no Principal's signature is present, the applicant is not eligible for appointment. The Principal/Dean of TAFE/relevant supervisor must indicate if they are recommending or not recommending the application.
- 10.3.1.13 Completed application forms - Selection of markers/advisers is based on the information provided on the application form. The Office of the Board of Studies will not contact an applicant who has not completed a section of the form which is crucial in determining that person's eligibility. Applicants are responsible for the provision of complete and accurate information necessary to make selections.
- 10.3.1.14 Date of application lodgement - If a marker's/adviser's application form is received after the closing date, the applicant will only be appointed if there is a shortage of qualified applicants.
- 10.3.1.15 Representation from various schools and from different education systems In selecting markers, consideration will be given to a balanced representation of markers/advisers from Government Schools, Catholic Schools, Independent Schools, Institutes of TAFE and universities.

10.3.2 Criteria Specific to Marker Selection -

- 10.3.2.1 Appointment to more than one marking session - In order to give as many suitably qualified applicants the opportunity to participate in marking, applicants will generally be appointed to only one course and to one session where there is both a practical and written component.
- 10.3.2.2 Examination Committee members - Members of the Examination Committee will not be given automatic appointment as markers.
- 10.3.2.3 Availability - Teachers appointed for marking will need to be available for all marking sessions, including briefing and pilot marking, and will have agreed to this and all other conditions of employment by signing the Applicant's Declaration on the reverse side of their application form. Any applicants who have not signed the Applicant's Declaration will not be appointed.

10.3.3 Criteria Specific to Adviser Selection -

- 10.3.3.1 Availability - Successful applicants may be required to attend the appropriate briefing session for their chosen subject. While availability at all Advice Line sessions is not essential, it is expected that successful applicants will be available for the majority of these sessions and will have agreed to this and all other conditions of employment by signing the Applicant's Declaration on the reverse side of their application form. Any applicants who have not signed the Applicant's Declaration will not be appointed.
- 10.3.3.2 Applicants not eligible for appointment - Members of the Examination Committee, Examination Assessors and any other person who has viewed the examination papers for the current year in the particular subject/course are not eligible for appointment.
- 10.3.3.3 Recent teaching of the subject/course - Suitably qualified applicants who have taught the course to HSC level in the current year will be given preference in selection.

10.4 Provision of Information

- (a) The unions party to the award shall have access to information concerning the application of criteria for particular applicants.
- (b) The unions shall have access to information on the distribution of applicants appointed from various schools and different education systems.
- (c) An applicant who is not appointed shall be advised of the reason for non-appointment.

11. Termination of Services

An employee is entitled to 48 hours' notice of termination of services, or the equivalent of two days' ordinary pay in the relevant employment classification, except where termination of services is on account of misconduct of any kind or any unsatisfactory standard of work or voluntary withdrawal by the employee.

12. Qualifications

The minimum qualifications and experience for employment under this award shall be determined by the General Manager.

13. Reporting of Performance

A system of appraisal of performance of Employees will be undertaken during the HSC/SC marking with the exception of HSC Advice Line and HSC Inquiry Centre staff. This will involve provision of an individual report at the conclusion of marking to Employees showing:

- (i) an overall grading of his/her performance;
- (ii) supporting information relating to accuracy and rate of marking;
- (iii) an indication of his/her attendance record throughout the marking; and
- (iv) a written comment describing his/her performance throughout the marking.

14. Family Leave Provisions

14.1 The General Manager must not fail to re-engage an Employee because:

14.1.1 The Employee or Employee's spouse is pregnant; or

14.1.2 The Employee is or has been immediately absent on parental leave

The rights of an employer in relation to engagement and re-engagement of Employees are not affected, other than in accordance with this clause.

14.2 Personal Carers entitlement for Employees

14.2.1 Employees are entitled to not be available to attend work, or to leave work if they need to care for a family member who is sick and requires care and support, or who requires care due to an unexpected emergency, or the birth of a child. This entitlement is subject to evidentiary requirements set out below in (14.3), and the notice requirements set out in (14.4).

14.2.1.1 A family member for the purposes of above is:

a spouse or family member; or

a de facto spouse being a member of the opposite sex to the Employee who lives with the Employee as her husband or as his wife on a bona fide domestic basis although not legally married to that Employee; or

a child or an adult child (including an adopted child, a step child, a foster child or an ex-nuptial child), parent (including a foster parent or legal guardian), a grandparent, grandchild or sibling of the Employee or of the spouse or de facto spouse of the Employee; or

a same sex partner who lives with the Employee as the de facto partner of that Employee on a bona fide domestic basis; or a relative of the Employee who is a member of the same household, where for the purposes of this definition:

"relative" means a person related by blood, marriage, affinity or Aboriginal kinship structures;

"affinity" means a relationship that one spouse or partner has to the relatives of the other; and

"household" means a family group living in the same domestic dwelling

14.2.2 The General Manager and the Employee shall agree on the period which the Employee will be entitled to not be available to attend work. In the absence of agreement, the Employee is entitled

to not be available to attend work for up to 48 hours (i.e. two days) per occasion. The Employee is not entitled to any payment for the period of non-attendance.

14.2.3 The General Manager must not fail to re-engage an Employee because the Employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not to engage an Employee are otherwise not affected.

14.3 The Employee, shall if required,

14.3.1 Establish either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person, or

14.3.2 Establish by production of documentation acceptable to the employer or a statutory declaration, the nature of the emergency and that such an emergency resulted in the person concerned requiring care by the Employee.

In normal circumstances, an Employee must not take carer's leave under this subclause where another person had taken leave to care for the same person.

14.4 The Employee must, as soon as reasonably practical and during the ordinary hours of the first day or shift of such absence, inform the employer of their inability to attend for duty. If it is not reasonably practicable to inform the employer during the ordinary hours of the first day or shift of such absence, the Employee will inform the employer within 24 hours of the absence (drawn from AIRC order (PR964989)).

14.5 Bereavement entitlements for Employees

14.5.1 Employees are entitled to not be available to attend work or to leave work upon the death in Australia of a family member on production of satisfactory evidence (if required by the employer).

14.5.2 The General Manager and the Employee shall agree on the period for which the Employee will be entitled to not be available to attend work. In the absence agreement, the Employee is entitled to not be available to attend work for up to 48 hours (i.e. two days) per occasion. The Employee is not entitled to any payment for the period of non-attendance.

14.5.3 The General Manager must not fail to re-engage the Employee because the Employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not engage an Employee are otherwise not affected.

14.5.4 The Employee must, as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence, inform the employer of their inability to attend for duty. If it is not reasonably practicable to inform the employer during the ordinary hours of the first day or shift of such absence, the Employee will inform the employer within 24 hours of the absence (Drawn from AIRC order (PR964989)).

SECTION 4 - RATES OF PAY AND ALLOWANCES

15. Rates of Pay and Allowances

15.1 The monetary rates covered by this award are set out in tables 1-4 of Schedule 1 of this award :

Table 1 - Weekday, Weekday Supplementary, Weeknight/Saturday and Sunday Rates

Table 2 - Domestic marking rates

Table 3 - Languages other than English (LOTE) Examiner Hourly Rates

Table 4 - Other Rates and Allowances

15.2 Rates of Pay

15.2.1 Weeknight/Saturday rates are hourly rates paid to Employees from 3.30 pm on any weekday and for all time worked on a Saturday. These rates include a loading of 11.4% on the Weekday rates to compensate for all disabilities.

15.2.2 The Weekday Supplementary rates apply to Employees from 9 am on a weekday until 3.30 pm for Corporate Marking and Itinerant Marking where a teacher is released on pay from another employer.

15.2.3 The Weekday rates apply to Employees from 9 am on a weekday until 3.30 pm for Corporate Marking and Itinerant Marking where the Employee is not normally employed in a teaching position for which paid relief is provided during marking. This provision does not apply to those Employees to which clause 15.2.2 applies.

15.2.4 Sunday rates are hourly rates paid to employees for all times worked on Sundays and attract a loading of 50% above the Weekday rate.

15.2.5 Languages other than English (LOTE) examiners and casuals shall be paid at the rates specified at table 1 for markers, except in the case of LOTE Examiners who work less than a full day on weekdays who are to be paid at the hourly rates specified at Table 3, calculated by dividing the Weekday Supplementary rates at clause 15.2.2 by $5\frac{1}{2}$ being the number of paid hours compensated by the Weekday Supplementary rates.

15.2.6 During the summer school vacation HSC Inquiry Centre Staff are paid the Weeknight/Saturday rates at clause 15.2.1 for all hours worked, except for Sunday when the Sunday rates at clause 15.2.4 apply. At other times the rates at clauses 15.2.1, 15.2.2 or 15.2.3 will be paid, as applicable.

15.2.7 Domestic Marking Rates :

- (a) Where marking is conducted in a domestic marking mode the rates for such domestic marking are as set out in Table 2 provided that where the paper is less than three hours in length the rate is determined as a fraction of the three hour rate e.g. for a two hour paper the payment is two thirds of the three hour rate.
- (b) Where the marking is undertaken on a question basis the payment will be calculated by dividing the relevant rate for such paper by the number of questions unless otherwise specified in Table 3.

15.3 As the Employees are engaged on a casual basis for a maximum of up to six weeks, the rates set out in 15.2 incorporate loadings for casual engagement, sick leave and pro rata holiday pay. The pro rata holiday pay incorporated in the rates in the said clause was calculated as 1/12 of the hourly rate.

15.4 Minimum Payments

15.4.1 No employee engaged in corporate marking shall be paid for less than 4 hours from the time of starting work.

15.4.2 HSC Student Advice Line staff required to attend on any day shall be paid no less than for the shift engagement time.

15.4.3 HSC Inquiry Centre staff required to attend on any day shall be paid no less than for 6 hours.

15.4.4 Languages other than English (LOTE) Examiners shall be paid a minimum of 3 hours for each weekday at the rates per hour as set out in Table 3 of Schedule 1.

15.4.5 Languages other than English (LOTE) Casuals shall be paid a minimum of 4 hours at the Weekday rate for Markers as set out in Table 1 of Schedule 1.

15.4.6 Corporate Markers engaged :

- (a) from 9 am and who work beyond 3.30 pm shall be paid a minimum of 2 hours at the Weeknight/Saturday rate for those hours; and,
- (b) on a Saturday shall be paid a minimum of 4 hours from the time of starting work on Saturdays.

15.4.7 Itinerant Markers engaged :

- (a) from 9 am and who work beyond 3.30 pm shall be paid successive extensions of one half hour at the Weeknight/Saturday rate for those hours; and,
- (b) on a Saturday shall be paid a minimum of 4 hours calculated from the time of starting work on Saturdays.

15.4.8 This clause does not entitle any Employee to minimum payments who arrives late or who exceeds meal break times or leaves the marking centre/advice line/inquiry centre early and works less than the minimum payment hours.

15.5 Meal Allowance

A meal allowance, as set out in Item 2 of Table 4, is payable to an employee on each day (including briefing and pilot marking sessions) where the Employee works for at least an hour before and an hour after the meal break. The requirement for an Employee to work before and after a meal break to be paid a meal allowance is waived for HSC Advice Line Advisers and LOTE Examiners and LOTE Casuals.

15.6 Travel Allowances

15.6.1 Travelling allowances for all Employees engaged in corporate marking, the HSC Advice Line and the HSC Inquiry Centre, except for markers engaged in corporate marking outside the metropolitan areas of Sydney, Newcastle and Wollongong, will be limited to the rates set out in item 3 of table 4 irrespective of the distance travelled.

15.6.2 Marking Staff engaged in Itinerant Marking are entitled to the travel allowances shown in Item 4 (a) of Table 4, except for their attendance at pilot marking and briefing sessions. The travel allowance for itinerant marking is based on the use of a private motor vehicle paid on the basis of cents per kilometre up to 8,000 km per annum at the rate set out in Item 4 (a) of Table 4 and is payable to persons marking itinerantly in respect of each kilometre travelled in excess of the total distance between the person's usual place of residence and their usual place of work and in circumstances where a rental motor vehicle is not utilised. Marking Staff engaged in Itinerant Marking attending pilot marking and briefing sessions will be paid a Travel Allowance at the rate set out in Item 3 of Table 4.

Note: Itinerant Markers have up to one hour of unpaid travelling time. Additional travelling time is paid pursuant to clause 8.7.

15.6.3 Marking Staff engaged in corporate marking outside the metropolitan areas of Sydney, Newcastle and Wollongong shall be paid:

- (a) the Travel Allowance as set out in Item 3 of Table 4; and in addition (where applicable).
- (b) for travel in excess of 40 km per day from the person's daily place of residence during the marking period to the marking centre and return, up to a maximum of 160 km where the person provides evidence of the additional travel involved. The amount shall be an amount per kilometre as set out in Item 4 (b) of Table 4 ; or
- (c) when the supplementary kilometre allowance at paragraph (b) above is not claimed on a daily basis and subject to the person's usual place of residence being outside the Sydney

metropolitan area and more than 100 kilometres from the marking centre, the Travel Allowance as set out in item 5 of table 4 Schedule 1 once per engagement;

15.6.4 Marking Staff engaged in itinerant marking who normally reside outside the Sydney metropolitan area who attend briefing sessions inside the Sydney metropolitan area shall be paid the Travel Allowance at item 5 of table 4 Schedule 1 once per engagement subject to the person's usual place of residence being more than 100 kilometres from the briefing session venue.

15.7 Subsistence Allowances for Itinerant Marking

Marking Staff engaged in itinerant marking outside the metropolitan area of Sydney who are required to stay overnight at a place other than their usual place of residence during the marking period, shall be entitled to the payment of the daily allowance at item 1(a) of table 4 Schedule 1. The entitlement to this allowance will apply for periods of 24 hours and for any periods less than 24 hours will be compensated by the payment of the hourly allowance at item 1(b) of table 4 Schedule 1.

15.8 The Allowances at clauses 15.5, 15.6 and 15.7 will be adjusted in accordance with the rates as approved from time to time by the Director of Public Employment.

16. Deduction of Unions' Membership Fees

- (i) The unions shall provide the employer with a schedule setting out unions' fortnightly membership fees payable by members of the unions in accordance with the unions' rules.
- (ii) The unions shall advise the employer of any change to the amount of fortnightly membership fees made under its rules. Any variation to the schedule of unions' fortnightly membership fees payable shall be provided to the employer at least one month in advance of the variation taking effect.
- (iii) Subject to (i) and (ii) above, the employer shall deduct union fortnightly membership fees from the pay of any employee who is a member of the union in accordance with the unions' rules, provided that the employee has authorised the employer to make such deductions.
- (iv) Monies so deducted from employees' pay shall be forwarded regularly to the unions together with all necessary information to enable the unions to reconcile and credit subscriptions to employees unions' membership accounts.
- (v) Unless other arrangements are agreed to by the employer and the unions, all unions membership fees shall be deducted on a fortnightly basis.
- (vi) Where an employee has already authorised the deduction of union's membership fees from his or her pay prior to this clause taking effect, nothing in this clause shall read as requiring the employee to make a fresh authorisation in order for such deductions to continue.

17. Superannuation

All Employees shall be entitled to occupational superannuation at the appropriate Superannuation Guarantee Contribution (SGC) rate for all payments pursuant to clause 15.2 Rates of Pay.

18. Salary Sacrifice to Superannuation

- 18.1 Notwithstanding the salaries prescribed by Schedule 1, Monetary Rates, an employee may elect, subject to the agreement of the employee's department or agency, to sacrifice a portion of the wage/salary payable under clause 15, Rates of Pay and Allowances, to additional employer superannuation contributions. Such election must be made prior to the commencement of the period of service to which the earnings relate. In this clause, "superannuable salary" means the employee's salary as notified from time to time to the New South Wales public sector superannuation trustee corporations.
- 18.2 Where the employee has elected to sacrifice a portion of that payable salary to additional employer superannuation contributions:

- (a) subject to Australian Taxation law, the sacrificed portion of salary will reduce the salary subject to appropriate PAYG taxation deductions by the amount of that sacrificed portion; and
 - (b) any allowance, penalty rate, payment for unused leave entitlements, weekly worker's compensation or other payment, other than any payments for leave taken in service, to which an employee is entitled under this award or any applicable award, Act or statute which is expressed to be determined by reference to an employee's salary, shall be calculated by reference to the salary which would have applied to the employee under the said clause 15 in the absence of any salary sacrifice to superannuation made under this award.
- 18.3 The employee may elect to have the portion of payable salary which is sacrificed to additional employer superannuation contributions:
- (a) paid into the superannuation scheme established under the *First State Superannuation Act 1992* as optional employer contributions; or
 - (b) subject to the department or agency's agreement, paid into a private sector complying superannuation scheme as employer superannuation contributions.
- 18.4 Where an employee makes an election in terms of subclause 18.3 of this clause, the employer shall pay the portion of salary, the subject of election, to the relevant superannuation fund.
- 18.5 Where the employee is a member of a superannuation scheme established under:
- (a) the *Police Regulation (Superannuation) Act 1906*;
 - (b) the *Superannuation Act 1916*;
 - (c) the *State Authorities Superannuation Act 1987*;
 - (d) the *State Authorities Non-contributory Superannuation Act 1987*; or
 - (e) the *First State Superannuation Act 1992*,

the employee's department or agency must ensure that the amount of any additional employer superannuation contributions specified in subclause 18.1 of this clause is included in the employee's superannuable salary which is notified to the New South Wales public sector superannuation trustee corporations.

- 18.6 Where, prior to electing to sacrifice a portion of his/her salary to superannuation, an employee had entered into an agreement with his/her department or agency to have superannuation contributions made to a superannuation fund other than a fund established under legislation listed in subclause 18.5 of this clause, the department or agency will continue to base contributions to that fund on the salary payable under clause 15 to the same extent as applied before the employee sacrificed portion of that salary to superannuation. This clause applies even though the superannuation contributions made by the department or agency may be in excess of superannuation guarantee requirements after the salary sacrifice is implemented.

Section 5 - Award Compliance and Related Matters

19. Nomination of Unions' Representatives

In each marking section union members will be permitted, at the commencement of marking, the necessary time to meet for the purpose only of nominating a union representative. Such meeting may be announced using a public address system (if possible) provided that there is no undue disruption to other nearby markers.

20. Dispute Resolution Procedures

- 20.1 Subject to the provisions of the *Industrial Relations Act 1996*:

- 20.1.1 Should any dispute, question or difficulty arise concerning industrial matters occurring in a particular workplace, then the employee or the union's workplace representative will raise the matter with relevant Supervisor of Marking as soon as practicable.
- 20.1.2 The Supervisor of Marking will discuss the matter with the employee or the union's workplace representative with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.
- 20.1.3 Should the above procedure be unsuccessful in producing a resolution of the dispute, question or difficulty or should the matter be of a nature which involves multiple workplaces, then the employee or the union may raise the matter with the Director, Examinations with a view to resolving the dispute, question or difficulty or by negotiating an agreed method and time frame for proceeding.
- 20.1.4 Where the procedures in the preceding paragraph do not lead to resolution of the dispute, question or difficulty, the matter will be referred to the General Manager and the General Secretary of the respective unions. They or their nominees will discuss the dispute, question or difficulty with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.
- 20.1.5 Should the above procedures not lead to a resolution, then either party may apply to the Industrial Relations Commission of New South Wales.
- 20.2 Whilst the procedures outlined in clause 20.1 of this clause are being followed, normal work undertaken prior to notification of the dispute or difficulty shall continue unless otherwise agreed between the parties, or, in the case involving occupational health and safety, if practicable, normal work shall proceed in a manner which avoids any risk to the health and safety of any staff member or member of the public.

21. No Further Claims

- 21.1 Except as provided by the *Industrial Relations Act 1996*, there shall be no further rates of pay or conditions claims by the parties prior to 31 December 2008 in relation to matters expressly contained in this award.

22. Anti-Discrimination

- 22.1 It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the *Industrial Relations Act 1996* to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity and age and responsibilities as a carer.
- 22.2 It follows that in fulfilling their obligations under the dispute resolution procedure prescribed by this award the parties have obligations to take all reasonable steps to ensure that the operation of the provisions of this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfilment of these obligations for the parties to make application to vary any provision of the award which, by its terms or operation, has a direct or indirect discriminatory effect.
- 22.3 Under the *Anti-Discrimination Act 1977*, it is unlawful to victimise an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- 22.4 Nothing in this clause is to be taken to affect:
- (a) any conduct or act which is specifically exempted from anti-discrimination legislation;
 - (b) offering or providing junior rates of pay to persons under 21 years of age;
 - (c) any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;

- (d) a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.

22.5 This clause does not create legal rights or obligations in addition to those imposed upon the parties by the legislation referred to in this clause.

23. Occupational Health and Safety

23.1 For the purposes of this clause, the following definitions shall apply:

- (a) A "labour hire business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust, corporation and/or person) which has at its business function, or one of its business functions, to supply staff employed or engaged by it to another employer for the purpose of such staff performing work or services for that other employer.
- (b) A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust, corporation and/or person) which is contracted by another employer to provide a specified service or services or to produce a specific outcome or result for that employer which might otherwise have been carried out by the other employer's own employees.

23.2 If the employer engages a labour hire business and/or a contract business to perform work wholly or partially on the employer's premises, the employer shall do the following (either directly, or through the agency of the labour hire or contract business):

- (a) consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
- (b) provide employees of the labour hire business and/or contract business with the appropriate health and safety induction training including the appropriate training required for such employees to perform their jobs safely;
- (c) provide employees of the labour hire business and/or contract business with appropriate personal protective equipment and/or clothing and all safe work method statements that they would otherwise supply to their own employees; and
- (d) ensure employees of the labour hire business and/or contract business are made aware of any risks identified in the workplace and the procedures to control those risks.

23.3 Nothing in this clause is intended to affect or detract from any obligation or responsibility upon a labour hire business under the *Occupational Health and Safety Act 2000* or the *Workplace Injury Management and Workers Compensation Act 1998*.

23.4 Where a dispute arises as to the application or implementation of this clause, the matter shall be dealt with pursuant to the disputes settlement procedure of this award.

This clause has no application in respect of organisations which are properly registered as Group Training Organisations under the *Apprenticeship and Training Act 2001* (or equivalent interstate legislation) and are deemed by the relevant State Training Authority to comply with the national standards for Group Training Organisations established by the ANTA Ministerial Council.

23.5 This clause operates from 1 March 2006.

24. Area Incidence and Duration

24.1 This award:

24.1.1 This award is made following a review under section 19 of the *Industrial Relations Act 1996* and rescinds and replaces the Higher School Certificate and School Certificate Marking and Related Casual Employees Rates of Pay and Conditions Award published 8 September 2006 (360 I.G. 1002), as varied.

24.1.2 The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act 1996* and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 13 November 2008.

24.1.3 This award remains in force until varied or rescinded, the period for which it was made having already expired.

24.2 Covers all casual employees employed by the Office of the Board of Studies pursuant to the Act engaged to mark the Higher School Certificate examinations and the School Certificate Tests and to provide advice to students through the Higher School Certificate Advice Line and Higher School Certificate Inquiry Centre at various locations determined by the General Manager, Office of the Board of Studies, New South Wales.

SCHEDULE 1**Table 1 - Weekday, Weekday Supplementary, Weeknight/Saturday and Sunday Rates**

Classification	Weekday Rates per hour On and from			Weekday Supplementary Rates per day On and from			Weeknights and Saturday Rate per hour On and from			Sunday Rates per hour On and from		
	1/1/06 4.0% \$	1/1/07 4.0% \$	1/1/08 4.0% \$	1/1/06 4.0% \$	1/1/07 4.0% \$	1/1/08 4.0% \$	1/1/06 4.0% \$	1/1/07 4.0% \$	1/1/08 4.0% \$	1/1/06 4.0% \$	1/1/07 4.0% \$	1/1/08 4.0% \$
Marker	55.67	57.90	60.22	53.96	56.12	58.36	62.02	64.50	67.08	83.48	86.82	90.29
LOTE Examiner	N/A	N/A	N/A	53.96	56.12	58.36	62.02	64.50	67.08	83.48	86.82	90.29
LOTE Casual	55.66	57.89	60.21	N/A	N/A	N/A	62.02	64.50	67.08	83.48	86.82	90.29
1. Senior Marker 2. HSC Advice Line Adviser 3. HSC Inquiry Centre Inquiry Officer (Note 1)	69.10	71.86	74.73	63.65	66.20	68.85	76.94	80.02	83.22	103.64	107.79	112.10
1. Asst. Supervisor of Marking 2. Subject Co-ordinator HSC Advice Line 3. Assistant Officer in Charge HSC Inquiry Centre (Note 1)	79.90	83.10	86.42	73.62	76.57	79.63	88.99	92.55	96.25	119.81	124.60	129.58
1. Supervisor of Marking 2. HSC Advice Line Operations Manager	88.50	92.04	95.72	81.56	84.82	88.21	98.58	102.52	106.62	132.79	138.10	143.62

Note (1) : Refer to provisions that apply to HSC Inquiry Centre Staff at clause 15.2.6.

**Table 2 - Domestic Marking Rates
On and from :**

HSC	1/1/06 4.0% \$	1/1/07 4.0% \$	1/1/08 4.0% \$
(a) Mathematics - Payments will be on a per question basis:			
Base Rate (Mathematics in Practice/Mathematics in Society/General Mathematics Paper from 2001)	1.913	1.990	2.070
2-3 Unit Paper - Mathematics Paper from 2001	2.102	2.186	2.273
3 Unit Additional Paper - Mathematics Extension 1 Paper from 2001	2.279	2.370	2.465
4 Unit Additional Paper - Mathematics Extension 2 Paper from 2001	3.111	3.235	3.364
(b) Other Subjects - Payments will be on a per three hour paper basis:			
Base Rate	19.115	19.880	20.675
3 Unit Additional Paper -	23.910	24.866	25.861

**Table 3 - Languages Other Than English (LOTE) Examiners Hourly Rates
On and from :**

A. Weekday Examining	1/1/06 Rates per hour \$	1/1/07 Rates per hour \$	1/1/08 Rates per hour \$
1. Languages other than English (LOTE) Examiners	9.82	10.21	10.62

Table 4 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
			(a) Daily Rate \$	(b) Hourly Rate \$
1	15.7	Subsistence Allowance - Capital City Rate Wagga Wagga Newcastle Wollongong Bathurst Other Country Centres	284.30 199.45 217.80 199.45 199.45 182.45	11.85 8.31 9.08 8.31 8.31 7.60
2	15.5	Meal Allowance	23.60	
3	15.6.1	Travel Allowance (based on 40 km multiplied by the Transport Allowance per kilometre rate determined by the Director of Public Employment pursuant to clause 15.8) : Employees engaged in Corporate marking in metropolitan areas of Sydney, Newcastle and Wollongong, HSC Advice Line and HSC Inquiry Centre	14.72 per day	

	15.6.3(a)	Markers engaged in Corporate marking outside the metropolitan areas of Sydney, Newcastle and Wollongong										
4		Motor Vehicle Allowance - distances exceeding travel to and from usual place of residence and usual place of work:										
(a)	15.6.2	Itinerant Markers	0.803 per km									
(b)	15.6.3(b)	Markers engaged in Corporate marking outside the metropolitan areas of Sydney, Newcastle and Wollongong in excess of 40 km up to a maximum 160 km per day	0.368 per km									
5	15.6.3(c)	Travel Allowance fixed payment for :										
		Markers engaged in Corporate marking outside the metropolitan areas of Sydney, Newcastle and Wollongong not claiming the allowance at 15.6.3(a) on a daily basis whose usual place of residence is outside the Sydney metropolitan area and in excess of 100 km from the marking centre	<table border="1"> <tr> <td>1/1/06</td> <td>1/1/07</td> <td>1/1/08</td> </tr> <tr> <td>4%</td> <td>4%</td> <td>4%</td> </tr> <tr> <td>\$104</td> <td>\$108.16</td> <td>\$112.49</td> </tr> </table>	1/1/06	1/1/07	1/1/08	4%	4%	4%	\$104	\$108.16	\$112.49
1/1/06	1/1/07	1/1/08										
4%	4%	4%										
\$104	\$108.16	\$112.49										
	15.6.4	Itinerant markers who reside outside Sydney metropolitan area attending briefing sessions inside the Sydney metropolitan area where the person's usual place of residence is in excess of 100 km from the briefing session venue.	\$200 once per engagement									

J. McLEAY, Commissioner

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HORTICULTURAL INDUSTRY (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1926 of 2008)

Before Commissioner Murphy

17 October 2008

VARIATION

1. Delete clause 6, Safety Net Commitments, of the award published 14 May 2004 (344 I.G. 412) and insert in lieu thereof the following:

6. Safety Net Commitments

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (a) any equivalent over-award payments; and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case increases and minimum rates adjustments.
2. Delete Section 1 - Adult Employees and Section 2 - Leading Hands of Table 1 - Wage Rates and Table 2 - Allowances of Part B, Monetary Rates and insert in lieu thereof and the following:

Section 1 - Adult Employees

Farm Employee	Wage Rate per week \$	Ord. Time Base Hourly Rate \$	Casual Ord. Time Incl. 1/12 loading \$	Casual Ordinary Time Saturday \$	Casual Ordinary Time Sunday \$
Level 6	649.40	17.09	21.29	26.61	31.94
Level 5	642.90	16.92	21.08	26.35	31.62
Level 4	618.80	16.28	20.28	25.35	30.42
Level 3	610.50	16.07	20.02	25.03	30.03
Level 2	588.80	15.49	19.30	24.13	28.95
Level 1	567.10	14.92	18.59	23.24	27.89

Section 2 - Leading Hands

	SWC 2007 Amount \$	SWC 2008 Amount \$
More than 2 and not more than 10 employees	27.20 per week	28.30 per week
10 or more employees	40.75 per week	42.40 per week

Table 2 - Allowances

Item No	Clause No	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(3)(b)	Meal Allowance (per meal)	10.85	11.45
2	22(b)	Sleeping away from home (per night)	51.10	53.25
3	23(b)	Wet Money (per day)	4.00	4.15
4	25	First-Aid Allowance (per day)	2.45	2.55

Note: These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

JOINERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Table 2 - Other Rates and Allowances of Part B, Monetary Rates of the award published 26 October 2001 (328 I.G. 1142) and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1.	9.4	Leading Hands In charge of not more than 1 person In charge of 2 and not more than 5 persons In charge of 6 and not more than 10 persons In charge of more than 10 persons	15.70 per week 34.40 per week 43.90 per week 58.60 per week
2.	17.	Industry Allowance	24.40 per week
3.	18.1	Tool Allowance: Carpenter and/or Joiner, Shopfitter or Shopfitter and Joiner Carpenter and Joiner Joiner Special Class Joiner - Setter Out Joiner Assembler A	25.80 per week 25.80 per week 25.80 per week 25.80 per week 25.80 per week 7.70 per week
4.	18.1	Shopfitter and/or Joiner Apprentices: Tool Allowance	25.80 per week
5.	20.1(a)	Handling insulating material or working in its immediate vicinity	0.69 per hour
6.	20.1(b)	Working where temperature raised by artificial means to between 46 and 54 degrees Celsius Exceeding 54 degrees Celsius	0.55 per hour 0.69 per hour
7.	20.1(c)	Working where temperature is reduced by artificial means to below 0 degrees Celsius	0.55 per hour
8.	20.1(d)	Working in a confined space	0.69 per hour
9.	20.1(e)	Engaged in unusually dirty work	0.55 per hour
10.	20.1(f)	Whilst working with second hand timber, an employee's tools are damaged by nails, dumps or other foreign matter.	2.17 per day
11.	20.1(g)	Required to compute or estimate quantities of materials in respect to work performed by other employees	3.99 per day
12.	20.1(i)	Using an explosive-powered tool	1.31 per day
13.	20.1(j)(iii)	Using toxic substances or like materials Working in close proximity to employees so engaged	0.69 per hour 0.55 per hour
14.	20.1(k)	Using materials containing asbestos or working in close proximity to employees using such materials	0.69 per hour
15.	20.1(l)	If a grindstone or wheel is not made available, the employer shall pay each joiner	5.88 per week
16.	20.1(m)(iii)	Engaged in asbestos eradication	1.86 per hour
17.	27	Meal allowance after working one and a half hours overtime.	11.90

18.	39.1	First Aid Minimum qualifications	2.35 per day
19.	41.2(a)	Maximum amount of reimbursement for loss of tools or clothes	1495.00

2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008

I. TABBAA, Commissioner

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LANDSCAPE GARDENERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1927 of 2008)

Before Commissioner Murphy

17 October 2008

VARIATION

1. Delete subclause (vii) of clause 2, Rates of Pay, of the award published 25 May 2001 (324 I.G. 1275) and insert in lieu thereof the following:
 - (vii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payment; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Rates of Pay**

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment %	SWC 2008 Amount \$
Landscape Gardener (100%)	618.20	4.0	642.90
Landscape Gardener (Assistant Tradesperson) (92%)	582.80	4.0	606.10
Labourer (83%)	545.30	4.0	567.10

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(ii)	Leading Hand Allowance	18.40	19.15
2	6(I)	Meal Allowance	12.10	12.80
3	9	First Aid Allowance	11.25	11.70
4	13(iv)(a)	Country Work Allowance	355.70	370.80
5	13(vi)	Travelling Allowance:		
		Meals	12.10	12.80
		Accommodation	51.90	54.10

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustments in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

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(347)

SERIAL C6870

**LANDSCAPE GARDENERS, &c., ON BUILDING AND GENERAL
CONSTRUCTION AND MAINTENANCE, CIVIL AND MECHANICAL
ENGINEERING (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1928 of 2008)

Before Commissioner Murphy

17 October 2008

VARIATION

1. Delete subclause (viii) of clause 3, Wages of the award published 4 May 2001 (324 I.G. 540) and insert in lieu thereof the following:
 - (viii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (A) any equivalent overaward payment; and/or
 - (B) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Classification	SWC 2007 Base Rate per week \$	SWC 2008 Adjustment %	SWC 2008 Base Rate per week \$	SWC 2008 Rate per hour \$
Landscape Gardener	618.30	4	643.00	19.03
Labourer	586.70	4	610.20	18.14

Table 2 - Other Rates and Allowances

Item. No	Clause No	Brief Description	SWC 2007 \$	SWC 2008 \$
1	3(ii)	Leading Hands Allowance - Loaded hourly rate		
		In charge of not more than one person	15.20 (0.40)	15.80 (0.42)
		In charge of two and not more than five persons	33.20 (0.87)	34.55 (0.90)
		In charge of six and not more than ten persons	42.35 (1.11)	44.05 (1.15)
		In charge of over ten persons	56.25 (1.48)	58.50 (1.54)

2	3(iii)	Landscape Gardeners' Tool Allowance	24.00	25.10
3	3(iv)	Disabilities Allowance	23.25	24.20
4	3(v)	Travel Pattern Loading	8.50 p.w.	8.85 p.w.
5	3(vii)	Sick Leave Payment	0.6745	0.7015
6	5(i)	Fares and Travelling Time Allowance	15.40	15.40
7	5(i)	Excess fares - where transport provided to and from a point at not more than 3.2 km from the employee's residence	5.90	5.90
8	5(ii)	Wet Places and Slurry Allowances -		
	5(ii)(a)(1)	Employees working in wet places	0.53	0.55
	5(ii)(a)(3)	Employees required to work in water to a depth of:		
	(A)(B)	- over 45.7 cm	3.55	3.70
		- over 91.4 cm	4.30	4.45
	5(ii)(b)	Employees working in slurry	0.53	0.55
9	5(iii)	Confined Spaces Allowance	0.66	0.69
10	5(iv)	Distant Places Allowance - Working in		
	(a)	Districts west and north of an excluding State Highway No. 17 from Tocumwal to Gilgandra, State Highway No. 11 to Tamworth, Yetman, Boggabilla etc Western Division of the State	1.12/day 1.85/day	1.16/day 1.92/day
	(b)	Area bounded by Snowy River to Dalgety, Berridale, Adaminable, Blowering, Walaregang and on to the Murray River	1.85/day	1.92/day
11	5(v)	Height money allowance	0.53/hr	0.55/hr
12	5(vi)	Employees lifting other than standard bricks -		
		Where the blocks weigh over 5.5 kg and under 9 kg	0.53	0.55
		9 kg or over and up to 18 kg	0.97	1.01
		18 kg	1.35	1.40
13	5(vii)	Cleaning Down Brickwork Allowance	0.48	0.50
14	5(viii)	Kosciusko National Park - Site Allowance	2.19	2.28
15	14	Meal Allowance -		
		After working one and a half hours overtime	11.35	12.00
		After the completion of each four hours on continuous overtime	9.45	10.00
16	20(iv)(a)	Distant Work Allowance (seven days)	397.95	414.85
	(c)(i)	Broken parts of the week	44.90	48.05
17	20(vi)	Meal whilst travelling	11.35	12.00
18	20(vi)	Bed Allowance whilst travelling	56.65	59.05
19	21(b)	First-Aid allowance	2.37	2.46

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008, other than Items 6 and 7 which are adjusted in accordance with the NBCIA, and for work related allowances are inclusive of adjustments in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

MANNEQUINS AND MODELS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(Nos. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete subclause (a) of clause 4, Arbitrated Safety Net Adjustment of the award published 9 February 2001 (322 I.G. 172) and insert in lieu thereof the following:
 - (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (A) any equivalent overaward payments, and/or
 - (B) award wage increases since 29 May 1991 other than safety net adjustments and minimum rates adjustments.
2. Delete Table 1 - Rates of Pay of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Rates of Pay

Description	Annual Leave \$	Total Rate \$
Single parades concluding up to and including 6.00pm	10.52	133.31
Single parades concluding after 6.00pm	11.27	146.28
Rehearsals	1.61	21.06
One showing - not exceeding two hours		
City	3.36	43.70
Suburbs	3.80	49.44
Half-day showing - not exceeding four hours		
City	5.87	76.04
Suburbs	6.29	81.74
Full-day showing - not exceeding eight hours		
City	10.33	134.43
Suburbs	10.78	140.47
Work performed before 9.00am or after 5.30pm	1.61	21.06
Evening showing independent of day showings	9.97	128.18
Not more than three consecutive hours, Monday to Friday, City plus Chatswood and Bondi	5.41	70.76
Suburbs excluding Chatswood and Bondi	6.17	80.58
Not more than one and a half consecutive hours, Saturday, City plus Chatswood and Bondi	3.20	41.52
Suburbs excluding Chatswood and Bondi	3.43	44.52
Work performed by other than in accordance with the above hours	1.72	22.42
Up to and including one hour	2.76	35.85
Up to and including two hours	4.90	63.68
Up to and including three hours	7.26	94.16
Up to and including four hours	9.38	121.30

Up to and including five hours	11.27	145.82
Up to and including six hours	13.61	176.92
Up to and including seven hours	15.39	197.50
Up to and including eight hours	17.62	230.28

3. Delete Items 1 and 2 of Table 2 - Other Rates and Allowances of the said Part B and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	3 Part A (iv)(a) and (b)	Comperes:	
		(a) not required to prepare own script	8.84
		(b) required to prepare own script	17.42
2	3 Part C	Fitting of garments other than on the day of engagement	26.93 per hour

4. This variation shall take effect from the first full pay period commencing on or after 25 July 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

MOTOR VEHICLE SALESPERSON (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees and another.

(Nos. IRC 1062 and 1064 of 2008)

Before Commissioner Bishop

28 July 2008

VARIATION

1. Delete clause 5, Arbitrated Safety Net Adjustment, of the award published 3 November 2000 (319 I.G. 1092), and insert in lieu thereof the following:

5. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Cases 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net adjustments, State Wage Case and minimum rate adjustments.
2. Delete Table 1 - Wages of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

Group	Classification	Total Rate \$
1	Motor Vehicle Salesperson	642.90
2	Probationary Salesperson	607.90

3. Delete Item Numbers 1 and 8 from Table 2 - Other Rates and Allowances of the said the Part B and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	3(A)(ii)	Exhibitions (Royal Easter Show, etc)	19.13 per night
8	13	Sunday Loading:	
		(a) if more than half a day is worked	129.41
		(b) if half a day or less is worked	64.70

4. This variation shall take effect from the first full pay period commencing on or after 24 August 2008.

E. A. R. BISHOP, Commissioner

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MUSHROOM INDUSTRY EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1929 of 2008)

Before Commissioner Murphy

17 October 2008

VARIATION

1. Delete subclause (5) of clause 4, Wage Rates, of the award published 28 November 2003 (342 I.G. 153) and insert in lieu thereof the following:
 - (5) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Section 1 - Adult Employees of Table 1 - Rates of Pay, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Rates of Pay**

Section 1 - Adult Employees

	Base Rate Per Week	Casual Hourly Base Rate	15% Casual Leave Loading	One-Twelfth Annual Leave Loading	Total Casual Hourly Rate
	\$	\$	\$	\$	\$
Farm Employee Level 1	567.10	14.92	2.24	1.43	18.59
Farm Employee Level 2	597.10	15.71	2.36	1.51	19.58
Farm Employee Level 3	612.60	16.12	2.42	1.55	20.09
Farm Employee Level 4	621.20	16.35	2.45	1.57	20.37

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	3(4)	Meal Allowance Working more than 1.5 hours overtime each additional 4 hours	8.65 8.65
2	19(2)	First-Aid	2.10 per day or shift

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

(534)

SERIAL C6861**PLANT, &c., OPERATORS ON CONSTRUCTION (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Table 2 - Other Rates and Allowances of Part B, Monetary Rates of the award published 16 November 2001 (329 I.G. 625), and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item	Clause	Brief Description	Amount
1	5(5)(i)	Operator in charge of plant	15.32 per week
2	5(5)(ii)(a)	Industry allowance	24.40 per week
4	5(5)(iii)	Employees engaged in waste disposal depots	1.13 per hour
5	5(5)(iv)	Leading hands - In charge of more than 2 and up to 5 employees In charge of more than 5 and up to 10 employees In charge of more than 10 employees	21.60 per week 30.50 per week 38.80 per week
6	5(5)(v)	Special Allowance - Employees within A.I. & S, Port Kembla	0.86 per hour
7	5(5)(vi)	Employees involved in road construction work in the Illawarra region near coal wash	0.55 per hour
8	14(ii)	Meal Allowance each subsequent meal	11.90 per meal 9.80 per meal
9	5(2)	Floating/Mobile/other cranes for every 5 tonnes in excess of 20 tonnes	1.80
10	31(i)(a)	Excess Fares Small Fares	16.50 per day 6.30 per day
	31(i)(b)	Travel Pattern Loading	7.75 per week
11	31(iv)(a)	Travel in excess of 40 kilometres from the depot	0.89 per km
		Minimum Payment	16.50 per day
	31(iv)(b)	Use of Own Vehicle	0.89 per km
	31(iv)(c)	Road Escort - Own Vehicle	0.89 per km
	31(iv)(d)	Transfer - One job to another Own Vehicle	0.89 per km
12	31(v)	Carrying of Fuels Oils and/or grease	9.24 per day
13		Country Work Allowance	
	33(iii)(a)	Unbroken Week	398.40 per week
	33(iii)(b)	Broken Week	57.00 per day
14	33(iii)(c)(1)	Travel Allowance - Weekend Return	33.40 per occasion
15	33(v)	Meal Allowance whilst travelling	11.90 per meal
16	34(xv)(a)	Camping Area - Weekend return	33.40 per occasion
17	35(ii)	Caravan Allowance	
		Unbroken Week	186.00 per week
		Broken Week	26.50 per day
18	37(i)	Employees working in the west and north districts of the State Employees working in the western districts of the State	1.16 per day 1.92 per day
19	37(ii)	Employees working in the southern districts of the State	1.92 per day

20	38(x)(c)(v)(A)	First-Aid Allowance	2.35 per day
21	38(x)(c)(v)(B)	First-Aid Allowance	3.70 per day
22	38(xi)(d)	Employee engaged in lime work	0.55 per hour

2. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

PLASTERERS, SHOP HANDS AND CASTERS (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete the Tool Allowances Table in subclause (i) of clause 3, Wages of the award published 22 April 2005 (350 I.G. 331), and insert in lieu thereof the following:

Tool Allowances	\$
Shop Hand	3.60
Caster	1.50

2. Delete the amount of "\$2.20" appearing in subclause clause (ii) of clause 6, Overtime, and insert in lieu thereof the following:

\$2.30
3. Delete the amount of "\$55.80" appearing in subclause (i) of clause 10, Distant Work and insert in lieu thereof the following:

\$57.00
4. This variation shall take effect from the beginning of the first pay period to commence on or after 16 October 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

PRINTING INDUSTRIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1894 of 2008)

Before Commissioner McKenna

9 October 2008

VARIATION

1. Delete subclause (e) of clause 10, Payment of Wages and Pay Day, of the award published 9 November 2001 (329 I.G. 391), and insert in lieu thereof the following:
 - (e) The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:
 - (a) Any equivalent over Award payments, and/or
 - (b) Award wage increases since 29 May 1991 other than safety net, Stage Wage Case and minimum rates adjustments.
2. Delete Table 1 - Wage Rates, and Table 2 - Other Rates and Allowances, of Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wage Rates

Group Level	Current \$	2008 SWC	
		Increase %	Result \$
1	531.40	4.0	552.70
2A	541.10	4.0	562.70
2B	541.10	4.0	562.70
2C	541.10	4.0	562.70
3A	563.60	4.0	586.10
3B	563.60	4.0	586.10
3C	563.60	4.0	586.10
3D	563.60	4.0	586.10
3E	563.60	4.0	586.10
4	584.50	4.0	607.90
5A	618.20	4.0	642.90
5B	618.20	4.0	642.90
Any other adult employee	531.40	4.0	552.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Current	SWC 2007 4%
		Minimum Wage	\$531.40	552.70
2	13(g)(i)	Meal money - Employees other than juniors	2.7% CPI \$10.55	5.6% CPI \$11.15
3	13(g)(ii)	Meal money - Juniors	\$10.55	\$11.15
4	13(g)(iv)	Meal money - Saturday, Sunday or a public holiday	\$10.55	\$11.15
5	38(b)(iii)	First-Aid attendant	\$12.70	\$13.20

3. This variation shall take effect from the first full pay period on and from 19 January 2008.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

PROFESSIONAL ENGINEERS AND PROFESSIONAL SCIENTISTS (PRIVATE INDUSTRY) (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Association of Professional Engineers, Scientists and Managers, Australia (NSW Branch), Industrial Organisation of Employees.

(No. IRC 1966 of 2008)

Before Commissioner Murphy

24 October 2008

VARIATION

1. Delete paragraph 4.2.3 of clause 4, Salaries and Classifications, of the award published 18 August 2000 (317 I.G. 1030), and insert in lieu thereof the following:

4.2.3 The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage case, and minimum rates adjustments."
2. Delete Part B Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Salaries

Classification	Award Salary per year \$
Level 1A Professional Scientist (Graduate/Diplomate - 3 year course)	39,035
Level 1 Professional Engineer/Level 1B Professional Scientist (Graduate 4 or 5 year course)	40,182
Level 2 Professional Engineer/Professional Scientist (Experienced)	46,746
Level 3 Professional Engineer/Professional Scientist	51,268
Level 4 Professional Engineer/Professional Scientist	58,053

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9.4	Meal Allowance	12.19
2	18.3	Use of private vehicle	Not less than 66 cents per kilometre

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 1 November 2008.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

PROFESSIONAL SURVEYORS (PRIVATE INDUSTRY) (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Association of Professional Engineers, Scientists and Managers, Australia (NSW Branch), Industrial Organisation of Employees.

(No. IRC 1965 of 2008)

Before Commissioner Murphy

24 October 2008

VARIATION

1. Delete subclause 4.5 of clause 4, Salaries and Classifications, of the award published 12 January 2001 (321 I.G. 569), and insert in lieu thereof the following:

4.5 The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (a) any equivalent overaward payments, and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments."

2. Delete subclauses 10.8 and 10.9 of clause 10, Overtime, Sundays and Public Holiday Work, and insert in lieu thereof the following:

10.8 An employee required to work beyond two hours after the usual finishing time of work shall be paid a meal allowance of \$7.81 for the meal and for each subsequent meal, or be provided with an adequate meal.

10.9 An employee required to work on a Sunday or public holiday for more than four hours shall either be supplied with a meal by the employer or paid \$7.81 for the meal taken during the first and/or subsequent crib break.

3. Delete subclause 19.2, of clause 19, Travelling Expenses and Travelling Time, and insert in lieu thereof the following:

19.2 If an employee is directed to work at a place other than his/her usual place of employment the fares which shall be payable under this clause shall be such as to enable him/her to travel economy class, where available. However, air travel shall be economy class. In the case of economy air travel an allowance of \$7.81 shall be paid for each meal period occurring during the duration of the travel provided the employee did not receive a meal in flight for each period concerned.

4. Delete clause 21, Vehicle Allowance, and insert in lieu thereof the following:

21. Vehicle Allowance

In cases where it is mutually agreed that an employee will be required to use their private vehicle on the employer's business on a casual or incidental basis, an employee shall be paid the following rates where applicable:

Vehicles up to and including 2000 cc	51.11 cents per kilometre
Vehicles over 2000 cc	70.48 cents per kilometre
Four wheel drive vehicles	83.18 cents per kilometre

5. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Salaries

Classification	Total Full-Time Award Rate Per Week \$	Full-time and Part- Time Hourly Rate \$	Casual Hourly Rate \$
Group A Graduate Surveyors			
1st Year	736.80	19.39	23.27
2nd Year	760.70	20.02	24.02
3rd Year	782.30	20.59	24.70
4th Year	804.00	21.16	25.39
5th Year	825.70	21.73	26.07
Registered Surveyors			
1st Year	847.40	22.30	26.76
2nd Year	867.10	22.82	27.38
3rd Year	886.60	23.33	28.00
4th Year	930.00	24.47	29.37
Group B Professional Surveyors	973.40	25.62	30.74
Group C Professional Surveyors	1103.50	29.04	34.85

6. This variation shall take effect from the beginning of the first full pay period to commence on or after 20 March 2009.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

**PUBLIC HEALTH SERVICE EMPLOYEES SKILLED TRADES
(STATE) AWARD (INCORPORATING THE AMBULANCE SERVICE
OF NSW SKILLED TRADES)**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Construction, Forestry, Mining and Energy Union (New South Wales Branch) , Industrial Organisation of Employees.

(No. IRC 1883 of 2008)

Before Commissioner Tabbaa

16 October 2008

VARIATION

1. Delete Table 3 - Expense Related Allowances of Part B, Monetary Rates of the award published 11 April 2008 (365 I.G. 569), and insert in lieu thereof the following:

Table 3 - Expense Related Allowances

(Including Tool Allowances for all Trades other than Electrical)

From the first Full Pay Period to Commence on or after 13 September 2008.

Award Clause	Allowance Description	Dollar (\$)
8	Tool Allowance Fitter, Motor Mechanic	25.80
8	Tool Allowance Plumber	25.80
8	Tool Allowance Carpenter	25.80
8	Tool Allowance Painter, Spray Painter, Signwriter	6.20
8	Tool Allowance Welder 1st Class	25.80
8	Tool Allowance Plasterer	21.30
8	Bricklayer	18.30
8	Tool Allowance Floor/Wall Tiler	18.30
8	Tool Allowance Upholsterer/Blindmaker	7.30
8	Tool Allowance Scientific Instrument/Tool Maker	25.80
5 (viii)	Meal allowance for meal on overtime For each subsequent meal	20.40 8.70
14(a)	Employee required to work at a job away from accustomed place of work	17.80 per day
24 (vii) (b)	Laundry Allowance	0.80 per week
26 (ii)	Damage to clothing and tools - insurance to the extent of	1448.33
33	Living away from home allowance	395.10 per week 56.50 daily
24 (viii)	Ambulance Service - uniform provided up to the value of	344.60 per annum

2. This variation shall take effect from the beginning of the first pay period to commence on or after 13 September 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

QUARRIES, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1972 of 2008)

Before Commissioner Tabbaa

29 October 2008

VARIATION

1. Delete clause 3.8, Safety Net Adjustments of the award published 30 June 2000 (316 I.G. 961) and insert in lieu thereof the following:

3.8. Safety Net Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (a) any equivalent overaward payments; and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part 7, Monetary Rates and insert in lieu thereof the following:

PART 7**MONETARY RATES****Table 1A - Wages**

Classification	SWC 2007 \$	SWC 2008 Adjustment \$	SWC 2008 \$
Operator Level One	598.40	23.90	622.30
Operator Level Two	625.30	25.00	650.30
Operator Level Three	650.30	26.00	676.30
Operator Level Four	673.20	26.90	700.10
Operator Level Five	685.70	27.40	713.10
Operator Level Six	698.20	27.90	726.10
Operator Level Seven	708.20	28.30	736.50
Tradesperson Level One	698.20	27.90	726.10
Tradesperson Level Two	718.70	28.70	747.40
Tradesperson Level Three	721.80	28.90	750.70
Tradesperson Level Four	742.30	29.70	772.00
Tradesperson Level Five	793.10	31.70	824.80

The rates in Table 1A above include and consume the "Industry Disability" allowance and the "Inclement Weather" allowance, (i.e. the rates in Table 1B continue to attract the "Disability Allowance", Item 26, Table 2). Accordingly, the rates in Table 1A above compensate employees for working in the open in quarries and thereby being subject to climatic conditions such as dust blowing in the wind, sloppy and muddy conditions and the lack of usual amenities associated with factory work etc., and for the additional disabilities of being required to work when exposed to inclement weather and for working in isolated and underdeveloped locations. "Inclement weather" means wet weather and/or abnormal climatic conditions such as hail, cold, high winds, severe dust storms, extreme high temperatures or any combination thereof.

Table 1B - Lime Makers Wages

Classification	SWC 2007 \$	SWC 2008 Adjustment \$	SWC 2008 \$
Lime Burner attending to more than three fire holes - cents extra	545.70	21.80	567.50
Arch Builder	531.40	21.30	552.70
Ash Wheeler	531.40	21.30	552.70
Labourer	531.40	21.30	552.70
Machine Person	531.65	21.25	552.90
Pepper Machinist	531.40	21.30	552.70
Powder Monkey	531.65	21.25	552.90
Powder Monkey's assistant	531.40	21.30	552.70
Jumper Person	531.40	21.30	552.70
Hammer Drill Person	531.40	21.30	552.70
Spawler	531.40	21.30	552.70
Tool Sharpener	531.40	21.30	552.70
Skip person Tip person	531.40	21.30	552.70
Truck Driver 5 Tonne Truck	531.40	21.30	552.70
Stripper	537.65	21.50	559.15
Box Filler in Quarry	531.40	21.30	552.70
Operators of navvy, petrol oil or electric operated:			
Up to & including .57 cubic metres	531.40	21.30	552.70
Over .57 cubic metres and up to & including 1.5 cubic metres	531.40	21.30	552.70
Over 1.5 cubic metres and up to and including 3 cubic metres	535.50	21.40	556.90
Over 3 cubic metres and up to and including 5.3 cubic metres	551.80	22.10	573.90
Over 5.3 cubic metres	557.25	22.30	579.55
Operator of plant used as rear and or bottom and or side dumps			
12 tonnes or more but not exceeding 15 tonnes	531.40	21.30	552.70
15 tonnes or more but not exceeding 20 tonnes	534.00	21.40	555.40
20 tonnes or more	535.95	21.45	557.40
Tractor Unit Plant			
48kw & under	531.40	21.30	552.70
Over 48kw	534.15	21.35	555.50
Over 97kw to 220kw	539.80	21.60	561.40
Tractors whilst using power operated attachments			
48kw and under	531.40	21.30	552.70
Over 48kw to 97kw	535.95	21.45	557.40
Loader front end and overhead: appropriate tractor rate grader self propelled over 30kw	535.75	21.45	557.20
Grader self propelled under 30kw	531.40	21.30	552.70
Air compressor Operator	531.40	21.30	552.70

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2007 \$	SWC 2008 \$
1	3.1(5)(a)	In charge of plant	13.80 per week	14.35 per week
	3.1(5)(b)	Leading hand allowances		
2		2 to 5 employees	20.50 per week	21.30 per week
3		6 to 10 employees	28.70 per week	29.85 per week
4		11 to 20 employees	40.85 per week	42.50 per week

5		More than 20 employees	51.90 per week	54.00 per week
6	3.1(6)(a)	Confined spaces	0.61 per hour	0.63 per hour
7	3.1(6)(b)	Dirty work	0.46 per hour	0.48 per hour
8	3.1(6)(c)	Height money	0.34 per hour	0.35 per hour
	3.1(6)(d)	Hot places		
9		Between 46 & 54 degrees Celsius	0.45 per hour	0.47 per hour
10		Exceeds 54 degrees Celsius	0.61 per hour	0.63 per hour
11	3.3(1)	Tools	13.00 per week	13.60 per week
12	3.4(2)	First Aid allowance	2.23 per day	2.32 per day
13	3.7(6)(b)	Meal allowance	11.90 per meal	12.55 per meal
14	3.7(6)(c)	Board and lodging	362.80 per week	378.40 per week
15	3.7(7)	Motor vehicle allowance	0.52 per km	0.56 per km
16	3.7(8)	Transport not available	5.80 per day	6.20 per day
17	4.7(5)(a)	Meal allowance	11.90 per meal	12.55 per meal
18	4.7(5)(b)	Meal allowance	11.90 per meal	12.55 per meal
Lime-making related allowances				
19	3.5(3)	Attending to generator/dynamo	17.85	18.55
20	3.5(4)	In charge of plant	17.85	18.55
21	3.5(5)	Leading hands		
		Less than 3 employees	11.00	11.45
		3 to 6 employees	18.60	19.35
		More than 6 employees	23.40	24.35
22	3.5(2)(iv)	Afternoon shift	39.85	41.45
23	3.5(1)	Disability Allowance	37.35	38.85

"Note": These allowances are contemporary for expense related allowances as at 30 June 2008 and for work related allowances are inclusive of adjustment in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 13 November 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

REFRACTORY INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C6819 published 28 November 2008

(366 I.G. 1373)

(No. IRC 1756 of 2008)

CORRECTION

1. For instruction 2, renumber Item No. "8" appearing in Table 2 - Other Rates and Allowances, to read as "7".

G. M. GRIMSON *Industrial Registrar.*

Printed by the authority of the Industrial Registrar.

RESTAURANT, &c., EMPLOYEES' RETAIL SHOPS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 35, Wages, of the award published 31 August 2001 (327 I.G. 368), and insert in lieu thereof the following:

35. Wages

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.'

2. Delete Table 1 - Wages Rates, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wage Rates

Classification	Former Rate Per Week \$	SWC 2008 \$	Total Wage Per Week \$
Weekly Employees - Cafeteria (where food or refreshments for consumption on premises are self-served by customers) -			
Head Cook	572.20	22.90	595.10
Other Cooks	565.80	22.60	588.40
Cashier	557.10	22.30	579.40
Cafeteria Attendants	555.80	22.20	578.00
General Hands	555.80	22.20	578.00
Restaurants - Where five or more cooks are usually employed -			
Chef	597.60	23.90	621.50
Second Cook	580.70	23.20	603.90
Grill, Stove or Relief Cook	574.30	23.00	597.30
Sweet Cook	572.20	22.90	595.10
Assistant or Vegetable Cook	566.90	22.70	589.60
Where four cooks are usually employed -			
Chef	585.40	23.40	608.80
Second Cook	577.70	23.10	600.80
Grill, Stove, Relief Cook, or Sweets Cook	572.50	22.90	595.40
Assistant or Vegetable Cook	566.90	22.70	589.60
Where three cooks are usually employed -			
Chef	578.10	23.10	601.20
Second Cook	569.80	22.80	592.60

Assistant Cook	565.80	22.60	588.40
Where two cooks are usually employed			
Chef	572.10	22.90	595.00
Other Cook	565.80	22.60	588.40
Where one cook is usually employed	571.50	22.90	594.40
General Employees -			
Supervisor	569.30	22.80	592.10
Storeman	557.20	22.30	579.50
Bar Attendant	557.10	22.30	579.40
Cashier	557.10	22.30	579.40
Butcher or Larder Cook	574.30	23.00	597.30
Waiter/Waitress	555.80	22.20	578.00
Line maid or Seamstress	555.80	22.20	578.00
General Hand	555.80	22.20	578.00
Apprentices - Four year apprentice cooks -			
1st Year	198.00	4.0%	205.90
2nd Year	231.70	4.0%	241.00
3rd Year	288.90	4.0%	300.50
4th Year	345.00	4.0%	358.80
Apprentices - Three and one-half year apprentice cooks -			
1st Year	198.00	4.0%	205.90
2nd Year	266.60	4.0%	277.30
3rd Year	323.00	4.0%	335.90
4th Year	348.90	4.0%	362.90

3. Delete Items 4, 5, 6, 7 and 8 of Table 2 - Other Rates and Allowances, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
4	4(v)(c)(1)(A)	Proficiency - first occasion	2.20 per week
5	4(v)(c)(1)(B)	Proficiency - second occasion	3.54 per week
6	4(v)(c)(1)(C)	Proficiency - third occasion	4.52 per week
7	24(iii)	Qualified first aid attendant	1.54 per day
8	25(i)	Tool allowance - apprentices	0.70 per week

4. This variation shall commence from the first full pay period on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

RETAIL SERVICES EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 22, Wages, of Part B, Monetary Rates, of the award published 5 October 2001 (328 I.G. 261), and insert in lieu thereof the following:

22. Wages

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Table 1 - Total Rates, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Total Rates

Classification	Former Rate Per Week \$	SWC 2008 \$	Total Rate Per Week \$
Propagator/Gardner	554.80	22.20	577.00
Retail Building Assistant	582.80	23.30	606.10
Retail Security Assistant			
Gatekeeper	582.80	23.30	606.10
Security Guard	582.80	23.30	606.10
Security Guard - Tell Tale	582.80	23.30	606.10
Security Guard - Additional duties	582.80	23.30	606.10
Retail Services Assistant			
Tea Attendant	563.60	22.50	586.10
Cleaner	563.60	22.50	586.10
Parking Attendant	563.60	22.50	586.10
Lift Attendant	563.60	22.50	586.10
Garden Hand	535.60	21.40	557.00

3. Delete Table 2 - Other Rates and Allowances, of the said Part B, and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(B)(iii)(a)	Broken Shift Allowance	12.52 per shift
2	4(B)(iii)(b)	Excess Fares Allowance	8.10 per week
3	7(i)	Leading Hands	Per week Per Day
4		1 to 5 employees	26.10 5.22
5	7(ii)	6 to 10 employees	29.60 5.92
6		First Aid	14.20 per week 2.84 per day
7	7(iii)	Qualification Allowance	17.50 per week
8			3.50 per day
9	7(iv)	Gun Allowance	2.04 per shift
10		Maximum payment of	10.20 per week
11	7(v)	Use of multi-purpose machines and other mobile sweeping machines, mechanical equipment, operate fork lifts	2.24 per shift
12	7(vi)	Refuse disposal (Retail Services Assistant)	0.89 per hour
13		Maximum payment of	17.80 per week
14	7(vii)	Toilet cleaning, work on outside steps, marble, brass etc., which necessitates kneeling	8.90 per week
15			1.78 per day
16	7(xi)	Horticultural Certificate Course	17.50 per week
17	8	Retail Building Assistant provided with accommodation	Deduction of not more than 14.00 per week

4. Delete Items 1, 2, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22 and 23 of Table 2 - Other Rates and Allowances appearing in the Appendix and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(a)	Night interval employees	2.24 per shift
2	5(a)	Night interval employees (working one night per week)	3.56 per shift
6	14(c)(ii)	Confection Shop - Employees working after 10.00 p.m. on any night	1.84 each night
8	38(1)(i)2(b)	Window Dressers under the age of 21	9.10 per week
9	35(i)(a)	Section Head	13.20 per week
10	35(i)(b)	Qualified adult automotive parts and accessories salesperson	30.10 per week
11	35(i)(c)	Employee with a licence under the <i>Liquor Act</i> 1982	20.60 per week
12	35(ii)(a)	Employee delivering goods	4.60 per week
13	35(ii)(b)	Employee engaged in photographic or other modelling	43.70 per week
			8.74 per day
14	35(ii)(c)	First-aid attendant	1.72 per day
15	35(ii)(d)	Employee engaged to speak a second language	8.70 per week
16	35(ii)(e)	Ticket writer -	
		At or over 21 years of age	17.70 per week
		Under 21 years of age	8.85 per week
20	35(v)(a)(1)	Disability allowance for employees working in freezer room	8.40 per week
21	35(v)(b)(1)	Disability allowance for employees working in public dairy room	12.60 per week
22	35(v)(c)(1)	Disability allowance for employees backfilling in a freezer room	16.80 per week

23	36(i)(a)	Casual hourly rate of pay for persons employed at trade fairs, etc., between 9.00 a.m. and 6.00 p.m., with a minimum payment of six hours -	
		At 19 years of age and over	15.31 per hour
		Under 19 years of age	15.01 per hour
	36(ii)(b)	Saturday Loading -	
	Adult Employees		6.30
	Under 21 years		4.20

5. This variation shall take effect from the first full pay period commencing on or after 28 July 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

ROCK AND ORE MILLING AND REFINING (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, Industrial Organisation of Employees.

(No. IRC 1840 of 2008)

Before Commissioner McKenna

7 October 2008

VARIATION

1. Delete subclause (vii), of clause 3, Wages, of the award published 27 July 2001 (326 I.G. 429), and insert in lieu thereof the following:
 - (vii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (A) any equivalent over-award payments; and/or
 - (B) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Wages**

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Production Operator Level 1 (83%)	545.30	21.80	567.10
Production Operator Level 2 (89.9%)	574.10	23.00	597.10
Production Operator Level 3 (92.4%)	584.50	23.40	607.90
Team Leader	618.20	24.70	642.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	3(i)	Disability Allowance	43.40	45.10
2	3(ii)	Shift Workers on day, afternoon and night shifts	9.20	9.55
3	3(iii)	Shift Workers on permanent afternoon or night shifts	11.30	11.75
4	3(v)	Leading Hands	4.60	4.80
5	4(iii)	Overtime - Meal Allowance	9.95	10.50
6	13(ii)	First Aid	2.00 per day or shift	2.10 per day or shift

"Note": These allowances are contemporary for expense related allowances as at 30th June 2008 and for work related allowances are inclusive of adjustments in accordance with the June 2008 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 28 October 2008.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

(601)

SERIAL C6832

SHOP EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete subclause (b) of clause 38, Wages, of the award published 18 May 2001 (324 I.G. 935) and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.'
2. Delete (i) of Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

(i)

Group No	Description	Former Rate Per Week \$	SWC 2008 \$	Total Rate Per Week \$
1	Shop assistants, demonstrators, trolley collector, salespersons outdoor, employees driving a forklift or using mechanical equipment as required, the role of Santa Claus, ticket writers, mannequins, order hands, reserve stock hands (including reserve stock hands in theatre distributing services), employees delivering goods (other than newspapers and the like) by bicycle or tricycle, employees engaged in the cooking or the preparation of provisions for sale in the shop of the employer, cashiers in special shops, persons employed on information desks and/or on customer services or as full-time messengers, employees engaged in the installation (other than installation requiring trade skill), servicing, stocking, collection of money from, and preparation of, commodities for sale in automatic vending devices, employees engaged in the pre-packing, weighing, pricing of fruit and/or vegetables on the shop premises, employees principally engaged in hiring out activities in a shop, and waitresses in confection shops employed waiting on tables for two hours or more per day	582.80	23.30	606.10
2	(a) Window Dresser Employees principally engaged in dressing windows. (b) Window dressers under 21 years of age shall be paid as per Item 8 of table 2 - Other Rates and Allowances, of Part B, Monetary Rates, in addition to the rates prescribed by subclause (c) of Clause 38 Wages.	588.80	23.60	612.40

3	Branch Supervisor Shop assistants engaged in supervising branch grocery shops	593.60	23.70	617.30
4	Shop Assistants in charge of a shop or a department in a shop not being a shop assistant temporarily in charge during the absence of persons ordinarily in charge of the shop or department, but including employees employed as relieving shop assistants in charge of a shop:			
	(i) Without the duty of buying -			
	In charge of from nil to 4 assistants	593.70	23.70	617.40
	In charge of from 5 to 12 assistants	602.10	24.10	626.20
	In charge of from 13 to 25 assistants	612.70	24.50	637.20
	In charge of over 25 assistants	620.50	24.80	645.30
	(ii) With the duty of buying -			
	In charge of from nil to 4 assistants	595.20	23.80	619.00
	In charge of from 5 to 12 assistants	604.50	24.20	628.70
	In charge of from 13 to 25 assistants	616.90	24.70	641.60
	In charge of over 25 assistants	623.90	25.00	648.90
5	Employees in charge of a motor and/or horse drawn vehicle selling stock carried on the vehicle products of a kind which usually are sold by confection/ take-away food shops Employees under the age of 21 years but not less than the age of 18 years shall be paid the percentages of the rate for an adult contained in (ii) of Table 1 - Clause 38 Wages.	600.20	24.00	624.20
6	Retail Merchandiser as defined by subclause (xi) of clause 2. Definitions	582.80	23.30	606.10

3. Delete Items 1, 2, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22 and 23 of Table 2 - Other Rates & Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 2 - Other Rates & Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(a)	Night interval employees	2.24 per shift
2	5(a)	Night interval employees (working one night per week)	3.56 per shift
6	14(c)(ii)	Confection Shop - Employees working after 10.00 p.m. on any night	1.84 each night
8	38(1)(i)2(b)	Window Dressers under the age of 21	9.10 per week
9	35(i)(a)	Section Head	13.20 per week
10	35(i)(b)	Qualified adult automotive parts and accessories salesperson	30.10 per week
11	35(i)(c)	Employee with a licence under the <i>Liquor Act</i> 1982	20.60 per week
12	35(ii)(a)	Employee delivering goods	4.60 per week
13	35(ii)(b)	Employee engaged in photographic or other modelling	43.70 per week 8.74 per day
14	35(ii)(c)	First-aid attendant	1.72 per day
15	35(ii)(d)	Employee engaged to speak a second language	8.70 per week
16	35(ii)(e)	Ticket writer - At or over 21 years of age Under 21 years of age	17.70 per week 8.85 per week
20	35(v)(a)(1)	Disability allowance for employees working in freezer room	8.40 per week
21	35(v)(b)(1)	Disability allowance for employees working in public dairy room	12.60 per week
22	35(v)(c)(1)	Disability allowance for employees backfilling in a freezer room	16.80 per week

23	36(i)(a)	Casual hourly rate of pay for persons employed at trade fairs, etc., between 9.00 a.m. and 6.00 p.m., with a minimum payment of six hours -	
		At 19 years of age and over	15.31 per hour
		Under 19 years of age	15.01 per hour
	36(ii)(b)	Saturday Loading -	
		Adult Employees	6.30
		Under 21 years	4.20

4. This variation shall take effect from the first full pay period commencing on or after 28 July 2008.

E. A. R. BISHOP, Commissioner

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**SPASTIC CENTRE OF NEW SOUTH WALES (ALLIED
PROFESSIONAL STAFF) (STATE) AWARD 2004**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act* 1996.

(No. IRC 1579 of 2008)

Before Commissioner Macdonald

28 October 2008

REVIEWED AWARD

1. Insert after subclause (iii) of clause 34, Area, Incidence and Duration of the award published 14 July 2006 (360 I.G. 119) the following new subclauses
 - (iv) The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act* 1996 and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 28 October 2008.
 - (iv) This award remains in force until varied or rescinded, the period for which it was made already having expired.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

**SPASTIC CENTRE OF NEW SOUTH WALES ENTERPRISE (STATE)
AWARD, THE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act* 1996.

(No. IRC 1580 of 2008)

Before Commissioner Macdonald

28 October 2008

REVIEWED AWARD

1. Insert at the end of clause 41, Area, Incidence and Duration of the award published 14 July 2006 (360 I.G. 151), the following new paragraphs:

The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act* 1996 and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 28 October 2008.

This award remains in force until varied or rescinded, the period for which it was made already having expired.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

STATE SPORTS CENTRE TRUST CASUAL EVENT STAFF (STATE) AWARD 2004

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act* 1996.

(No. IRC 1578 of 2007)

Before Commissioner Cambridge

24 October 2008

REVIEWED AWARD

PART A

1. Arrangement

Clause No.	Subject Matter
------------	----------------

PART A

- | | |
|-----|---|
| 1. | Arrangement |
| 2. | Parties to this Award |
| 3. | Intention |
| 4. | Rates of Pay |
| 5. | Income Protection Plan |
| 6. | Hours of Work |
| 7. | Terms of Engagement |
| 8. | Meal Breaks |
| 9. | Overtime |
| 10. | Public Holidays |
| 11. | Payment of Wages |
| 12. | Job Representative |
| 13. | Labour Flexibility |
| 14. | Uniforms and Protective Clothing |
| 15. | Tools and Equipment |
| 16. | Change Rooms |
| 17. | Grievance and Dispute Resolution Procedures |
| 18. | Area, Incidence and Duration |
| 19. | No Extra Claims |
| 20. | No Reduction of Entitlements |

PART B

Table 1 - Hourly Rates

2. Parties to This Award

The parties to this award are:

- (i) the Division Head of the State Sports Centre Trust Division exercising on behalf of the Government of NSW the employer functions of the Government Sports in relation to members of staff of the State Centre Trust Division employed under Chapter 1A of the *Public Service and Management Act* 2002 in - in the classifications set out in Clause 4 ("the Employer").
- (ii) The Australian Workers' Union, New South Wales ("the Union")

3. Intention

The principal intentions of this award, consistent with the understandings agreed with Unions New South Wales on behalf of affiliates, are:

- (i) To promote harmonious industrial relations for the Sydney Olympic Park Sports Centre ("the Centre") and associated facilities;
- (ii) To maximise standards of service to the public and the Centre's users, measured against those applying in the leisure and recreation industry nationally and internationally;
- (iii) To facilitate the development of a multi-skilled casual workforce;
- (iv) To establish flexible operational arrangements to meet the needs of the Centre, its clients and those of the workforce;
- (v) To maintain the Centre and associated facilities as world class Olympic Sports Venues.

4. Rates of Pay

- (i) The minimum rates of pay for employees covered by this award shall be those set out in Table 1 of Part B of this award
- (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2007. These adjustments may be offset against:

any equivalent over award payments, and/or

award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

- (iii) Classifications (Skills/Definitions)

Level 1

Shall be an employee with no qualifications and performs duties of a routine nature, requiring the use of minimum judgement and supervision.

Employees at this level may include the initial recruit who may have limited relevant experience.

An employee at this level will be able to communicate with the public in a courteous and tactful manner.

Working under close supervision and undergoing on-the-job training, an employee at this level would perform the function of car parking attendant, door attendant, door attendant or usher cashier (including basic clerical and office duties including answering the phone).

Upon completion of 400 hours of employment at Level 1, an employee will be reclassified to Level 2.

Level 2

Shall be an employee who has:

- (a) Undertaken structured training recognised by the Centre's management as being relevant; or
- (b) Completed 400 hours' employment at the level required of a Level 1 operative or equivalent work within the leisure and recreation or venue management sector.

An employee at this level would:

Demonstrate a capacity to work in a team environment under routine supervision and assist with the provision of on-the-job training to a limited degree.

Where appropriate, hold and maintain first-aid qualifications recognised as being in accord with the safe and effective conduct of duties involving public and employee health and safety.

In addition to the requirements of a Level 1 employee, a person at this level may be called upon to perform some of the following:

- Program selling/merchandise selling;
- Processing ticket sales and bookings;
- Conduct tours of the Centre or associated facilities;
- Supervise uniform room.

Level 3

An employee at this level shall exercise discretion within one's own level of skill and training and has delegated responsibility for work under their control or supervision in terms of allocation of duties, co-ordinating workflows, checking progress, quality of work and resolving problems, as well as counselling staff for performance and work-related problems where required.

Tasks would include training of new employees at Levels 1 and 2 and supervision of a discrete section or group; acts as an assistant theatre manager or event co-ordinator/client liaison, audio visual technician, security supervisor.

Level 4

Shall be an employee who, subject to broad guidance or direction, reports to more senior staff as required.

An employee at this level would have worked or studied in a relevant field and/or have specialist knowledge, qualifications and experience sufficient to enable them to advise on a range of activities and features and contribute, as required, to the determination of objectives, within their delegated area of supervision, including box office management, security, theatre craft, event management, publicity and promotion.

5. Income Protection Plan

Employees who are members of the union to whom this award applies shall be covered by the Sickness and Accident Income Protection Plan approved and endorsed by The Australian Workers' Union. It is a term of this award that the employer will bear the costs of a daily premium of \$1.00 per employee per day worked to cover employees who are members of the union.

This clause applies only to regular casuals, i.e. employees engaged for 2 or more shifts within a calendar month.

6. Hours of Work

The ordinary hours of work shall be rostered, between the hours of 7:00 am and 11:30 pm. The ordinary hours of work may be extended to 2:00 am to cover special events, provided that management gives all employees involved 7 clear days' notice of the extension of ordinary hours, or upon agreement between the Employer and employee.

7. Terms of Engagement

- (i) All employees shall be engaged as casual employees under this award.
- (ii) Employees shall be paid the appropriate hourly rate as set out in Table 1 of Part B.
- (iii) The casual hourly rate contained in this award contains a component in lieu of any entitlement to sick leave, public holidays, bereavement leave, long service leave and annual leave.
- (iv) A casual employee shall receive a minimum payment of 3 hours for each engagement, to be worked consecutively.
- (v) Casual rosters may be changed by management provided that shifts are not shortened to less than the minimum referred to above.

8. Meal Breaks

- (i) Any employee who is required to work on any shift for more than 5 hours shall be entitled to a paid meal break of 30 minutes which should be taken no more than 5 hours after commencing duty.
- (ii) Notwithstanding the provisions of subclause (i) of this clause, the Employer and employee can determine the appropriate time to take a meal break by mutual agreement.

9. Overtime

- (i) Overtime shall be paid to employees engaged under this award in the following circumstances:
 - (a) Where the hours of work exceed 10 in any day;
 - (b) Where the hours of work extend beyond the time limits specified in clause 6, Hours of Work;
 - (c) Where the employee receives less than a 10-hour break between work on consecutive days.
- (ii) Overtime shall be paid on the hourly rates contained in Table 1 of Part B, based on time and one half for the first 2 hours and double time for each hour worked thereafter calculated to the nearest quarter hour.

10. Public Holidays

- (i) The days on which New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day, Boxing Day or any proclaimed day or part thereof in lieu thereof for the State shall be holidays.
- (ii) Casual employees who are required to work on a public holiday shall be entitled to the appropriate hourly rate contained in Table 1 of Part B.

11. Payment of Wages

Wages will be paid fortnightly by electronic funds transfer.

12. Job Representative

- (i) A job representative appointed by the employees shall be allowed the necessary time during working hours, to interview the supervisor or officer in charge on matters affecting the employees whom he/she represents.
- (ii) The Australian Workers' Union job delegates shall be allowed up to 5 days' paid leave per year to attend approved courses run by the union.

13. Labour Flexibility

Employees covered by this award shall perform all work within their skill and competence including but not limited to work which is incidental but not peripheral to their main tasks and functions.

14. Uniforms and Protective Clothing

Where employees are required to wear a uniform, they will be provided to the employee free of charge. Employees required to work in the rain shall be provided with oilskins, gumboots or other protective clothing, free of charge.

Upon termination of employment, all uniforms and property belonging to the employer shall be returned by the employee to the Employer.

15. Tools and Equipment

All tools and equipment required by the employees to perform their duties shall be provided by the Employer, free of charge.

16. Change Rooms

The Employer shall provide a change room for the use of the employees, free of charge. Such change room shall be equipped with hot and cold showers and shall be fitted with individual locker accommodation.

17. Grievance and Dispute Resolution Procedures

- (i) Procedures relating to grievances of individual employees
 - (a) The employee is required to notify (in writing or otherwise) the Employer as to the substance of the grievance, request a meeting with the Employer for bilateral discussion and state the remedy sought.
 - (b) A grievance must initially be dealt with as close to its source as possible, with graduated steps for further discussion and resolution at higher levels of authority.
 - (c) Reasonable time limits be allowed for discussion at each level of authority.
 - (d) At the conclusion of the discussion, the Employer must provide a response to the employee's grievance, if the matter has not been resolved, including reasons for not implementing any proposed remedy.
 - (e) While a procedure is being followed, normal work must continue.
 - (f) The employee may be represented by the union for the purpose of each procedure.
- (ii) Procedures relating to disputes, etc., between the Employer and its employees
 - (a) A question, dispute or difficulty must initially be dealt with as close to its source as possible, with graduated steps for further discussion and resolution at higher level of authority.
 - (b) Reasonable time limits must be allowed for discussion at each level of authority.
 - (c) While a procedure is being followed, normal work must continue.
 - (d) The Employer may be represented by an industrial organisation of employers and the employees may be represented by the union for the purpose of each procedure.

18. Area, Incidence and Duration

- (i) This award shall regulate the terms and conditions of employment of casual event employees of the Government Service of New South Wales State Sports Centre Trust Division engaged within the scope of the classification structure contained in clause 4 (ii), employed in or in connection with, or in about (whether indoors or outdoors) at any fixture, event, exhibition or performance at the Sydney Olympic Park Sports Centre, or associated facilities.
- (ii) This award shall not apply to employees of the Government Service of New South Wales State Sports Centre Trust Division engaged by the week, even though such employees may from time to time perform functions covered by the classification structure contained in clause 4 (rates of pay).
- (iii) This award is made following a review under section 19 of the *Industrial Relations Act* 1996 and rescinds and replaces the State Sports Centre Trust Casual Event Staff (State) Award 2004 published 11 March 2005 (349 I.G. 29), as varied.
- (iv) The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act* 1996 and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 20 June 2008.
- (v) This award remains in force until varied or rescinded, the period for which it was made having already expired.

19. No Extra Claims

It is a term of this award that the union undertakes not to pursue any extra claims, award or over-award, of a general nature, for the duration of the award.

20. No Reduction in Entitlements

No existing employee at the date of the implementation of this award shall suffer a reduction in either conditions or rates of pay, whether award based or not, simply as a consequence of the existence of this award, and it impacting on their employment

PART B

Table 1 - Hourly Rates

The following shall be the ordinary hourly rates for employees engaged under this award:

Classification	At commencement of award	
	Monday to Sunday \$	Public Holidays \$
Level 1	17.65	36.77
Level 2	18.98	39.54
Level 3	21.03	43.82
Level 4	25.03	52.15

Notes:

The above hourly rates were calculated based on the award rates shown below at 1 July 2005 multiplied by 38 hours to establish a weekly rate. The Arbitrated Safety Net Adjustment 2007 increase of \$20 per week was then added to the weekly rate and the result was divided by 38 hours to give the new hourly rate. The Public Holiday rates are the new hourly rates less the 20% casual loading multiplied by 2.5.

Previous Hourly Rates:

Classification	At commencement of award		1 July 2005	
	Monday to Sunday \$	Public Holidays \$	Monday to Sunday \$	Public Holidays \$
Level 1	16.70	34.80	17.12	35.67
Level 2	18.00	37.50	18.45	38.44
Level 3	20.00	41.67	20.50	42.71
Level 4	23.90	49.79	24.50	51.04

I. W. CAMBRIDGE, Commissioner

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STOREMEN AND PACKERS BOND AND FREE STORES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1799 of 2008)

Before Commissioner Macdonald

7 October 2008

VARIATION

1. Delete subclause (ii) of clause 5A, Arbitrated Safety Net Adjustments, of the award published 9 February 2001 (322 I.G. 72), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Appendix A - Minimum Award Wage Rates, of Part B, Monetary Rates, and insert in lieu thereof the following:

APPENDIX A

Minimum Award Wage Rates

Classification	Minimum Award Wage Rates (per week) 11 October 2007 \$	Minimum Award Wage Rates (per week) 11 October 2008 \$
Storeman & Packer Level 1	572.50	595.40
Storeman & Packer Level 2	587.50	611.00
Storeman & Packer Level 3	593.30	617.00
Storeman & Packer Level 4	611.70	636.20
Storeman & Packer Level 5	626.20	651.20

3. Delete Appendix B - Allowances and Special Rates, of the said Part B, and insert in lieu thereof the following:

APPENDIX B

Allowances and Special Rates

Item No.	Clause No.	Brief Description	Amount \$
1	2(ii)	Containerisation	18 cents per hour
2	2(ii)	Containerisation (over four hours)	1.77 per day
3	9	Meal Allowance	11.25 per meal
4	20(a)(i)	Employee in Charge (1 to 5 employees)	18.28 per week
5	20(a)(ii)	Employee in Charge (6 or more employees)	28.04 per week

6	20(b)	Single employee	19.86 per week
7	20(d)(i)	Forklift allowance	0.77 per hour
8	20(d)(ii)	Mobile/pendant crane allowance	1.00 per hour
9	20(e)	Bagged stuff exceeding 68.04 kgs	0.53 per hour
10	20(e)	Bagged stuff exceeding 81.65 kgs	0.74 per hour
11	20(f)	Handling certain materials	0.63 per hour
12	20(g)	Hazardous store work	1.41 per day
13	20(g)	Hazardous store work (hourly rate)	0.36 per hour
14	20(h)	Dirty work	0.94 per hour
15	20(i)	Dust allowance	0.63 per hour
16	24(ii)	First-aid attendant	2.28 per day

4. This variation shall take effect from the first full pay period commencing on or after 11 October 2008.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(912)

SERIAL C6767**STOREMEN AND PACKERS, GENERAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1798 of 2008)

Before Commissioner Macdonald

7 October 2008

VARIATION

1. Delete subclause (b) of clause 10A, Arbitrated Safety Net Adjustments, of the award published 18 August 2000 (317 I.G.1097), and insert in lieu thereof the following:

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or;
- (ii) award wage increases since 29 May 1991, other than Safety Net, State Wage Case and minimum rates adjustments."

2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Minimum Award Wage Rates**

Classification	Former Award Rates (Per Week) 11 October 2007 \$	Minimum Award Wage Rates (Per Week) 11 October 2008 \$
Storeman & Packer Level 1	563.70	586.20
Storeman & Packer Level 2	578.70	601.80
Storeman & Packer Level 3	584.50	607.90
Storeman & Packer Level 4	603.30	627.40
Storeman & Packer Level 5	618.20	642.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	Amount \$
1	10(iii)	In charge -	
2		1-5	18.60 per week
3		6-10	28.05 per week
4		11-15	38.25 per week
5		over 15	48.10 per week
6	10(v)	Single employee	14.84 per week
7	10(vi)(a)	Operates fork lift	0.74 per hour
8	10(vi)(b)	Operates mobile crane	0.89 per hour
9		Not to exceed	0.89 per hour
10	10(vii)	In iron yards, etc. handling various materials	6.25 per week
11	10(viii)	Packing crockery etc.	14.16 additional

11	10(ix)	Blending of honey	15.40 additional
12	10(x)	Reclaiming waste butter	15.40 additional
13	10(xi)	Carrying bagged stuff etc	0.47 per hour
14		Exceeding 68.04 kg	0.53 per hour
15	18	Overtime - more than 1 hour	11.25 per meal
16		Notified and not called upon	11.25 per meal
17	19(i)	Dirty work	0.48 per hour extra
18	19(ii)	Hot places -	0.48 per hour extra
19		Between 46 and 54.4o Celsius	0.63 per hour extra
20	19(iii)	Exceeds 54.4o Celsius	0.48 per hour extra
21	20(i) (a)	Wet places	0.87 per hour extra
22	(b)	Obnoxious materials	0.75 per hour extra
23	21(iii)	Other obnoxious materials	0.73 per km
24	22	Use of own vehicle	2.25 per day
25		First-aid	

3. This variation shall take effect from the first pay period commencing on or after 11 October 2008.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

STOREMEN AND PACKERS, WHOLESALE DRUG STORES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1801 of 2008)

Before Commissioner Macdonald

7 October 2008

VARIATION

1. Delete subclause (b) of clause 5, Arbitrated Safety Net Adjustments, of the award published 23 April 1999 (309 I.G. 13), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (A) any equivalent overaward payments; and/or
 - (B) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Schedule A - Minimum Award Wage Rates, and insert in lieu thereof the following:

SCHEDULE A

Minimum Award Wage Rates

Classification	Former Award Rate Per Week 11 October 2007 \$	Minimum Award Wage Rate Per Week 11 October 2008 \$
Storemen and Packer - Level 1	563.70	586.20
Storemen and Packer - Level 2	578.70	601.80
Storemen and Packer - Level 3	584.50	607.90
Storemen and Packer - Level 4	603.30	627.40
Storemen and Packer - Level 5	618.20	642.90

3. Delete Schedule B, Allowances and Special Rates, and insert in lieu thereof the following:

SCHEDULE B

Allowances and Special Rates

Item No.	Subject	Amount \$
1	In charge of 1 - 5 employees	24.69 per week
2	In charge of 6 - 10 employees	29.43 per week
3	In charge of more than 10 employees	35.66 per week
4	Hazardous stores work	1.50 per day
5	Forklift Allowance	73 cents per hour
6	Mobile Crane Allowance	87 cents per hour
7	Morning/Afternoon shift allowance	12.99 per shift

8	Night shift allowance	17.38 per shift
9	Travel allowance	73 cents per kilometre
10	Meal allowance	11.25 per meal
11	First Aid Attendant	2.80 per day

4. This variation shall take effect from the first full pay period commencing on or after 11 October 2008.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(631)

SERIAL C6854

STOREMEN AND PACKERS, WHOLESALE PAINT, VARNISH AND COLOUR STORES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1800 of 2008)

Before Commissioner Macdonald

7 October 2008

VARIATION

1. Delete subclause (vi) of clause 5, Wages of the award published 14 December 2001 (330 I.G. 327), and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments; and/or
 - (b) award wage increases since 29 May 1991, other than safety net, State Wage Case and minimum rates adjustment.

2. Delete Part B Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Minimum Award Wage Rates

Classification	Minimum Award Wage Rate (Per Week) SWC 26 November 2007 \$	Minimum Award Wage Rate (Per Week) SWC 26 November 2008 \$
Adults: Head Storeman/Storewoman	618.20	642.90
Drivers Of Mobile Crane: Lifting Capacity: Up to and including 5 tonnes	584.50	607.90
Exceeding 5 tonnes but not exceeding 10 tonnes	584.50	607.90
Exceeding 10 tonnes but not exceeding 20 tonnes	603.30	627.40
Over 20 tonnes	603.30	627.40
Drivers Of Forklift:	584.50	607.90
All Other Employees - 12 months or more:	578.70	601.80
All Other Employees - Less than 12 months:	563.70	586.20

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Description	Amount \$
1	5(iv)(a)	Dry Colour Section: Weekly Employees	1.51 per week
2	5(iv)(a)	Casual Labor	3.04 per hour
3	5(iv)(a)	Juniors	1.51 per week
4	5(iv)(b)	Open Containers and weigh dry colour	1.06 cents/week
5	5(v)a	Operates a forklift	74 cents/hour
6	5(v)b	Operates a Mobile Crane	89 cents/hour
7	9	Meal Allowance	11.25 per meal
8		Leading Hand In charge of 1-5 In charge of 6-10 In charge of 11-15 In charge of over 15	18.60 per week 28.05 per week 38.25 per week 48.10 per week

3. This variation shall take effect from the first full pay period commencing on or after 26 November 2008.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(1051)

SERIAL C6777

**TEACHERS (INDEPENDENT SCHOOLS EARLY CHILDHOOD
SERVICE CENTRES OTHER THAN PRE-SCHOOLS) (STATE)
AWARD 2008**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act 1996*.

(No. IRC 674 of 2008)

Before Commissioner Bishop

10 October 2008

REVIEWED AWARD

Arrangement

Clause No. Subject Matter

PART A

- | | |
|-----|---|
| 1. | Title |
| 2. | Definitions |
| 3. | Salaries |
| 4. | Shift and Penalty Loadings |
| 5. | Director's allowance |
| 6. | Annual Leave |
| 7. | Annual Holiday Loading |
| 8. | Sick Leave |
| 9. | Carer's Leave |
| 10. | Other Leave |
| 11. | Hours of Work |
| 12. | Miscellaneous |
| 13. | Union Representatives |
| 14. | Terms of Engagement and Information to be Provided
to Teachers |
| 15. | Disputes and Grievance Procedures |
| 16. | Remuneration |
| 17. | Savings Clause |
| 18. | Superannuation |
| 19. | Enterprise Consultation |
| 20. | Labour Flexibility |
| 21. | Anti-Discrimination |
| 22. | Area, Incidence and Duration |

PART B

MONETARY RATES

Table Subject Matter

- | | |
|---|----------------------------|
| 1 | Rates Of Pay |
| 2 | Directors' Allowances |
| 3 | Other Rates and Allowances |

PART C

REDUNDANCY

PART A**1. Title**

This award shall be known as the Teachers (Independent Schools Early Childhood Service Centres Other than Pre-Schools) (State) Award 2008.

2. Definitions

For the purposes of this award, except for sub-clause (c) of this clause and Clause 5, Directors' Allowance, hereof, all reference to teachers in this award shall include Director, and:

(a) "Teacher" means any person employed as such in an Early Childhood Services Centre (ECS Centre) as defined in sub-clause (d) of this clause, holding Early Childhood qualifications as defined in sub-clauses (n), (o) and (p) of this clause.

(i) "Full-time Teacher" means any teacher other than a casual, temporary, or part-time teacher.

(ii) "Part-time Teacher" means any teacher who is engaged to work regularly at an ECS Centre and not more than 0.8 of the normal hours which a full-time teacher at the Centre is required to work provided that a part-time teacher may work up to 0.9 of the normal hours of a full-time teacher if he or she is entitled to a preparation session equivalent to 0.1 of a teacher's normal hours. Provided further that a part-time teacher employed as at 31 January 1990 shall not be required by that employer to work in excess of 0.8 of the normal hours of a full-time teacher.

(iii) "Temporary Teacher" means a teacher employed to work full-time or part-time for a specified period which is not more than a full ECS centre year, but not less than four full weeks.

Provided that a teacher may be employed for a specific period in excess of a full ECS centre year but not more than two ECS centre years were such a teacher is replacing a teacher who is on leave for a specified period in excess of a full ECS centre year.

A teacher shall not be employed on successive temporary appointments except where each appointment is for a different purpose.

A teacher cannot be employed on a temporary basis unless any advertisement for the position stated the position was temporary and unless the teacher was advised at the point he or she was offered the position that it was temporary.

(iv) "Casual Teacher" means a teacher engaged as required by an employer for up to 20 working days in any one period of employment. Provided that the period may be extended as required by the employer if the employer has been notified that the permanent teacher will be absent beyond the 20-day period.

(b) "Centre Year" means the number of weeks, for which a particular ECS Centre is open over the course of a calendar year.

(c) "Director" means the teacher who is responsible for the day to day operation of the Early Childhood Services Centre as defined in sub-clause (d) of this clause holding Early Childhood qualifications as defined in sub-clauses (n), (o) and (p) of this clause.

(d) "Early Childhood Services (ECS) Centre" means an establishment which provides child care and/or educational development programmes and/or services for children under school age and shall include early intervention services, long day care centres and multi-purpose centres. It shall not include a Pre-School.

- (i) "Early Intervention Services" means individual programmes for developmentally delayed or disabled children, or children at risk of being developmentally delayed or disabled, aged 0-6 years, aimed at providing assistance to the child and its family in the areas of physical, emotional, social and educational needs;
- [NOTATION: Where the hours and conditions of work of a teacher employed in an Early Intervention Service approximate those hours and conditions of a teacher employed in a recognised Pre-School, such conditions and hours shall apply to that teacher in accordance with the relevant provisions of the Teachers (Independent Schools) (State) Award.])
- (ii) "Long Day Care Centre" means a child care establishment which usually provides services over a period of approximately eight hours or more each day for approximately 48 weeks or more during the year;
- (iii) "Multi-Purpose Centre" means a child care establishment which usually provides the services of a long day care centre, together with the services of a full-day care centre and/or a sessional care centre.
- (e) "Pre-School" means a kindergarten, day school or nursery school which usually operates during hours and terms which approximate those of a recognised school and which usually provides programmes for children aged 3-6 years.
- (f) "Unit" means a group or class of children which does not at any one time exceed 25 children, but which need not necessarily consist of the same children at all times.
- (g) "Infants Department" means Kindergarten, Grades 1 and 2 in a recognised school.
- (h) "Recognised School" means a school registered under the provisions of the Education Reform Act 1990.
- (i) "Recognised Higher Education Institution" means an Australian university recognised by the relevant Australian tertiary education authority from time to time or a former college of advanced education, Australian teachers college or Australian institute of education recognised by the Tertiary Education Commission.
- (j) "Graduate" means a teacher who holds a degree from a recognised higher education institution.
- (k) "Category UG2 Level" means a course of study leading to a category UG2 Diploma Award as described in Statement No. 1, Nomenclature and Guidelines for Awards in Advanced Education, August 1972 (as amended), issued by the Australian Council on Awards in Advanced Education, and recognised by the said Council for inclusion in the National Register of Awards in Advanced Education.
- (l) "Category PGI Level" means a course of study leading to a category PGI Graduate Diploma (at the 19.1 level) as described in Statement No. 1, Nomenclature and Guidelines for Awards in Advanced Education, August 1972 (as amended), issued by the Australian Council on Awards in Advanced Education, and recognised by the said Council for inclusion in the National Register of Awards in Advanced Education.
- (m) "Equivalent Qualifications or Equivalent Course" means a qualification or course as the case may be which the employer and the employee agree as being equivalent to the qualification or course prescribed by the clause in question in this award, or which the Industrial Relations Commission of New South Wales determines as being so equivalent or accepted as equivalent by the National Office of Overseas Skills Recognition of the Australian Department of Employment Education and Training.
- (n) "Two Years Trained Teacher" means:
- (i) A teacher who has satisfactorily completed a two years full-time course of study in Early Childhood Education at a recognised higher education institution; or

- (ii) A teacher who was employed as a Two Years Trained Teacher as at 1 February 1991; or
 - (iii) A teacher who has acquired other equivalent qualifications.
- (o) "Three Years Trained Teacher" means:
- (i) A teacher who has satisfactorily completed a three years full-time course of study in Early Childhood Education at a recognised higher education institution; or
 - (ii) A teacher who, in addition to satisfying the requirements for classification as a Two Years Trained Teacher, has satisfactorily completed a course of study in Early Childhood Education at Category UG2 level; or
 - (iii) A teacher who was employed as a Three Years Trained Teacher as at 1 January 1985; or
 - (iv) A teacher who has acquired other equivalent qualifications; or
 - (v) A three year Primary School trained teacher who has been recognised as equivalent by the New South Wales Department of Community Services.
- (p) "Four Years Trained Teacher" means:
- (i) A teacher who is a graduate holding B.Ed (Early Childhood) (four years full-time course); or
 - (ii) A teacher who is a graduate and who holds a Diploma in Early Childhood Education from a recognised higher education institution; or
 - (iii) A teacher who has, in addition to satisfying the requirements for classification as a Three Years Trained Teacher, satisfactorily completed a course of study in Early Childhood Education at Category PGI Level; or
 - (iv) A teacher who was employed as a Four Years Trained Teacher as at 1 January 1985; or
 - (v) A teacher who has acquired other equivalent qualifications; or
 - (vi) A four year Primary School trained teacher who has been recognised as equivalent by the New South Wales Department of Community Services.
- (q) "Union" means the New South Wales Independent Education Union.

3. Salaries

3.1 The minimum fortnightly salary payable to full-time teachers shall, subject to the other provisions of this award, be calculated by dividing the rates as set out in Table 1, Rates of Pay of Part B, Monetary Rates by 26.07.

(a) Two Years Trained Teachers

A Two Years Trained Teacher shall commence on Step 1 of the scale and progress according to normal years of service to Step 13 of the scale.

A Two Years Trained Teacher who, by further study satisfactorily completes the equivalent of one third of a degree course in Early Childhood Studies, shall be paid an additional increment with retention of normal incremental date and shall thereafter progress in accordance with normal years of service to Step 13 of the scale.

- (b) Three Years Trained Teachers
 - (i) A Three Years Trained Teacher shall commence on Step 3 of the scale and progress according to normal years of service to Step 13 of the scale.
 - (ii) A Three Years Trained Teacher being paid on Steps 3 to 13 of the scale who, by further study satisfactorily completes the equivalent of one third of degree course, shall receive a salary advance of one increment with retention of incremental date and shall thereafter progress in accordance with normal years of service to Step 13 of the scale.
 - (iii) Provided that a Three Year Trained Teacher who has been paid at Step 9 for 12 months or more prior to 1 September 2004 shall progress to Step 13 from 1 September 2004.
- (c) Four Years Trained Teachers
 - (i) A Four Years Trained Teacher shall commence on Step 5 of the scale and progress according to normal years of service to Step 13 of the scale.

3.2 Part-Time and Temporary Teachers

- (a) A part-time teacher, including a temporary part-time teacher, shall be paid at the same rate as a full-time teacher with the corresponding classification, but in that proportion which the teacher's normal working hours bear to the hours which a full-time teacher at that ECS Centre is normally required to work. For the purpose of this calculation, the normal working hours of a full-time teacher shall be not greater than 38 hours per week (see clause 11, Hours of Work) for a teacher employed at an ECS Centre.
- (b) The days of attendance of a part-time teacher may be varied at the commencement of each calendar year or by mutual agreement between the employer and the employee, with four weeks notice in an ECS Centre. The normal hours for the purpose of this sub-clause shall not be varied without agreement. Agreement will not be unreasonably withheld.
- (c) A temporary full-time teacher shall be paid at the same rate as that prescribed for a full-time teacher with the corresponding classification.

3.3 Casual Teachers

The salary payable to a casual teacher shall be a daily, half daily, or quarter daily rate, plus 20 per cent of such rate, which shall be calculated as follows:

- (i) The appropriate rate prescribed by Table 1 of Part B, Monetary Rates, in accordance with years of full-time service, shall be divided by 26.07 to provide a fortnightly rate; provided that the maximum rate shall be as follows:
 - Two Years Trained Fifth Step
 - Three Years Trained Sixth Step
 - Four Years Trained Eighth Step
- (ii) The fortnightly rate thus obtained shall then be divided by:
 - (1) 10, to obtain a daily rate of pay, or
 - (2) 20, to obtain a half daily rate of pay, or
 - (3) 40, to obtain a quarter daily rate of pay.

and the amount thus obtained shall then be increased by 20 per cent of such amount.

- (iii) The amount obtained by the operation of subparagraphs (i) and (ii) of this paragraph is exclusive of the pro rata payment to which the teacher is entitled under the Annual Holidays Act 1944.

3.4 Travelling Expenses

- (a) Where a teacher is required to use his or her vehicle in connection with the teacher's employment other than for journeys between home and place of employment, the teacher shall be paid an allowance as set out in Item 1 of Table 3, Other Rates and Allowances of Part B, Monetary Rates.
- (b) Travelling and other out of pocket expenses reasonably incurred by a teacher in the course of duties required by the employer shall be reimbursed by the employer.

3.5 Calculation of Service

- (a) For the purpose of this clause, any teacher if required by the employer to do so, shall upon engagement establish to the satisfaction of the employer, the length of his or her teaching service in any Pre-School, Early Childhood Services Centre (ECS), Multi-Purpose Centre or in early childhood education services for children up to eight years of age, or in the Infants Department of Schools registered or certified under the appropriate legislation in other States or Territories of the Commonwealth of Australia, and that period so established shall be taken to be the length of such service for the purpose of that employment.
- (b) For the purpose of this clause, a period of service other than service within paragraph (a) of this sub-clause, shall be counted as service in accordance with the following principles:
 - (i) A period of service as a lecturer in early childhood education or child development, as a child development officer, or as a Family Day Care Co-ordinator or equivalent shall be recognised as service;
 - (ii) A period of service as a carer in the child care industry, including service as a Family Day Care carer (as recognised under State Government Regulations), a Child Care Certificate worker or equivalent shall be recognised as service at the rate of one increment for each complete three years so engaged to a maximum of four increments.
- (c) For the purpose of calculating service:
 - (i) Any employment as a full-time employee (including employment as a temporary full-time employee) as referred to in paragraphs (a) and (b) of this sub-clause shall be counted as service.
 - (ii) The amount of service of a part-time teacher (including a temporary part-time teacher) shall be calculated by reference to the ratio which the number of hours taught by the teacher in any year bears to the normal number of hours worked by a full-time teacher at that ECS Centre or Pre-School in the same year; provided that a period of part-time service in terms of paragraph (b) of this sub-clause shall count as service in the proportion that the part-time employment bore to full-time employment in that occupation.
 - (iii) The amount of service of a casual teacher employed in a Pre-School or ECS Centre shall be one increment for each total of 204 full days of service or its equivalent.
 - (iv) Provided also that the salary incremental date of any teacher who has taken leave without pay may be altered by adding the period of such leave without pay to the salary incremental date applicable to that teacher prior to the leave without pay.

3.6 Progression (Completion of Qualifications)

The transfer to a higher salary scale of a teacher who has completed a course of training which makes the teacher eligible to be so transferred and the progression of such teacher through the salary steps on that higher salary scale shall be effected as follows:

- (a) A teacher seeking such transfer shall make application in writing to the employer and shall attach to such application documentary evidence establishing that he or she has had or will have conferred on him or her the diploma, degree or equivalent recognition of the completion of the course of training which makes him or her eligible to be so transferred.
- (b) Where an application is made under paragraph (a) of this sub-clause which establishes that a teacher is eligible to be transferred to a higher salary scale, such transfer shall take effect:
 - (i) From the beginning of the first pay period to commence on or after the date of completion of formal course requirements. Provided that the application for transfer is received by the employer no later than four months after the conferral of the diploma, degree or equivalent recognition of the completion of such course of training, or
 - (ii) Where the application for transfer is not received by the employer within the time specified in subparagraph (i) of this paragraph from the beginning of the first pay period to commence on or after the date on which the employer receives such application.
- (c) A teacher who has completed a course of training entitling the teacher to transfer to a higher salary scale pursuant to this sub-clause shall, for the purpose of advancing through the steps on the higher salary scale to which the teacher has been so transferred, retain the teacher's normal salary incremental date.

Provided that if the transfer of the teacher to the higher salary scale coincides with the teacher's normal salary incremental date, the increment shall be applied prior to the teacher being transferred to the higher salary scale

- (d) A teacher who is Two Years Trained, Three Years Trained or Four Years Trained, who completes a course of training which entitles the teacher to be classified as Three Years Trained, Four Years Trained or Five Years Trained, as the case may be, shall progress to the step on the salary scale which shall be determined by the teacher's years of service on the lower classification and the teacher's new qualifications and the teacher shall retain his or her normal incremental salary date.

3.7 Payment Fortnightly / Half Monthly

- (a) The salary payable to any teacher other than a casual teacher pursuant to this clause, shall be payable either fortnightly or half-monthly or monthly if by mutual agreement and provided that payment is two weeks in advance..
- (b) Where the pay day period falls on a Saturday, Sunday or public holiday, salaries shall be paid on the day not being a Saturday, Sunday or public holiday immediately preceding said pay day.
- (c) The salary payable to any teacher, pursuant to this clause, shall be payable at the election of the employer by either cash, cheque or Electronic Funds Transfer into an account nominated by the employee.

3.8 Overpayments

Where excess payments are made in circumstances which were not apparent or could not reasonably have been expected to be detected by the teacher, the relevant parties shall seek agreement on the matter of the overpayment including, when necessary and appropriate, discussion between the New South Wales Independent Education Union and relevant employer representatives.

4. Shift and Penalty Loadings

- 4.1 The normal hours of operation of centers are 6.30 am to 6.30pm Monday to Friday. If an employer should determine to operate outside of normal hours the parties have agreed to negotiate shift allowances that would be applicable.

5. Directors' Allowance

- 5.1 Teachers appointed as Directors shall be paid, in addition to the amounts payable pursuant to Clause 3 of this award, an allowance in accordance with Table 2 of Part B, Monetary Rates for Directors' Allowance for teachers.
- 5.2 Any teacher required by the employer to act as Director for at least ten consecutive working days shall be paid for so doing at the rate prescribed for that position.

Provided that a teacher shall not be required to carry out such duties in an acting capacity for more than a full year except that a teacher may be required to carry out such duties for up to two full years where such a teacher is replacing a Director who is on leave for a specified period in excess of a full year.

6. Annual Leave

- 6.1 An employee, on completion of 12 months' continuous service, shall be entitled to a minimum of four weeks leave of absence on full pay.
- 6.2 See *Annual Holidays Act 1944*.

7. Annual Holiday Loading

- 7.1 Subject to sub-clause 7.6 of this clause, where a teacher other than a casual teacher, is given and takes his or her annual holiday each year he or she shall be paid an annual holiday loading calculated in accordance with this clause.
- 7.2 The loading shall be payable in addition to the pay payable to the teacher for the period of the annual holiday.
- 7.3 The loading shall be calculated in relation to such period of a teacher's annual holiday as is equal to the period of annual holiday to which the teacher is entitled for the time being under the *Annual Holidays Act 1944* at the end of each year of the teacher's employment.
- 7.4 The loading shall be the amount payable for the period specified in sub-clause 7.3 of this clause at the rate of 17.5 per cent of the weekly equivalent of the teacher's annual salary.
- 7.5 For the purpose of this clause, "salary" shall mean the salary payable to the teacher at the first day of the month in which the loading is payable together with, where applicable, the allowances prescribed by sub-clause 5.1 of clause 5, Directors' Allowance, but not including any other allowances or amount otherwise payable in addition to salary.
- 7.6 This clause extends to a teacher who is given and takes an annual holiday and who would have worked as a shift worker if he or she had not been on holiday, provided that if the amount to which the teacher would have been entitled by way of shift work allowances and weekend penalty rates for the ordinary time (not including time on a public or special holiday) which the teacher would have worked during the period of the holiday exceeds the loading calculated in accordance with this clause, then that amount shall be paid to the teacher in lieu of the loading.
- 7.7 Where the employment of a teacher is terminated and the teacher has at the time of termination not been given and has not taken the whole of an annual holiday to which the teacher became entitled the teacher shall be paid a loading calculated in accordance with sub-clause 7.4 of this clause.

8. Sick Leave

8.1 Entitlement

Any full-time, temporary or part-time teacher shall be entitled to paid sick leave in respect of any absence on account of illness or injury, subject to the following conditions and limitations:

- (i) During the first year of service with an employer the maximum sick leave which may be taken shall not exceed 15 days.

A temporary teacher shall be entitled to sick leave in accordance with the provisions of this paragraph, and in that proportion of 15 days which the period of appointment of the teacher bears to the school year of the school at which he or she is employed.

- (ii) After the first year of service with an employer, the period of sick leave shall not exceed in any year of service 22 working days on full pay, followed by 22 working days on half pay.
- (iii) A teacher shall not be entitled to sick leave for any period in respect of which such teacher is entitled to workers' compensation.
- (iv) A teacher shall not be entitled to paid sick leave unless he or she notifies the Principal of the school [or such other person deputised by the Principal], prior to the commencement of the first organised activity at the school on any day, of the nature of the illness and of the estimated duration of the absence;

Provided that paid sick leave shall be available if the teacher took all reasonable steps to notify the Principal or was unable to take such steps.

- (v) The sick leave entitlement of a part-time teacher shall be in that proportion which the number of teaching hours of that teacher in a full school week bears to the number of teaching hours which a full-time teacher at the school is normally required to teach.
- (vi) The teacher, if required by the employer, complies with paragraph (c) of this sub-clause.

8.2 Sick leave shall accumulate from year to year as follows:

- (i) Untaken sick leave entitlement in the first year of service with an employer shall not be accumulated.
- (ii) Untaken sick leave in the second year of service with an employer and thereafter of up to 20 days on full pay and 20 days on half pay per year shall be accumulated to a maximum of four years of service;

Provided that an employee shall only be entitled to the sick leave accumulated in the respect of the four years of continuous service immediately preceding the current year of service.

- (iii) The maximum accumulation shall not exceed 80 days on full pay and 80 days on half pay.
- (iv) Accumulated sick leave days on full pay shall be taken prior to accumulated sick leave days on half pay.
- (v) Sick leave which accrues to a teacher at the commencement of a year of service pursuant to clause 8.1 shall be taken prior to the taking of any sick leave which the teacher has accumulated in accordance with this subclause.
- (vi) A part-time teacher shall accumulate sick leave entitlements pursuant to the provisions of this subclause in that proportion which the number of teaching hours in a full school week bears to the number of teaching hours that a full-time teacher at the school is normally required to teach.

8.3 (i) Other than in respect of the first two days absence in respect of sickness in any

year, a teacher shall, upon request, provide a medical certificate addressed to the employer, or, if the employer requires, to the school medical officer.

(ii) Where a teacher has taken frequent single days of sick leave, or taken extended sick leave such that the employer requires additional information in relation to the teacher's sickness, then the employer may take action in accordance with this subclause.

(A) The employer may arrange a meeting in order to clarify the position with the teacher. The invitation to the teacher to attend the meeting shall be in writing (signed by the principal or the principal's delegate) with sufficient notice for the teacher to reasonably be able to attend the meeting. The invitation shall also refer to the provisions of this award clause and shall indicate the grounds for the employer's concern about sick leave taken by the teacher. The employer shall invite the teacher to respond verbally at the meeting to the issues raised by the employer. A teacher shall not unreasonably fail to attend such a meeting where invited by the employer to do so.

(B) After consideration of the teacher's response, the employer may

require further evidence of illness; and/or

require the teacher to provide a medical certificate from a doctor nominated by the employer (at the employer's cost) in relation to the likely period of absence or to establish only eligibility for sick leave (and no other information); and/or

discuss with the teacher any other action.

(C) Where a teacher fails to attend a meeting as requested by the employer pursuant to paragraph (A) of this subclause and does not provide a reasonable explanation for such failure, or does not provide further evidence of illness as outlined in paragraph (B) of this subclause, then following prior written notice the employer may cease payment of sick leave if the employer has reasonable grounds for a belief that the teacher is not entitled to sick leave for that absence.

(D) The teacher may, if a member of the union, request that any matter pursuant to this clause be discussed at any stage between the union and the representative of the employer.

8.4 Domestic Leave

A teacher other than a casual teacher is entitled to one day per year deducted from sick leave for moving house or other domestic emergency leave. A teacher shall give the Principal appropriate notice of when this leave is to be taken.

9. Carer's Leave

9.1 Use of Sick Leave

(a) An employee, other than a casual employee, with responsibilities in relation to a class of person set out in subparagraph (ii) of paragraph (c) of this sub-clause who needs the employee's care and support, shall be entitled to use, in accordance with this subclause, any current or accrued sick leave entitlement, provided for at Clause 8 of the award, for absences to provide care and support for such persons when they are ill, or who require care due to an unexpected emergency. Such leave may be taken for part of a single day.

(b) The employee shall, if required,

(i) establish either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person, or

- (ii) establish by production of documentation acceptable to the employer or a statutory declaration, the nature of the emergency and that such emergency resulted in the person concerned requiring care by the employee.

In normal circumstances, an employee must not take carer's leave under this subclause where another person had taken leave to care for the same person.

- (c) The entitlement to use sick leave in accordance with this sub-clause is subject to:
 - (i) the employee being responsible for the care and support of the person concerned; and
 - (ii) the person concerned being:
 - (A) a member of the employee's immediate family; or
 - (B) a member of the employee's household.

The term 'immediate family' includes:

- (1) a spouse (including former spouse, a de facto spouse and a former de facto spouse) of the employee. A de facto spouse, in relation to a person, means a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bonafide domestic basis although not legally married to the person; and
 - (2) a child or adult child (including an adopted child, a step child, a foster child or an ex-nuptial child), a parent (including a foster parent or legal guardian), grandparent, grandchild or sibling of the teacher or spouse of the teacher.
- (d) The teacher shall not be entitled to paid carer's leave unless he or she notifies the Principal of the school (or a person deputised by the Principal) of the need for carer's leave and the estimated period of absence at the first available opportunity and where possible, before the first organised activity at the school on the day of absence. The teacher will have sick leave credits available to the extent of the leave to be taken.
 - (e) Notwithstanding paragraph (a) of this sub-clause, a part-time teacher is only entitled to an amount of carer's leave in the same proportion the teaching hours of a part-time teacher bears to the teaching hours which a full-time teacher at the school is normally required to teach.
 - (f) Any carer's leave taken in accordance with this clause shall be deducted from the sick leave entitlement of the teacher in accordance with Clause 8 of the award.

Note: In the unlikely event that more than 10 days sick leave in any year is to be used for caring purposes the employer and employee shall discuss appropriate arrangements which, as far as practicable, take account of the employer's and employee's requirements.

Where the parties are unable to reach agreement the disputes procedure at Clause 15 should be followed.

9.2 Unpaid Leave

An employee may elect, with the consent of the employer, to take unpaid leave for the purpose of providing care and support to a class of person set out in subparagraph (ii) of paragraph (c) of subclause 9.1 above who is ill or who requires care due to an unexpected emergency.

9.3 Annual Leave

- (a) An employee may elect, with the consent of the employer to take annual leave not exceeding ten days in single-day periods, or part thereof, in any calendar year at a time or times agreed by the parties.
- (b) Access to annual leave, as prescribed in paragraph (a) of this sub-clause, shall be exclusive of any shutdown period provided for elsewhere under this award.
- (c) A teacher and employer may agree to defer payment of the annual leave loading in respect of single day absences, until at least five consecutive annual leave days are taken.
- (d) An employee may elect with the employers agreement to take annual leave at any time within a period of 24 months from the date at which it falls due.

9.4 Make-up Time

- (a) A teacher may elect, with the consent of the employer, to work "make-up time", under which the teacher takes time off ordinary hours, and works those hours at a later time, during the spread of ordinary hours provided in the award, at the ordinary rate of pay.

9.5 Rostered Days Off

- (a) A teacher may elect, with the consent of the employer, to take a rostered day off at any time.
- (b) A teacher may elect, with the consent of the employer, to take rostered days off in part day amounts.
- (c) A teacher may elect, with the consent of the employer, to accrue some or all rostered days off for the purpose of creating a bank to be drawn upon at a time mutually agreed between the employer and teacher, or subject to reasonable notice by the teacher or the employer.
- (d) This sub-clause is subject to the employer informing each union which is both party to the award and which has members employed at the particular enterprise of its intention to introduce an enterprise system of RDO flexibility, and providing a reasonable opportunity for the union(s) to participate in negotiations.

9.6 Personal Carer's Entitlement for casual employees

- (a) Subject to the evidentiary and notice requirements in 9.1(b) and 9.1(d) casual employees are entitled to not be available to attend work, or to leave work if they need to care for a person prescribed in subparagraph (ii) of paragraph (c) of subclause 9.1 who are sick and require care and support, or who require care due to an unexpected emergency, or the birth of a child.
- (b) The employer and the employee shall agree on the period for which the employee will be entitled to not be available to attend work. In the absence of agreement, the employee is entitled to not be available to attend work for up to 48 hours (i.e. two days) per occasion. The casual employee is not entitled to any payment for the period of non-attendance.
- (c) An employer must not fail to re-engage a casual employee because the employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not to engage a casual employee are otherwise not affected.

10. Other Leave

10.1 Parental Leave

(a) Maternity Leave

- (i) A teacher who takes unpaid maternity leave under the provisions of the *Industrial Relations Act 1996* must be paid under this clause.
- (ii) The amount of paid leave for a teacher who takes leave after 1 September 2008 award shall be fourteen weeks, provided that a teacher who commences maternity leave prior to 1 September 2008 the amount of paid leave will be 12 weeks.

The teacher must be paid at the rate the teacher was paid at the time of commencing leave.
- (iii) The teacher must be paid:
 - (A) at the usual times and intervals that other teachers are paid at the school, or
 - (B) if the teacher asks two weeks in advance and the School agrees, in a lump sum.
- (iv) The employer must pay the first or lump sum payments at the pay period commencing closest to:
 - (A) six weeks before the anticipated date of birth, or
 - (B) if birth occurs before the time referred to in (a), the date of the birth; or
 - (C) if the teacher has not commenced maternity leave at the time referred to in (A), when the teacher commences leave.
- (v) If a teacher's pregnancy is terminated other than by the birth of a living child:
 - (A) more than 20 weeks before the anticipated date of birth the teacher is not entitled to the payment;
 - (B) less than 20 weeks before the anticipated date of birth the teacher is entitled to the payment while she remains on leave.
- (vi) The period of maternity leave will not count as a period of service under this award or any statute.
- (vii) A teacher shall be required to give at least 10 weeks written notice of the intention to take leave and shall provide other notice consistent with the provisions of section 58 (2) of the *Industrial Relations Act 1996*.
- (viii) Except as varied by this provision, Part 4 of Chapter 4 of the *Industrial Relations Act 1996* shall apply.

(b) Paternity Leave

- (i) A teacher who takes paternity leave on or after 1 January 2005 shall be entitled to 2 weeks paid leave commencing on the day of birth of his child or on the day on which his spouse leave hospital following the birth. This paid leave is to be deducted from Carer's Leave available to the teacher pursuant to sub-clause 10.3 of this award (NB: spouse means a spouse as defined in sub-clause 10.3 Carer's Leave).

- (ii) A teacher shall be required to give at least 10 weeks written notice of the intention to take leave and shall provide other notice consistent with the provisions of section 58 (2) of the Industrial Relations Act 1996.
 - (iii) A teacher who commences paternity leave before 1 January 2005 shall be entitled to one day's leave with pay on the date of his wife's confinement or on the day on which his leaves hospital following her confinement.
- (c) Adoption Leave
- (i) A teacher shall be entitled to fourteen weeks paid leave for the purpose of adopting any child providing the leave is taken before the child reaches full-time enrolment age.
 - (ii) The period of paid adoption leave will not count as a period of service under this award or any statute.
 - (iii) A teacher shall be required to give written notice of the approval or other decision to adopt a child at least 10 weeks prior to the expected date of placement of the child and shall provide other notice consistent with the provisions of section 58 (3) of the *Industrial Relations Act 1996*.

(d) Parental Leave Entitlement for Casual Teachers

An employer must not fail to re-engage a regular casual teacher (see section 53(2) of the Act) because:

- (i) the teacher or teacher's spouse is pregnant; or
- (ii) the teacher is or has been immediately absent on parental leave.

The rights of an teacher in relation to engagement and re-engagement of casual employees are not affected, other than in accordance with this clause.

(e) Right to request

- (i) A teacher entitled to parental leave may request the employer to allow the teacher:
 - (A) to extend the period of simultaneous unpaid parental leave use up to a maximum of eight weeks;
 - (B) to extend the period of unpaid parental leave for a further continuous period of leave not exceeding 12 months;
 - (C) a change in working arrangements for the purpose of assisting the employee to care for the child.
- (ii) The employer shall consider the request having regard to the teacher's circumstances and, provided the request is genuinely based on the teacher's parental responsibilities, may only refuse the request on reasonable grounds related to the effect on the workplace or the employer's business. Such grounds might include cost, lack of adequate replacement staff, loss of efficiency and the impact on customer service.
- (iii) The teacher's request and the employer's decision to be in writing

The teacher's request and the teacher's decision made under subparagraphs (ii) and (iii) of this paragraph must be recorded in writing.
- (iv) Request for a change in working arrangements

Where an teacher wishes to make a request under subparagraph (i) (C) of this paragraph, such a request must be made as soon as possible before the date upon which the teacher is due to return to work from parental leave.

- (f) Communication during parental leave
 - (i) Where a teacher is on parental leave and a definite decision has been made to introduce significant change at the workplace, the employer shall take reasonable steps to:
 - (1) make information available in relation to any significant effect the change will have on the status or responsibility level of the position the teacher held before commencing parental leave; and
 - (2) provide an opportunity for the teacher to discuss any significant effect the change will have on the status or responsibility level of the position the teacher held before commencing parental leave.
 - (ii) The teacher shall take reasonable steps to inform the employer about any significant matter that will affect the teacher's decision regarding the duration of parental leave to be taken, whether the teacher intends to return to work and whether the teacher intends to request to return to work on a part-time basis.
 - (iii) The teacher shall also notify the employer of changes of address or other contact details which might affect the employer's capacity to comply with subparagraph (i).

10.2 Long Service Leave

- (a) Applicability of *Long Service Leave Act 1955*

Except in so far as expressly varied by the provisions of this clause, the provisions of the *Long Service Leave Act 1955*, shall apply to teachers employed under this award.

- (b) Quantum of Leave

Subject to clause 10.2 (c) the amount of long service leave to which a teacher shall be entitled shall:

- (i) In the case of a teacher who has completed at least ten years service with the same employer be:
 - (A) in respect of ten years service so completed 10.5 weeks; and
 - (B) in respect of each additional five years of service with the employer since the teacher last became entitled to long service leave, 7.5 weeks; and
 - (C) on the termination of the teacher's employment, in respect of completed service with the employer since the teacher last became entitled to an amount of long service leave, a proportionate amount on the basis of 1.5 weeks for one year's service.
- (ii) In the case of a teacher who has completed with an employer five years service, and whose services are terminated by the employer for any reason other than misconduct or cease for any other reason, be a proportionate amount on the basis of 10.5 weeks for ten years service [such service to include service with the employer as an adult and otherwise than as an adult].

- (c) Calculation of Entitlement
- (i) In the case of a teacher whose service with an employer began before 1 July 2001, and whose service would entitle the teacher to long service leave under this clause, the amount of long service leave to which such teacher shall be entitled shall be the sum of the following amounts.
- (A) The amount calculated on the basis of the provisions of the *Long Service Leave Act 1955* in respect of the period of service before 1 July 2001; and
- (B) An amount calculated on the basis of the provisions of clause 10.2 (b) Long Service Leave of the Teachers (Independent Schools Early Childhood Service Centres other than Pre Schools) (State) Award (360IG505), published 21 December 2001 in respect of the period from 1 July 2001.
- (C) An amount, calculated on the basis of the provision of clause 10.2 (c) Long Service Leave of the Teachers (Independent Schools Early Childhood Service Centres other than Pre Schools) (State) Award effective from January 2005.

The above periods of calculation are listed in the table below:

Calculation of Entitlement	
Teachers employed in a Pre-School	
Prior to 1st July, 2001	.866 weeks per year.
From 1st July 2001	1.05 weeks per year up to 10 years service. 1.5 weeks per year, or proportion of a year, after 10 years service.

- (d) Conditions of Taking Leave
- (i) Where a teacher has become entitled to long service leave in respect of the teacher's service with an employer, the employer shall give to the teacher and the teacher shall take the leave as soon as practicable having regard to the needs of the employer provided always that unless the employer otherwise agrees the teacher shall give not less eight weeks notice of the teacher's wish to take leave and further provided that the employer shall give the teacher not less than eight weeks notice of any requirement that such leave be taken.
- (e) Subject to the provisions of this clause, any long service leave shall be inclusive of any public holidays and other pupil vacation periods falling within the period of such leave.
- (f) The service of a teacher with an employer shall be deemed continuous notwithstanding the service has been interrupted by reason of the teacher taking maternity leave (including paid and unpaid leave in accordance with clause 10.1 Parental Leave) or other approved leave without pay but the period during which the service is so interrupted shall not be taken into account in calculating the period of service.
- (g) Payment in Lieu of Long Service Leave
- (i) Where a teacher takes long service leave in excess of 8.6 weeks, the teacher may request and the employer may agree that, in addition to the long service leave, the teacher be paid an amount in lieu of any additional long service leave accumulated by the teacher, prior to the commencement of the long service leave.
- (ii) The payment made by the employer in lieu of long service leave in clause 10.2 (a) will not exceed five weeks' salary.

- (iii) Any payment in clause 10.2 (b) of this sub-clause will be paid by the employer upon the commencement of the teacher's long service leave, unless otherwise agreed between the teacher and the employer.
- (iv) Where a payment in lieu of long service leave is paid by the employer in accordance with this sub-clause, a teacher's entitlements to long service leave will be reduced by the extent of such payment.

10.3 Domestic Leave

A teacher other than a casual teacher is entitled to one day per year deducted from sick leave for moving house or other domestic emergency leave. A teachers shall give the Principal appropriate notice of when this leave is to be taken.

10.4 Bereavement Leave

- (a) A teacher shall on the death of a spouse, father, mother, father-in-law, mother-in-law, grand parent, brother, sister, child, stepchild or grandchild of the teacher be entitled to paid leave up to and including the day of the funeral of such relative. Such leave shall not exceed three school days.
- (b) A teacher may be required to provide the employer with satisfactory evidence of such death.
- (c) Bereavement leave shall be available to the employee in respect of the death of a member of the employee's immediate family or household, as defined in clause 9.1, Carer's Leave.
- (d) A teacher shall not be entitled to bereavement leave under this sub-clause during any period in respect of which the teacher has been granted other leave.
- (e) Bereavement leave may be taken in conjunction with other leave available under sub-clause 9.2 of the said clause 9. In determining such a request the employer will give consideration to the circumstances of the teacher and the reasonable operation requirements of the school.
- (f) Bereavement entitlements for casual employees
 - (i) Subject to the evidentiary and notice requirements in (b) casual employees are entitled to not be available to attend work, or to leave work upon the death in Australia of a person prescribed in Clause 9.1 - Carer's Leave.
 - (ii) The employer and the employee shall agree on the period for which the employee will be entitled to not be available to attend work. In the absence of agreement, the employee is entitled to not be available to attend work for up to 48 hours (i.e. two days) per occasion. The casual employee is not entitled to any payment for the period of non-attendance
 - (iii) An employer must not fail to re-engage a casual employee because the employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not engage a casual employee are otherwise not affected.

10.5 Examination Study Leave

A teacher, who for the purposes of furthering his or her teacher training, enrolls in any course at a recognised higher education institution shall be granted leave:

- (a) with pay on the day of any examination required in the course,
- (b) without pay for the purpose of attending any compulsory residential school which is a part of such course.

10.6 Jury Service

- (a) A full time or part-time teacher required to attend for jury service during ordinary working hours shall be provided with paid leave for this purpose. The teacher shall be required to reimburse to the employer any monies payable to the teacher for such attendance (excluding reimbursement of expenses) which required the teacher's absence from school.
- (b) The teacher shall notify the employer as soon as possible of the date upon which he or she is required to attend for jury service. The teacher shall provide to the employer as copy of the summons to attend jury duty and a record of payments received as proof of attendance.

11. Hours of Work

The ordinary working hours, inclusive of crib breaks, shall not exceed an average of 38 per week to be worked inclusive shifts of not more than eight hours duration inclusive between the hours of 6.30am to 6.30pm Monday to Friday.

- (a) The teacher working in shifts of not more then (8) hours duration
 - (i) A teacher shall accrue one (1) rostered day off for each twenty (20) days of service.
 - (ii) Each day of paid leave taken pursuant to this award including each public holiday and the annual holiday (but not including long service leave) shall be regarded as a day worked for accrual purposes.
 - (iii) Notwithstanding the provisions of paragraph (a) of this sub-clause a teacher shall be entitled to no more than twelve paid rostered days off in any twelve months of consecutive employment.
 - (iv) An employee shall accrue one (1) paid rostered day off (RDO) in each 20-day 4-week work cycle to a maximum of 0.4 of one hour for 8 hours duty on each day of attendance. There shall be a maximum of 12 RDOs in any 12 consecutive months of employment.

A teacher shall be entitled to be paid on termination of employment for rostered days off which have been accumulated but not taken or entitlements pursuant to this paragraph at the rate of pay on the date of termination.
 - (v) A teacher shall not be entitled to sick leave in respect of illness whilst on a rostered day off. In the event of a rostered day off falling on a public holiday, the teacher and employer shall agree on an alternative day off as a substitute.
- (b) By the teacher working in shifts of more than eight ordinary hour one or more days during the work cycle
 - (i) by the teacher(s) working three 10 hour shifts and one 8 hour shift per week; or
 - (ii) by the teacher(s) working four 9.5 hour shifts per week; or
 - (iii) any other shift arrangement whereby an employee works no more than 10 hours per day or 38 hours per week.

If the teacher works a shift longer then eight (8) hours the employee shall receive an additional paid crib break of 10 minutes which shall be taken at a time convenient to the employer.

11.2 Method of Implementation

The method of implementation of the 38-hour week shall be one of the following, as agreed between the teacher and the employer:-

- (i) 19-day month - the teacher may fix one workday off in each four-week cycle as a rostered day off to the extent of rostered days off accrued pursuant to sub-clause (ii) of this clause.
- (ii) Accumulation - the teacher may accrue sufficient rostered days off to enable such days to be taken as a block of no more than 12 days at any one time in any 12 months of consecutive employment.
- (iii) By teachers working more than 8 hours on 1 or more days of the work cycle.

11.3 Rostering

- (a) A teacher shall be advised by the employer at least four weeks in advance of the day or days on which he or she is to be rostered off duty.
- (b) An individual teacher may, with the agreement of the employer, substitute the day he or she is rostered off duty for another day.

11.4 Part-time, Casual and Temporary Teachers

- (a) Part-time Teachers

See clause 3.3

- (b) Casual Teachers

A casual teacher shall be entitled to be paid an additional loading of five per cent pursuant to this clause in lieu of an entitlement to rostered days off.

- (c) Temporary Teachers (Other than Part-time Teachers)

A temporary teacher, other than a part-time teacher, shall by agreement with the employer, and according to the period of the employment of the teacher, be entitled to either:

- (i) accumulate rostered days off in accordance with sub-clause 11.1 of this clause, or
- (ii) be paid an additional loading of five per cent pursuant to this clause in lieu of an entitlement to rostered days off.

11.5 Establishments Operating 41 to 47 Weeks Per Annum

Where an ECS Centre operates from 41 to 47 weeks per annum and a teacher receives in consequence more than four weeks paid leave per annum, then the teacher shall accrue rostered days off to a maximum of seven days in any 12 months of consecutive employment and any days accrued in excess of seven days in any 12 months period of employment shall be deemed to be subsumed into the period of paid leave in excess of four weeks.

- 11.6 Nothing in this clause shall entitle an employee who works less than 38 hours per week (inclusive of crib breaks) to accumulate rostered days off pursuant to this clause, and a teacher's conditions of employment shall not be downgraded as a consequence of this award.

12. Miscellaneous

12.1 Crib Break

Not more than 30 minutes nor less than 20 minutes shall be allowed to teachers each day for a midday crib break. Such crib break shall be counted as time worked.

Provided however that a teacher may, by agreement with the employer, leave the premises during the crib break. Where such reasonable request has been made by the teacher, the employer shall give

favourable consideration to any such request. Such time away from the premises shall not count as time worked.

See Children (Care and Protection) Act 1987, for provisions relating to supervision of children.

12.2 Professional Development, Training and Planning

- (a) Teachers are responsible for ensuring that they are aware of new developments in early childhood education. However, the parties recognise that continuing professional development of teachers is a joint responsibility of both the employer and the teacher.
- (b) The employer may request a teacher to attend any courses in non-term time or weekends. Such attendance shall be at the option of the teacher. A full-time teacher who receives no more than four weeks annual leave in a calendar year shall receive time in lieu for time spent at any courses outlined in this clause.
- (c) Should there be any form of disagreement between the parties the matter shall be dealt with in accordance with clause 15, Disputes and Grievance Procedures.

12.3 First Aid Certificate

- (a) Teachers shall be required to obtain and maintain an approved first aid certificate.
- (b) Teachers shall be granted paid leave to attend a first aid course or when a first aid course is in the teacher's own time, teachers will receive time in lieu at ordinary rate for course attendance time.

13. Union Representatives

- 13.1 The employer shall permit the union representative in the ECS Centre to post union notices relating to the holding of meetings on a staff room notice board.
- 13.2 The union representative shall be permitted in working hours to interview the employer on union business. Such interview shall take place at a time and place convenient to both parties.
- 13.3 Meetings of union members who are employed at the ECS Centre may be held on the premises at times and places reasonably convenient to both union members and the employer.

14. Terms of Engagement and Information

To Be Provided To Teachers

- 14.1 The employer shall provide all full-time and part-time teachers with a letter of appointment on engagement stating the classification and rate of salary on appointment, the hours of operation of the Centre, the teacher's entitlements including sick leave, personal/carer's leave, annual leave and long service leave, the procedure as to alteration of days of attendance and notice on termination.
- 14.2 The employment of any teacher (other than a temporary or casual teacher) shall not be terminated without at least four weeks notice on either side or the payment of or forfeiture of four weeks salary in lieu of notice.
- 14.3 The employment of a temporary teacher employed for a period in excess of four weeks shall not be terminated except in accordance with the provisions of sub-clause 14.2 of this clause.
- 14.4 The foregoing shall not affect the right of the employer to dismiss summarily any teacher for incompetence, misrepresentation, neglect of duty or other misconduct.
- 14.5 The employer may, if the employer deems it appropriate, provide a teacher of children with special needs with a letter of appointment which outlines the teacher's teaching load, days of attendance, and

place of employment which may be varied throughout the period of engagement. Such variations would occur from time to time and with not less than four weeks notice or otherwise by agreement.

- 14.6 Upon the termination of service of a teacher other than a casual teacher the employer shall provide a statement of service setting out the length of service, the age of children taught, the positions held and any special and/or additional duties performed by such teacher.
- 14.7 Upon request, a casual teacher shall be supplied with a statement setting out the number of days of duty undertaken by the casual teacher during the period of his or her engagement provided that such request is made during or on termination of the casual engagement.
- 14.8 Where an employer proposes either:
- (a) to make alterations to the type of services provided by the Centre in which a teacher is employed, or
 - (b) to transfer a teacher from the Centre in which the teacher is employed,

which shall have the consequence that the provisions of this award will no longer apply to the teacher, the employer shall as soon as practicable in any case after a firm decision has been made, give the teacher notice of the change, and shall if the teacher so requests hold discussions:

- (i) with the teacher, or
- (ii) with a representative of the teacher,

as soon as practicable after making the decision and in any event not less than four weeks prior to the implementation of the decision.

15. Disputes and Grievance Procedures

15.1 Procedures relating to grievances of individual employees

- (a) The employee shall notify the employer (in writing or otherwise) as to the substance of the grievance, request a meeting with the employer for bilateral discussions and state the remedy sought.
- (b) The grievance must initially be dealt with as close to its source as possible, with graduated steps for further discussion and resolution at higher levels of authority.
- (c) Reasonable time limits must be allowed for discussion at each level of authority.
- (d) At the conclusion of the discussions, the employer must provide a response to the employee's grievance, if the matter has not been resolved, including reasons for not implementing the proposed remedy.
- (e) While a procedure is being followed, normal work must continue.
- (f) The employee may be represented by an industrial organisation of employees.

15.2 Procedures for a dispute between an employer and the employees

- (a) A question, dispute or difficulty must initially be dealt with as close to its source as possible, with graduated steps for further discussion and resolution at higher levels of authority.
- (b) Reasonable time limits must be allowed for discussion at each level of authority.
- (c) While a procedure is being followed, normal work must continue.

- (d) The employer may be represented by an industrial organisation of employers or other representative and the employees may be represented by an industrial organisation of employees for the purposes of each procedure.

16. Remuneration Package

16.1 This clause shall apply to those individual schools wishing to facilitate the provision of salary and benefit packages to individual members of staff covered by this award.

16.2 For the purposes of this clause:

- (a) 'Benefits' means the benefits nominated by the teacher from the benefits provided by the school and listed in clause 16.4 (c).
- (b) 'Benefit Value' means the amount specified by the school as the cost to the school of the Benefit provided including Fringe Benefit Tax, if any.
- (c) 'Fringe Benefit Tax' means tax imposed by the Fringe Benefits Tax Act 1986.

16.3 Conditions of Employment

Except as provided by this clause, teachers must be employed at a salary based on a rate of pay, and otherwise on terms and conditions, not less than those prescribed by this award.

16.4 Salary Packaging

The school may offer to provide and the teacher may agree in writing to accept:

- (a) the Benefits nominated by the teacher; and
- (b) a salary equal to the difference between the Benefit Value and the salary which would have applied to the teacher or under clause 16.4, in the absence of an agreement under this clause.
- (c) The available Benefits are those made available by the school from the following list:
- (i) superannuation;
 - (ii) childcare provided by the school;
 - (iii) other benefits offered by the school.
- (d) The school must advise the teacher in writing of the Benefit Value before the agreement is entered into.

16.5 During the currency of an agreement under clause 16.4.

- (a) any teacher who takes paid leave on full pay shall receive the Benefits and salary referred to in clause 16.4 (a) and (b).
- (b) if a teacher takes leave without pay the teacher will not be entitled to any Benefits during the period of leave.
- (c) if a teacher takes leave on less than full pay he or she shall receive:
- (i) the Benefits; and
 - (ii) an amount of salary calculated by applying the formula:

$$A = S \times P - [(100\% - P\%) \times B]$$

Where:

S = the salary determined by paragraph (b) of sub-clause 16.4 of this clause.

P = the percentage of salary payable during the leave

B = Benefit Value

A = Amount of salary.

(d) any other payment under this award, calculated by reference to the teacher's salary, however described, and payable:

(i) during employment; or

(ii) on termination of employment in respect of untaken paid leave; or

(iii) on death,

shall be at the rate of pay which would have applied to the teacher under clause 16.3, in the absence of an agreement under clause 16.4 (a) and (b).

17. Savings Clause

17.1 No teacher shall suffer a reduction in the salary enjoyed by that teacher as a result of the implementation of this award.

17.2 A teacher's conditions of employment, other than those provided in this award, shall not be altered as a consequence of the introduction of this award.

18. Superannuation

18.1 Definitions

For the purpose of this clause:

(a) "Basic earnings" shall mean:

(i) the rate of salary prescribed from time to time by this award,

(ii) the amount of any allowance prescribed from time to time including the allowance payable to a Director and any shift loading which may be payable pursuant to this award.

(b) "Employee" means a teacher or Director, and includes casual, part-time, or temporary employee.

(c) "HESTA" means the Health Employees Superannuation Trust Australia, established by Trust Deed Articles on 30 July 1987.

(d) "ASSET" means the Australian Superannuation Savings Employment Trust constituted by deed made 14 October 1987.

(e) "NCSF" means the National Catholic Superannuation Fund.

(f) "NGS" means the NSW Non-Government Schools Superannuation Fund.

18.2 Fund

(a) For the purposes of this clause contributions made by employers in accordance with the provisions of sub-clause 17.3 of this clause, shall be as follows:

- (i) the employer shall offer each employee a choice between HESTA, ASSET, NCSF or NGS;
 - (ii) the employee shall nominate the fund into which contributions shall be made.
- (b) Each employer shall become a participating employer in HESTA, ASSET, NCSF and/or NGS in accordance with the choice of employees of the employer.
 - (c) Each employer shall become party to HESTA, ASSET, NCSF or NGS upon the acceptance of the respective Trustee of a Deed of Adoption, duly signed and executed by each employer and the respective Trustee.

An employee shall become eligible to join HESTA, ASSET, NCSF or NGS from the beginning of the first pay period commencing on or after 1 July 1988, or from the beginning of the first pay period commencing on or after the employee's date of engagement, whichever is earlier. However should an employee not join HESTA, NGS, ASSET or NCSF then the employer may submit the employee's superannuation contribution to either HESTA or NGS.

18.3 Benefits

- (a) Except as provided in paragraphs (c) and (d) of this sub-clause, each employer shall, in respect of each employee employed by it, pay contributions to the respective Trustee at the rate of nine per cent of the employee's basic earnings.
- (b) Contributions shall be paid at intervals and in accordance with the procedures and subject to the requirements of the respective Fund.
- (c) An employer shall not be required to make contributions pursuant to this clause in respect of an employee in respect of a period when that employee is absent from his or her employment without pay.
- (d) Part-time and Casual Employees

An employer shall pay contributions pursuant to this clause in respect of a part-time employee employed by them if the basic earnings of the employee exceed \$200 for that calendar month.

An employer shall pay contributions pursuant to this clause in respect of a casual employee employed by them for any calendar month in which the basic earnings of the employee exceed \$200 for that calendar month.

- (e) Where a new employee commences in employment, the employer shall advise the employee in writing of the employee's entitlements under this clause and of the action to be taken by the employee to obtain the benefit of those entitlements.
- (f) Notwithstanding the date upon which an employee signs an application form, contributions in accordance with paragraph (a) of this sub-clause shall be made from the date when the employee became eligible for membership.

18.4 Records

The employer shall retain all records relating to the calculation of payments due to the Fund(s) in respect of each employee and such records shall be retained for a period of six years.

18.5 Exemptions

Employers of employees who are eligible to become contributors to the following superannuation funds or any scheme/s replacing such funds shall be exempt from the provisions of this clause:

State Superannuation Fund

State Public Service Superannuation Scheme

Public Authorities Superannuation Scheme

19. Enterprise Consultation

Enterprises covered by this award shall establish a consultative mechanism and procedures appropriate to their size, structure and needs for consultation and negotiation on matters affecting their efficiency and productivity.

20. Labour Flexibility

- 20.1 An employer may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training consistent with the classification structure of this award provided that such duties are not designed to promote deskilling.
- 20.2 An employer may direct an employee to carry out such duties and use such tools and equipment as may be required provided that the employee has been properly trained in the use of such tools and equipment.
- 20.3 Any direction issued by an employer pursuant to sub-clauses 19.1 and 19.2 of this clause shall be consistent with the employer's responsibilities to provide a safe and healthy working environment.

21. Anti-Discrimination

- 21.1 It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the *Industrial Relations Act 1996* to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibilities as a carer.
- 21.2 It follows that in fulfilling their obligations under the dispute resolution procedure prescribed by this award the parties have obligations to take all reasonable steps to ensure that the operations of this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfilment of these obligations for the parties to make application to vary any provision of the award, which, by its terms or operation, has a direct or indirect discriminatory effect.
- 21.3 Under the *Anti-Discrimination Act 1977*, it is unlawful to victimise an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- 21.4 Nothing in this clause is to be taken to effect:
- (a) any conduct or act which is specifically exempted from anti-discrimination legislation;
 - (b) offering or providing junior rates of pay to persons under 21 years of age;
 - (c) any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
 - (d) a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.
- 21.5 This clause does not create legal rights or obligations in addition to those imposed upon the parties by the legislation referred to in this clause.

22. Area, Incidence and Duration

- 22.1 This award is made following a review under section 19 of the *Industrial Relations Act* 1996 and rescinds and replaces the Teachers (Independent Schools Early Childhood Service Centres Other Than Pre Schools (State) Award 2005, published on July 22, 2005 (352 IG 632) as varied.

The changes made to the award pursuant to the Award Review under section 19(6) of the *Industrial Relations Act* 1996; Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) and pursuant to section 11 or the Industrial Relations Act 1996 shall take effect on and from October 10 2008.

- 22.2 It shall apply to teachers employed in a licensed child care centre (other than a pre-school) operated by or on behalf of any recognised independent school or special school registered under the provisions of the Education Reform Act 1990 in the State, including the independent schools listed below:

Kincoppal Rose Bay

Rosebank College

Stella Maris College

St Vincent's College

but excluding all Catholic schools not listed in this sub-clause.

Provided further that the award shall not apply to employees of all city, municipal, shire and county child care centres.

For the purpose of this sub-clause an early intervention service operating with terms and hours approximating those of a pre-school shall be deemed to be a pre-school - refer to the notation of clause 2 (d)(i) of this award.

- 22.3 This award remains in force until varied or rescinded, the period for which it was made already having expired.

PART B

MONETARY RATES

Table 1 - Rates of Pay

The following minimum rates shall apply with effect from the beginning of the first full pay period commencing on or after dates indicated:

Combined Scale Incremental Salary Step		Annual Salary from the first full pay period commencing on or after 1 February 2009 (5.5%) \$	Annual Salary from the first full pay period commencing on or after 1 February 2010 (5.5 %) \$	Annual Salary from the first full pay period commencing on or after 1 February 2011 (5.5%) \$
Step 1	39,380	41,546	43,831	46,242
Step 2	43,627	46,026	48,558	51,229
Step 3	45,374	47,870	50,502	53,280
Step 4	47,682	50,305	53,071	55,990

Step 5	48,712	51,391	54,218	57,200
Step 6	51,233	54,051	57,024	60,160
Step 7	54,114	57,090	60,230	63,543
Step 8	57,309	60,461	63,786	67,295
Step 9	60,279	66,258	69,902	73,747
Step 10	62,804	66,258	69,902	73,747
Step 11	65,316	68,908	72,698	76,697
Step 12	68,149	71,897	75,852	80,023
Step 13	70,869	74,979	78,879	83,217

Table 2 - Directors' Allowances

Units		Annual Allowance from the first full pay period commencing on or after 1 February 2009 (5.5%) \$	Annual Allowance from the first full pay period commencing on or after 1 February 2010 (5.5%) \$	Annual Allowance from the first full pay period commencing on or after 1 February 2011 (5.5%) \$
1 0-25 Children	4,674	4,931	5,202	5,488
2 26-50 Children	5,706	6,020	6,351	6,700
3 51-75 Children	7,122	7,514	7,927	8,363
4 76 plus Children	8,899	9,388	9,904	10,449

Table 3 - Other Rates and Allowances

Item No	Clause No	Description	Amount
1	3.4 (a)	Travel Allowance	55 cents per kilometer

PART C

REDUNDANCY

- 1.1 This Part shall apply in respect of full-time and part-time persons employed in the classifications specified by the award.
- 1.2 This part shall only apply to employers who employ 15 or more employees immediately prior to the termination of employment of employees.
- 1.3 Notwithstanding anything contained elsewhere in this award, the provisions of this part shall not apply to employees with less than one year's continuous service and the general obligation on employers shall be no more than to give such employees an indication of the impending redundancy at the first reasonable opportunity, and to take such steps as may be reasonable to facilitate the obtaining by the employees of suitable alternative employment.
- 1.4 This part shall not apply where employment is terminated as a consequence of conduct that justifies instant dismissal, including malingering, inefficiency or neglect of duty, or in the case of casual employees, apprentices or employees engaged for a specific period of time or for a specified task or tasks or where employment is terminated due to the ordinary and customary turnover of labour.

2. Employers Duty to Notify and Discuss

- 2.1 Where an employer has made a definite decision to introduce major changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the employer shall notify the employees who may be affected by the proposed changes and if requested by the employee, the union to which they belong.
- 2.2 The employer shall discuss with the employees affected and if requested by the employee, the union to which they belong the introduction of such changes and the likely effect on the employees and the measures taken to avert or mitigate the adverse effects of such changes.
- 2.3 ‘Significant effects’ include termination of employment, major changes in the composition, operation or size of the employers workforce or in the skills required, the elimination or diminution of job opportunities, promotion opportunities or job tenure, the alteration of hours of work, the need for retraining or transfer of employees to other work or locations and the restructuring of jobs.

3. Discussions Before Terminations

- 3.1 Where an employer has made a definite decision that the employer no longer wishes the job the employee has been doing done by anyone and that decision may lead to the termination of employment, the employer shall hold discussions with the employees directly affected and if requested by the employee, with the union to which they belong.
- 3.2 The discussions shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provision of subclause 3.1 of this clause and shall cover, inter alia, any reasons for the proposed terminations, measures to avoid or minimise the terminations and measures to mitigate any adverse effects of any termination of the employees concerned.
- 3.3 For the purposes of the discussion the employer shall, as soon as practicable, provide to the employees concerned and the union to which they belong, all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected, and the number of employees normally employed and the period over which the terminations are likely to be carried out. Provided that any employer shall not be required to disclose confidential information the disclosure of which would adversely affect the employer.

4. Notice for Changes in Production, Program, Organisation Or Structure

- 4.1 This subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from production, program, organisation or structure in accordance with clause 2 of this part.
- 4.1.1 In order to terminate the employment of an employee the employer shall give to the employee the following notice:

Period of continuous service	Period of Notice
Less than 1 year	1 week
1 year and less than 3 years	2 weeks
3 years and less than 5 years	3 weeks
5 years and over	4 weeks

- 4.1.2 In addition to the notice above, employees over 45 years of age at the time of the giving of the notice with not less than two years continuous service, shall be entitled to an additional week’s notice.
- 4.1.3 Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

4.2 Notice for Technological Change

This paragraph sets out the notice provisions to be applied to terminations by the employer for reasons arising from 'technology' in accordance with clause 2 of this part.

4.2.1 In order to terminate the employment of an employee the employer shall give to the employee three months notice of termination.

4.2.2 Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

4.2.3 The period of notice required by this subclause to be given shall be deemed to be service with the employer for the purposes of the Long Service Leave Act 1955, the Annual Holidays Act 1944, or any Act amending or replacing either of these Acts.

4.3 Time off during the notice period

4.3.1 During the period of notice of termination given by the employer an employee shall be allowed up to one day's time off without loss of pay during each week of notice, to a maximum of five weeks, for the purposes of seeking other employment.

4.3.2 If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment, the employee shall, at the request of the employer, be required to produce proof of attendance at an interview or the employee shall not receive payment for the time absent.

4.4 Employee leaving during the notice period

If the employment of an employee is terminated (other than for misconduct) before the notice period expires, the employee shall be entitled to the same benefits and payments under this part had the employee remained with the employer until the expiry of such

notice. Provided that in such circumstances the employee shall not be entitled to payment in lieu of notice.

4.5 Statement of employment

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee a written statement specifying the period of the employee's employment and the classification of or the type of work performed by the employee..

4.6 Notice to Commonwealth Employment Service

Where a decision has been made to terminate employees, the employer shall notify the Commonwealth Employment Service thereof as soon as possible giving relevant information including the number and categories of the employees likely to be affected and the period over which the terminations are intended to be carried out.

4.7 Department of Social Security Employment Separation Certificate

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee an 'Employment Separation Certificate' in the form required by Centrelink.

4.8 Transfer to lower paid duties

Where an employee is transferred to lower paid duties for reasons set out in clause 2 of this part, the employee shall be entitled to the same period of notice of transfer as the employee would have been

entitled to if the employee's employment had been terminated, and the employer may at the employer's option make payment in lieu thereof of an amount equal to the difference between the former ordinary time rate of pay and the new ordinary time rate for the number of weeks of notice still owing.

5. Severance Pay

5.1 Where an employee is to be terminated pursuant to clause 4 of this part, subject to further order of the Industrial Relations Commission of New South Wales, the employer shall pay the following severance pay in respect of a continuous period of service:

5.1.1 If an employee is under 45 years of age, the employer shall pay in accordance with the following scale:

Years of Service	Under 45 Years of Age Entitlement
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	7 weeks
3 years and less than 4 years	10 weeks
4 years and less than 5 years	12 weeks
5 years and less than 6 years	14 weeks
6 years and over	16 weeks

5.1.2 Where an employee is 45 years old or over, the entitlement shall be in accordance with the following scale:

Years of Service	45 Years of Age and Over Entitlement
Less than 1 year	Nil
1 year and less than 2 years	5 weeks
2 years and less than 3 years	8.75 weeks
3 years and less than 4 years	12.5 weeks
4 years and less than 5 years	15 weeks
5 years and less than 6 years	17.5 weeks
6 years and over	20 weeks

5.1.3 'Weeks Pay' means the all purpose rate of pay for the employee concerned at the date of termination, and shall include, in addition to the ordinary rate of pay, over award payments, shift penalties and allowances provided for in the relevant award.

5.2 Incapacity to Pay

Subject to an application by the employer and further order of the Industrial Relations Commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause 5.1.

The Commission shall have regard to such financial and other resources of the employer concerned as the Commission thinks relevant, and the probable effect paying the amount of severance pay in subclause 5.1 above will have on the employer.

5.3 Alternative Employment

Subject to an application by the employer and further order of the Industrial Relations Commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause 5.1 if the employer obtains acceptable alternative employment for an employee.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

TENNIS STRINGS AND SUTURES INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 8, Arbitrated Safety Net Adjustment, of the award published 30 May 2008 (365 I.G. 1940), and insert in lieu thereof the following:

8. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against.
- (i) any equivalent overaward payments, and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1 - Wages, of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

Item No.	Brief Description	Total Rate Per Week \$
A	Chemist -	
	Research Chemist	663.25
	Analytical and/or Chemist	619.90
	Trainee Chemist -	
	1st year of adult experience	571.60
	2nd year of adult experience	594.40
	3rd year of adult experience	610.90
B	Manufacturers of all Catgut Products -	
	Employees engaged in the following -	
	Splitting and/or harvesting raw material	577.80
	Preparing and/or washing and/or processing raw material	577.80
	Grading	577.80
	Stripping	577.80
	Making and/or measuring and/or looping	577.80
	Employees engaged in spinning strings, responsible for final products	582.05
	Employees engaged in spinning strings, not required to use discretion as to the final product	577.80
	Employees engaged as a spinning and/or drying room attendant	577.80
	Housekeeper	563.20

C	Surgical Catgut Finishing Operations -	
	Employees engaged in the following -	
	Cutting down	577.80
	Taking down	577.80
	Sanding, polishing and grinding	577.80
	Grading	577.80
	Machine gauging	577.80
	Manual Gauging	577.80
	Counting	577.80
	Tying and packing	577.80
	Housekeeping	563.20
D	Tennis and Other Non-surgical Catgut Finishing Operations -	
	Employees engaged in the following -	
	Taking down	562.55
	Sanding, polishing or grinding	562.55
	Coating and/or lacquering	562.55
	Cutting down	562.55
	Coiling	562.55
	Grading and/or inspecting finished strings	562.55
	Tying	562.55
	Gauging	562.55
	Branding and/or packaging	562.55
E	Suture Preparation -	
	Employees engaged in the following -	
	Drying and/or sterilising sutures	562.55
	Filing and/or sealing sutures	562.55
	Inspection of packaged sutures	562.55
	Ampoule making	562.55
	Winding sutures	562.55
F	Quality Control -	
	Group Leader -Quality Control Attendant	579.95
	Quality Control Attendant	568.40

3. Delete Item 1, 2, 4, and 5 of Table 2 - Other Rates and Allowances and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	6(d)	In charge of 1 to 5 employees	22.50
		In charge of 6 to 10 employees	26.30
		In charge of more than 10 employees	31.50
2	13(e)(i)	Morning or afternoon shift allowance	16.64 per shift
	13(e)(ii)	Night shift allowance	22.40 per shift
4	16	Dusty, Dirty Work, etc	0.52
5	17	First-aid allowance	2.89

4. This variation shall take effect from the first full pay period commencing on or after 24 July 2008.

E. A. R. BISHOP, Commissioner

UNIVERSITY UNIONS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees and another.

(Nos. IRC 1062 and 1064 of 2008)

Before Commissioner Bishop

28 July 2008

VARIATION

1. Delete paragraph 10.1.2 of subclause 10.1 of Clause 10, Wages, of the award published 22 August 2003 (341 I.G. 100) and insert in lieu thereof the following:
 - 10.1.2 The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.'
2. Delete Table 1-Wage Rates of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wage Rates

Level	Former rate Per Week \$	SWC 2008 \$	Total Wage Per Week \$
1	531.40	21.30	552.70
2	548.30	21.90	570.20
3(a)	573.90	23.00	596.90
3(b)	582.80	23.30	606.10
4	592.60	23.70	616.30
5	627.00	25.10	652.10
6	667.60	26.70	694.30
7	688.90	27.60	716.50

3. Delete Items 2 and 4 of Table 2 - Other Rates and Allowances, of the said Part B, and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
2	15.2	Apprentices Tool Allowance	0.69 per week
4	26.1	First Aid Allowance	10.40 per week 2.08 per shift

4. This variation shall take effect from the first full pay period commencing on or after 4 September 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

VAN SALES EMPLOYEES' (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 5, Arbitrated Safety Net Adjustment, of the award published 7 September 2001 (327 I.G. 529), and insert in lieu thereof the following:

5. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. There adjustments may be offset against:
- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.'
2. Delete Table 1 - Wages of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Classification	Total Rate per week \$
Van Sales Employees Local - In charge of a vehicle with carrying capacity of:	
up to or equal to 2 tonnes	591.10
over 2 and up to 5 tonnes	595.00
over 5 tonnes	599.40
Van Sales Employees Country - In charge of a vehicle with a capacity of:	
up to or equal to 2 tonnes	606.40
over 2 and up to 5 tonnes	610.50
over 5 tonnes	615.10

The carrying capacity shall be the difference between the tare weight and the aggregate weight as shown on the vehicle registration certificate.

3. Delete Items 1, 6 and 7 from Table 2 - Other Rates and Allowances of the said Part B and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(ii)	Allowance for driving refrigerated vans	7.79 per week
6	45(ii)	Technical Qualification Allowance	18.47 per week
7	45(iii)	Washing of any vehicle	8.63

4. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

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VEHICLE INDUSTRY - REPAIR SERVICES AND RETAIL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees and another.

(Nos. IRC 1062 and 1064 of 2008)

Before Commissioner Bishop

28 July 2008

VARIATION

1. Delete paragraph (b) of clause 6, Wage Rates of the award published 22 November 2002 (337 I.G. 65), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

2. Delete Table 1 - Wages - Adult Weekly Employees of Part B and insert in lieu thereof the following:

Table 1 - Wages - Adult Weekly Employees

Wage Group Level	Total Rate per week \$
1	552.70
2	562.70
3	607.90
4	624.30

3. Delete Table 2 - Wages - Junior Weekly Employees of the said Part B and insert in lieu thereof the following:

Table 2 - Wages - Junior Weekly Employees

Classification	Percentage	Rate per Week \$
GROUP B (Percentage of Level 1)		
Under 17 years	47.5	262.55
At 17 years	50	276.35
At 18 years	62.5	345.45
At 19 years	75	414.55
At 20 years and over	87.5	483.60
GROUP A (Percentage of Level 3)		
Under 17 years	47.5	288.75
At 17 years	50	303.95
At 18 years	62.5	379.95
At 19 years	75	455.95
At 20 years and over	87.5	531.90

4. Delete Table 3 - Wages - Casual Driveway Attendants of the said Part B and insert in lieu thereof the following:

Table 3 - Wages - Casual Driveway Attendants

Classification	Percentage	Rate per hour \$
RATE 1 - Monday to Friday -		
Under 18 years	50	9.58
At 18 years	62.5	11.98
At 19 years	75	14.38
At 20 years and over	100	19.17
RATE 2 - Saturday, Sunday and Public Holiday -		
Under 18 years	50	12.50
At 18 years	62.5	15.62
At 19 years	75	18.74
At 20 years and over	100	24.99
RATE 3 - Overtime -		
Under 18 years	50	5.34
At 18 years	62.5	6.68
At 19 years	75	8.01
At 20 years and over	100	10.68
RATE 4 - Console Allowance		
Under 18 years	50	0.33
At 18 years	62.5	0.33
At 19 years	75	0.32
At 20 years and over	100	0.32

5. Delete Table 4 - Wages - Casual Console Operators of the said Part B and insert in lieu thereof the following:

Table 4 - Wages - Casual Console Operators

Classification	Percentage	Rate per hour \$
RATE 1 - Monday to Friday -		
Under 18 years	50	10.49
At 18 years	62.5	13.11
At 19 years	75	15.73
At 20 years and over	100	20.98
RATE 2 - Saturday, Sunday and Public Holiday -		
Under 18 years	50	13.64
At 18 years	62.5	17.05
At 19 years	75	20.46
At 20 years and over	100	27.28
RATE 3 - Overtime -		
Under 18 years	50	5.95
At 18 years	62.5	7.44
At 19 years	75	8.92
At 20 years and over	100	11.90

6. Delete items 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 from Table 7 - Allowances of the said Part B and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	6(1)(c)	Console Allowance	10.00 per week
2	6(1)(d)	Leading Hand Allowance - In charge of - 3 to 10 employees 11 to 20 employees 21 or more employees	28.25 per week 42.50 per week 54.10 per week
3	10(a)	Confined spaces	0.62 per hour
4	10(b)(i)	Dirty work	0.49 per hour
5	10(b)(ii)	Dirty work - minimum payment any day/shift	1.92 day/shift
6	10(c)(i)(1)	Hot places - 46 - 54 degrees Celsius	0.49 per hour
7	10(c)(i)(2)	Hot places - in excess of 54 degrees Celsius	0.62 per hour
8	10(d)	Livestock transports - working on stock compartments	0.49 per hour
9	10(e)	First Aid Qualifications	13.00 per week
10	10(g)	Handling glass or slagwool	0.62 per hour

7. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

WAREHOUSE EMPLOYEES' - GENERAL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 4, State Wage Case Adjustments of the award published 23 November 2001 (329 I.G. 860) and insert in lieu thereof the following:

4. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete subclause (i) Adult Employees of Table 1 - Wages of Part B, Monetary Rates, and insert in lieu thereof the following:
- (i) Adult Employees -

Group No.	Classification	Former Rate Per Week \$	SWC 2008 Per Week \$	Total Rate Per Week \$
1	Checker	548.70	21.90	570.60
2	Assembler	548.70	21.90	570.60
3	Replenisher/Stockhand	548.70	21.90	570.60
4	Sorter	548.70	21.90	570.60
5	Wrapper/Tier	548.70	21.90	570.60
6	Indoor Salesperson	548.70	21.90	570.60
7	Department of Manager - in charge of:			
	(i) from 1 to 4 assistants	563.30	22.50	585.80
	(ii) from 5 to 12 assistants	571.70	22.90	594.60
	(iii) from 13 to 25 assistants	580.60	23.20	603.80
	(iv) over 25 assistants	585.30	23.40	608.70

Former Rate includes three \$8.00 Arbitrated Safety Net Adjustments, and the August 1997 through to May 2007 SWC adjustments.

3. Delete Items 1, 2 and 4 of Table 2 - Other Rates and Allowances, of the said Part B and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	3(v)	Allowance for Section Head	10.30 per week
2	3(vi)	Qualified Parts Salesman	17.90 per week
4	25(ii)	First-aid	2.27 per day

4. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

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(701)

SERIAL C6839**WAREHOUSE EMPLOYEES DRUG (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete subclause (d) of clause 12, Wages, of the award published 25 May 2001 (324 I.G. 1181), and insert in lieu thereof the following:
 - (d) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete (i) Adult Employees of Table 1 - Wages of Part B, Monetary Rates and insert in lieu thereof the following:
 - (i) Adult Employees -

Classification	Former Rate Per Week \$	SWC 2008 \$	Total Rate Per Week \$
Checker (first 3 months)	563.65	22.55	586.20
Assembler (first 3 months)	563.65	22.55	586.20
Checker	584.50	23.40	607.90
Assembler	584.50	23.40	607.90
Indoor Salesperson	582.80	23.30	606.10
Section Leader	603.30	24.15	627.45
Buyer	603.30	24.15	627.45
Buyer in charge	618.20	24.75	642.95
Department Manager - Second in Charge	618.20	24.75	642.95
Department Manager	659.95	26.40	686.35

This table represents the total for each classification after the minimum rates adjustment process has been completed.

3. Delete Items 1, 2, 4 and 5 of Table 2 - Other Rates and Allowances of the said the Part B and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9(e)(i)	Morning or afternoon shift allowance	16.31 per shift
2	9(e)(ii)	Night shift allowance	22.02 per shift
4	34(f)	First-aid	2.45 per shift
5	34(g)	Dirty work, etc	0.48 per hour

4. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

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(710)

SERIAL C6841

WHOLESALE FRUIT AND VEGETABLE EMPLOYEES' (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, Industrial Organisation of Employees.

(No. IRC 1062 of 2008)

Before Commissioner Bishop

23 July 2008

VARIATION

1. Delete clause 17, Arbitrated Safety Net Adjustment, of the award published 8 September 2000 (318 I.G. 552), and insert in lieu thereof the following:

17. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against.
- (i) any equivalent overaward payments, and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1 - Wages of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

(i)

Classification	Total Rate \$
Head Salesperson (Foreperson)	678.80
Banana Ripener	614.80
Salesperson	597.80
Fork Lift Driver	587.90
General Assistant	566.20

(ii)

Classification		1st MRA 20/3/96 \$	2nd MRA 14/2/97 \$	3rd MRA 17/10/98 \$	4th MRA 9/99 \$	MRA Relativity %
Head Salesperson (Foreperson)	Base	391.90	391.90	391.90	391.90	110.0
	Suppl.	48.00	57.20	66.40	75.80	
	Total	439.90	449.10	458.30	467.70	
Banana Ripener	Base	342.00	342.00	342.00	342.00	96.0
	Suppl.	41.60	49.80	58.00	66.20	
	Total	383.60	391.80	400.00	408.20	
Salesperson	Base	328.30	328.30	328.30	328.30	92.14
	Suppl.	41.60	48.80	56.00	63.50	
	Total	369.90	377.10	384.30	391.80	

Fork Lift Driver	Base	320.30	320.30	320.30	320.30	89.9
	Suppl.	38.00	45.90	53.80	62.00	
	Total	358.30	366.20	374.10	382.30	
General Assistant	Base	302.90	302.90	302.90	302.90	85.0
	Suppl.	30.50	39.80	49.10	58.50	
	Total	333.40	342.70	352.00	361.40	

3. This variation shall take effect from the first full pay period commencing on or after 4 August 2008.

E. A. R. BISHOP, Commissioner

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