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NEW SOUTH WALES
INDUSTRIAL GAZETTE

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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 1544 of 2009)

Before Commissioner Macdonald

9 October 2009

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 2009. 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 2008 \$	Minimum Award Wage Rate (Per Week) 26 October 2009 \$
Representative	619.00	636.30
Probationary Representative	582.60	598.90
At 17 years of age	303.50	312.00
At 18 years of age	363.60	373.80
At 19 years of age	424.20	436.10
At 20 years of age	485.00	498.60

3. This variation shall take effect from the first pay period commencing on or after 26 October 2009.

A. MACDONALD, Commissioner

AERATED WATERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1410 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete clause 6, State Wage Case Adjustments, of the award published 30 May 2008 (365 I.G. 1595), and insert in lieu thereof the following:

6. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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**

No.	Classification for establishments with a flow rate of 7000 litres per hour or more	Wage Total \$
1.	Syrup maker whose syrup room operations are computerised	603.30
2.	Cordial and/or syrup maker using recipes or formulae	594.20
3.	Pre-mixer filler operator	582.80
4.	Employees who, under the direction of the employer or manager or foreman, are in charge of the running adjustment or running maintenance of automatic carbonating and/or fruit juice or aerated waters machinery or plant and/or syrup filler operator	568.70
5.	Assistant syrup maker	568.70
6.	Employee engaged on routine in-line testing	568.70
7.	Employee operating labelling palletising or de-palletising, case packing or unpacking or carton packing machines	568.70
8.	Storeman (as defined)	568.20
9.	Employees engaged in bottling or canning line operations including operating bottle washer, removing empty bottles from cases or placing empty bottles on conveyors, sight inspecting, filling cases with full bottles, and stacking cases on pallets, fruit juice extracting cordial and/or syrup room (other than in Classification No. 1, 2 and 5), loader on or off motor trucks, cleaner, storeman and warehouse employee, store assistant (as defined), plastic blow moulding machines operator and/or employee attending, feeding or operating shrink wrap machine.	568.20

10	Case, crate, box and/or pallet repairer	568.20
11	Fork lift driver with lifting capacity of: (a) up to and including 5000 kg (b) Over 5000 kg and/or including twin forklift	581.50 593.65
12.	All other adult employees	568.20
13.	Trainee - first four weeks of service	560.65
	Motor wagon drivers - The rate of wages prescribed by the Transport Industry (State) Award, as varied from time to time, shall be applicable to employees classified as motor wagon drivers.	
	Classification For establishments with a flow rate of less than 7000 litres per hour	Wage Total \$
14.	Grade 1B Soft drink industry employee	560.65
15.	Grade 2B Soft drink industry employee	578.46
16.	Grade 3B Soft drink industry employee	609.00
17.	Grade 4B Soft drink industry employee	624.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(iii)	Employees handling caustic soda	0.77 per hour extra
2	4(iv)	Employees working in a cold room	0.64 per hour extra
3	4(v)	Leading Hands - 3 to 10 employees more than 10 employees	21.86 per week extra 34.91 per week extra
4	4 (vi)	First-aid Attendant	2.61 per day

3. This variation shall commence from the first full pay period on or after 18 September 2009.

A. MACDONALD, Commissioner

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AGED CARE GENERAL SERVICES (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1483 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause (iii) of clause 3, Wages, of the award published 10 November 2000 (320 I.G. 1), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 adjustment.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

	Current Rate per week \$	SWC 2009 Adjustment per week %	Wage Rate as from 8.10.2009 per week \$
Administrative Services Clerk (under 18 years of age)	369.50	2.8	379.80
Clerk - Grade 1 (18 years of age and over)			
1st year of service	591.00	2.8	607.50
2nd year of service	604.90	2.8	621.80
3rd year of service	617.40	2.8	634.70
4th year of service	627.80	2.8	645.40
5th year of service and thereafter	638.20	2.8	656.10
Clerk - Grade 2			
1st year of service	655.50	2.8	673.90
2nd year of service and thereafter	671.10	2.8	689.90
Clerk - Grade 3			
1st year of service	687.00	2.8	706.20
2nd year of service and thereafter	700.90	2.8	720.50
Clerk - Grade 4			
1st year of service	714.20	2.8	734.20
2nd year of service and thereafter	726.40	2.8	746.70
Clerk - Grade 5			
1st year of service	742.70	2.8	763.50
2nd year of service and thereafter	755.70	2.8	776.90

Provided that employees under the age of 18 who are substantially engaged in stenographic duties or as a comptometer or ledger posting machine operator shall be paid a weekly allowance as part of wages of the amount set out in Item 13 of Table 2 of this award.

Personal Care Services			
Personal Care Assistant			
Grade 1	597.00	2.8	613.70
Grade 2	608.50	2.8	625.50
Hostel Supervisor			
Grade 1 - less than 50 beds	655.50	2.8	673.90
Grade 2 - 50 but less than 75 beds	671.20	2.8	690.00
Grade 3 - 75 but less than 100 beds	687.00	2.8	706.20
Grade 4 - 100 beds and over	700.30	2.8	719.90
Wardsperson			
1st year of service	620.50	2.8	637.90
2nd year of service and thereafter	623.70	2.8	641.20
Recreation Activities Officer			
1st year of experience	637.30	2.8	655.10
2nd year of experience	649.30	2.8	667.50
3rd year of experience and thereafter	657.30	2.8	675.70
Diversional Therapist			
1st year of experience	632.30	2.8	650.00
2nd year of experience	659.70	2.8	678.20
3rd year of experience	684.50	2.8	703.70
4th year of experience	707.40	2.8	727.20
5th year of experience and thereafter	731.30	2.8	751.80
General Services			
General Services Officer Grade 1			
Junior	496.70	2.8	510.60
Adult	597.00	2.8	613.70
General Services Officer - Grade 2	608.50	2.8	625.50
General Services Officer - Grade 3	617.20	2.8	634.50
General Services Officer - Grade 4			
1st year of service	629.10	2.8	646.70
2nd year of service	637.30	2.8	655.10
3rd year of service and thereafter	649.30	2.8	667.50
Food Services			
Cook - Grade A	642.90	2.8	660.90
Cook - Grade B	630.70	2.8	648.40
Chef			
1st year of service	661.50	2.8	680.00
2nd year of service and thereafter	671.50	2.8	690.30
Catering Officer			
1st year of service	705.20	2.8	724.90
2nd year of service and thereafter	713.80	2.8	733.80
Accommodation Services			
Housekeeper			
1st year of service	628.30	2.8	645.90
2nd year of service	631.40	2.8	649.10
Laundry Foreperson			
With Dry Cleaning/laundry certificate	638.20	2.8	656.10
	645.40	2.8	663.50
Storekeeper	656.00	2.8	674.40
Support Services			
Gardener (Qualified)	631.90	2.8	649.60
Gardener (Unqualified)	619.70	2.8	637.10
Head Gardener (Qualified)	674.50	2.8	693.40
Head Gardener (Unqualified)	646.60	2.8	664.70

Motor Vehicle Driver	628.40	2.8	646.00
Motor Vehicle Driver-Trucks and ambulances	634.90	2.8	652.70
Maintenance Supervisor (Tradesman)			
In charge of staff	787.30	2.8	809.30
Otherwise	743.60	2.8	764.40
Maintenance Supervisor (Non-tradesman)			
In charge of staff	707.70	2.8	727.50
Otherwise	695.30	2.8	714.80
Apprentices			
Apprentice Cook			
1st year	378.40	60% of Cook B	389.00
2nd year	520.30	82½% of Cook B	534.90
3rd year	583.40	92½% of Cook B	599.80
Apprentice Gardener			
1st year	316.00	50% of Gardener(qualified)	324.80
2nd year	379.10	60% of Gardener(qualified)	389.80
3rd year	505.50	80% of Gardener(qualified)	519.70
4th year	568.70	90% of Gardener(qualified)	584.60

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount from 8.10.2009
1	4 (xi)I	Broken Shifts	\$8.10 per shift
2	6(iii)	Overtime Meals breakfast lunch dinner	\$8.80 \$11.40 \$16.70
3	7(iii) (b)	Overtime Recall - Use of Employees' own vehicle Vehicles over 1600cc Vehicles 1600cc and under	24.5 cents per km 20.5 cents per km
4	10(vi)	Apprentices Certificate pass exams Each subsequent year	\$1.90 per week \$1.90 per week
5	12(i)(a)	Driving Allowance where required to drive more than ten hours in any week, minimum payment more than four hours in any day or shift, minimum payment	\$4.80 per week \$4.80 \$4.80 per shift
6	12(ii)(a)	Work of a dirty or offensive nature	\$0.45 per hour
7	12(ii)(b)	Cleaning of boiler, flue or economiser	\$0.72 per hour
8	12(iv)	Nauseous linen	\$0.24 per hour
9	22(i) 22(ii)	Climatic and Isolation Allowance Climatic and Isolation Allowance	\$4.80 per week \$8.90 per week
10	23(ii)	Leading Hand in charge of 2 to 5 employees in charge of 6 to 10 other employees in charge of 11 to 15 other employees in charge of 16 to 19 other employees	\$20.70 per week \$29.00 per week \$36.80 per week \$45.00 per week
11	25(iv)	Uniform Allowance	\$1.70 per week
12	25(v)	Laundry Allowance	\$1.00 per week
13	Table 1	Stenography Allowance	\$5.70 per week

3. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

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AGED CARE INDUSTRY (BROKEN HILL) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Broken Hill Town Employees' Union, Industrial Organisation of Employees.

(No. IRC 1172 of 2009)

Before Commissioner McKenna

21 August and 17 September 2009

VARIATION

1. Delete clause 3, Wages, of the award published 20 July 2001 (326 I.G. 255) and insert in lieu thereof the following:

3. Wages

Employees shall be paid not less than the rates prescribed for the appropriate classifications set out in Table 1 - Wages, of Part B Monetary Rates.

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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	Total rate per week effective 8 August 2008 \$	SWC June 2009	Total rate per week effective 8 August 2009 \$
Clerks - Junior -			
at 16 years or under	352.25	2.8%	362.11
at 17 years or under	397.29	2.8%	408.41
at 18 years or under	452.11	2.8%	464.77
at 19 years or under	507.05	2.8%	521.25
at 20 years or under	556.74	2.8%	572.33
Grade 1 -			
21 years of age or 1st year of service	601.74	2.8%	618.59
2nd year of service	613.29	2.8%	630.46
3rd year of service	626.29	2.8%	643.83
4th year of service	637.00	2.8%	654.84
5th year and thereafter	649.69	2.8%	667.88
Grade 2 -			
1st year of service	665.29	2.8%	683.92
2nd year and thereafter	681.51	2.8%	700.59

Grade 3 - 1st year of service	695.76	2.8%	715.24
2nd year and thereafter	711.98	2.8%	731.92
Grade 4 - 1st year of service	725.82	2.8%	746.14
2nd year and thereafter	738.50	2.8%	759.18
Grade 5 - 1st year of service	755.04	2.8%	776.18
2nd year and thereafter	768.56	2.8%	790.08
Grade 6 - 1st year of service	786.66	2.8%	808.69
2nd year and thereafter	800.70	2.8%	823.12
Grade 7 - 1st year of service	821.81	2.8%	844.82
2nd year and thereafter	838.66	2.8%	862.14
Grade 8 - 1st year of service	883.38	2.8%	908.11
2nd year and thereafter	902.51	2.8%	927.78
Hostel Supervisor - Grade 1 - less than 50 beds	665.29	2.8%	683.92
Grade 2 - 50 but less than 75	681.62	2.8%	700.71
Grade 3 - 75 but less than 100	695.76	2.8%	715.24
Grade 4 - 100 beds and over	711.46	2.8%	731.38
Personal Care Assistants	617.03	2.8%	634.31
General Service Officer - Grade 1 - Junior	522.43	2.8%	537.06
Grade 1 - Adult	617.03	2.8%	634.31
Grade 2	626.08	2.8%	643.61
Grade 3 - 1st year of service	644.07	2.8%	662.10
Grade 3 - 2nd year of service	652.29	2.8%	670.55
Grade 3 - 3rd year of service	662.17	2.8%	680.71
Diversional Therapists - 1st year of service	632.32	2.8%	650.02
2nd year of service	659.67	2.8%	678.14
3rd year of service	684.63	2.8%	703.80
4th year of service	707.41	2.8%	727.22
5th year of service and thereafter	731.33	2.8%	751.81
Recreational Activities Officer - 1st year of service	648.75	2.8%	666.92
2nd year of service	658.84	2.8%	677.29
3rd year of service and thereafter	667.16	2.8%	685.84
Cook - Grade A	652.39	2.8%	670.66
Grade B	641.99	2.8%	659.97
Maintenance Supervisor - Maintenance Supervisor (Tradesman)	758.26	2.8%	779.49
Maintenance Supervisor (Otherwise) - in charge of staff	719.16	2.8%	739.30
Maintenance Supervisor (Otherwise)	706.37	2.8%	726.15
Motor Vehicle Drivers - Grade A - Sedan	637.52	2.8%	655.37
Grade B - Utility	643.03	2.8%	661.03
Grade C - Ambulance or Minibus	646.36	2.8%	664.46
Grade D - Larger vehicle under 5 tonnes	648.54	2.8%	666.70
Grade E - Truck 5 tonnes and over	651.56	2.8%	669.80

Gardener -			
Head Gardener (Qualified)	685.05	2.8%	704.23
Head Gardener (Otherwise)	656.14	2.8%	674.51
Gardener (Qualified)	643.24	2.8%	661.25
Gardener (Otherwise)	628.68	2.8%	646.28

3. Delete Items 5, 6, 7, 8, 9 and 11 in Table 2, Allowances, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 2 - Allowances

Item No.	Clause No.	Brief Description		Allowance effective 8 August 2008 \$	SWC 2009 \$	Allowance effective 8 August 2009 \$
1	9(c)	Recall - use of own vehicle	per km	0.83		0.83
2	9(h)(i)	Overtime - breakfast	per shift	9.86	4.8%	10.33
3	9(h)(ii)	Overtime - luncheon	per shift	11.52	4.8%	12.07
4	9(h)(iii)	Overtime - evening meal	per shift	16.46	4.8%	17.25
5	11(a)(iv)	Sleepover allowance	per night	37.07	2.8%	38.11
6	11(b)(i)	Driving allowance	per week or shift as appropriate	4.41	2.8%	4.53
7	11(c)(i)	Cleaning scraping - confined spaces	per hour	0.47	2.8%	0.48
8	11(c)(ii)	Cleaning scraping - boiler flue	per hour	0.77	2.8%	0.79
9	11(c)(iv)	Linen handling - nauseous linen	per hour	0.22	2.8%	0.23
10	11(d)(i)	Travelling allowance	per km	0.83		0.83
11	11(e)(i)	On Call allowance	per shift	14.70	2.8%	15.11
12	11(f)(i)	* Flexibility allowance	per shift in excess of 5 hours	5.40		5.40
13	22(d)	Uniform allowance	per week	3.64	1.3%	3.69
14	22(d)	Cardigan or special shoe allowance	per week	1.45	1.3%	1.47
15	22(e)	Laundry allowance	per week	3.64	1.3%	3.69

* This allowance does not get indexed

4. This variation shall take effect from the first full pay period to commence on or after 8 August 2009.

D. S. McKENNA, Commissioner

(010)

SERIAL C7262

ANIMAL FOOD MAKERS, &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 1536 of 2009)

Before Commissioner Macdonald

9 October 2009

VARIATION

1. Delete subclause (iii), of clause 5, Adult Weekly Rates, of the award published 1 June 2001 (325 I.G. 112), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:
 - (a) any equivalent overaward payments; and/or
 - (b) award wage increase since 29 May 1991 other than Safety Net, State Wage Case, and minimum rates adjustments.
2. Delete Adult Weekly Rates (Clause 5) of Part B, Monetary Rates, and insert in lieu thereof the following:

Adult Weekly Rates (Clause 5)

- A. 1. Feed Miller in Charge of Shift:

Table 1

Feed Miller in Charge of Shift	Minimum Award Wage Rate Per Week 11 October 2008 \$	Minimum Award Wage Rate Per Week 11 October 2009 \$
1. Not exceeding 2 tonnes of provender per hour	594.50	611.10
2. Exceeding 2 tonnes but not exceeding 6 tonnes of provender per hour	601.20	618.00
3. Exceeding 6 tonnes but not exceeding 12 tonnes of provender per hour	608.30	625.30
4. Exceeding 12 tonnes but not exceeding 18 tonnes of provender per hour	615.20	632.40
5. Exceeding 18 tonnes but not exceeding 28 tonnes of provender per hour	623.50	641.00
6. Exceeding 28 tonnes but not exceeding 40 tonnes of provender per hour	631.80	649.50
7. Exceeding 40 tonnes but not exceeding 60 tonnes of provender per hour	642.70	660.70
8. Exceeding 60 tonnes of provender per hour	652.10	670.40

- (2) Foreman Feed Miller - Shall be paid not less than \$39.25 per week above the relevant rate prescribed by classification 1 hereof.

(3) Feed Mill Operative:

Table 2

Feed Mill Operative	Minimum Award Wage Rate Per Week 11 October 2008 \$	Minimum Award Wage Rate Per Week 11 October 2009 \$
Grade 5	569.30	585.20
Grade 4	575.30	591.40
Grade 3	582.30	598.60
Grade 2	589.60	606.10
Grade 1	596.00	612.70
Premix Blender	582.30	598.60

B. General

Table 3

General	Minimum Award Wage Rate Per Week 11 October 2008 \$	Minimum Award Wage Rate Per Week 11 October 2009 \$
1. Millwright	611.50	628.60
2. General Repairer not Millwright	580.20	596.40
3. Head Millwright	629.80	647.40
4. Binsperson	575.30	591.40
5. Grain Sampler	561.70	577.40
6. Head Storeperson	586.60	603.00
7. Storeperson/Storehand/Siloperson	555.80	571.40
8. Packer/Stacker	564.00	579.80
9. Head Siloperson/Head Intake	571.00	587.00
10. Head Millhand	571.00	587.00
11. Millhand	552.70	568.20
12. (i) Driver of engines, whether the motive be steam or any other motive power other than manual power		
(a) With condenser	587.20	603.60
(b) Without condenser	576.80	593.00
(ii) Driver of suction gas or other internal combustion engines:		
(a) If 50 b.h.p. or over	576.80	593.00
(b) If under 50 b.h.p.	567.40	583.30
(iii) Driver of engines attending electric generator or dynamo other than a dynamo for merely lighting the works shall receive an additional \$12.43 per week		
13. Fireperson/Boiler Attendant	554.50	570.00
14. Forklift Truck Driver and/or Tractor Driver	567.40	583.30
15. Laboratory Assistant	578.60	594.80
16. All other Adult Employees	552.70	568.20

Table 4 - Other Rates and Allowances

Item No	Clause No	Allowance	Amount 11 October 2009 \$
1	9(a)	Dusty Conditions	2.28 per day
2	9(b)	Unusually and Excessively Dirty or Dusty Conditions	0.49 per hour
3	9(c)(i)	Engaged in discharging bulk grain	0.97 per hour
4	9(c)(ii)	Working adjacent to employee discharging bulk grain	0.57 per hour
5	9(d)	Carrying Bagged Products	0.36 per hour
6	9(e)	Bag Cleaning	3.90 per day
7	9(f)	Containers - Stacking Mill Products	0.62 per hour
8	9(g)	Boiler Attendant Certificate	9.74 per week
9	9(h)	Boiler Cleaner	1.51 per hour
10	9(i)	Silo and Bin Cleaner	1.04 per hour
11	10(j)	Meal Allowance	7.90 per meal
12	13(c)(i)	Afternoon Shift	22.81 per shift
13	13(c)(ii)	Rotating Night Shifts	28.44 per shift
14	13(c)(iii)	Change of Shift	19.47 per shift
15	13(h)	Meal Hours	2.40
16	14(g)(iv)	Meal Allowance	7.90 per meal
17	15(c)	Travelling Allowance	0.73 per kilometre
18	26	First-Aid Attendant	9.74 per week
19	27	Fire Officer	8.88 per week
20	28(a)	Clothing Allowance	2.62 per week
21	28(b)	Tool Allowance	10.40 per week
22	28(f)	Handling and Use of Pesticides	0.48 per hour

3. This variation shall take effect from the first pay period to commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(011)

SERIAL C7196**ANIMAL WELFARE, GENERAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1319 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (vi) of clause 5, Wages, of the award published 23 February 2001 (322 I.G. 531), and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 - Wages, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Classification	Rate Per Week \$
Animal Nurse, as defined	568.20
General Nurse, in transition	568.20
Animal Attendant, as defined	568.20
Food Preparer or Kennel Cleaner	568.20
All others	568.20

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	2(ii)(a)	Broken Shift Allowance	11.76 per shift
2	2(ii)(b)	Excess Fares Allowance	10.99 per week
3	5(ii)	Leading Hands	28.36 per week
4	5(iv)	First-aid	14.47 per week
5	6(ii), (iii), (iv)	Overtime and Meal Allowances	10.17
6	7(ii)	Saturday morning work: Adults Juniors	15.92 11.46

7	21(i)	Locomotion Allowance	Standing charge per week \$	Running charge cents/km cents
		Cubic centimetres of motor vehicle engine:		
		Up to and including 2,000 cc	256.91	28.36
		Over 2,000 cc	283.56	31.71
8	21(iii)	Bicycle Allowance	4.83 per shift	

3. The variation shall take effect from the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

(012)

SERIAL C7195**ANIMAL WELFARE, INSTITUTIONAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1318 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (v) of clause 5, Wages of the award published 23 February 2001 (322 I.G. 558), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 - Wages, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Classification	Rate per week \$
Inspector	592.93
Liaison Officer (Inspectors)	592.93
Supervisor	577.86
Veterinary Assistant	568.20
Lethalist	568.20
Animal Attendance	568.20
Handyman	568.20
All others	568.20

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
1	5(ii)	Leading Hand Allowance	23.89 per week	
2	5(iv)	First-aid Allowance	11.70 per week	
3	6(ii)	Meal Allowance	9.94 per meal	
4	23(i)	Locomotion	Standing Charge per week	Running Charge per week
		Horsepower of vehicle:	\$	\$
		Up to and including 2,000 cc	231.28	28.37
		Over 2,000 cc	263.56	30.82
5	23(iii)	Locomotion : bicycle	5.15 per shift	

3. The variation shall take effect from the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

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(022)

SERIAL C7226

BACON FACTORY EMPLOYEES (CUMBERLAND) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1296 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete clause 5, Arbitrated Safety Net Adjustment of the award published 2 May 2008 (365 I.G. 701) and insert in lieu thereof the following:

5. Arbitrated Safety Net Adjustment

State Wage Case Adjustment

The rates of pay in this award include the adjustments payable under the State Wage 2009. 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 - Wage Rates

		SWC 2009 eff. 1 Dec. 09 Amount Per Week \$
1	First curer	588.10
2	Second curer	578.50
3	Backer down or chopper down	578.50
4	Boner and trimmer(including tunnel boning)	578.50
5	Pickle pumper (arterial or stab)	572.10
6	First man - cutting up	572.10
7	Packer - ham canning	568.20
8	First man - washing, smoking and drying	576.25
9	Bacon boner	574.00
10	Cutter up	569.20
11	Tally and despatch hand	568.20
12	Cooker and lardman	568.20
13	Closing machine operator	568.20

14	Solderer	568.20
15	Bacon curer's labourer - doing salting	568.20
16	Smokehouse labourer	568.20
17	Labourer	568.20

Table 2 - Other Rates and Allowances

Item No.	Clause No	Explanation	SWC 2009 eff. 1 Dec. 09 Amount \$
1	3(v)	Meal Allowance	10.87
2	4(v)	Leading Hand allowance	
		In charge of more than two but not more than ten employees	11.57
		In charge of more than ten employees	20.05
3	7(i)	Working in cold temperatures per hour or part thereof	0.39
4	2(iv)(b)	Supply of special clothing, knives and accessories	
		(i) per week	5.95
		(ii) per day	1.18
		(iii) per week	3.57
		(iv) per day	0.71

3. This variation shall take effect from the first full pay period to commence on or after 1 December 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(040)

SERIAL C7222

BOILING DOWN AND BY-PRODUCTS (CUMBERLAND) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1298 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause 4.7 of clause 4, Wages of the award published 11 July 2008 (366 I.G. 29) and insert in lieu thereof the following:

- 4.7 State Wage Case Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:

4.7.1 any equivalent over award payments, and / or

4.7.2 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 2009 Effective from 20 Jan 2010 \$
Rendering Plant Operator	602.55
Assistant Rendering Plant Operator	594.55
Mill Hand	591.15
Cleaners & Labourers	573.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Explanation	Rate as at 20 January 2010 \$
1	3.4.1	Meal Allowance	8.96
2	4.2	Bagging Fertiliser	0.22
3	4.3	Fork Lift	2.38
4	25.3	Employer does not provide tools	0.22
5	25.3	Employer does not provide tools	0.03

3. This variation shall take effect from the first full pay period to commence on or after 20 January 2010.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

BOWLING AND GOLF CLUBS 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 1384 of 2009)

Before Commissioner McKenna

14 September 2009

VARIATION

1. Delete subclause (iii) of clause 8, Rates of Pay, of the award published 15 April 2005 (350 I.G. 109) and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Rates of Pay**

Classification	Rate Per Week \$
5 Day Worker	
Level 1	578.50
Level 2	602.50
Level 3	624.90
Level 4	660.90
Level 5 (Bowling Club)	683.30
Level 5 (Golf Clubs)	705.50
Level 6 (Golf Club)	748.00
5 & ½ Day Worker	
Level 1	590.20
Level 2	614.20
Level 3	636.40
Level 4	672.50
Level 5 (Bowling Club)	694.80
Level 5 (Golf Club)	715.10
Level 6 (Golf Club)	759.60

Table 2 - Apprentices

Apprentice's year of apprenticeship	% of skilled tradesperson's minimum weekly rate (Greenkeeper Level 4)	Rate Per Week \$
5 Day Week		
1st	50	330.45
2nd	58	383.30
3rd	68.5	452.70
4th	78	515.50
5½ Day Week		
1st	50	336.25
2nd	58	390.05
3rd	68.5	460.65
4th	78	524.55

Table 3 - Other Rates and Allowances

Item No	Clause	Brief description	Amount \$
1	27	Motor vehicle allowance	0.57 per kilometre
2	17	Meal allowance	10.15
3	30	First Aid allowance	2.14 per day

Table 4 - Youth Rates

Youths	% of Greenkeeper Level 1	5 Day Week Rate Per Week \$	5½ Day Week - Rate Per Week \$
16 years and under 17 years	45	260.30	265.60
17 years and under 18 years	50	289.25	295.10
18 years and under 19 years	60	347.10	354.10
19 years and under 20 years	80	462.80	472.15
20 years and under 21 years	100	578.50	590.20

Note: These allowances are contemporary for expense related allowances as at 30 March 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

- This variation shall take effect from the first full pay period to commence on or after 24 September 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

BREAD INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1316 of 2009)

Before Commissioner Connor

16 September 2009

VARIATION

1. Delete paragraph (b) of subclause (i) of clause 4, Rates of Pay and Allowances, of the award published 17 December 2004 (347 I.G. 796) and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:
 1. any equivalent over award payments, and/or
 2. 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	Former Rate per week \$	SWC 2009 %	Total Rate per week \$
Bread Industry Employee Level 1	726.60	2.8	746.60
Bread Industry Employee Level 2	683.50	2.8	702.60
Bread Industry Employee Level 3	660.90	2.8	679.40
Bread Industry Employee Level 4	625.10	2.8	642.60
Bread Industry Employee Level 5	602.70	2.8	619.60
Bread Industry Employee Level 6	578.90	2.8	595.10

Table 2 - Other Rates And Allowances

Item	Clause No.	Brief Description	Amount Payable \$
1	2(v)(b) 4(vi)(g)(i)	Apprentices' Allowance: Stage 1 pass	6.50 per week
2	2(v)(c) 4(vi)(g)(ii)	Apprentices' Allowance: Completion of course	18.15 per week
3	4(vi)(a)1	Leading Operator: Up to four employees	16.55 per week
4	4(vi)(a)2	Leading Operator: More than four employees	33.10 per week
5	4(vi)(b)	Heavy Vehicle Driving:	
5.1	4(vi)(b)1	Over 3 and up to 4.5 tonnes	4.15 per week
5.2	4(vi)(b)2	Over 4.5 up to 14.95 tonnes	33.00 per week

5.3	4(vi)(b)3	Over 14.95 tonnes	43.55 per week
5.4	4(vi)(b)4	Semi-trailer	78.25 per week
6	4(vi)(c)	Merchandising Allowance:	
6.1		Flat amount	16.70 per day
6.2		Variable amount	0.33 per km
7	4(vi)(d)	First Aid Allowance	14.20 per week
8	4(vi)(e)	Boiler Allowance	14.75 per week
9	4(vi)(f)	Meal Allowance	12.65 per meal

3. This variation shall take effect on and from the first full pay period to commence on or after 16 September 2009.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

(050)

SERIAL C7275

BREEDING AND RAISING OF PIGS, &c., 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 1497 of 2009)

Before Commissioner Ritchie

2 October 2009

VARIATION

1. Delete subclause (i) of clause 3, Rates of Pay - Adults and Juniors, of the award published 20 July 2001 (326 I.G. 371) and insert in lieu thereof the following:
 - (i) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay

Classification	SWC 2008 Amount \$	SWC 2009 Adjustment %	SWC 2009 Amount \$
Piggery Attendant Level 1	545.40	2.8	560.70
Piggery Attendant Level 2	562.70	2.8	578.50
Piggery Attendant Level 3	586.10	2.8	602.50
Piggery Attendant Level 4	607.95	2.8	625.00
Piggery Attendant Level 5	624.60	2.8	642.10
Senior Piggery Attendant Level 1	642.90	2.8	660.90
Senior Piggery Attendant Level 2	664.80	2.8	683.40

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	3(ii)	Leading Hand Allowance	22.40 per week	23.00 per week
2	18(i)	Meal Allowance	10.85 per meal	11.40 per meal
3	19	First-Aid Allowance	2.00 per day	2.05 per day

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the 2009 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 October 2009.

D.W. RITCHIE, Commissioner

Printed by the authority of the Industrial Registrar.

(059)

SERIAL C7239**BREWERIES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1407 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete Part B, Monetary Rates, of the award published 30 November 2001 (329 I.G. 1032), and insert in lieu thereof the following:

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

From the first pay period commencing on or after 2 August 2009.

The rates of pay in this award include the adjustments payable under the State Wage Case of 2009. 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.

Table 1 - Rates of Pay

Classification	Wage Total \$
(i) Carlton and United Breweries (NSW) Pty Limited Employees -	
Security Officer/Controller	697.90
Process Control Room Operator	697.90
Security Officer	683.10
Quality Control Employee	666.60
Kegging Plant Operator	666.60
Beer Runner	666.60
Packaging Plant Operator	665.50
Storeperson - Main Store -	
Storeperson/Driver A	683.90
Storeperson/Driver B	705.10
Bottle Shop Assistant	665.50
Production Assistant/General Hand	654.10
Cleaner	654.10
All other adult employees	645.90

(ii) Tooheys Limited -	
Engine Drivers	728.20
Fireperson	715.70
Customer Serviceperson	713.70
Forklift Driver	711.80
Brewhouse Control Operator (Steinecker Brewing Plant)	708.20
Engine Room Greaser	707.10
Plant Greaser	698.40
Customer Serviceperson	697.90
Engine Driver Trainee	697.10
Filterperson	695.50
Fireman Trainee	715.70
Fermentation Man -	691.50
Packaging Operators	686.60
Bulk Packaging Operator	690.70
Security Officer	683.10
Greaser	684.30
Bulk Packaging Operator	678.90
Recovery Plant Operator	676.50
Brewhouse Complex Operator	676.50
Filtration Complex Operator	676.50
Dispatch Hand/Loadmaker Poly	693.00
All other adults packaging	675.20
Bottle Shop Hand	673.00
Dispatch Hand/Loadmaker	689.40
Traffic Controller	673.00
Other Adult - Road Sweeper	673.40
Quality Control Employee	653.20
Beer Runner	653.40
Gardener	653.20
Main Stores Storeperson	663.40
Barperson	663.50
Other Adults - Cleaners	654.10
Dispatch Hand/Loadmaker	650.40

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	Amount \$
1	2(ii)(a)	Leading Hands in charge of not more than 10 people	32.61 per week
2	2(ii)(b)	Leading Hands in charge of more than 10 people	46.49 per week
3	2(ii)(c)	Employees in brewhouse, refrigerated cellars and malshouses	6.13 per week
4	2(ii)(d)	Employees, qualified first-aid attendant	13.54 per week
5	2(ii)(e)	Shiftworkers, as defined - provided employees on 5-day roster of each night shift worked receive additionally	57.48 per week 1.67 per shift
	5(iv)	Employees on a fixed afternoon shift	68.92 per week
	5(iv)	Employees on a fixed night shift	137.50 per week
6	2(ii)(f)	Employees on 7-day continuous shift roster	77.24 per week
7	2(ii)(g)	Shiftworker on 12 hour rostered shift	77.24 per week
8	2(ii)(h)	Forklift allowance - battery operated	10.64 per week
9	2(ii)(i)	Uniform allowance	8.67 per week
10	2(ii)(j)	Forklift driver required to use hydraulic grab attachments	17.00 per week

11	3	Service Increments after - 1st year 2nd year 3rd year 4th year 5th year and thereafter	23.13 per week 25.21 per week 29.02 per week 32.96 per week 36.53 per week
12	6(iii)	Meal Allowance	7.41 each occasion
13	6(iv)	Breakfast Allowance	1.69 each occasion

2. The variation shall apply from the first full pay period commencing on or after 2 August 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

BROKEN HILL COMMERCE AND INDUSTRY CONSENT AWARD 2008

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(Nos. IRC 698 and 1247 of 2008)

Before Mr Deputy President Sams

30 September 2008

REVIEWED AWARD

Arrangement

Clause No. Subject Matter

GENERAL CLAUSES

- 1.1 Accident Pay
- 1.2 Accommodation & Miscellaneous Provisions
- 1.3 Annual Leave
- 1.4 Annual Leave Loading
- 1.5 Anti Discrimination
- 1.6 Apprenticeship Conditions
- 1.7 Area, Incidence and Duration
- 1.8 Award Display
- 1.9 Broken Shifts
- 1.10 Bereavement Leave
- 1.11 Continuity of Service
- 1.12 Dispute Resolution Procedure
- 1.13 Existing Conditions and/Or Privileges
- 1.14 First Aid Kits
- 1.15 Hours of Labour
- 1.16 Jury Service
- 1.17 Long Service Leave
- 1.18 Mixed Functions
- 1.19 Notice Board
- 1.20 Notation
- 1.21 Overtime
- 1.22 Occupational Health and Safety
- 1.23 Parental Leave
- 1.24 Parties to Award
- 1.25 Personal/Carer's Leave
- 1.26 Protective Clothing
- 1.27 Public Holidays
- 1.28 Right of Entry
- 1.29 Secure Employment
- 1.30 Sick Leave
- 1.31 Stand Down
- 1.32 Broken Hill Town Industries Superannuation Fund
- 1.33 Termination of Employment
- 1.34 Time Books and Time Sheets
- 1.35 Training, Career Development and Trainees
- 1.36 Vehicles, Expenses, Licences
- 1.37 Wages Policy and Payment

- 1.38 Working Roster
 - 1.39 Workplace Flexibility
 - 1.40 State Wage Case
- General Schedule of Allowances

ANIMAL WELFARE

Definitions

- 2.1 Hours of Labour
 - 2.4 Junior Employees
 - 2.3 Casual Employees
 - 2.4 Part-Time Employees
- Animal Welfare Wage Schedule

CLEANERS & CARETAKERS

- 3.1 Hours of Labour
 - 3.2 Casual Employees
 - 3.3 Part-Time Employees
 - 3.4 Working Roster
 - 3.5 Weekend Penalty
 - 3.6 Additional Rates
 - 3.7 Broken Shifts
 - 3.8 Meal Breaks
 - 3.9 Overtime
- Cleaners & Caretakers Wages Schedule

CLERKS

Terms and Conditions of Employment

- 4.1 Annual Leave
 - 4.2 Long Service Leave
 - 4.3 Area, Incidence and Duration
- Clerks Wage Schedule

CLOTHING TRADES

- 5.1 Classifications
 - 5.2 Hours of Labour
 - 5.3 Roster
 - 5.4 Overtime
 - 5.5 Apprentices and Junior Employees
 - 5.6 Casual Employees
 - 5.7 Part-Time Employees
 - 5.8 Weekend Penalty
- Clothing Trades Wages Schedule

FURNISHING TRADES

Definitions

- 6.1 Hours of Labour
 - 6.2 Casual Employees
 - 6.3 Part-Time Employees
 - 6.4 Overtime
 - 6.5 Apprentices and Junior Employees
 - 6.6 Working Roster
 - 6.7 Weekend Penalty
 - 6.8 Broken Shifts
- Furnishing Trades Wages Schedule

GARDENERS

Definitions

- 7.1 Hours of Labour
- 7.2 Casual Employees
- 7.3 Part-Time Employees
- 7.4 Weekend Penalty
- 7.5 Overtime
- 7.6 Apprentices and Junior Employees

Gardeners Wages Schedule

HAIRDRESSERS

Definitions

- 8.1 Hours of Labour
- 8.2 Roster
- 8.3 Overtime
- 8.4 Apprentices and Junior Employees
- 8.5 Tools of Trade
- 8.6 Casual Employees
- 8.7 Permanent Part-Time Employees
- 8.8 Weekend Penalty

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GENERAL CLAUSES

All clauses contained herein shall apply to the Broken Hill Commerce and Industry Consent Award 2008 unless otherwise stipulated

1.1. Accident Pay

- a. Accident pay shall be paid in accordance with the NSW Workers Compensation Act 1987, the NSW Workplace Injury Management and Workers Compensation Act 1998 and any subsequent amendments thereto.
- b. The Chamber undertakes to advise its members of all benefits available to employees under the Act as amended.

1.2. Accommodation & Miscellaneous Provisions

Employers shall provide suitable dressing rooms, dining room, toilets and washing facilities for use by all employees in accordance with Shops and Industries Act, 1962.

1.3. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay. Provided that by agreement between the employer and employee, one (1) weeks entitlement under this clause may be "cashed out" and the period of actual leave reduced to four weeks. Each year stands alone.
- b. Employees who leave the service of any establishment of one employer or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act, NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part Time employees receive pro rata annual leave entitlements.

1.4. Annual Leave Loading

- a. Employees shall be granted an annual leave loading of 17.5% on their holiday pay.
- b. The loading is payable on annual leave only, on the completion of a year of employment. Any day added to annual leave in lieu of a public holiday does not attract the loading.
- c. The loading is to be calculated on the Consent Award rate of pay applicable immediately before the employee proceeds on leave. The Consent Award rate of pay is the rate for ordinary hours of work for the employee's classification prescribed by the Consent Award. In addition it will include where applicable leading hand allowances, supervisor allowances, and exclude any other allowances, over-award payments, overtime rates, penalty rates, commission, bonuses, incentive payments or any other such payments.
- d. Part Time employees are entitled to pro rata Leave Loading.
- e. Where annual leave is taken prior to the completion of a twelve month qualifying period, the loading is not paid at the time the employee proceeds on leave. For such period taken in advance the loading becomes payable if and when the employee remains in employment until he completes the year of employment for which leave was granted in advance. The payment of the loading is then calculated at the Consent Award rate of pay applicable when the twelve months qualifying period is completed and not at the Consent Award rate applicable when leave was taken in advance.
- f. Loading is payable in respect of employees who have completed at least 75% of one years service at the time of retirement having reached 60 years of age or more and is required by the employer to retire.
- g. Where the employer terminates employment for misconduct, no loading is payable in respect of leave for complete or incomplete years of employment.

1.5. Anti Discrimination

- a. It is the intention of the parties bound by this award to seek to achieve the object in section 3 (f) of the NSW 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.
- b. 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.
- c. 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.
- d. Nothing in this clause is to be taken to affect:
 - i) any conduct or act which is specifically exempt from anti-discrimination legislation;
 - ii) offering or providing junior rates of pay to persons under 21 years of age;
 - iii) any act or practice of a body established to propagate religion which is exempted under section 56(d) of the Anti-Discrimination Act 1977;
 - iv) a party to this award from pursuing matters of unlawful discrimination in any State or Federal jurisdiction.
- e. This clause does not create legal rights or obligations in addition to those imposed upon the parties by legislation referred to in this clause.

Notes:

- (a) Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- (b) Section 56 (d) of the Anti-Discrimination Act 1977 provides: " Nothing in the Act affects any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion"

1.6. Apprenticeship Conditions

The apprentice provisions contained in this Consent Award are pursuant to Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).

1.7. Area, Incidence and Duration

- a. This Consent Award is between the Broken Hill Chamber of Commerce and the Barrier Industrial Council and affiliated local Unions.
- b. It governs the terms and conditions of employment of employers and employees engaged in commercial and industrial activity in the County of Yancowinna, but it shall not apply to any employer or employee to whom the Social and Community Services Employees (State) Award, the Social and Community Services Employees - Rates of Pay (State) Award and the Social and Community Services - Jobskills Trainees (State) Interim Award apply and it is not intended to affect in any way either directly or indirectly the rights that any employee may have either past, present or future under the Social and Community Services Employees (State) Award, the Social and Community Services Employees - Rates of Pay (State) Award and the Social and Community Services Jobskills Trainees (State) Interim Award.
- c. This award is made following a review under section 19 of the Industrial Relations Act 1996 and rescinds and replaces the Broken Hill Commerce and Industry Agreement Consent Award 2001 published 9 September 2005 (353 I.G. 677), as varied.

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 1 October 2008.

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

- d. The parties agree that negotiations on a follow on will commence no later than 6 months before the expiration of the Consent Award and shall be finalised before 30 June, 2011.
- e. It is declared and agreed that nothing in this Consent Award shall supersede the purpose or intent of any State or Commonwealth Laws.
- f. It is agreed that nothing in this Consent Award shall negate the employee or employer of their legal rights.
- g. This Consent Award shall be exhibited by each employer on their premises in a place accessible to all employees.
- h. It is agreed that copies of the new Consent Award shall be available within one month of signing the new Consent Award.
- i.
 - i Domestic clauses and included rates override the General clauses where there is any inconsistency.

- ii Where a Domestic section is silent then the General clauses shall prevail.
- j. It is agreed that when either party to this Consent Award become aware of any change to a Federal or State Award, and that change will impact on this Consent Award, then either party will advise the other in writing.

1.8. Award Display

A copy of this Award shall be exhibited and kept exhibited in accordance with the provisions of the NSW Industrial Relations Act 1996.

1.9. Broken Shifts

Employees required to work broken shifts shall be paid the amount at Item 1- General Schedule of Allowances, for each broken shift so worked in addition to his or her rate of wages.

1.10. Bereavement Leave

- a. An employee on weekly hiring (including part-time employees) shall be entitled to a maximum of three days' leave without loss of pay on each occasion and on production of satisfactory evidence of the death in Australia of the employee's husband, wife, father, mother, brother, sister, child, stepchild, grandparents or parents-in-law. For the purposes of this subclause the words "wife" and "husband" shall include de facto wife or husband and the words "father" "mother" shall include foster-father or mother and stepfather or mother.
- b. Provided further, an employee on weekly hiring shall be entitled to a maximum of three days' leave without loss of pay on each occasion and on the production of satisfactory evidence of the death outside Australia of an employee's husband, wife, father or mother and where such employee travels outside Australia to attend the funeral.

1.11. Continuity of Service

Where the services of an employee have been terminated on the grounds of ill-health and he is subsequently re-employed within a period of twelve months and produces a medical certificate covering the whole of the period of his absence until the date of his re-employment his previous service shall be taken into account for sick leave and long service leave purposes.

1.12. Dispute Resolution Procedure

- a. Before any direct action takes place by any of the parties of this Consent Award they shall confer and failing agreement such matter shall be referred to a disputes committee consisting of four from the union concerned and four from the Chamber of Commerce.
- b. Failing agreement the matter shall be referred to a second committee consisting of two from the union concerned, two from the B.I.C. and four from the Chamber of Commerce.
- c. Should the dispute still remain unresolved, it may be referred to the NSW Industrial Relations Commission for assistance.
- d. Dispute Avoidance and Grievance Procedure

The procedure for the resolution of grievances and industrial disputation concerning matters arising under this award shall be in accordance with the following procedural steps:

- a. Procedure relating to grievance of an individual employee:
 - i The employee shall notify (in writing or otherwise) the employer as to the substance of the grievance, request a meeting with the employer for bilateral discussions and state the remedy sought.

- ii 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.
 - iii Reasonable time limits must be allowed for discussion at each level of authority.
 - iv 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.
 - v While a procedure is being followed, normal work must continue.
 - vi The employer may be represented by an industrial organisation of employers and the employee may be represented by an industrial organisation of employees for the purpose of each procedure.
- b. Procedure for a dispute between an employer and the employees:
- i 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.
 - ii Reasonable time limits must be allowed for discussion at each level of authority.
 - iii While a procedure is being followed, normal work must continue.
 - iv The employer may be represented by an industrial organisation of employers and the employees may be represented by an industrial organisation of employees for the purpose of each procedure.

1.13. Existing Conditions and/Or Privileges

- a. This Consent Award is made on the understanding that except in respect of matters including wages for which provision is made for it, all existing privileges and conditions in relation to an individual business agreed between employees and that business but not covered by this Consent Award shall continue during its currency.
- b. No resolution carried or placed on the books of the Barrier Industrial Council or by any affiliated union on the one part, or by the Broken Hill Chamber of Commerce on the other part, will override any clause whatsoever in the schedule of conditions of work, nor can it be deemed to be part of the Consent Award during its currency.

1.14. First Aid Kits

- a. A first aid kit must be provided and maintained by the employer for the use of the employees and kept in an accessible position. First Aid allowance at Item 2 of General Section Schedule of Allowances is to be paid to the appointed First Aid Attendant on the basis of one attendant per shift. The level of equipment required in a First Aid Kit will be as per the Shops and Industries Act, 1962.
- b. Appointed first-aid personnel:
 - i in charge of a first-aid kit at a place of work at which more than 25 persons work must be the holder of a current first-aid certificate approved by the Co-ordinator, Occupational Health, Safety and Rehabilitation Services, Department of Commerce and Industry; and
 - ii in charge of a first-aid room at a place of work must be the holder of a current occupational first-aid certificate approved by the Co-ordinator.

1.15. Hours of Labour

- a. The ordinary hours of labour per week shall not exceed thirty eight (38) excluding meal breaks. The calculation of the hourly rate for penalties, Part-time and Casual employees shall be one thirty-eighth (1/38th) of the Consent Award rate applicable.
- b. Span of ordinary hours - see domestic sections for the specific working of ordinary hours.
- c. If agreeable between employer and employee the ordinary hours of labour worked can be averaged in accordance with Division 2-S.22 - Maximum ordinary hours of employment in the NSW Industrial Relations Act, 1996.

1.16. Jury Service

An employee on weekly hiring required to attend for jury service during his/her ordinary working hours shall be reimbursed by the employer an amount equal to the difference between the amount paid in respect of his/her attendance for such jury service and the amount of wage he/she would have received in respect of the ordinary time he/she would have worked had he/she not been on jury service. An employee shall notify his/her employer as soon as possible of the date upon which he/she is required to attend for jury service. Further, the employee shall give his/her employer proof of his/her attendance, the duration of such attendance and the amount received in respect of such jury service.

1.17. Long Service Leave

- a. As per the Long Service Leave Act 1955 and any further amendments thereto, provided however, that thirteen (13) weeks long service leave will be granted at the end of ten (10) full complete years.
- b. This concession only commences to accrue on or after January 1, 1971.
- c. All other provisions, conditions, durations, qualifying periods and etc. of the Long Service Leave Act remain unaltered, and are not affected by the above concession of 13 weeks long service leave for ten years service.
- d. An employee who has completed five years (but less than 10 years) of service is entitled to long service pro rata payment if he or she:
 - i Resigns as a result of illness, incapacity, domestic or other pressing necessity
 - ii Is dismissed for any reason except serious and wilful misconduct
 - iii Dies
- e. For all employees, on termination of employment after 10 years service, long service pro-rata payment shall be calculated at 1.3 weeks per year for all service up to fifteen years. After fifteen years of service, long service payment shall be calculated at 1.3 weeks for each completed year of service.

1.18. Mixed Functions

An employee engaged during a day or shift on work carrying a higher rate than their ordinary classification shall receive:

- a. for the work up to and including two hours they shall be paid for the time so worked;
- b. for work over two hours paid for the full day or shift at the higher classification.

1.19. Notice Board

Each employer shall permit the union to display notices dealing with legitimate union business on notice boards provided that such notices are authorised by an accredited union representative. Any such notice not so authorised may be removed by the accredited union representative or the employer.

1.20. Notation

- a. Section 129 of the NSW Industrial Relations Act 1996 requires that an employer must keep records of remuneration paid and hours worked by employees.
- b. This award contains a number of other provisions in Clause 1.25, Personal/Carer's Leave.

1.21. Overtime

- a. The payment of overtime, i.e. time worked outside the ordinary hours or shift, shall be at time and one half for the first two (2) hours and double time thereafter. Unless otherwise provided for under a Domestic Section, all overtime worked on Sunday will be paid at double time. Each day's overtime stands alone.
- b. By mutual agreement the rate of overtime may be time-off in lieu of overtime provided that:
 - i. Time-off shall be calculated at the penalty equivalent.
 - ii. The employee is entitled to a fresh choice of payment or time-off on each occasion overtime is worked.
 - iii. Time-off must be taken within one calendar month of the working of the overtime or it shall be paid out.
- c. Overtime Meal Breaks
 - i. When working overtime, i.e. time worked outside the ordinary hours or shift, employees shall not work more than four hours continuously without being allowed thirty minutes for a meal break at overtime rates, provided that where overtime is worked immediately preceding or following the ordinary hours or shift in excess of one and one half hours he shall be entitled to a meal break of thirty minutes at overtime rates.
 - ii. An employee required to work overtime in excess of one and one half hours shall either be supplied with a meal by the employer or paid a meal allowance at Item 3 General Section Schedule of Allowances.
 - iii. If an employee has provided a meal and is not required to work overtime or is required to work less than the time advised, he/she shall be paid for the meal so provided.

1.22. Occupational Health and Safety

Each employer and employee bound to observe the provisions of this award shall also co-operate positively in respect of obligations pursuant to the Occupational Health and Safety Act 2000, including the requirement of males and females not to lift any weight in excess of their lifting capacity.

1.23. Parental Leave

See NSW Industrial Relations Act 1996.

1.24. Parties to Award

This Consent Award is between the Broken Hill Chamber of Commerce Inc. and the Barrier Industrial Council and Affiliated Unions.

1.25. Personal/Carer's Leave

- a. Use of Sick Leave
- i An employee, with responsibilities in relation to a class of a person set out in subparagraph (iii) of paragraph (2) of this subclause, 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 in clause 1.30, Sick Leave, for absences to provide care and support for such persons when they are ill. Such leave may be taken for part of a single day.
- ii The employee shall, if required, establish 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. In the normal circumstances, an employee must not take carer's leave under this subclause where another person has taken leave to care for the same person.
- iii The entitlement to use sick leave in accordance with this subclause is subject to:
- 1 the employee being responsible for the care of the person concerned: and
- 2 the person concerned being:
- a) a spouse of the employee: or
- b) defacto spouse who, in relation to 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 bona fide domestic basis although not legally married to that person: or
- c) a child or an adult child (including an adopted child, a stepchild, a foster child or an ex-nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse or de facto spouse of the employee: or
- d) a same sex partner who lives with the employee as the defacto partner of that employee on a bona fide domestic basis: or
- e) a relative of the employee who is a member of the same household where, for the purposes of this subparagraph:
- "relative" means a person related by blood, marriage or affinity:
- "affinity" means a relationship that one spouse, because of marriage, has to blood relatives of the other: and
- "household" means a family group living in the same domestic dwelling.
- iv An employee shall wherever practicable, give the employer notice, prior to the absence, of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking leave and the estimated length of absence. If it is not practicable for the employee to give prior notice of the absence, the employee shall notify the employer by telephone of such absence at the first opportunity on the day of absence.
- b. Unpaid Leave for Family Purpose
- i An employee may elect, with the consent of the employer, to take unpaid leave for the purpose of providing care and support to a member of a class of person set out in subparagraph (a) of paragraph (iii) of subclause (2) who is ill.

- c. Annual Leave
- i An employee may elect, with the consent of the employer, subject to the Annual Holidays Act 1944, to take annual leave not exceeding five days in single day periods, or part thereof, in any calendar year at a time or times agreed by the parties.
 - ii Access to annual leave, as prescribed in paragraph (i) of this subclause, shall be exclusive of any shutdown period provided for elsewhere under this award.
 - iii An employee 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. Time Off in Lieu of Payment for Overtime
- i An employee may elect, with the consent of the employer, to take time off in lieu of payment for overtime at a time or times agreed with the employer within 12 months of the said election.
 - ii Overtime taken as time off during ordinary-time hours shall be taken at the penalty equivalent.
 - iii If, having elected to take time as leave in accordance with paragraph (i) of this subclause, the leave is not taken for whatever reason, payment for time accrued at overtime rates shall be made at the expiry of the 12 month period or on termination.
 - iv Where no election is made in accordance with said paragraph (i), the employee shall be paid overtime rates in accordance with the award.
- e. Make-up Time
- i An employee may elect, with the consent of the employer, to work "make-up time", under which the employee 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.
 - ii An employee on shift work may elect, with the consent of the employer, to work "make-up time" (under which the employee takes time off ordinary hours and works those hours at a later time), at the shift work rate which would have been applicable to the hours taken off.
- f. Rostered Days Off
- i An employee may elect, with the consent of the employer, to take a rostered day off at any time.
 - ii An employee may elect, with the consent of the employer, to take rostered days off in part-day amounts.
 - iii An employee 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 employee, or subject to reasonable notice by the employee or the employer.
 - iv This subclause 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.

1.26. Protective Clothing

- a. The employer shall provide, on request, to employees performing work detrimental to the employees' clothing, dust coats, white coats, waterproof coats, uniforms, overalls, safety footwear and gloves (when handling cement, timber, iron and iron pipes) or other protective clothing.

- b. Such protective clothing and safety footwear remains the property of the employer and must be returned to the employer on completion of service.
- c. Protective clothing shall be worn by the employee at the employer's direction.
- d. By agreement the employee may be required to wash and iron the special clothing and laundry allowance shall be paid by the employer.
- e. Protective clothing is to be supplied by the employer in accordance with Occupational Health and Safety guidelines, in consultation with the employee.

1.27. Public Holidays

- a. The following shall be recognised public holidays:

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day and Boxing Day.
- b. The above holidays with all gazetted state-wide holidays shall be observed and for such holidays the employee shall be paid.
- c. Unless otherwise provided for in a linked award, employees who never work on the day the Public Holiday falls eg. a Monday-Friday roster where Saturday is the Public Holiday, receive no additional benefits (also see Domestic Clauses).
- d. Where an employee is on a rotating roster and their rostered time-off falls on a Public Holiday, the employee shall be paid (by mutual agreement) either:
 - i. Payment for the said holiday.
 - ii. Addition of the rostered time to the employees annual leave.
 - iii. Equal time-off shall be taken within twenty one (21) days of the holiday, such time-off being allowed either prior to or after the holiday.
- e. Except for employees engaged in the retailing and hospitality industries in the County (see Domestic Clauses) any employee required to work on any such holiday shall be paid at the rate of double time in addition to their ordinary pay.
- f. Employees shall not be entitled to the benefits provided by this clause in respect of any public holiday if they absent themselves from their work without reasonable excuse either on the working day before or the working day after such holiday. Where two or more public holidays fall together and an employee absents himself from work without reasonable excuse on both the working day before and the working day after such holiday he will lose the benefits of this clause in respect of all such holidays, but when he is absent without reasonable excuse on one day only (before or after such holiday) he shall lose such benefits only in respect of one public holiday.

1.28. Right of Entry

Right of entry for Authorised Officials of Unions party to this Consent Award will be in accordance with Part 7 of the NSW Industrial Relations Act, 1996.

1.29. Secure Employment

- a. Objective of this Clause

The objective of this clause is for the employer to take all reasonable steps to provide its employees with secure employment by maximising the number of permanent positions in the employer's workforce, in

particular by ensuring that casual employees have an opportunity to elect to become full-time or part-time employees.

b. Casual Conversion

- i A casual employee engaged by a particular employer on a regular and systematic basis for a sequence of periods of employment under this Award during a calendar period of six months shall thereafter have the right to elect to have his or her ongoing contract of employment converted to permanent full-time employment or part-time employment if the employment is to continue beyond the conversion process prescribed by this subclause.
- ii Every employer of such a casual employee shall give the employee notice in writing of the provisions of this sub-clause within four weeks of the employee having attained such period of six months. However, the employee retains his or her right of election under this subclause if the employer fails to comply with this notice requirement.
- iii Any casual employee who has a right to elect under paragraph (b)(i), upon receiving notice under paragraph (b)(ii) or after the expiry of the time for giving such notice, may give four weeks' notice in writing to the employer that he or she seeks to elect to convert his or her ongoing contract of employment to full-time or part-time employment, and within four weeks of receiving such notice from the employee, the employer shall consent to or refuse the election, but shall not unreasonably so refuse. Where an employer refuses an election to convert, the reasons for doing so shall be fully stated and discussed with the employee concerned, and a genuine attempt shall be made to reach agreement. Any dispute about a refusal of an election to convert an ongoing contract of employment shall be dealt with as far as practicable and with expedition through the disputes settlement procedure.
- iv Any casual employee who does not, within four weeks of receiving written notice from the employer, elect to convert his or her ongoing contract of employment to full-time employment or part-time employment will be deemed to have elected against any such conversion.
- v Once a casual employee has elected to become and been converted to a full-time employee or a part-time employee, the employee may only revert to casual employment by written agreement with the employer.
- vi If a casual employee has elected to have his or her contract of employment converted to full-time or part-time employment in accordance with paragraph (b)(iii), the employer and employee shall, in accordance with this paragraph, and subject to paragraph (b)(iii), discuss and agree upon:
 - 1 whether the employee will convert to full-time or part-time employment; and
 - 2 if it is agreed that the employee will become a part-time employee, the number of hours and the pattern of hours that will be worked either consistent with any other part-time employment provisions of this award or pursuant to a part time work agreement made under Chapter 2, Part 5 of the NSW Industrial Relations Act 1996 (NSW);

Provided that an employee who has worked on a full-time basis throughout the period of casual employment has the right to elect to convert his or her contract of employment to full-time employment and an employee who has worked on a part-time basis during the period of casual employment has the right to elect to convert his or her contract of employment to part-time employment, on the basis of the same number of hours and times of work as previously worked, unless other arrangements are agreed between the employer and the employee.
- vii Following an agreement being reached pursuant to paragraph (vi), the employee shall convert to full-time or part-time employment. If there is any dispute about the arrangements to apply to an employee converting from casual employment to full-time or part-time employment, it shall be dealt with as far as practicable and with expedition through the disputes settlement procedure.

- viii An employee must not be engaged and re-engaged, dismissed or replaced in order to avoid any obligation under this subclause.
- c. Occupational Health and Safety
- i For the purposes of this subclause, the following definitions shall apply:
- 1 A "labour hire business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which has as 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.
 - 2 A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit 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 other employer which might otherwise have been carried out by that other employer's own employees.
- ii Any employer which engages a labour hire business and/or a contract business to perform work wholly or partially on the employer's premises shall do the following (either directly, or through the agency of the labour hire or contract business):
- 1 consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
 - 2 provide employees of the labour hire business and/or contract business with appropriate occupational health and safety induction training including the appropriate training required for such employees to perform their jobs safely;
 - 3 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
 - 4 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.
- iii Nothing in this subclause (c) is intended to affect or detract from any obligation or responsibility upon a labour hire business arising under the Occupational Health and Safety Act 2000 or the Workplace Injury Management and Workers Compensation Act 1998.
- d. Disputes Regarding the Application of this Clause
- 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.
- e. This clause has no application in respect of organisations which are properly registered as Group Training Organisations under the Apprenticeship and Traineeship 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.

1.30. Sick Leave

- a. Employees shall be entitled to be paid wages whilst absent from work after three months service through personal sickness, provided the employee furnishes a certificate stating details of illness from a duly qualified Medical Practitioner or other satisfactory proof to the employer, that he or she is unable to follow their usual occupation or is a patient of a hospital.

- b. In the event of any employee losing time following injury from any sporting activity, and he or she is in receipt of compensation from a sporting body, sick leave payments will be reduced by the amount of such compensation received from the sporting body.
- c. Sick leave benefit shall be limited to the equivalent hours of 10 working days per year of service. Sick Leave is cumulative from year to year.
- d. Where a business changes ownership and continues to operate in the same manner, and on the same premises and in the same industry as the previous owner, any employee taken over by the new employer from the previous employer shall retain his/her entitlement to such sick leave as was accumulated with the previous employer.
- e. Where an employee who is eligible for sick leave produces a satisfactory medical certificate to the effect that he has been incapacitated for a period:
 - i of one week or more whilst on annual leave; or
 - ii of one month or more whilst on long service leave, he/she may be re-credited with annual leave or long service leave as the case may be, or the period for which sick leave is available and sick leave to credit shall be reduced by an equivalent period. Provided that no such re-credit shall be granted to an employee on leave prior to retirement, resignation or termination of service.
- f. The employee as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence shall inform the employer of their inability to attend for duty and as far as practicable state the nature of the injury or illness and the estimated duration of the absence.
- g. If an employee is absent from work for parts of the day, then they should have that time debited against their sick leave entitlement on an hourly basis regardless of how many hours they are absent from work.
- h. Part-time employees receive pro rata sick leave entitlements.

1.31. Stand Down

- a. Notwithstanding anything elsewhere contained in this award, if for any reason, such as shortage of electrical power, raw materials, fuel, access to site or any other like reason, outside of its control, the Employer is unable to carry out its normal operations during the working hours of any day, the Employer may withhold from the wages of an Employee payment for any part of a shift in excess of one shift that such Employee cannot be usefully employed and who was stood down as a result.
- b. The Employer may stand down with pay any Employee if he or she cannot be usefully employed because of any cessation of operations, either wholly or partially due to industrial disputes, including any strike, ban or limitations, or arising out of any cause for which the Employer is not responsible.

1.32. Broken Hill Town Industries Superannuation Fund

This Fund was established by agreement between the Broken Hill Chamber of Commerce and the Barrier Industrial Council and affiliated Unions for the purpose of handling occupational superannuation now known as the Superannuation Guarantee Charge (SGC).

The Fund conforms with Federal Government occupational superannuation guidelines and is authorised to accept contributions for such purposes.

The fund (AMP CustomSuper) is governed by a Trust Deed and is administered by AMP Life Limited. A Policy Committee made up of three (3) representatives from Broken Hill Chamber of Commerce Inc. and three (3) representatives from the Barrier Industrial Council and affiliated unions, represent participating members and employer sponsors. AMP Superannuation Limited is the Trustee of the Fund and is responsible for all aspects of the operation of the Fund.

Occupational Superannuation Contributions:

- a. In accordance with the handing down by the Commonwealth Government of legislation which establishes a requirement to pay employees (as defined) SGC from the first pay period to commence on or after January 1, 1989, the employer will pay into an "approved" Occupational Superannuation Fund the percentage of ordinary time earnings prescribed by Superannuation Guarantee legislation on behalf of eligible employees. The scale of contributions is as per the attached schedule.

For the purpose of the Consent Award all reference to an "approved fund" shall mean any superannuation scheme that conforms to the Commonwealth Governments operational standards for Occupational Superannuation Funds.

- b. Eligible Employee shall mean all employees earning \$450 or over a month for each month they earn that amount;
- c. Ordinary Time Earnings for an employee in this context means the classification rate including supplementary payments where relevant, over-award payments, shift loadings and such other payments as are declared by the parties to this Consent Award to be eligible under the heading of ordinary time earnings.

A schedule of most common supplementary payments and allowances with a determination as to their ordinary time earnings eligibility follows:

Ordinary Time Earnings include:

Paid Sick Leave

Long Service Leave

Annual Leave

Paid Compassionate Leave

Blood Donor Leave

Over-award of Merit Payments

Penalty Rates

Shift Loadings

Window Dresser and Ticket

Writers Allowance

Section Head Allowance

Broken Shift Allowance

Liquor Licence Allowance

Freezer Allowance

Foreign Language Allowance

Toilet Cleaning Allowance

Commissions

Ordinary Time Earnings DO NOT Include:

Workers Compensation
Parental Leave
Unpaid Leave
Overtime
Occasional Bonus Payments
Meal Allowances
Travel Allowances
Laundry Allowances
Annual Leave Loading
Unpaid Sick Leave

d. Fund

For the purpose of this Consent Award, contributions made by employers in accordance with the provisions of subclause (i) - Contributions shall be made as follows:

i To any superannuation scheme that conforms to the Commonwealth Government's operational standards for occupational superannuation funds.

e. Contributions

i Except as provided in subclauses (iii) of this clause, each employer shall, in respect of each employee, pay contributions to the respective Trustee at the relevant rate of the employee's ordinary time earnings having regard for the scale prescribed by Superannuation Guarantee legislation.

ii Contributions shall be paid at intervals and in accordance with the procedures and subject to the requirements of the respective Fund.

iii An employer shall not be required to make contributions pursuant to this Consent Award in respect of an employee in respect of a period when that employee is absent from his or her employment without pay, such as unpaid sick leave, annual leave, maternity leave or the like, or periods of workers' compensation beyond the expiry of any entitlement to workers' compensation make-up pay.

iv Where a new employee commences in employment, the employer shall advise the employee of the employee's entitlements under this Consent Award and of the action to be taken by the employee to obtain the benefit of those entitlements.

f. Records

An employer shall retain all records relating to the calculation of payments due to the Fund in respect of each employee and such records of each employee and such records shall be retained for a period of six (6) years.

1.33. Termination of Employment

a. General Termination

- i To terminate employment either party shall be given one week's notice - if the employer fails to do so he shall pay one week in lieu of notice and similarly if the employee fails to do so he shall forfeit one week's pay.
 - ii In the case of dishonesty or misconduct summary dismissal shall apply.
 - iii The employer shall have the right to summarily dismiss any employee for dishonesty or misconduct whilst under notice. Payment of wages to be made up to the time of dismissal only.
 - iv On termination of services payment for any monies due will be made within 48 hours. If the employee is leaving the city, then payment will be made forthwith.
- b. Application of Redundancy
- i The Employment Protection Act, 1982, regulations and amendments thereto shall apply in respect of employees who are retrenched through business reorganisation, economic downturn or technological change
 - ii In respect to employers who employ more than 15 employees immediately prior to the termination of employment of employees, in the terms of Clause 1.32.e Termination of Employment.
 - iii Notwithstanding anything contained elsewhere in this award, this clause 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.
 - iv Notwithstanding anything contained elsewhere in this award, this clause shall not apply where employment is terminated as a consequence of conduct the justifies instant dismissal, including malingering, inefficiency or neglect of duty, or in the case of casual, 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.
 - v Wherever practicable, an employer will call for voluntary redundancies to meet the requirement to down-scale the business before proceeding to forced retrenchment. However, the employer may exercise a veto on an employee whose skills and knowledge must be retained by the business.
 - vi Seniority in the sense of an absolute rule of "last on, first off" does not apply under this Consent Award, although any Union has the right to present the case of any employee who is considered to have been unjustly treated.
 - vii When retrenchments occur, the employer has the right to discharge according to ability for the particular job, but in cases where there is equality with regard to ability, then seniority will be observed.
- c. Introduction of Change
- i Employers duty to notify
 - 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 effected by the proposed changes and the union to which they belong.
 - 2 "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.

Provided that where the award specified in subclause (i) of clause 3. Application makes provision for alteration of any of the matters referred to herein, an alteration shall be deemed not to have significant effect.

ii Employers duty to discuss change

- 1 The employer shall discuss with the employees affected and the union to which they shall belong, inter alia, the introduction of the changes referred to in subclause (c) of this clause, the effects the changes are likely to have on employees and measures to avert or mitigate the adverse effects of such changes on employees, and shall give prompt consideration to matters raised by the employees and/or the union in relation to the changes.
- 2 The discussion shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provision of paragraph (1) of this subclause and shall cover, inter alia, any reasons for the proposed termination, measures to avoid or minimise the terminations and measures to mitigate any adverse effects of any termination on the employees concerned.
- 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 of workers 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.

d. Redundancy

i Discussions before terminations

Where an employer has made a definite decision that the employer no longer wishes the job the employee has been doing to be done by anyone pursuant to Sub Clause (c) (Introduction of Change) (ii) and that decision may lead to the termination of employment, the employer shall hold discussions with the employees directly affected and with the union to which they belong.

- ii The discussions shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provision of paragraph (i) of this subclause 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 on the employees concerned.

- iii 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 effected, and the number of workers normally employed and the period over which 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.

e. Termination of Employment

- i Notice for Changes in Production, Programme, Organisation or Structure - this subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from production, programme, organisation or structure in accordance with Sub Clause 1.32.c (Introduction of Change).

- 1 In order to terminate the employment of an employee the employer shall give 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

- 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 weeks notice.
- 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.
- ii Notice for Technological Change - This subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from "technology" in accordance with Sub Clause 1.32.c (Introduction of Change).
- 1 In order to terminate the employment of an employee the employer shall give to the employee three months notice of termination.
- 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.
- 3 The period of notice required by this subclause to be given shall be deemed to be service with the employer for the purpose of the Long Service Leave Act 1955, the Annual Holidays Act 1944, or any act amending or replacing either of these Acts.
- iii Time Off During the Notice Period
- 1 During the 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.
- 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 that attendance at an interview or the employee shall not receive payment for the time absent.
- iv 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 clause 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.
- v 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.
- vi Notice to Centrelink - Where a decision has been made to terminate employees, the employer shall notify the Centrelink as soon as possible giving relevant information including the number of categories of the employees likely to be affected and the period over which the terminations are intended to be carried out.

- vii 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 the Department of Social Security.
- viii Transfer to Lower Paid Duties - Where an employee is transferred to lower paid duties for reasons set out in subclause (i) of clause 1.32.c, Introduction of Change, 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 rates for the number of weeks of notice still owing.

f. Severance Pay

- i Where an employee is to be terminated pursuant to Sub Clause 5, Termination of Employment, subject to further order of the NSW Industrial Relations Commission, the employer shall pay the following severance pay in respect of a continuous period of service:

Period of continuous service	Employees under 45 years of age	Employees over 45 years of age
Less than one year	nil	nil
One year but less than two years	4 week's pay	5 week's pay
Two years but less than three years	7 week's pay	8.75 week's pay
Three years but less than four years	10 week's pay	12.5 week's pay
Four years but less five years	12 week's pay	15 week's pay
Five years but less than 6 years	14 week's pay	17.5 week's pay
Six years but less than 7 years	16 week's pay	20 week's pay

- 1 "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 payment, shift penalties and allowances paid in accordance with the Van Sales Employees' (State) Award and any subsequent splinter award.

- ii Incapacity to pay - Subject to an application by the employer and further order of the NSW Industrial Relations commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause (i) of this clause.

The NSW Industrial Relations Commission shall have regard to such financial and other resources of the employer concerned as the NSW Industrial Relations Commission thinks relevant, and the probable effect paying the amount of severance pay in subclause (i) of this clause will have on the employer.

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

g. Savings Clause

Nothing in this award shall be construed so as to require the reduction or alteration of more advantageous benefits or conditions which an employee may be entitled to under any existing redundancy arrangement, taken as a whole, between the union and any employer bound by this award.

1.34. Time Books and Time Sheets

A time book or time sheets shall be provided by the employer and it shall be compulsory for all employees to sign such time book or sheets each day when commencing and ceasing duty.

1.35. Training, Career Development and Trainees

- a. The parties to this Consent Award recognise that in order to increase the efficiency, productivity and competitiveness of Broken Hill commerce and industry a greater commitment to training and skill development is required. Accordingly the parties commit themselves to:
- i. Developing a more highly skilled and flexible workplace.
 - ii. Providing employees with career opportunities through appropriate training to acquire additional skills; and,
 - iii. Removing barriers to the utilisation of skills required.
- b. Provided that:
- i. If training is undertaken at the employer's request during ordinary working hours the existing employee concerned shall not suffer any loss of ordinary pay,
 - ii. Any cost associated with standard fees for prescribed courses and prescribed textbooks (excluding those textbooks which are available in the employer's library) incurred in connection with the undertaking of training shall be reimbursed by the employer upon production of evidence of such expenditure. Reimbursement shall occur at the completion of the course/semester subject to presentation of reports of satisfactory results/progress.
 - iii. Travel costs incurred by an employee undertaking training in accordance with this clause which exceed those normally incurred in travelling to and from work shall be reimbursed by the employer.
 - iv. Employees are encouraged to undertake such training and retraining as required by the employer and employers are encouraged to give approval to employee's requests for training in relevant aspects of their industry.
 - v. New employees signed up under the State or National Training Scheme shall be paid the rate as prescribed in this award on the wage schedule at the end of each domestic section.
 - a. The weekly wage rate equals the appropriate percentage of the adult rate multiplied by "Y" multiplied by 39/52.
 - b. Where "Y" equals the adult rate prescribed in the Broken Hill Commerce & Industry Consent Award 2008, and where 39 represents the actual weeks spent on the job during a twelve month period of traineeship.
 - c. The wage rate determined by this calculation shall in no case be less than the minimum rate prescribed by the Australian Traineeship Guidelines.
 - d. Provided further that trainee rates shall be calculated in multiples of ten cents with any result of five cents or more being taken to the next highest ten cent multiple.

1.36. Vehicles, Expenses, Licences

- a. Weekly Employees - Any employee required by an employer to provide at his own expense a bicycle, motor cycle, motor car or utility shall be paid an allowance as per General Allowances Schedule at the end of this section.

Casual Employees - Any employee required by an employer to provide at his own expense a motor car or utility under 2000cc capacity shall be paid as per General Allowances Schedule at the end of this section

- b. If the employer provides a vehicle he shall pay the whole cost of the upkeep, registration, insurance and maintenance of running expenses.
- c. Where travelling expenses are incurred in the course of any employee's duties they will be paid by the employer.
- d. Where an employee is required to drive a vehicle in the course of his employment the employer shall refund that employee with the cost of his drivers' licence, upon renewal for a period of one year.

1.37. Wages Policy and Payment

- a. The Broken Hill Chamber of Commerce, the Barrier Industrial Council and affiliated Unions will implement this Consent Award subject to the understanding that it is to be closed to any general community wage adjustments as may be handed down by the NSW Industrial Relations Commission, or any other applicable body, for the duration of this Consent Award except as provided in Clause 1.7.j
- b. However, with respect to movements in superannuation, the Chamber of Commerce commits to pass on all adjustments in accordance with the terms and conditions that may arise as a result of applicable legislation passed by the Commonwealth Government within the duration of this Consent Award.
- c. It is a term of this Consent Award that the Barrier Industrial Council and affiliated Unions undertake for the period of this Consent Award they will not pursue any extra claims as a result of any general community wage or conditions adjustments as may be determined outside of this Consent Award.
- d. Wages including overtime shall be paid weekly or fortnightly. Such payment shall be made in the employers' time.
- e. All wage variations will apply from the day such variation is granted irrespective of payment being made weekly or fortnightly.
- f. On the payment of any wages by an employer to an employee covered by this Consent Award, such employer shall indicate either by noting on the pay envelope by way of a statement in writing handed to the employee at the time of paying his or her wages how the pay is made up by including in such noting or statement such particulars as may be prescribed as regards the date of payment, the period covered thereby, the rate of wages, the number of hours worked, overtime payments and details of any deductions and other prescribed matters.
- g. The employer shall keep proper records to give this detail and employees must sign for their earnings.
- h. Electronic Funds Transfer is an acceptable method of payment, provided suitable arrangements are made by the employers and transfer costs are borne by the employers.

1.38. Working Roster

- a. A roster showing the working hours of all employees for a period of at least seven days in advance shall be posted in a position accessible to all employees.
- b. Not less than seven days' notice of any alteration of the roster shall be given to the employee, such notice shall not be given where an alteration is necessary on account of sickness or other absence of the employee.

1.39. Workplace Flexibility

- a. For the purposes of increasing productivity and flexibility as well as enhancing career opportunities for employees, multi-skilling may extend by agreement between an employer and employees to allow the employee to perform any work in an enterprise within the scope of his/her skills and competence.

- b. Discussion shall take place at the establishment level between relevant Unions, employees and the employer with a view to reaching agreement for employees to perform a wider range of tasks, removal of demarcation barriers and participation of employees in additional training.

1.40. State Wage Case

This clause is to give effect to the 2008 State Wage Case principles and the decision of the Commission. This clause is to be applied in a manner consistent with the decision of the Commission in that matter:

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.

The above clause will replace the offsetting clause inserted into awards pursuant to the principles determined in the State Wage Case 2008 decision.

GENERAL SCHEDULE OF ALLOWANCES

Effective from the first full pay period on or after 1 October 2008

Refer to Domestic Section for any other allowances

Item No.	Clause No.	Description of Allowance	Amount \$	
Item 1	1.9 3.7 6.8 16.9 11.3(d)	Broken Shift	4.61	per shift
Item 2	1.14(a) 11.14	First Aid allowance	7.52	per week
Item 3	1.22(c) (b) 1.22(c) (c) 3.8 (b) 3.8(c) 6.1(c) 7.1(c) 9.1(c) 22.1(c)	Overtime Meal Allowance	9.51	per meal
Item 4	1.27(d) 11.11(a)	Laundry Allowance	5.55	Per week
Item 5	1.35(a)	Bicycle Allowance	9.90	per week
Item 6	1.35(a)	Motor Cycle Allowance	30.19	per week
Item 7	1.35(a)	Motor Car Allowance under 2000cc	111.49 .34	per week per km
Item 8	1.35(a)	Motor Car Allowance 2000cc and over	132.36 .34	per week per km
Item 9	1.35(a)	Motor Car Allowance under 2000cc (casual employee)	.50	per km
Item 10	1.35(a)	Motor Car Allowance 2000cc and over (casual employee)	.55	per km
Item 11	19.3(b)	Fare Allowance	10.56	Per shift
Item 12	3.6	Additional Rates - Toilet Cleaning Allowance	7.91	Per week
Item 13	11.15(a)	Mixed Functions	13.16	Per shift or day

ANIMAL WELFARE

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

Definitions

- a. Animal Nurse means an employee who holds a diploma of a registered Animal Nursing Auxiliary Association or an equivalent diploma. For the purpose of this sub-clause, a certificate in general nursing of the Nurses' Registration Board of NSW shall be deemed to be an equivalent diploma if, one year's transitional period of work, an employee holding such a certificate is, in the employer's opinion, sufficiently experienced in animal nursing practices.
- b. Animal Attendant means an employee with three years' experience in the industry and who is employed in connection with animal welfare or with less service if, in the opinion of the employer, the employee is sufficiently experienced to be so classified and is able to give injections and to take temperatures of animals.

2.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks.
- b. If agreed between employer and employee, the ordinary hours can be averaged over a 12 week period, as per Section 22 (1) - Ordinary Working Hours in the NSW Industrial Relations Act 1996.
- c. An employee who works five (5) ordinary hours or more on any day shall be allowed on such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3 pm. Provided that where agreement between the employer and employee, a meal break of between thirty (30) minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five (5) consecutive hours without a meal break.
- d. Commencing and Ceasing Times
 - i Commencing Time

The commencing time of ordinary hours of work by employees shall be 7.30 am Monday to Saturday.
 - ii Ceasing Time

The times for cessation of the ordinary hours of work by employees shall be 8.00 pm Monday to Friday and 1.00 pm Saturday.
- e. Shift Penalties

Notwithstanding any other provision for ordinary hours within this Consent Award, an employee may be engaged to work ordinary hours as set out above as part of their ordinary hours roster, providing they are paid the following additional penalty:

 - i Monday to Friday (inclusive)

All ordinary hours worked after 6.00 pm Monday to Friday inclusive, 20%.
 - ii Saturday

All ordinary hours worked on Saturday, 25%.

2.2. Working Roster

Refer to General Clause 1.38

2.3. Overtime

Refer to General Clause 1.21

2.4. Junior Employees

- a. Junior Animal Nurses and Junior Animal Attendants shall be paid the appropriate adult rate of pay, provided that the minimum rates for juniors otherwise employed shall be at the following percentages of the appropriate adult rate, as the case may be, for 'all others & kennel cleaners':

Under 17 years 70%

At 17 years of age 80%

At 18 years of age 90%

At 19 years of age 100%

- b. Junior employees are to have structured training, internal and/or external, incorporated into their duties.

2.3. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of three (3) hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive.
- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths ($5/47$) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

2.4. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than fifteen (15) hours per week.
- b. Part-time employees shall be paid a minimum of two (2) hours' pay for each day engaged.
- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of eight (8) hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.

- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted a meal break of not less and not more than thirty (30) minutes.
- f. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth (1/38) of the weekly rate plus 10%.
- g. Notwithstanding anything else contained in this Consent Award, the provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply to part-time employees on a pro-rata basis for each employee.
- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

Note: Where this Section is silent on an issue, please refer to the General Clauses.

ANIMAL WELFARE WAGE SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

Adult Employees	Weekly Rate \$	Full time Hourly \$	Part time Hourly \$	Casual Hourly \$
Animal Nurse	568.10	14.95	16.45	17.19
General Nurse	562.48	14.80	16.28	17.02
Animal Attendant	552.70	14.55	16.00	16.73
Food prep./Kennel Clean.	552.70	14.55	16.00	16.73
All Others	552.70	14.55	16.00	16.73

Casual Employee - Time plus 15% plus A/L & LSL

Part-time Employees - Time plus 10% plus pro-rata A/L, LSL & S/L

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Junior Employees

Junior Animal Nurses and Junior animal Attendants shall be paid the appropriate adult rate of pay.

Kennel Cleaner	%	Weekly Rate \$	Full-time Hourly \$	Part-time Hourly \$	Casual Hourly \$
Under 17 years of age	70	386.89	10.18	11.20	11.71
At 17 years of age	80	442.16	11.64	12.80	13.39
At 18 years of age	90	497.43	13.09	14.40	15.05
At 19 years of age	100	552.70	14.55	16.00	16.73
All Others					
Under 17 years of age	70	386.89	10.18	11.20	11.71
At 17 years of age	80	442.16	11.64	12.80	13.39
At 18 years of age	90	497.43	13.09	14.40	15.05
At 19 years of age	100	552.70	14.55	16.00	16.73

Penalty Rates

Full-time & Part-time employees working ordinary hours only.

Monday to Friday after 6 pm - Time plus 20%

Saturday - Time plus 25%

Sunday - Double time

Note: Animal Attendant, Food preparer/kennel Cleaner and All others have been increased to the minimum adult wage.

CLEANERS & CARETAKERS

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

3.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks.
- b. The starting and ceasing times are to be agreed between the employer and employee.
- c. An employee who works five (5) ordinary hours or more on any day shall be allowed on such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3 pm. Provided that where agreement between the employer and employee, a meal break of between thirty (30) minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five (5) consecutive hours without a meal break.

3.2. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of two (2) hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive. For all work performed on a Saturday or Sunday they shall be paid at the rate of double ordinary time.
- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths (5/47) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

3.3. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than twelve (12) hours per week and not in excess of thirty two (32) hours per week.
- b. Part-time employees shall be paid a minimum of two (2) hours' pay for each day engaged.

- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of eight (8) hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted a meal break of not less and not more than thirty (30) minutes.

The meal break shall be excluded as time worked.
- f. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth (1/38) of the weekly rate plus 10%.

The additional ten percent prescribed shall be regarded also as ordinary wages for the payment of annual leave, sick leave and work not performed on a holiday.

The additional ten percent herein prescribed shall not apply in addition to the rates prescribed to other weekly employees for work performed on Saturday, Sunday, holidays, overtime or where double time is prescribed in this Consent Award.
- g. The provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply on a pro-rata basis to part-time employees.
- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

3.4. Working Roster

Refer to Clause 1.38

3.5. Weekend Penalty

All employees` in this Section shall be paid at the rate of double ordinary time for all work performed on a Saturday or Sunday.

3.6. Additional Rates

An employee required to work in lavatories, or on outside marble or outside brass, or required to scrub marble, terrazzo, rubber floor coverings, corridors or stairs which necessitate the employee kneeling, shall be paid the amount at Item 12 - General Schedule of Allowances.

3.7. Broken Shifts

Refer to Clause 1.9

3.8. Meal Breaks

- a. When working overtime, i.e. time worked outside the ordinary hours or shift, employees shall not work more than four hours continuously without being allowed thirty (30) minutes for a meal break at overtime rates, provided that where overtime is worked immediately preceding or following the ordinary hours or shift in excess of one and one half hours they shall be entitled to a meal break of thirty minutes at overtime rates.
- b. An employee required to work overtime in excess of one and one half hours shall either be supplied with a meal by the employer or paid the amount at Item 3- General Schedule of Allowances

- c. If an employee has provided a meal and is not required to work overtime or is required to work less than the time advised, he shall be paid the amount at Item 3- General Schedule of Allowances for the meal so provided.

3.9. Overtime

Refer to clause 1.21

CLEANERS & CARETAKERS WAGES SCHEDULE

Effective from first full pay period on or after 1st October 2008

	Weekly rate \$	Full time/ hourly \$	Part time/ hourly \$	Casual/hourly \$
Caretaker	615.78	16.20	17.83	18.64
Cleaner	585.76	15.41	16.96	17.72

Part time rate - time plus 10%

Part time employees shall work not less than 12 hours per week and shall be paid a minimum of 2 hours for each day engaged.

Casual rate - time plus 15% Monday to Friday inclusive.

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

All employees shall be paid double time for all work performed on a Saturday or Sunday.

Overtime:

The payment of overtime (time worked outside of ordinary hours) shall be at the rate of time and one half for the first 2 hours and double time thereafter.

CLERKS

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to the Clerical and Administrative Employees (State) Consolidated Award, (Code 135) except for the following Clauses.

4.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- c. Part-time employees receive pro-rata Annual Leave entitlements.

- d. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.
- e. In addition to the leave provided for by subclause (a) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

4.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

4.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration

CLERKS WAGE SCHEDULE

Effective from the first full pay period on or after 27th June 2008

Grade	Weekly Rate \$	Part Time \$	Casual 20% \$	Casual (Inc Holiday Pay) \$
Grade 1	599.04	15.76	18.92	20.93
Grade 2	620.78	16.34	19.60	21.69
Grade 3	655.82	17.26	20.71	22.91
Grade 4	699.19	18.40	22.08	24.43
Grade 5	762.22	20.06	24.07	26.63

JUNIOR RATES

Equivalent to Grade 3 or above (qualified computer operator)

Age	Weekly Rate \$	Part Time \$	Casual \$	Casual (inc holiday pay) \$
At 17 years	317.80	8.36	10.04	11.10
At 18 years	384.75	10.12	12.15	13.44
At 19 years	437.59	11.52	13.82	15.29
At 20 years	513.82	13.52	16.23	17.95

ALL OTHER JUNIORS

Age	Weekly Rate \$	Part Time \$	Casual \$	Casual (inc holiday pay) \$
Under 17 years	248.12	6.53	7.84	8.67
At 17 years	306.60	8.07	9.68	10.71
At 18 years	372.27	9.80	11.76	13.01
At 19 years	419.95	11.05	13.26	14.67
At 20 years	491.36	12.93	15.52	17.17

Casual. Loading - 20% With a Minimum Payment of 4 Hours Plus 5/47ths Holiday Pay

Part-time employees shall work not less than 2 days per week and such hours shall be not less than 12 hours per week.

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Overtime shall be paid at the rate of time and one half for the first 2 hours and double time thereafter.

CLOTHING TRADES

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

The Clothing Trades (State) Award was used as a guideline for the incorporation of the definitions into this Consent Award

5.1. Classifications

- a. Seamstress
- b. Cutter and Patternmaker
- c. Tradesperson

5.2. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks and within the following hours:
- b. Commencing and Ceasing Times
 - i Commencing Time
The commencing time of ordinary hours of work by employees shall be 6.00 am Monday to Friday, and 8.00 am Saturday.
 - ii Ceasing Time
The times for cessation of the ordinary hours of work by employees shall be 6.00 pm Monday to Saturday inclusive.
- c. If agreed between employer and employee, the ordinary hours can be averaged over a 12 week period, as per Section 22 (1) - Ordinary Working Hours in the NSW Industrial Relations Act 1996.
- d. An employee who works five (5) ordinary hours or more on any day shall be allowed on such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3 pm. Provided that where agreement between the employer and employee, a meal break of between thirty (30) minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five (5) consecutive hours without a meal break.

5.3. Roster

Refer to Clause 1.38

5.4. Overtime

Refer to Clause 1.21

5.5. Apprentices and Junior Employees

- a. The apprentice provisions contained in this Consent Award are pursuant to Schedule 2, Clause 1 (4) of the Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).
- b. The minimum wages payable to apprentices, shall be the following percentages of the wage prescribed for an adult tradesperson under this Consent Award.

	First 6 months	Second 6 months
1st year	50%	55%
2nd year	60%	65%
3rd year	70%	75%
4th year	80%	85%

- c. The minimum rate of wages for junior employees shall be the undermentioned percentages of the rates prescribed for a seamstress.

Period of Continuous Service	Period of Notice
16 years and under	50%
At 17 years	60%
At 18 years	69%
At 19 years	75%
At 20 years	85%

- d. Junior employees are to have structured training, internal and/or external, incorporated into their duties.

5.6. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of two (2) hours.
- c. Casual employees in this section shall be paid at the rate of time and 25%, Monday to Saturday inclusive. For all worked performed on a Sunday they shall be paid at the rate of double ordinary time.
- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths ($\frac{5}{47}$) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

5.7. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than twelve (12) hours per week.
- b. Not in excess of eight (8) hours per day.
- c. Part-time employees shall be paid the minimum rostered hours.

- d. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted an un-paid meal break of not less and not more than thirty (30) minutes.
- e. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth (1/38) of the weekly rate.
- f. Notwithstanding anything else contained in this Consent Award, the provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply to part-time employees on a pro-rata basis for each employee.
- g. One month's notice is to be given to change an employee's employment from part-time to casual.
- h. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

5.8. Weekend Penalty

Ordinary hours performed on a Saturday shall be paid at the rate of time plus 25%, whilst ordinary hours performed on a Sunday shall be paid at the rate of double time.

Note: Where this Section is silent on an issue, please refer to the General Clauses.

CLOTHING TRADES WAGES SCHEDULE

Effective from the first full pay period on or after 1st October 2008

	Weekly Rate \$	Full time/hourly \$	Part time/hourly \$	Casual/hourly \$
Seamstress	590.30	15.53	15.53	19.42
Cutter & Pattern Maker	630.97	16.60	16.60	20.75
Tradesperson	673.14	17.71	17.71	22.14

Apprentices % Tradesperson rate	%	Weekly Rate \$
1st year - 1st 6 months	50	336.57
2nd 6 months	55	370.23
2nd year - 1st 6 months	60	403.88
2nd 6 months	65	437.54
3rd year - 1st 6 months	70	471.20
2nd 6 months	75	504.86
4th year - 1st 6 months	80	538.51
2nd 6 months	85	572.17

Junior rates of pay % of Seamstress rate	%	Weekly Rate \$
16 years & under	50	295.15
At 17 years	60	354.18
At 18 years	69	407.31
At 19 years	75	442.73
At 20 years	85	501.76

Casual employees - Time plus 25% plus A/L & LSL

Part time employees - Time plus pro-rata A/L, LSL & S/L

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Penalty Rates: Saturday - Time plus 25% Sunday - Double time. Overtime shall be paid at time and one half for the first 2 hours and double time thereafter.

FURNISHING TRADES

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

The Furniture & Furnishing Trades (State) Award was used as a basis for the negotiations of this section.

Definitions

- a. A tradesperson shall mean a person who has completed an apprenticeship in a recognised trade and has been issued with a trade certificate.
- b. A Journeyperson shall be deemed to be equivalent to a tradesperson who:
 - i is deemed to possess relevant industry experience and skills and adequate training, pursuant to Part V - Recognition of Other Trade Qualifications of the Industrial & Commercial Training Act 1989 and as such issued a craft certificate or a certificate of proficiency by the NSW Vocational Training Authority which deems the person to be adequately trained to pursue a particular trade.
 - ii has been awarded a craftsperson certificate by any other like Vocational Training Authority in any other State.
- c. Indentured Apprentice means a worker who is serving a period of training under an indenture for the purpose of rendering the worker fit to be qualified in a trade.
- d. Adult Apprentice means a worker engaged as an apprentice who at the time of establishment of the apprenticeship is of or above the age of 21 years.
- e. Display Making
 - i Display Maker means an employee (other than a journeyperson as defined above) wholly or partly engaged on any operation and/or installation of display materials or exhibition stands including point of sale materials and merchandising devices and panelling or showroom stock fixtures.
 - ii Assistant Display Maker means an adult worker wholly or partly engaged in cutting, jigsaw cutting, fitting up and/or assembling, laying of carpet, carpet tiles, seagrass, painting, covering, staining, spraying, polishing, rolling, moulding, vacuum forming, wire bending, machining, die cutting, and/or any other composition either of wood, metal or other construction and in any other process connected with display work.
 - iii General Hand means an adult employee who is otherwise engaged in the industry and performs not more than three of the functions specified in e.ii. Assistant Display Maker of this clause under direct supervision.
- f. Furnishing Trades

Tradesperson/Journeyperson shall mean an employee as defined engaged in:

- i Cabinetmaking, upholstery and/or polishing and employed by retail stores, and in polishing and employed by contract polishers.
- ii Carpet or floor covering cutting, planning, measuring, laying or machining.

- iii Other adult employees shall mean such employees engaged in:
 - 1 Soft furnishing, loose cover and/or furnishing drapery cutting.
 - 2 Soft furnishing and/or furnishing drapery fixing and who may be required to measure up.
 - 3 Making and/or cutting or measuring or fixing inside window blinds other than venetian blinds.
- iv Adult employees other than a Tradesperson/Journeyperson:
 - 1 First year of experience.
 - 2 Second year of experience.
 - 3 Thereafter.
- g. Picture Frame Makers
 - i Picture Frame Worker 1 shall mean an adult employee engaged in the finishing or covering of frames by bronzing, gilding, burnishing, staining, spraying, polishing and/or waxing, silk or tapestry and/or any other composition either of wood, metal and/or construction.
 - ii Picture Frame Worker 2 shall mean an adult employee engaged in cutting, jigsaw cutting, fitting up, mount cutting, covering and/or coating of mount and ticket boards, squeezing, applying and/or making compo.
 - iii Picture Frame Worker 3 shall mean an adult employee with more than three months experience in the industry who in addition to other duties as directed may be required to undertake tasks associated with the skill level of a Picture Frame Worker 2.
 - iv Picture Frame Worker 4 shall mean an adult probationary employee with less than three months experience in the industry.

6.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks, but shall be worked between the hours of 6.00am and 6.00pm, Monday to Friday.
- b. The starting and ceasing times shall be fixed by the individual employer to suit the circumstance of the particular business. The starting and ceasing times having been fixed under this clause, no alteration shall be made except by mutual agreement of the parties.
- c. The meal time shall be one half hour to be taken between 12.00 noon and 2.00 pm

If any employee is not allowed to take his meal break at the appointed time, overtime shall be paid for one half hour and for the meal.
- d. If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act 1996.

6.2. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of two(2) hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive.

- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths (5/47) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

6.3. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than twelve (12) hours per week and not in excess of thirty (30) hours per week.
- b. Part-time employees shall work a minimum of two (2) days and a maximum of five (5) days per week.
- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of rostered hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted an unpaid meal break of not less and not more than thirty (30) minutes.
- f. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth (1/38) of the weekly rate.
- g. The provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply on a pro-rata basis to part-time employees.
- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

6.4. Overtime

Refer to Clause 1.21

6.5. Apprentices and Junior Employees

- a. The apprentice provisions contained in this Consent Award are pursuant to Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).
- b. The minimum wages payable to apprentices and probationers shall be the following percentages of the wage prescribed for an adult Tradesperson/Journeyman under this Consent Award.

	Junior	Adult
1st year	51%	61%
2nd year	60%	65%

3rd year	75%	75%
4th year	90%	90%

- c. The minimum rate of wages for junior employees shall be the following percentages of the rate of pay for the adult classification applicable to the work performed by the junior.

	Display Makers	Furnishing Trades	Picture Frame Makers
Under 16 years	32%	35%	31%
At 16 years	39%	43%	37%
At 17 years	46%	51%	45%
At 18 years	55%	61%	53%
At 19 years	68%	75%	67%
At 20 years	79%	88%	79%

6.6. Working Roster

Refer to Clause 1.38

6.7. Weekend Penalty

All employees in this Section shall be paid at the rate of double ordinary time for all work performed on a Saturday or Sunday.

6.8. Broken Shifts

Refer to Clause 1.9

FURNISHING TRADES WAGES SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

Furnishing	Weekly Rate \$	Part Time \$	Casual \$
Tradesperson / Journeyman	672.66	17.70	20.36
Other adult employees as defined engaged in:			
Soft furnishings, etc. - cutting	650.96	17.13	19.70
Soft furnishing fixing, measuring	637.11	16.77	19.29
Making etc. window blinds other than venetian blinds	625.59	16.46	18.93
Adult employees other than tradesperson/Journeyman			
First year of experience	575.82	15.15	17.43
Second year of experience	598.20	15.74	18.10
Thereafter	618.05	16.26	18.70

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Apprentices	%	Weekly Rate \$
1st year - Junior	51	343.05
- Adult	61	410.32
2nd Year - Junior	60	403.59
- Adult	65	437.23
3rd year - Junior	75	504.49
- Adult	75	504.49
4th year - Junior	90	605.39
- Adult	90	605.39

Display Making	Weekly Rate \$	Part Time \$	Casual \$
Display maker	667.77	17.57	20.21
Assistant display maker	610.18	16.06	18.47
General hand	560.29	14.74	16.96
Picture Frame Worker 1	645.16	16.98	19.52
Picture Frame Worker 2	623.12	16.40	18.86
Picture Frame Worker 3	588.53	15.49	17.81
Picture Frame Worker 4	573.73	15.10	17.36

JUNIORS

Furnishing Trades	%	Weekly \$	Part time \$	Casual \$
Under 16 years	35	209.37	5.51	6.34
At 16 years	43	257.22	6.77	7.79
At 17 years	51	305.08	8.03	9.23
At 18 years	61	364.90	9.60	11.04
At 19 Years	75	448.65	11.81	13.58
At 20 years	88	526.42	13.85	15.93
Display Makers				
Under 16 years	32	213.69	5.62	6.47
At 16 years	39	260.43	6.85	7.88
At 17 years	46	307.17	8.08	9.30
At 18 years	55	367.27	9.67	11.11
At 19 years	68	454.08	11.95	13.74
At 20 years	79	527.54	13.88	15.96
Picture Frame Maker				
Under 16 years	31	200.00	5.26	6.04
At 16 years	37	238.71	6.28	7.22
At 17 years	45	290.33	7.64	8.79
At 18 years	53	341.94	9.00	10.35
At 19 years	67	432.26	11.38	13.09
At 20 years	79	509.68	13.41	15.42

Casual employees are paid time plus 15 % with a minimum of 2 hours per start.

Part time employees are to work a minimum of 12 hours per week

Weekend Penalty: All employees shall be paid double time for all work performed on a Saturday or Sunday

Overtime: Overtime is paid at the rate of time and one half for the first 2 hours and double time thereafter.

GARDENERS

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

Definitions

An employee who has completed successfully the Gardening and Horticultural Certificate course at a Technical College (or an equivalent course), shall be classified as a Propagator and/or Gardener with a certificate

7.1. - Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks. The hours shall be worked between the hours of 6.00 am and 6.00 pm, Sunday to Saturday inclusive.

- b. The starting and ceasing times shall be fixed by the individual employer to suit the circumstance of the particular business. The starting and ceasing times having been fixed under this clause, no alteration shall be made except by mutual agreement of the parties.
- c. The meal time shall be one half hour to be taken between 12.00 noon and 2.00 pm

If any employee is not allowed to take his meal break at the appointed time, overtime shall be paid for one half hour and for the meal.
- d. If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act 1996.

7.2. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of three (3) hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive.
- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths ($5/47$) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

7.3. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than twelve (12) hours per week and not in excess of thirty two (32) hours per week.
- b. Part-time employees shall work a minimum of two (2) hours' pay for each day engaged.
- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of eight hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted an unpaid meal break of not less and not more than thirty (30) minutes.
- f. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth ($1/38$) of the weekly rate.
- g. The provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply on a pro-rata basis to part-time employees.

- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

7.4. Weekend Penalty

Ordinary hours performed on a Saturday shall be paid at the rate of time and one half, whilst ordinary hours performed on a Sunday shall be paid at the rate of double time.

7.5. Overtime

Refer to Clause 1.21

7.6. Apprentices and Junior Employees

- a. The apprentice provisions contained in this Consent Award are pursuant to the Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).
- b. The minimum wages payable to apprentices and probationers shall be the following percentages of the wage prescribed for an adult Propagator and/or Gardener with a certificate under this Consent Award.

1st year	55%
2nd year	65%
3rd year	75%
4th year	90%

- c. The minimum rate of wages for junior employees shall be the following percentages of a Gardener without a certificate and a General Hand.

18 years and under	80%
At 19 years	90%
At 20 years	100%

GARDENERS WAGES SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

Hours of work shall not exceed 38 hours per week excluding meal break

Propagator &/or Gardener	Weekly Rate \$	Part Time \$	Casual \$
Adult employee with certificate	609.18	16.03	18.43
Adult employee without certificate	594.41	15.64	17.99
Adult employee - general garden hand	570.65	15.02	17.27

Apprentices	%	Weekly Rate \$
1st year	55	335.05
2nd year	65	395.97
3rd year	75	456.88
4th year	90	548.27

Junior Rates	%	Weekly Rate \$	Part Time \$	Casual \$
Gardener without certificate				
18 years and under	80	475.53	12.51	14.39
At 19 years	90	534.98	14.08	16.19

At 20 years	100	594.41	15.64	17.99
General Garden hand				
18 years and under	80	456.52	12.01	13.81
At 19 years	90	513.59	13.52	15.55
At 20 years	100	570.65	15.02	17.27

Casual Employees - Time plus 15% plus A/L & LSL

Part Time employees - Time plus pro rata A/L, LSL & S/L

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

The span of hours for part-time employees shall be:

12 hours per week minimum, 32 hours per week maximum and 8 hours per day maximum.

Penalty rates: Saturday - Time plus 50% Sunday - Double time. Overtime - Time and one half for the first 2 hours and double time thereafter.

HAIRDRESSERS

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

Definitions

- a. Beautician shall mean a person engaged in the work of facial treatment and/or scalp treatment, massage in connection with the foregoing, eyebrow arching and eyebrow tinting.
- b. Manicurist shall mean a person solely engaged in manicuring.
- c. Salon Assistant shall mean a person engaged as a General Hand who shall be prohibited from trade work other than shampooing and basin work.
- d. Electrolygist shall mean a person engaged in the work of electrolysis.

8.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks.
- b. If agreed between employer and employee, the ordinary hours can be averaged over a 12 week period, as per Section 22 (1) - Ordinary Working Hours in the NSW Industrial Relations Act 1996.
- c. An employee who works five (5) ordinary hours or more on any day shall be allowed on such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3 pm.
- d. Hairdresser trading hours under this Consent Award shall be:

- i Commencing Time

The commencing time of ordinary hours of work by employees shall be 8.00 am Monday to Saturday.

- ii Ceasing Time

The times for cessation of the ordinary hours of work by employees shall be 9.00 pm Monday to Friday and 6.00 pm Saturday.

- e. All employees shall be entitled to at least 12 hours rest break between the cessation of one day's work and the commencement of the next day's work.
- f. Shift Penalties

Notwithstanding any other provision for ordinary hours within this Consent Award, an employee may be engaged to work ordinary hours as set out below as part of their ordinary hours roster, providing they are paid the following additional penalty

- i All ordinary hours worked after 6.00 pm Monday to Friday inclusive, 25%.
- ii All ordinary hours worked on Saturday, 25%.

8.2. Roster

Refer to Clause 1.38

Note: Employees already employed on 27 July 1994, may elect not to work on Saturdays between the hours of 12.30 pm and 6.00 pm or week nights between the hours of 6.00 pm and 9.00 pm as part of their ordinary time rostered hours.

All employees employed after 27 July 1994, shall be eligible to be rostered during any ordinary working period.

8.3. Overtime

- a. The payment of overtime, i.e. time worked outside the ordinary hours or shift, shall be at time and one half for the first two (2) hours and double time thereafter provided that employees shall attend to any customer who may be in the shop at closing time and shall put away any equipment without payment of overtime for the first ten minutes; should the ten minutes be exceeded the employee shall be paid for the full overtime so worked.
- b. By mutual agreement the rate of overtime may be time off in lieu of overtime provided that:
 - i Time off shall be calculated at the penalty equivalent.
 - ii The employee is entitled to a fresh choice of overtime payment or time off on each occasion overtime is worked.
 - iii Time off must be taken within one calendar month of the working of the overtime or it shall be paid out.
- c. Each day's overtime stands alone.

8.4. Apprentices and Junior Employees

- a. The apprentice provisions contained in this Consent Award are pursuant to the Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).
- b. The minimum wages payable to apprentices and probationers doing ladies' hairdressing and/or men's hairdressing and wigmaking or board work generally, shall be the following percentages of the wage prescribed for an adult hairdresser under this Consent Award.

1st year	40%
2nd year	55%

3rd year	70%
4th year	85%

- c. The minimum wages payable to apprentices and probationers and who have completed one year's pre-apprenticeship course in hairdressing provided by the Department of Technical and Further Education shall be the following percentages of the wage prescribed for an adult hairdresser under this Consent Award.

2nd year (first 6 months only)	55%
3rd year	70%
4th year	85%

- d. The minimum wages payable to apprentices or probationers doing beauty culture shall be the following percentages of the wage prescribed for a beautician under this Consent Award.

1st year	40%
2nd year	55%
3rd year	70%
4th year	85%

- e. A Salon Assistant under 21 years of age shall be paid the following percentages of the wage prescribed for a Salon Assistant of 21 years and over.

Under 16 years of age	40%
At 16 years of age	50%
At 17 years of age	60%
At 18 years of age	70%
At 19 years of age	80%
At 20 years of age	90%

8.5. Tools of Trade

The employer shall supply and maintain the tools of a hairdresser which shall include scissors and combs.

8.6. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. Casual employees in this section shall be paid at the appropriate weekly rate divided by 38 plus 25% with a minimum payment as for two hour's work.
- c. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forti sevenths ($5/47$) of the gross earnings.
- d. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- e. Casual employees are entitled to long service leave.
- f. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- g. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

8.7. Permanent Part-Time Employees

- a. A part-time employee shall mean an employee who is employed to work regular days and regular hours, but such hours shall not be less than fifteen (15) hours per week, nor more than thirty (30) hours per week.
- b. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth (1/38) of the weekly rate plus 10%.
- c. Notwithstanding anything else contained in this Consent Award, the provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply to part-time employees on a pro-rata basis for each employee.
- d. One month's notice is to be given to change an employee's employment from part-time to casual.
- e. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

8.8. Weekend Penalty

Ordinary hours performed on a Saturday shall be paid at the rate of time plus 25%, whilst ordinary hours performed on a Sunday shall be paid at the rate of double time.

Note: Where this Section is silent on an issue, please refer to the General Clauses.

HAIRDRESSERS WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Hairdressers	Weekly Rate \$	Full time/hourly \$	Part time/hourly time + 10% \$	Casual/hourly time + 25% \$
Male/Female Senior	653.69	17.20	18.92	21.50

Apprentices	%	Weekly Rate \$
1st year	40	261.48
2nd year	55	359.53
3rd year	70	457.59
4th year	85	555.64

Apprentices with 1 year pre apprenticeship course	%	Weekly Rate \$
2nd Year (first 6 months only)	55	359.53
3rd year	70	457.59
4th year	85	555.64

Salon Assistant	%	Weekly Rate \$	Full time/hourly \$	Part time/ hourly time + 10% \$	Casual/hourly time + 25% \$
Senior operator		615.00	16.18	17.80	20.23
Juniors					
Under 16 years	40	246.00	6.47	7.12	8.09
At 16 years	50	307.50	8.09	8.90	10.11

At 17 years	60	369.00	9.71	10.68	12.14
At 18 years	70	430.50	11.33	12.46	14.16
At 19 years	80	492.00	12.95	14.25	16.19
At 20 years	90	553.50	14.57	16.03	18.21

Beauty Therapist	%	Weekly Rate \$	Full time/hourly \$	Part time/ hourly time + 10% \$	Casual/hourly time + 25% \$
Senior operator		610.95	16.08	17.69	20.10
Juniors					
At 17 years	40	244.38	6.43	7.07	8.04
At 18 years	55	336.02	8.84	9.72	11.05
At 19 years	70	427.67	11.25	12.38	14.06
At 20 years	85	519.30	13.67	15.04	17.09

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Penalty Rates - Full time and Part time employees working ordinary hours only.

Monday to Friday after 6.00p.m. - Time plus 25%

Saturday - time plus 25%

All overtime is to be paid at the rate of time and one half for the first 2 hours and double time thereafter.

HANDYPERSONS & TOWN LABOURERS

Wage rates in this section are based on the Broken Hill Commerce and Industry Consent Award 2001.

Definitions

- a. A Handyperson is defined as a person employed as such who is regularly required to carry out repairs of a minor nature. Where no appropriate tradesperson is employed, they may be called upon to perform maintenance work.

Any person employed as a handyperson is to be paid the adult rate irrespective of age.

- b. A Town Labourer is defined as a labourer other than a Builder's Labourer.

9.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week, excluding meal breaks. The hours shall be worked between the hours of 6.00 am and 6.00 pm, Sunday to Saturday inclusive.
- b. The starting and ceasing times shall be fixed by the individual employer to suit the circumstance of the particular business. The starting and ceasing times having been fixed under this clause, no alteration shall be made except by mutual agreement of the parties.
- c. The meal time shall be one half hour to be taken between 12.00 noon and 2.00 pm

If any employee is not allowed to take his meal break at the appointed time, overtime shall be paid for one half hour and the amount at Item 3 - General Schedule of Allowances, for the meal.

- d. If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act 1996.

9.2. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of three (3) hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive.
- d. Casual employees, after twelve (12) months' service, shall be entitled to annual leave, calculated at five-forty sevenths ($5/47$) of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees, who leave the service of any establishment of one employer or is put off before the expiration of twelve months service, shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

9.3. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis:

- a. Not less than twelve (12) hours per week and not in excess of thirty two (32) hours per week.
- b. Part-time employees shall work a minimum of two (2) hours' pay for each day engaged.
- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of seven point six hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four (4) hours shall be granted an unpaid meal break of not less and not more than thirty (30) minutes.
- f. Part-time employees shall be paid hourly rates of pay calculated at one-thirty eighth ($1/38$) of the weekly rate.
- g. The provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply on a pro-rata basis to part-time employees.
- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

9.4. Weekend Penalty

Ordinary hours performed on a Saturday shall be paid at the rate of time and one half, whilst ordinary hours performed on a Sunday shall be paid at the rate of double time.

9.5. Overtime

Refer to Clause 1.21

HANDYPERSONS & TOWN LABOURERS WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008.

	Weekly Rate	Part time hourly rate	Casual Hourly Rate Time + 15%
	\$	\$	\$
Handyperson	634.97	16.71	19.22
Town Labourer	579.28	15.24	17.53

Junior Rates - Town Labourer	%	Weekly Rate \$	Part time/Hourly \$	Casual/Hourly \$
Under 16 years	60	347.57	9.15	10.52
At 16 years	70	405.50	10.67	12.27
At 17 years	80	463.42	12.20	14.02
At 18 years	100	579.28	15.24	17.53

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Penalty rates

Saturday - Time plus 50%

Sunday - double time

HOTELS**Terms and Conditions of Employment**

For definitions, terms and conditions of employment under this section, please refer to the Hospitality Industry - Accommodation, Hotels, Resorts and Gaming Award (Code AW783479) except for the following Clauses.

10.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.
- e. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.
- f. In addition to the leave provided for by subclause (a) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts

worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

10.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

10.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

HOTELS WAGE SCHEDULE - FULL TIME EMPLOYEES

Effective from the first full pay period on or after 1st October 2008

Classifications	Weekly \$	Mon - Fri /38 \$	Saturday *1.25 \$	Sunday *1.75 \$	Pub Hols *2.5 \$
Introductory Level	558.27	14.69	18.36	25.71	36.73
Food & Beverage Att Gd 1 (bar useful) Guest Service Gd 1 (cleaner) Kitchen Attendant Gd 1	575.64	15.15	18.94	26.51	37.87
Clerical Gr 1 Cook Gd 1 (breakfast, grill cook) Doorman & Security Officer Gd 1 Food & Beverage Att Gd 2 (bar attendant) Front Office Gr 1 Guest Service Gd 2 (room attendant) Kitchen Attendant Gd 2 Leisure Att Gd 1 Storeperson Gd 1	601.74	15.84	19.79	27.71	39.59
Clerical Gr 2 Cook Gd 2 Food & Beverage Att Gd 3 (TAB, pokies) Forklift driver Front Office Gr 2 Guest Service Gd 3 Handyperson Kitchen Attendant Gd 3 Leisure Att Gd 2 Storeperson Gd 2 Timekeeper & Security Officer Gd 2	620.78	16.34	20.42	28.59	40.84
Cook Gd 3 (commis chef, qualified chef) Storeperson Gd 3 Clerical Gr 3 Food & Beverage Att Gd 4 Front Office Gr 3 Guest Service Gd Leisure Att Gd 3	655.82	17.26	21.57	30.20	43.15
Clerical Supervisor Cook Gd 4 (demi chef, first cook) Guest Service Supervisor Food & Beverage Supervisor Front Office Supervisor	699.19	18.40	23.00	32.20	46.00

Cook Gd 5 (chef de partie)	718.85	18.92	23.65	33.10	47.29
Persons not otherwise provided for	575.64	15.15	18.94	26.51	37.87

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

HOTELS WAGE SCHEDULE - PART TIME EMPLOYEES

Effective from the first full pay period on or after 1st October 2008

Classifications	Mon - Fri	Saturday	Sunday	Pub Hols
	/38 \$	*1.25 \$	*1.75 \$	*2.5 \$
Introductory Level	14.69	18.36	25.71	36.73
Food & Beverage Att Gd 1 (bar useful) Guest Service Gd 1 (cleaner) Kitchen Attendant Gd 1 Persons not otherwise provided for	15.15	18.94	26.51	37.87
Clerical Gr 1 Cook Gd 1 (breakfast, grill cook) Doorperson & Security Officer Gd 1 Leisure Att Gd 1 Food & Beverage Att Gd 2 (bar attendant) Front Office Gr 1 Guest Service Gd 2 (room attendant) Storeperson Gd 1 Kitchen Attendant Gd 2	15.84	19.79	27.71	39.59
Clerical Gr 2 Cook Gd 2 Food & Beverage Att Gd 3 (TAB, pokies) Forklift driver Front Office Gr 2 Guest Service Gd 3 Handyperson Kitchen Attendant Gd 3 Storeperson Gd 2 Timekeeper & Security Officer Gd 2 Leisure Att Gd 2	16.34	20.42	28.59	40.84
Clerical Gr 3 Cook Gd 3 (commis chef, qualified chef) Food & Beverage Att Gd 4 Front Office Gr 3 Guest Service Gd 4 Leisure Att Gd 3 Storeperson Gd 3	17.26	21.57	30.20	43.15
Clerical Supervisor Cook Gd 4 (demi chef, first cook) Guest Service Supervisor Front Office Supervisor Food & Beverage Supervisor	18.40	23.00	32.20	46.00
Cook Gd 5 (chef de partie)	18.92	23.65	33.10	47.29

HOTELS WAGE SCHEDULE - CASUAL EMPLOYEES

Effective from the first full pay period on or after 1st October 2008

Classifications	Base rate	Mon - Fri	Saturday	Sunday	Pub Hols
	1/38th \$	*1.25 \$	*1.50 \$	*1.75 \$	*2.75 \$
Introductory Level	14.69	18.36	22.04	25.71	40.40
Food & Beverage Att Gd 1 (bar useful) Guest Service Gd 1 (cleaner) Kitchen Attendant Gd 1 Persons not otherwise provided for	15.15	18.94	22.72	26.51	41.66
Clerical Gr 1 Cook Gd 1 (breakfast, grill cook) Doorman & Security Officer Gd 1 Food & Beverage Att Gd 2 (bar attendant) Front Office Gr 1 Guest Service Gd 2 (room attendant) Kitchen Attendant Gd 2 Leisure Att Gd 1 Storeperson Gd 1	15.84	19.79	23.75	27.71	43.55
Kitchen Attendant Gd 3 Food & Beverage Att Gd 3 (TAB, pokies)	16.34	20.42	24.50	28.59	44.92
Clerical Gr 2 Cook Gd 2 Forklift driver Front Office Gr 2 Guest Service Gd 3 Handyperson Leisure Att Gd 2 Storeperson Gd 2 Timekeeper & Security Officer Gd 2	16.34	20.42	24.50	28.59	44.92
Clerical Gr 3 Food & Beverage Att Gd 4 Front Office Gr 3 Guest Service Gd 4 Leisure Att Gd 3 Cook Gd 3 (commis chef, qualified chef) Storeperson Gd 3	17.26	21.57	25.89	30.20	47.46
Clerical Supervisor Cook Gd 4 (demi chef, first cook) Guest Service Supervisor Food & Beverage Supervisor Front Office Supervisor	18.40	23.00	27.60	32.20	50.60
Cook Gd 5 (chef de partie)	18.92	23.65	28.38	33.10	52.02

APPRENTICE % of LEVEL 4 - Cook grade 3 is as follows;

Apprentices	%	Weekly Rate
		\$
1st year	55%	360.70
2nd year	65%	426.29
3rd year	80%	524.66
4th year	95%	\$623.03

JUNIOR EMPLOYEES (other than office juniors)

To be paid the following percentages of the rates prescribed for the appropriate adult classification for the work performed for the area in which such junior is working.

Age	%
At 17 years of age and under	70
At 18 years of age	80
At 19 years of age	90
At 20 years of age	100%

Junior employees on reaching the age of 18 may be employed in the selling of liquor, provided that they are paid the adult rate for the work being performed.

JUNIOR OFFICE EMPLOYEES

Age	%
At 15 years of age and under	50
At 16 years of age	60
At 17 years of age	70
At 18 years of age	80
At 19 years of age	90
At 20 years of age	1st year adult service

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Refer to Allowance Schedule for rates.

KINDERGARTEN & CHILD CARE CENTRES

This section has been removed from The Broken Hill Commerce & Industry Award in 2008

MEAT INDUSTRY (PROCESSING)**Terms and Conditions of Employment**

For terms and conditions of employment under this section, please refer to the Federal Meat Industry (Processing) Award, except for the following Clauses.

12.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.
- e. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.

- f. In addition to the leave provided for by subclause (i) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

12.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

12.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

MEAT INDUSTRY (PROCESSING) WAGES SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

Adult employees	Weekly Rate	Hourly Rate	Casual Rate 120%
	\$	\$	\$
Level 6	655.82	17.26	20.71
Level 5	628.16	16.53	19.84
Level 4	614.33	16.17	19.40
Level 3	602.58	15.86	19.03
Level 2	587.18	15.45	18.54
Level 1	558.27	14.69	17.63

Junior employees	Age	%	Weekly Rate	Hourly Rate
			\$	\$
Level 6	Under 17 years	50	327.91	8.63
	17 to under 18 years	60	393.49	10.36
	18 to under 19 years	75	491.87	12.94
	19 to 20 years	85	557.45	14.67
Level 5	Under 17 years	50	314.08	8.27
	17 to under 18 years	60	376.90	9.92
	18 to under 19 years	75	471.12	12.40
	19 to 20 years	85	533.94	14.05
Level 4	Under 17 years	50	307.16	8.08
	17 to under 18 years	60	368.60	9.70
	18 to under 19 years	75	460.75	12.12
	19 to 20 years	85	522.18	13.74
Level 3	Under 17 years	50	301.29	7.93
	17 to under 18 years	60	361.55	9.51
	18 to under 19 years	75	451.93	11.89
	19 to 20 years	85	512.19	13.48
Level 2	Under 17 years	50	293.59	7.73
	17 to under 18 years	60	352.31	9.27
	18 to under 19 years	75	440.39	11.59
	19 to 20 years	85	499.11	13.13
Level 1	Under 17 years	50	279.14	7.35
	17 to under 18 years	60	334.96	8.81
	18 to under 19 years	75	418.70	11.02
	19 to 20 years	85	474.53	12.49

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Other Rates & Allowances	Amount \$
Leading Hand Allowance 3 to <10 employees	9.36
Leading Hand Allowance >10 employees	13.99

Saturday Work: All overtime worked on a Saturday shall be paid at the rate of time and a half for the first three hours and double time thereafter.

Sunday Work: All overtime worked on a Sunday shall be paid at double time with a minimum payment of four hours.

MOTELS

A property holding a "Hoteliers' Licence" shall, for the purposes of this Consent Award, be classified as a Hotel and pay in accordance with the provisions under the Hotels section not the Motels section.

Wage rates in this section are based on negotiations in the Broken Hill Commerce and Industry Consent Award 2001.

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to the Motels, Accommodation and Resorts (Federal) Award, (Code AW787952) except for the following Clauses.

13.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.
- e. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.
- f. In addition to the leave provided for by subclause (a) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

13.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

13.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

MOTELS WAGES SCHEDULE

Effective from the first full pay period on or after 1st October 2008

	Full Time \$	Part time Time 1/38 \$	All Sat Hr x 1.5 \$	All Employees Sun Hr x 1.75 \$	Public Holiday Hr x 2.5 \$
Introductory Level Three months period for employees that are inexperienced	558.27	14.69	22.04	25.71	36.73
LEVEL 1 Hospitality service grade 1	575.64	15.15	22.72	26.51	37.87
LEVEL 2 Hospitality service grade 2 Admin & front office grade 1 Leisure attendant grade 1	601.74	15.84	23.75	27.71	39.59
LEVEL 3 Hospitality service grade 3 Admin & front office grade 2 Leisure attendant grade 2	620.78	16.34	24.50	28.59	40.84
LEVEL 4 Hospitality service grade 4 Admin & front office grade 3 Leisure attendant grade 3	655.82	17.26	25.89	30.2	43.15
LEVEL 5 Hospitality service grade 5 Admin & front office supervisor	699.19	18.40	27.60	32.20	46.00
LEVEL 6 Hospitality service grade 6	718.85	18.92	28.38	33.10	47.29

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

	Casual Mon Fri Hr x 1.25 \$	Casual Sat Hr x 1.5 \$	Casual Public Holiday Hr x 2.75 \$	All Employees Sun Hr x 1.75 \$
Introductory Level Three months period for employees that are inexperienced	18.36	22.04	40.40	25.71
LEVEL 1 Hospitality service grade 1	18.94	22.72	41.66	26.51
LEVEL 2 Hospitality service grade 2 Admin & front office grade 1 Leisure attendant grade 1	19.79	23.75	43.55	27.71
LEVEL 3 Hospitality service grade 3 Admin & front office grade 2 Leisure attendant grade 2	20.42	24.50	44.92	28.59
LEVEL 4 Hospitality service grade 4 Admin & front office grade 3	21.57	25.89	47.46	30.2

Leisure attendant grade 3				
LEVEL 5 Hospitality service grade 5 Admin & front office supervisor	23.00	27.60	50.60	32.20
LEVEL 6 Hospitality service grade 6	23.65	28.38	52.02	33.10

Apprentice Cooks (See level 4)		%	Per Week \$
1st year		55%	360.70
2nd year		65%	426.29
3rd year		80%	524.66
4th year		95%	623.03

Junior Employees (other than office juniors)

To be paid the following percentages of the rates prescribed for the appropriate adult classification for the work performed for the area in which such junior is working.

17 years and under	70%
At 18 years	80%
At 19 years	90%
At 20 years	100%

Junior employees on reaching the age of 18 may be employed in the selling of liquor, provided that they are paid the adult rate for the work being performed.

Junior office employees	%
At 15 years of age and under	50
At 16 years of age	60
At 17 years of age	70
At 18 years of age	80
At 19 years of age	90
At 20 years of age	1st year adult service

Broken Shift Allowance	\$2.10 for time worked between 2 and 3 hours \$3.32 for time worked over 3 hours
Overtime Meal Allowance	\$11.60
Board & Lodging Deduction	\$9.11 from employees who don't reside on the premises and are supplied meals during the employees spread of working hours
Fork Lift Driver Allowance	\$9.61 per week

Refer to General Section for other allowances.

NATIONAL TRAINING WAGE

This section has been removed from the Broken Hill Commerce & Industry Award in 2008.

Please refer to General Section 1.34, Training, Career Development And Trainees

PLANT OPERATORS & EARTHMOVING

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to the Plant, &., Operators on Construction (State) Consolidated Award, except for the following Clauses:

In addition to the wage rates prescribed in the Plant, &c., Operators on Construction (State) Consolidated Award, (Code 534) the Broken Hill Allowance of \$12.40 per week shall be applied.

15.1. Sick Leave

Please refer to General Clauses, clause 1.30, Sick Leave.

15.2. Annual Leave

Please refer to General Clauses, clause 1.3 which reads as follows:

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay. Provided that by agreement between the employer and employee, one (1) weeks entitlement under this clause may be "cashed out" and the period of actual leave reduced to four weeks. Each year stands alone.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.

15.3. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

15.4. Annual Leave Loading

Please refer to General Clauses, clause 1.4, Annual Leave Loading.

15.5. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

PLANT OPERATORS & EARTHMOVING WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Classification	Weekly Rate	Part Time Rate	Casual Rate
	\$	1/38th \$	115% \$
Group A	628.37	16.54	19.02
Group B	646.88	17.02	19.58
Group C	665.50	17.51	20.14
Group D	673.19	17.72	20.37
Group E	682.24	17.95	20.65
Group F	687.86	18.10	20.82
Group G	697.42	18.35	21.11

Group H	708.24	18.64	21.43
Powder Monkey	708.24	18.64	21.43

Allowances - Description	Amount \$
Leading Hands Allowance - in charge of 2-5 Employees	20.85 per week
Leading Hands Allowance - in charge of 6-10 Employees	29.43 per week
Leading Hands Allowance in charge of more than 10 Employees	37.53 per week
Operator in Charge of Plant	15.41 per week
Meal Allowance	11.48 per meal
Each subsequent meal	9.38 per meal
First-Aid Minimum Qualification Certificate	2.27 per day
First-Aid Higher Certificate	3.57 per day
Civil and/or Mechanical projects	22.83 per week
Waste Disposal Depots	1.10 per hour
Country Work	
Unbroken week	392.31 per week
Broken week	56.07 per day
Living Away from Home Allowance	30.01 per day

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Allowances - Description	Amount \$
Fares per Day	14.87 per week
Industry Allowance	23.50 per week
Travel Pattern Loading Allowance	7.54 per week

Note1 Industry allowance and travel pattern loading are paid in addition to the weekly rates of pay and are both paid for all purposes of the award.

Note2: The information on page 75 should be read in conjunction with the appropriate award. Section 15 of the Industrial Relations Act 1996 provides that an award comes into force on the date specified by the Commission. However, legal proceedings relating to its enforcement cannot be commenced until 7 days after publication in the New South Wales Industrial Gazette. The information contained in the Award Update/Wage Summary is provided for convenience of reference only. It is not an authorised text. It is not intended to take the place of the New South Wales Industrial Gazette, nor your independent inquiries.

RESTAURANTS, FISH SHOPS & CAFES WHERE MEALS ARE SERVED

Wages rates in this section are based on negotiations in the Broken Hill Commerce and Industry Consent Award 2001.

The Restaurant Employees (State Award) was used as a guideline for the definitions used in this Consent Award.

16.1 - DEFINITIONS

- a. First Cook in Charge (Qualified Cook) shall mean a cook who has successfully completed and can produce appropriate documentary evidence to their employer to the effect that they have successfully completed an apprenticeship in cooking at any approved or recognised school or college, or has completed an appropriate trade course at such college.
- b. Second and Subsequent Cooks shall mean an employee who may be required to perform any working duties including that of relieving the chef on his rostered days off or when on annual leave.

- c. Bar Attendant shall mean any person employed for more than two hours in any one day or night in supplying, dispensing or mixing of liquor and service of same to waiting staff.
- d. Waiter/Waitress shall mean an employee engaged in waiting on tables and performing duties allied thereto, such as setting up tables, cleaning silver and other table appointments.

16.2. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight hours per week, excluding half an hour each day for meal time, and shall be worked in five days.
- b. All employees shall be entitled to two full days off each week.
- c. If agreed between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act, 1996.
- d. An employee who works five ordinary hours or more shall be allowed on any such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30am and finishing not later than 3.00pm. Provided that where agreement between the employer and employee, a meal break of between 30 minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five consecutive hours without a meal

16.3. Overtime

Refer to Clause 1.21

16.4. Penalty Rates

- a. All ordinary time worked on a Saturday, shall be paid for at the rate of time and one half.
- b. All ordinary time worked on a Sunday shall be paid for at the rate of time and three quarters.

16.5. Casual Employees

- a. Casual employee are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid per hour at the rate of 1/38th of the weekly rate prescribed for the class of work performed, plus the appropriate undermentioned addition to that rate:
 - i 25% for work on Monday to Friday inclusive.
 - ii 50% for work on Saturday.
 - iii 75% for work on Sunday.
- c. Casual employees shall be paid for a minimum engagement of two hours.
- d. Casual employees, after twelve months service, shall be entitled to annual leave, calculated at five-forty sevenths of the gross earnings.
- e. Casual employees shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Employees who leave the service of any establishment of one employer or is put off before the expiration of twelve months service shall receive proportionate payment accordingly.
- g. Casual employees are entitled to Long Service Leave.

- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

16.6. Part-Time Employees

Part-time employees may be employed in any classification in this section of the Consent Award on the basis as follows:

- a. Not less than twenty hours each week and not in excess of thirty hours per week.
- b. All time worked in excess of eight hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- c. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four hours shall be granted an unpaid meal break of not less and not more than thirty minutes.
- d. Part-time employees shall be paid the ordinary appropriate hourly rate prescribed for the classification in which they are employed plus ten percent.
- e. Part-time employees shall be paid the minimum rostered hours.
- f. Notwithstanding anything else contained in this Consent Award, the provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply to part-time employees on a pro-rata basis for each employee.
- g. One month's notice is to be given to change an employee's employment from part-time to casual.
- h. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

16.7. Roster

Refer to Clause 1.38

Note: If a part time employee is not given at least seven days notice of a change of rostered hours the employee will be paid an extra ten percent for the whole of the period of any affected shift(s) except where the change of roster has been requested by the employee.

16.8. Public Holidays

- a. The following shall be recognised public holidays:

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day and Boxing Day.
- b. The above holidays with all gazetted state-wide holidays shall be observed and for such holidays the employee shall be paid.
- c. Employees engaged in the Restaurant Industry in the County required to work on any such holiday prescribed shall be paid for at the rate of double time and one half the ordinary rate with a minimum payment of four hours.
- d. An employee whose rostered day or days off coincides with a holiday prescribed in this Consent Award in Clause 1.27 of the General Clauses shall receive one of the following:
 - i an additional day's pay; or

- ii an additional day added to annual leave; or
 - iii an additional day off with pay to be given within 28 days.
- e. Employees who never work on the day the Public Holiday falls eg. a Monday-Friday roster where Saturday is the Public Holiday, receive no additional benefits.
- f. An employee absent without leave on the working day before or on the day after such holiday, shall forfeit wages for the days of absence and for the holiday except where absence is due to illness of the employee or other reasonable cause.
- g. Where two or more public holidays fall together and an employee absents themselves from work without reasonable excuse on both the working day before and the working day after such holiday they will lose the benefits of this clause in respect of all such holidays, but when they are absent without reasonable excuse on one day only (before or after such holiday) they shall lose such benefits only in respect of one public holiday.

16.9. Broken Shifts

Refer to Clause 1.9

16.10. Apprentices and Junior Employees

- a. The apprentice provisions contained in this Consent Award are pursuant to the Apprenticeship and Traineeship Act 2001, Part 2 Division 1 (4).
- b. The minimum wages payable to apprentice cooks, shall be the following percentages of the wage prescribed for a First Cook in Charge (Qualified Cook) under this Consent Award.
- | | |
|----------|-----|
| 1st year | 46% |
| 2nd year | 54% |
| 3rd year | 68% |
| 4th year | 80% |
- c. The minimum rate of wages for junior employees shall be the undermentioned percentages of the rates prescribed for the appropriate adult classification for the work performed for the area in which such junior is working.
- | | |
|-----------------------|-----|
| Under 18 years of age | 62% |
| At 18 years | 68% |
| At 19 years | 78% |
| At 20 years | 88% |
- c. Junior employees are to have structured training, internal and/or external, incorporated into their duties.

RESTAURANTS, FISH SHOPS & CAFES WHERE MEALS ARE SERVED WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Definitions

Part-Time Employees - Paid at the rate of Time plus 10% plus pro rata A/L, LSL & S/L. The span of hours for part-time employees shall be 20 hours per week minimum, 30 hours per week maximum and 8 hours per day maximum.

Casual Employees - Paid at the rate of Time plus 25% plus A/L & LSL. There is a two hour minimum payment per day.

	Weekly \$	Full time 1/38th \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
First Cook in Charge with authority to direct other staff	602.68	15.86	23.79	27.76	39.65
Second Cook	588.69	15.49	23.24	27.11	38.73
Bar Attendant, Waiter/Waitress	584.17	15.37	23.06	26.90	38.43
Pantry/Kitchen/General/Maid/Cleaner	582.56	15.33	23.00	26.83	38.33

Part time Employees	Full time Hourly \$	Part time Time+10% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays \$
First Cook in Charge with authority to direct other staff	15.86	17.45	23.79	27.76	39.65
Second Cook	15.49	17.04	23.24	27.11	38.73
Bar Attendant, Waiter/Waitress	15.37	16.91	23.06	26.90	38.43
Pantry/Kitchen/General/Maid/ Cleaner	15.33	16.86	23.00	26.83	38.33

Casual Employees	Full time Hourly \$	Casual Time+25% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
First Cook in Charge with authority to direct other staff	15.86	19.83	23.79	27.76	39.65
Second Cook	15.49	19.36	23.24	27.11	38.73
Bar Attendant, Waiter/Waitress	15.37	19.22	23.06	26.90	38.43
Pantry/Kitchen/General/Maid/ Cleaner	15.33	19.16	23.00	26.83	38.33

Apprentice Cooks % of First Cook	%	Weekly \$	Full time 1/38 \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
1st year	46	277.23	7.30	10.94	12.77	18.24
2nd year	54	325.45	8.56	12.85	14.99	21.41
3rd year	68	409.82	10.78	16.18	18.87	26.96
4th year	80	482.14	12.69	19.03	22.20	31.72

Junior Waiter/Waitress % of Waiter/Waitress rate	%	Weekly \$	Full time 1/38 \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	362.18	9.53	14.30	16.68	23.83
At 18 years of age	68	397.23	10.45	15.68	18.29	26.13
At 19 years of age	78	455.65	11.99	17.99	20.98	29.98
At 20 years of age	88	514.07	13.53	20.29	23.67	33.82

Part Time Junior Waiter/Waitress	%	Full time Rate \$	Part time Time+10% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	9.53	10.48	14.30	16.68	23.83
At 18 years of age	68	10.45	11.50	15.68	18.29	26.13
At 19 years of age	78	11.99	13.19	17.99	20.98	29.98
At 20 years of age	88	13.53	14.88	20.29	23.67	33.82

Casual Junior Waiter/Waitress	%	Full time Rate \$	Part time Time+25% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	9.53	11.91	14.30	16.68	23.83
At 18 years of age	68	10.45	13.07	15.68	18.29	26.13
At 19 years of age	78	11.99	14.99	17.99	20.98	29.98
At 20 years of age	88	13.53	16.91	20.29	23.67	33.82

Junior Pantry % of Pantry Maid rate	%	Weekly \$	Full time \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	361.18	9.50	14.26	16.63	23.76
At 18 years of age	68	396.14	10.42	15.64	18.24	26.06
At 19 years of age	78	454.39	11.96	17.94	20.93	29.89
At 20 years of age	88	512.65	13.49	20.24	23.61	33.73

Part time Junior Pantry Maid	%	Full time Rate \$	Part time Time+10% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	9.50	10.46	14.26	16.63	23.76
At 18 years of age	68	10.42	11.47	15.64	18.24	26.06
At 19 years of age	78	11.96	13.15	17.94	20.93	29.89
At 20 years of age	88	13.49	14.84	20.24	23.61	33.73

Casual Junior Pantry Maid	%	Full time Rate \$	Casual Time+25% \$	Saturday Time+50% \$	Sunday Time+75% \$	Public Holidays Time+2.5% \$
Under 18 years of age	62	9.50	11.88	14.26	16.63	23.76
At 18 years of age	68	10.42	13.03	15.64	18.24	26.06
At 19 years of age	78	11.96	14.95	17.94	20.93	29.89
At 20 years of age	88	13.49	16.86	20.24	23.61	33.73

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Penalty Rates:

Saturday - Time plus 50% Sunday - Time plus 75%

Public Holidays - Double Time and one half

SECURITY INDUSTRY

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to The Security Industry (State) Award, (Code 218) except for the following Clauses.

17.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.
- e. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.
- f. In addition to the leave provided for by subclause (i) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

17.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

17.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

In addition to the wage rates prescribed in the Security Industry (State) Award, the Broken Hill Allowance of \$12.40 per week shall be applied.

SECURITY INDUSTRY WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Adult Employees	Weekly Rate	Full time Hourly	Saturday Time+50%	Sunday Time+100%	Public Holidays Time+2.5%
	\$	\$	\$	\$	\$
Grade 1	640.54	16.86	25.28	33.72	42.15
Grade 2	659.57	17.36	26.04	34.72	43.40
Grade 3	671.32	17.67	26.50	35.34	44.17
Grade 4	682.97	17.97	26.96	35.94	44.92
Grade 5	706.06	18.58	27.87	37.16	46.45

Part time	Weekly Rate	Part time 1/38th	Saturday Time+50%	Sunday Time+100%	Public Holidays Time+2.5%
	\$	\$	\$	\$	\$
Grade 1	640.54	16.86	25.28	33.72	42.15
Grade 2	659.57	17.36	26.04	34.72	43.40
Grade 3	671.32	17.67	26.50	35.34	44.17
Grade 4	682.97	17.97	26.96	35.94	44.92
Grade 5	706.06	18.58	27.87	37.16	46.45

Casual	Casual Time+15%	Saturday Time+50%	Sunday hourly Time+100%	Casual Public Holidays Time+2.5%
	\$	\$	\$	\$
Grade 1	19.39	29.08	38.78	48.47
Grade 2	19.96	29.94	39.92	49.90
Grade 3	20.32	30.48	40.64	50.80
Grade 4	20.66	30.99	41.32	51.65
Grade 5	21.37	32.05	42.74	53.42

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Saturday	150%
Sunday	200%
Nightshift	21.7%
Permanent Nightshift	30%

Other Rates & Allowances	Rate per week \$	Rate per shift \$
Leading Hand Allowance 0-5 employees	27.75	5.55
Leading Hand Allowance 6-10 employees	31.45	6.29
Leading Hand Allowance 11-15 employees	41.11	8.22
Leading Hand Allowance 16-20 employees	47.48	9.50
Leading Hand Allowance Over 20 employees	47.48	9.50
Leading Hand Allowance Each employee exceeding 20, extra	0.75	0.15
Relieving Officer		26.95
Motor Vehicle/Cycle		27.33
Meal Allowance		8.40

SHOP ASSISTANTS - SECTION 1

Wage rates in this section are based on those negotiated in the Broken Hill Commerce and Industry Consent Award 2001.

18.1. Recognition of Unions

- a. Employers are free to engage employees through any source.
- b. Any union employee acting in the capacity of relieving manager of a non-unionist manager, shall be free to act with the same authority as such manager, and may exercise all necessary authority during the absence of such regular manager.

- c. Both relieving managers and branch managers shall be fully responsible for implementing and maintaining company policy including the engagement and termination of staff services.

18.2. Hours of Labour

- a. The hours of work per week shall not exceed thirty eight.
- b. If agreeable between employer and employee, the ordinary working hours can be averaged as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act, 1996.
- c. An employee who works five ordinary hours or more on any day shall be allowed on such day an unpaid meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3.00 pm. Provided that where agreement exists between the employer and employee, a meal break of between 30 minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five consecutive hours without a meal.
- d. Retail trading hours under this Consent Award shall be:

i Commencing Time

The commencing time of ordinary hours of work by employees shall be 6.00 am Monday to Saturday, with 8.00 am in shops which may lawfully trade on Sunday.

ii Ceasing Time

The times for the cessation of the ordinary hours of work by employees shall be 10.00 pm Monday to Friday, 6.00 pm Saturday and 5.00 pm in shops which may lawfully trade on a Sunday.

e. Shift Penalties

Notwithstanding any other provision for ordinary hours within this Consent Award, an employee may be engaged to work ordinary hours as set out below as part of their ordinary hours roster, providing they are paid the following additional penalty.

i Monday to Wednesday (inclusive)

All ordinary hours worked after 6.00 pm Monday to Wednesday inclusive, 15%.

ii Thursday and Friday

All ordinary hours worked after 6.00 pm Thursday and Friday, 25%.

iii Saturday

All ordinary hours worked on Saturday, 25%.

iv Sunday

An employee employed in a shop which may lawfully trade on a Sunday shall be paid at the rate of Time plus 50% in respect of ordinary hours of work and Double Time for all other time worked on a Sunday.

18.3. Roster

- a. A roster showing the working hours of all employees for a period of at least seven days in advance shall be posted in a position accessible to all employees.

- b. Not less than seven day's notice of any alteration of the roster shall be given to the employee, such notice shall not be given where an alteration is necessary on account of sickness or other absence of an employee.
- c. Rostered Days Off
 - i. All Full-time and Part-time employees shall be entitled to two consecutive days off in each two weekly period of work.
 - ii. Exceptions to (i) above will be:
 - 1. By the implementation of the provisions of Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act 1996.
 - 2. By separate agreement between the employer and employee.

18.4. Rest Pause

Each employee, who is rostered for more than two hours per shift, shall be given a ten minute rest pause, at a time convenient to the employer.

18.5. Overtime

- a. The payment of overtime, i.e. time worked outside the ordinary hours or shift shall be paid at the rate of time and one half for the first two (2) hours and double time thereafter provided that employees shall attend to any customer who may be in a shop at closing time and shall put away goods displayed during a sale for the first ten without payment; should the ten minutes be exceeded, time worked beyond the end of the shift shall be paid for at overtime rates.
- b. By mutual agreement the rate for overtime may be time off in lieu of overtime provided that:
 - i. Time off shall be calculated at the penalty equivalent.
 - ii. The employee is entitled to a fresh choice of payment or time off on each occasion overtime is worked.
 - iii. Time off must be taken within one calendar month of the working of the overtime or it shall be paid out.
- c. Each day's overtime stands alone.

18.6. Employee Classifications

Branch Manager

Departmental Manager

Head Assistant (Section Head)

Traveller

Window Dresser

Junior Window Dresser

Shop Walker or Floor Supervisor

Senior and Junior Shop Assistants

Deliverer

Ticket Writer

Fork Lift Operator

Checkout Operator

Demonstrator

18.7. Definitions

- a. Employee for the purpose of this section shall include any person in the County of Yancowinna employed in or in connection with any retail shops or stores other than retail shops or stores covered by a Specific Award and shall include persons engaged in manufacturing Millinery, or in Dressmaking, or employees engaged in the Dry Cleaning Industry as Counter Assistants, Factory Assistants, Spotters, Pressers or in delivery or picking up of goods.

It shall also apply to persons employed in New Car and Used Car establishments as car salespersons, parts salespersons and assistants.

It shall also apply to employee itinerant salespersons selling from door to door any of the goods usually stocked by the above mentioned shops or stores.

- b. A branch manager is an employee in charge of any shop.
- c. A branch manager with the duty of buying is a branch manager whose duties include the purchasing of merchandise from a wholesaler or manufacturer for the purpose of sale by retail and who uses initiative and discrimination in the selection of new items of merchandise in addition to stock replacements. This classification excludes any branch manager who only records lines of merchandise to a standard level.
- d. A departmental manager is an employee controlling other employees and in charge of a department in a shop with or without the duty of buying and selecting.
- e. A head assistant (section head) is an employee of any age controlling two or more assistants in a department in which a departmental manager is not actively engaged.
- f. A senior assistant is an employee who is 21 years of age and over.
- g. A shop walker or floor supervisor is a shop assistant principally engaged in walking the floor, direction of customers, supervising sales and/or checking bills.
- h. A senior window dresser is a senior employee principally engaged in dressing windows.
- i. A junior window dresser is an employee under the age of 21 years engaged in dressing windows under the supervision of a senior window dresser.
- j. A traveller or order-person is an employee in or out of any shop collecting or soliciting orders during the principal part of their time each week.
- k. A deliverer is an employee who delivers goods by motor vehicle.
- l. A junior assistant is an employee who is under 21 years of age.
- m. A ticket writer is an employee principally engaged in writing tickets and/or notices and advertisements.
- n. A checkout operator is an employee engaged at the checkout for the purpose of recording the value of goods purchased, whether by machine or otherwise, and accepting payment, or charging, for the goods purchased by customers.

- o. A demonstrator is an employee who displays goods for sale and in a practical way describes and/or demonstrates the particular features of the product or products demonstrated.

18.8. Casual Employees

- a. Employees engaged for less than one week and shall be paid for actual time worked and at an hourly rate equal to the appropriate weekly rate divided by 38 plus 30%, inclusive of Annual Leave, Sick Leave.
- b. Casuals are to be engaged for a minimum of two hours if engage prior to 4.00 pm, and a minimum of one and one half hours if engaged from 4.00 pm.

18.9. Permanent Part-Time Employees

Employers shall be entitled to engage staff on a regular part-time basis as follows:

- a. A Part-time employee shall mean an employee who is employed to work regular days and regular hours, either of which are less than the number of days or hours worked by weekly employees, but such days shall not be less than 2 per week and such hours shall not be less than 12 per week.
- b. Part-time employees shall be paid hourly rates of pay calculated at 1/38th of the weekly rate, but with a minimum of 4 hours per shift.
- c. Part-time employees shall be entitled to pro-rata Annual Leave, Sick Leave and Long Service Leave.

18.10. Christmas Temporary Staff

Employment of staff during summer vacation (known in Broken Hill as Christmas School Holidays).

- a. Employees entitled to payment for Christmas holidays shall be:
 - i. All employees who continue their employment for any period immediately following the statutory Christmas holidays.
 - ii. All employees who commence before December 1, and whose employment is terminated on December 24.
 - iii. All employees who commence on December 1 or up to and including December 10, and whose employment is terminated prior to December 24, but who are subsequently re-employed by the same employer at any time prior to January 21, i.e. during the four weeks following Christmas Day.
- b. Employees not entitled to Christmas holidays shall be:
 - i. Any employee whose services are terminated on or prior to December 23;
 - ii. Any employee who commences employment on or after December 11, and terminates such employment on or before December 24;
 - iii. Any employee who commences between December 1, and December 24, and whose services are terminated on or before December 24, and is not subsequently re-employed by the same employer prior to January 21 in the following year.

18.11. Public Holidays

- a. The following shall be recognised public holidays:

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day and Boxing Day.

- b. The above holidays with all gazetted state-wide holidays shall be observed, and for such holidays the employee shall be paid at the rate of double-time and one half of the ordinary rate.
- c. Set Roster - Employee works same days each week
- i Full-time or Part-time employees who are normally rostered to work on a Public Holiday but do not volunteer to work must be paid single time for the day.
 - ii Full-time or Part-time employees who are not rostered to work on a Public Holiday and work on that day shall be paid Double Time and one half.
 - iii Full-time or Part-time employees who are not rostered to work on a Public Holiday and who do not work do not receive any benefit at all.
- d Rotating Roster - Employee works varying days each week
- Where an employee is on a rotating roster and their rostered time-off falls on a Public Holiday, the employee shall be paid (by mutual agreement) either:
- i Payment for the rostered time.
 - ii Addition of the rostered time to the employees annual leave.
 - iii Equal time-off shall be taken within twenty one (21) days of the holiday, such time-off being allowed either prior to or after the holiday.
- e. Employees engaged in the retailing industries in the County required to work on any such holiday shall be paid at the rate of Double Time and one half the ordinary rate.
- f. Employees shall not be entitled to the benefits provided by this clause in respect of any public holiday if they absent themselves from their work without reasonable excuse either on the working day before or the working day after such holiday.
- g. Where two or more public holidays fall together and an employee is absent from work without reasonable excuse on both the working day before and the working day after such holiday the employee will lose the benefits of this clause in respect of all such holidays, but when the employee is absent without reasonable excuse on one day only (before or after such holiday) such benefits will be lost in respect of one public holiday.

18.12. Night Fill

The following allowances will be paid to employees in night fill operations only

Monday to Friday - finishing after 6.00pm and at or before midnight - 17.5%

- finishing after midnight and at or before 8.00am - 30%

Saturday - finishing after midnight on a Friday and at or before midnight on a Saturday - 50%

Sunday - finishing after midnight Saturday and at or before 8.00am on a Sunday - 100%

SHOP ASSISTANTS - SECTION 2 EXEMPTED SHOPS INCLUDING SPECIAL SHOPS

18.2.1. Classified Shops

- a. Employee for the purpose of this section of the Consent Award shall include any person in the County of Yancowinna employed in, or in connection with any retail shop or store which are known in Broken Hill as Exempted Shops, including Special Shops.

- b. Special Shops means and includes audio shops, book shops, video and hire shops, cake and pastry shops, cooked provision shops, flower shops, garden plant shops, newsagencies, pet shops, souvenir shops, tobacconists' shops (each as defined in Schedule 2 to the Shop [Registration and Opening and Closing Hours] Regulations to the Factories, Shops and Industries Act 1962), small shops (as defined in Section 76A of the Factories, Shops and Industries Act 1962) and retail liquor shops.

18.2.2. Application of Section 1

All clauses in Section 1 of this Consent Award shall apply to this section with the exception of the following clauses:

18.2.3. Hours of Labour Or Where the Context Provides Otherwise

18.2.3. Hours of Labour

- a. The ordinary hours of work per week shall not exceed thirty eight.
- b. If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22(1) - Ordinary Working Hours in the NSW Industrial Relations Act, 1996.

- c. Commencing Time

The commencing time of ordinary hours of work by employees shall be 6.00 am Monday to Sunday inclusive.

- d. Ceasing Time

The times for the cessation of the ordinary hours of work by employees shall be midnight Monday to Sunday inclusive.

- e. A time book shall be kept by the employer and it shall be compulsory for all employees to state and sign the hours worked each day.
- f. Any employee required to work on any holiday as specified in Clause 1.28 of the general clauses, shall be paid Double Time and one half the ordinary rate.

- g. Shift Penalties

Penalty rates for Full-time and permanent Part-time employees shall be:

- i Saturday

All ordinary time worked on Saturday shall be paid at the rate of time plus 25%.

- ii Sunday

An employee employed in a shop which may lawfully trade on a Sunday shall be paid at the rate of time plus 50% in respect of ordinary hours of work.

18.2.4. Roster

Refer to Clause 1.38

18.2.5. Overtime

Refer to Clause 1.21

18.2.6. Casual Employees

- a. Employees engage for less than one week and shall be paid for actual time worked and at an hourly rate equal to the appropriate weekly rate divided by 38 plus 30%, inclusive of Annual Leave and Sick Leave.
- b. Casuals are to be engaged for a minimum of two (2) hours if engaged prior to 4.00 pm, and a minimum of one and one half (1x1/2) hours if engaged from 4.00 pm.

16.2.7. Permanent Part-Time Employees

Employers shall be entitled to engage staff on a regular part-time basis as follows:

- a. A Part-time employee shall mean an employee who is employed to work regular days and regular hours, either of which are less than the number of days or hours worked by weekly employees, but such days shall not be less than 2 per week and such hours shall not be less than 12 per week.
- b. Part-time employees shall be paid hourly rates of pay calculated at 1/38th of the weekly rate, but with a minimum of 4 hours per shift.
- c. Part-time employees shall be entitled to pro-rata Annual Leave, Sick Leave and Long Service Leave.

18.2.8. Public Holidays

- a. The following shall be recognised public holidays:

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day and Boxing Day.
- b. The above holidays with all gazetted state-wide holidays shall be observed, and for such holidays the employee shall be paid at the rate of Double Time and one half the ordinary rate.
- c. Set Roster - Employee works same days each week
 - i. Full-time or Part-time employees who are normally rostered to work on a Public Holiday but do not volunteer to work must be paid single time for the day.
 - ii. Full-time or Part-time employees who are not rostered to work on a Public Holiday and work on that day shall be paid Double Time and one half.
 - iii. Full-time or Part-time employees who are not rostered to work on a Public Holiday and who do not work do not receive any benefit at all.
- d. Rotating Roster - Employee works varying days each week

Where an employee is on a rotating roster and their rostered time-off falls on a Public Holiday, the employee shall be paid (by mutual agreement) either:

 - i. Payment for the rostered time.
 - ii. Addition of the rostered time to the employees annual leave.
 - iii. Equal time-off shall be taken within twenty one (21) days of the holiday, such time-off being allowed either prior to or after the holiday.
- e. Employees engaged in the retailing industries in the County required to work on any such holiday shall be paid at the rate of Double Time and one half the ordinary rate.

- f. Employees shall not be entitled to the benefits provided by this clause in respect of any public holiday if they absent themselves from their work without reasonable excuse either on the working day before or the working day after such holiday.
- g. Where two or more public holidays fall together and an employee is absent from work without reasonable excuse on both the working day before and the working day after such holiday the employee will lose the benefits of this clause in respect of all such holidays, but when the employee is absent without reasonable excuse on one day only (before or after such holiday) such benefits will be lost in respect of one public holiday.

SHOP ASSISTANTS - SECTION 3 PETROL, OIL RESELLERS AND LUBRITORIUM OPERATORS ONLY

18.3.1. Definitions

Employees for this section shall include any person employed with any service station as a driveway attendant, general assistant or lubritorium assistant.

18.3.2. Application of Clause 18.1 of Section 1 Shop Assistants

Clause 18.1 in Section 1 of the Shop Assistants' Consent Award shall apply to this section.

18.3.3. Hours of Labour

- a. The ordinary hours of work per week shall not exceed thirty eight.
- b. Industrial Relations Act

If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22(1) - Ordinary Working Hours in the NSW, 1996.

- c. An employee who works five ordinary hours or more on any day shall be allowed on such day a meal break of one hour between the hours commencing not earlier than 11.30 am and finishing not later than 3.00 pm. Provided that where agreement exists between the employer and the employee a meal break of between 30 minutes and one hour may apply. The meal break shall be given and taken so that no employee shall work more than five consecutive hours without a meal.
- d.
 - i. Commencing Time

The commencing time of ordinary hours of work by employees shall be 6.00 am Monday to Sunday.
 - ii. Ceasing Time

The time for the cessation of the ordinary hours of work by employees shall be 9.00pm Monday to Sunday.

18.3.4. Shift Definitions and Penalties

- a. Shift Definitions
 - i. Day Shift - 6.00 am to 7.00 pm
 - ii. Afternoon Shift - Commencing after 12 noon and no later than 6.00 pm.
 - iii. Night Shift - Commencing after 6.00 pm and no later than 4.00 am.

- b. Penalties
- i Night Shift - 30%
Afternoon Shift only - 18%
Alternating Afternoon and Night Shift - 20%
Alternating Day and Night Shift - 12.5% Night only
Alternating Day, Afternoon and Night Shift - 12.5% Afternoon and Night
Alternating Day and Afternoon Shift - 12.5% Afternoon only
 - ii Saturday - All ordinary time worked on Saturday shall be paid at the rate of time plus 25%.
 - iii Sunday - All ordinary time worked on Sunday shall be paid at the rate of time plus 50%.

18.3.5. Roster

Refer to Clause 1.38

18.3.6. Overtime

Refer to Clause 1.21

18.3.7. Casual Employees

- a. Employees engaged for less than one week and shall be paid for actual time worked and at an hourly rate equal to the appropriate weekly rate divided by 38 plus 30%, inclusive of Annual Leave and Sick Leave.
- b. Casuals are to be engaged for a minimum of two (2) hours if engaged prior to 4.00 pm, and a minimum of one and one half (1.5) hours if engaged from 4.00 pm.

18.3.8. Permanent Part-Time Employees

Employers shall be entitled to engage staff on a regular part-time basis as follows:

- a. A Part-time employee shall mean an employee who is employed to work regular days and regular hours, either of which are less than the number of days or hours worked by weekly employees, but such days shall not be less than 2 per week and such hours shall not be less than 12 per week.
- b. Part-time employees shall be paid hourly rates of pay calculated at 1/38th of the weekly rate, but with a minimum of 4 hours per shift.
- d. Part-time employees shall be entitled to pro-rata Annual Leave, Sick Leave and Long Service Leave.

18.3.9. Public Holidays

- a. The following shall be recognised public holidays:

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day and Boxing Day.
- b. The above holidays with all gazetted state-wide holidays shall be observed, and for such holidays the employee shall be paid of Double Time and one half the ordinary rate.

- c. Set Roster - Employee works same days each week
- i Full-time or Part-time employees who are normally rostered to work on a Public Holiday but do not volunteer to work must be paid single time for the day.
 - ii Full-time or Part-time employees who are not rostered to work on a Public Holiday and work on that day shall be paid Double Time and one half.
 - iii Full-time or Part-time employees who are not rostered to work on a Public Holiday and who do not work do not receive any benefit at all.
- d. Rotating Roster - Employee working varying days each week
- Where an employee is on a rotating roster and their rostered time-off falls on a Public Holiday, the employee shall be paid (by mutual agreement) either:
- i Payment for the rostered time.
 - ii Addition of the rostered time to the employees annual leave.
 - iii Equal time-off shall be taken within twenty one (21) days of the holiday, such time-off being allowed either prior to or after the holiday.
- e. Employees engaged in the retailing industries in the County required to work on any such holiday shall be paid at the rate of Double Time and one half the ordinary rate.
- f. Employees shall not be entitled to the benefits provided by this clause in respect of any public holiday if they absent themselves from their work without reasonable excuse either on the working day before or the working day after such holiday.
- g. Where two or more public holidays fall together and an employee is absent from work without reasonable excuse on both the working day before and the working day after such holiday the employee will lose the benefits of this clause in respect of all such holidays, but when the employee is absent without reasonable excuse on one day only (before or after such holiday) such benefits will be lost in respect of one public holiday.

SHOP ASSISTANTS WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Shop Assistants					Full & Part time only Penalty on Ord hours		All employees Ord hours
Years	%	Full Time Weekly Rate \$	P/Time Hourly 1/38 \$	Casual Mon - Sat Time+30% \$	Mon- Wed after 6pm Time+15% \$	Thu & Fri after 6pm Saturday \$	Sunday Time+50% \$
Under 16	40	258.36	6.80	8.84	7.82	8.50	10.20
At 16	50	322.95	8.50	11.05	9.77	10.62	12.75
At 17	60	387.54	10.20	13.26	11.73	12.75	15.30
At 18	70	452.12	11.90	15.47	13.68	14.87	17.85
At 19	80	516.71	13.60	17.68	15.64	17.00	20.40
At 20	90	581.30	15.30	19.89	17.59	19.12	22.95
At 21	100	645.89	17.00	22.10	19.55	21.25	25.50

Chemist Shops* Tyre Fitters+					Full & Part time only Ordinary hours		All employees Ord hours
Years	%	Full Time Weekly Rate \$	P/Time Hourly 1/38 \$	Casual Mon - Sat Time+30% \$	Mon- Wed after 6pm Time+15% \$	Thu & Fri after 6pm Saturday \$	Sunday Time+50% \$
Under 16	40	267.36	7.04	9.15	8.09	8.79	10.55
At 16	50	334.20	8.79	11.43	10.11	10.99	13.19
At 17	60	401.04	10.55	13.72	12.14	13.19	15.83
At 18	70	467.89	12.31	16.01	14.16	15.39	18.47
At 19	80	534.73	14.07	18.29	16.18	17.59	21.11
At 20	90	601.57	15.83	20.58	18.21	19.79	23.75
At 21	100	668.41	17.59	22.87	20.23	21.99	26.38

* Dispensing under supervision of a Chemist
+ With Certificate of Qualification

Ticket Writer					Full & Part time only Ordinary hours		All employees Ord hours
Years	%	Full Time Weekly Rate \$	P/Time Hourly 1/38 \$	Casual Mon - Sat Time+30% \$	Mon- Wed after 6pm Time+15% \$	Thu & Fri after 6pm Saturday \$	Sunday Time+50% \$
Under 16	40	261.02	6.87	8.93	7.90	8.59	10.30
At 16	50	326.27	8.59	11.16	9.87	10.73	12.88
At 17	60	391.53	10.30	13.39	11.85	12.88	15.46
At 18	70	456.78	12.02	15.63	13.82	15.03	18.03
At 19	80	522.04	13.74	17.86	15.80	17.17	20.61
At 20	90	587.29	15.46	20.09	17.77	19.32	23.18
At 21	100	652.55	17.17	22.32	19.75	21.47	25.76

Window Dresser					Full & Part time only Ordinary hours		All employees Ord hours
Years	%	Full Time Weekly Rate \$	P/Time Hourly 1/38 \$	Casual Mon - Sat Time+30% \$	Mon- Wed after 6pm Time+15% \$	Thu & Fri after 6pm Saturday \$	Sunday Time+50% \$
Under 16	40	261.37	6.88	8.94	7.91	8.60	10.32
At 16	50	326.72	8.60	11.18	9.89	10.75	12.90
At 17	60	392.06	10.32	13.41	11.86	12.90	15.48
At 18	70	457.40	12.04	15.65	13.84	15.05	18.06
At 19	80	522.75	13.76	17.88	15.82	17.20	20.63
At 20	90	588.09	15.48	20.12	17.80	19.35	23.21
At 21	100	653.43	17.20	22.35	19.77	21.49	25.79

Departmental Managers or Branch Manager Supervising

Without duty of buying	Full Time \$	Part Time Hourly 1/38th \$	Casual Saturday Time+30% \$	Mon-Wed after 6pm Time+15% \$	Saturday, Thurs/Fri after 6pm \$	Sunday Time+50% \$
1-4 employees	659.74	17.36	22.57	19.97	21.70	26.04
5-12 employees	670.55	17.65	22.94	20.29	22.06	26.47
13-25 employees	684.09	18.00	23.40	20.70	22.50	27.00

over 25 employees	691.50	18.20	23.66	20.93	22.75	27.30
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With duty of buying	Full Time \$	Part Time Hourly 1/38th \$	Casual Saturday Time+30% \$	Mon-Wed after 6pm Time+15% \$	Saturday, Thurs/Fri after 6pm \$	Sunday Time+50% \$
1-4 employees	661.72	17.41	22.64	20.03	21.77	26.12
5-12 employees	673.59	17.73	23.04	20.38	22.16	26.59
13-25 employees	687.00	18.08	23.50	20.79	22.60	27.12
over 25 employees	695.84	18.31	23.81	21.06	22.89	27.47

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Allowances:

Section Head, Shop Walker, Supervisor, Traveller - Extra \$11.55 per week

Fork lift driver and deliverer - extra \$11.55 per week

Note: These rates are applicable to ADULTS only, employed for more than eight hours a week in these duties.

Penalty Rates:

Full time and Part time employees working ordinary hours only.

Monday to Wednesday after 6.00 pm - Time plus 15%

Thursday & Friday after 6.00pm - Time Plus 25%

Saturday - Time plus 25%

Sunday - time plus 50%

**SHOP ASSISTANTS PETROL, OIL RESELLERS & LUBRITORIUM OPERATORS ONLY
WAGE SCHEDULE**

Effective from the first full pay period on or after 1st October, 2008

Day Shift

Shop Assistants							All employees Ord hours
Years	%	Full Time Weekly Rate \$	P/Time Hourly 1/38 \$	Casual Hourly Mon - Sat Time+30% \$	Saturday Hourly Time+25% \$	Sunday Hourly Time+50% \$	
Under 16	40	258.36	6.80	8.84	8.50	10.20	
At 16	50	322.95	8.50	11.05	10.62	12.75	
At 17	60	387.54	10.20	13.26	12.75	15.30	
At 18	70	452.12	11.90	15.47	14.87	17.85	
At 19	80	516.71	13.60	17.68	17.00	20.40	
At 20	90	581.30	15.30	19.89	19.12	22.95	
At 21	100	645.89	17.00	22.10	21.25	25.50	

Night Shift Only (30%)

Shop Assistants					All employees Ord hours
Years	Full Time Weekly Rate	P/Time Hourly 1/38	Casual Hourly Mon - Sat Time+30%	Saturday Hourly Time+25%	Sunday Hourly Time+50%
	\$	\$	\$	\$	\$
Under 16	335.87	8.84	11.49	11.05	13.26
At 16	419.83	11.05	14.36	13.81	16.57
At 17	503.80	13.26	17.24	16.57	19.89
At 18	587.77	15.47	20.11	19.33	23.20
At 19	671.73	17.68	22.98	22.10	26.52
At 20	755.70	19.89	25.85	24.86	29.83
At 21	839.66	22.10	28.73	27.62	33.14

Afternoon Shift Only (18%)

Shop Assistants					All employees Ord hours
Years	Full Time Weekly Rate	P/Time Hourly 1/38	Casual Hourly Mon - Sat Time+30%	Saturday Hourly Time+25%	Sunday Hourly Time+50%
Under 16	304.87	8.02	10.43	10.03	12.03
At 16	381.08	10.03	13.04	12.54	15.04
At 17	457.29	12.03	15.64	15.04	18.05
At 18	533.51	14.04	18.25	17.55	21.06
At 19	609.72	16.05	20.86	20.06	24.07
At 20	685.94	18.05	23.47	22.56	27.08
At 21	762.15	20.06	26.07	25.07	30.08

Alternating Afternoon & Night Shift (20%)

Shop Assistants					All employees Ord hours
Years	Full Time Weekly Rate	P/Time Hourly 1/38	Casual Hourly Mon - Sat Time+30%	Saturday Hourly Time+25%	Sunday Hourly Time+50%
	\$	\$	\$	\$	\$
Under 16	310.03	8.16	10.61	10.20	12.24
At 16	387.54	10.20	13.26	12.75	15.30
At 17	465.04	12.24	15.91	15.30	18.36
At 18	542.55	14.28	18.56	17.85	21.42
At 19	620.06	16.32	21.21	20.40	24.48
At 20	697.56	18.36	23.86	22.95	27.54
At 21	775.07	20.40	26.52	25.50	30.59

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

**Alternating Day & Night Shift
Alternating Day, Afternoon & Night Shift
Alternating Day & Afternoon Shift**

Shop Assistants						All employees Ord hours
Years	Weekly Rate 12.5%	P/Time Hourly 1/38	Casual Hourly Mon - Sat Time+30%	Saturday Hourly Time+25%	Sunday Hourly Time+50%	
	\$	\$	\$	\$	\$	
Under 16	290.65	7.65	9.94	9.56	11.47	
At 16	363.31	9.56	12.43	11.95	14.34	
At 17	435.98	11.47	14.92	14.34	17.21	
At 18	508.64	13.39	17.40	16.73	20.08	
At 19	581.30	15.30	19.89	19.12	22.95	
At 20	653.97	17.21	22.37	21.51	25.81	
At 21	726.63	19.12	24.86	23.90	28.68	

Public Holiday Rate (All Shifts)

Shop Assistants	Part Time Hourly Rate \$	Casual Rate \$
Under 16	17.00	19.04
At 16	21.25	23.80
At 17	25.50	28.56
At 18	29.75	33.31
At 19	33.99	38.07
At 20	38.24	42.83
At 21	42.49	47.59

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

TRADES

19.1. Application

The terms and conditions of this section govern the employment of persons engaged in metals manufacturing, engineering and fabrication trades and processes, maintenance and repairs of mechanical equipment and plant, electrical and electronic maintenance and repairs, domestic plumbing and associated industrial activities in the County of Yancowinna.

19.2. Meal Time

- a. Employees shall be allowed thirty minutes to be taken after four hours work.
- b. All time worked during the meal break by the employee shall be paid for at overtime rates.
- c. When working overtime employees shall not work more than four hours continuously without being allowed thirty minutes for a meal break at overtime rates.

19.3. Wages

- a. Base rates

i Process Worker (New classification)

As defined in the Metal Industry Award aligning with the C13 rate will apply. This classification will be used for manufacturing processes only and the specific functions and skills levels will be as defined.

ii Tradesperson

(Aligned with C10 of the Metal Industry Award MIA)

This rate to apply to tradespersons with base certificate and will include an element of multiskilling agreed to by the employee and employer and this will not interfere with the entitlements listed below

iii Tradesperson Special Class

(Aligned with C9 of the MIA)

The definition in respect to this rate is:

- 1 An employee when working frequently or infrequently on machinery involving complex hydraulics, pneumatic, electrical and fabricating techniques.
- 2 Must pass technical training both certified (72 hours) and/or had in house training or a degree of competency agreed to by the employer and the employee.

iv Senior Tradesperson

(Aligned with C8 of the MIA)

Tradesperson is considered competent to organise work and personnel to the satisfaction of the employer.

v New Employee - Familiarisation Rate

(New classification)

A new employee may be employed for a period of six (6) weeks. After that period the employer is to pay the normal tradesperson rate.

If however the employer fails to do so, the following procedure will be implemented:

- 1 the Union and the employer will meet to resolve the matter;
- 2 if there is still disagreement then an independent Chairman will be obtained and the decision of that Chairman will be binding on both parties.

b. Fare Allowance

Any employee working outside the workshop and using his own vehicle shall be paid an amount at Item 11 - General Schedule of Allowances.

19.4. Apprentices

- a. The number of apprentices to be employed shall not exceed one or two or part of two journeymen. Any journeyman working in their own establishment may be counted as a journeyman employed in the trade.
- b. The term of apprenticeship shall be four (4) years.

- c. The rate of wages to be paid to apprentices shall be :

Apprentices - % of Tradesperson rate:	
1st year	42%
2nd year	55%
3rd year	75%
4th year	88%

These percentages are to be applied to the tradesperson rate.

- d. Provided that where an apprentice not having completed his/her apprenticeship on attaining the age of 21 years, he/she shall not be paid less than the adult minimum wage rate. Refer to Apprentice Wage Rates in schedule at back of this section.
- e. For any overtime worked by an apprentice he/she shall be paid at overtime rates.
- f. A minor may be engaged on probation for three (3) months only and if apprenticed, such three (3) months shall count as part of his/her apprenticeship.
- g. Each apprentice shall be indentured and attend the Technical College for daytime instruction in accordance with the timetable for each particular trade without loss of pay. Apprentices attending the Technical College or Schools, and presenting reports of satisfactory conduct, shall be reimbursed for all fees paid by them at the end of each term.

19.5. Hours

- a. Ordinary Hours

The ordinary hours worked shall not exceed thirty eight hours per week, excluding meal breaks, to be worked Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, between the hours of:

Day shift	7.00am to 5.30pm
Afternoon shift	3.00pm to 12 midnight
Night shift	11.00pm to 8.00am

- b. Afternoon Shift Allowance

A shift worker whilst on afternoon or night shift shall be paid for such shift 15% more than the worker's ordinary rate. Where shift work is required other than on a full working week, starting on a Monday (or other than the first working day of a week in which the Monday is an official holiday or stop work day) the shift so worked will be paid for at double time for shift or shifts so worked.

- c. Shift Work

Rostered shift work may be done in ordinary hours over weekends at the penalty rates.

Saturday	50%
Sunday	100%

Seven (7) days notice is to be given with such roster and a paid meal break included.

19.6. Casual Workers

- a. Casual employees are those who are engaged for irregular short periods of less than one (1) week for the work of their calling. They are paid the casual rate of pay and do not qualify for holiday pay, sick pay and other normal benefits including Saturday morning penalty.
- b. Casuals are paid time and one half of the normal rate.

19.7. Permanent Part-Time Employment

Provision is made for permanent part-time employees to work no less than 15 hours per week by agreement between the employer and employee. Pro-rata conditions of the Consent Award to apply.

- a. Time worked in excess of regular hours to be paid as overtime.
- b. Permanent part-time employees will have first opportunity to fill full-time vacancies when and as they arise.

19.8. Skills Development & Multiskilling in the Broken Hill Metals' Industry

The parties to this Consent Award recognise the merit of providing development for employees engaged in the metals and engineering industries in Broken Hill leading to this implementation of multi-skilling and career paths. To this end it is agreed that as far as practicable further initiatives in this direction developed between the Automotive, Food, Metals and Engineering Union and the Metal Trades Industry Association, and as reflected in the Metal Industry Award, will be included in the Metals Section of future Consent Awards.

19.9. Travelling Expenses

- a. The time occupied by an employee in travelling to take cars, motor vehicles or parts away from or to Broken Hill shall be included in the employee's ordinary weekly wage, but such employee shall not be required to travel outside general working hours.
- b. All fares (First class railway) and reasonable travelling expenses and out-of-pocket expenses shall be paid by the employer.

19.10. Miscellaneous

- a. The time occupied by an employee in filling in time book or cards or making other records shall be treated as time of duty.
- b. Suitable fireproof material and coloured glasses shall be provided by the employer for any oxyacetylene operation or electric welder.
- c. Each employee shall be provided with goggles and a first aid kit shall be provided and placed in a suitable position in the workshop.
- d. Employees shall be provided with suitable soap or solution for the purpose of cleaning their hands.
- e. Two (2) pairs of overalls or work clothes and one (1) pair of boots to be supplied per year.
- f. Tool Allowance is included in the wage for all purposes.
- g. The employer shall provide rubber boots for employees working in water. Employees repairing chokes in sewerage systems, where the line of pipe has to be dug up, shall be paid as per the Plumbers and Gas Fitters State Award. When an employee has been employed cleaning chokes, the employer shall provide a suitable disinfectant for cleaning.

19.11. Annual Leave

- a. All seven (7) day shift workers, after 11 January, 1966, shall receive six (6) weeks' leave on full pay each year. Employees who leave the service of any establishment of one employer or who are put off before the expiration of twelve (12) months service, shall be paid for proportionate leave for each month served.
- b. For the purpose of this clause seven (7) day shift workers shall mean those who are required to work regularly on Sundays and Public Holidays.

19.12. Termination of Services

- a. To terminate employment either party shall be given one (1) weeks' notice - if the employer fails to do so he shall pay one week in lieu of notice and similarly if the employee fails to do so the employee shall forfeit one week's pay.

In the case of dishonest or misconduct, a summary dismissal shall apply. On termination of services payment for any monies due will be made within 48 hours or if the employee is leaving the city, then payment will be made forthwith.

- b. Termination of services whilst under notice:

The employer shall have the right to summarily dismiss any employee for dishonest or misconduct whilst under notice. Payment of wages to be made up to the time of dismissal only.

19.13. Recall to Work

Where an employee is recalled to work after having left the job at the usual time for ceasing work, and before the usual starting time, the employee shall be paid for a minimum of four (4) hours at overtime rates.

19.14. Distant Work

Where an employee is required to work outside the municipal boundary of Broken Hill, the employee shall be paid his/her fare to and from the job or be conveyed to work and returned to Broken Hill until the job is completed. If the employee is required by his/her employer to stay out, the employer must provide suitable board as adjudged by the Union for the employee, or pay an allowance equivalent to standard accommodation.

19.15. Travelling Time

All travelling shall be done in the employer's time and shall be paid for at the ordinary hourly rate of pay.

19.16. Mine Leases

- a. Town Employees working on Perilya mining lease shall receive the town award terms and conditions plus 4.5%.
- b. Town Employees working on a full time basis contracts on Perilya Mine Lease shall receive the Perilya rate or wages and all Perilya privileges.

19.17. Height Money

All employees working more than eight (8) metres above the ground shall be paid as per the Master Builders' Agreement whilst so employed. The employer shall also provide safe scaffolding with suitable handrail and guard rail or other suitable equipment to work from.

19.18. Overtime

With the exception of overtime worked on mining leases or on work directly related to mining leases all time worked in excess of ordinary hours shall be paid for at the rate of time and one half for the first two (2) hours and double time thereafter. All overtime worked on mining leases or on work directly related to mining leases will be paid at the rate of double time.

Time off may be taken in lieu of overtime payment at the penalty rate by mutual agreement between the employer and employee.

TRADES WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Application

The terms and conditions of this section govern the employment of persons engaged in metals manufacturing, engineering and fabrication trades and processes, maintenance and repairs of mechanical equipment and plant, electrical and electronic maintenance and repairs, domestic plumbing and associated industrial activities in the County of Yancowinna.

	Full Time Rate \$	Part Time Rate 1/38th \$	Casual Rate x1.5 \$
Process Worker (Engineering production employee)	638.38	16.80	25.20
Basic Tradeperson	750.83	19.76	29.64
Engineering Tradeperson (Multiskilled)	774.12	20.37	30.56
Engineering Tradeperson (Special Class)	807.16	21.24	31.86
Engineering Tradeperson (Senior Tradesperson)	843.91	22.20	33.31

Apprentices	%	Junior Use Engineering Tradesperson (Multiskilled) \$	%	Adult Use Process Worker for first 2 years of Apprenticeship \$
1st year	42	325.13	85	542.63
2nd year	55	425.76	85	542.63
3rd year	75	580.59		580.59
4th year	88	681.23		681.23

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Note: Process Worker classification is only to be used in manufacturing and industrial activities involving unskilled or semi-skilled work. It is not to be used for work requiring the exercise of trade skills.

Part time employees - must work no less than 15 hours per week.

Penalty Rates

Saturday - Time plus 50%

Sunday - Double Time

On Call Allowance \$89.66 per week

The above rates incorporate the Broken Hill Allowance of \$12.40 as part of the total rate of pay.

TRANSPORT

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to the Transport Industry (State) Consolidated Award, (Code 677) except for the following Clauses from that Award:

Clause 3. Hours of Employment

The ordinary hours of work for all employees shall not exceed 38 hours per week or 76 hours per fortnight or 114 hours per 3 weeks or 152 hours per 4 weeks and shall be worked between Monday and Friday inclusive. The calculation of the hourly rate for penalties, part-time and casual employees shall be one thirty-eighth (1/38) of the Agreement rate applicable.

Section II - Long Distance Work

"Long distance work" shall mean driving work on return trips which are always in excess of 300 road kilometres.

Clause 17. Annual Leave

Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.

Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.

Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.

Part-time employees receive pro-rata Annual Leave entitlements.

Annual Leave Loading

Please refer to General Clauses, clause 1.4, Annual Leave Loading.

Clause 18. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

Clause 19. Sick Leave

Please refer to General Clauses, clause 1.30, Sick Leave.

Clause 48. Definitions

Union shall mean the Construction, Forestry, Mining and Energy Union (South Western District - Mining and General).

Clause 49. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

In addition to the wage rates prescribed in the Transport Industry (State) Consolidated Award, the Broken Hill Allowance of \$12.40 per week shall be applied.

TRANSPORT WAGE SCHEDULE

Effective from the first full pay period on or after 1st October 2008

Grade	Weekly Rate \$	Part Time Rate 1/38th \$	Casual Rate Time+15% \$
Grade 1	639.39	16.83	19.35
Grade 2	657.18	17.29	19.89

Grade 3	669.55	17.62	20.26
Grade 4	680.37	17.90	20.59
Grade 5	708.14	18.63	21.43
Grade 6	715.10	18.82	21.64
Grade 7	736.22	19.37	22.28
Grade 8	779.38	20.51	23.59
Furniture Removalist Offsider	645.94	17.00	19.55
Chauffeur	644.70	16.96	19.51

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Long Distance Work	Rates cents per km
Transport Worker Grade 7 and below	32.12
Transport Worker Grade 8	32.59
Allowances	Amount
HIAB type crane or mechanical device	\$29.65 per week
Furniture for employees engaged in furniture removal	\$5.39 per day or part thereof
Meal Allowance	\$10.84 per meal
Leading Hand Allowance	\$32.54 per week

TRANSPORT - TOURIST & SERVICE COACH DRIVERS

Terms and Conditions of Employment

For terms and conditions of employment under this section, please refer to The Transport Industry - Tourist & Service Coach Drivers (State) Award, (Code 679) except for the following Clauses.

21.1. Annual Leave

- a. Each employee after twelve months service in any one establishment of one employer shall be granted five (5) weeks holidays on full pay.
- b. Employees who leave the service of any establishment or is put off before the expiration of twelve months service shall receive proportionate payment accordingly, and in conformity with the Annual Holiday Act NSW.
- c. Holidays may be taken in one or two separate periods, and in the case of two periods being agreed upon, the definite commencing dates for each period shall be agreed upon prior to the commencement of the first period of leave being taken.
- d. Part-time employees receive pro-rata Annual Leave entitlements.
- e. Where an employer and employee agree the employee may 'cash in' the fifth week of their Annual Leave. Payment of the 'cashed in' week will be made at the time of taking the bulk of the employee's Annual Leave.
- f. In addition to the leave provided for by subclause (a) of this clause, seven-day shift workers, that is, shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed one week's leave; provided that if during the year of employment an employee has served for only a portion of it as a seven-day shift worker, the additional leave shall be one day for every thirty six (36) ordinary shifts worked as a seven-day shift worker. In this subclause reference to one week and one day shall include holidays and non-working days.

21.2. Long Service Leave

Please refer to General Clauses, clause 1.17, Long Service Leave.

21.3. Area, Incidence and Duration

Please refer to General Clauses, clause 1.7, Area, Incidence and Duration.

TRANSPORT - TOURIST & SERVICE COACH DRIVERS WAGE SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

	Weekly Rate	Part Time Hourly Rate 1/38th	Casual Hourly Rate Time+15% 5/47th Hols
	\$	\$	\$
Adult Employees	649.06	17.08	21.73

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Other Rates & Allowances		
Driver to issue tickets and collect fares	\$2.97 per day	Driver to issue tickets and collect fares
Driving Instructor Allowance	\$6.02 per day	Driving Instructor Allowance
Meal Allowance	\$11.14 per meal	Meal Allowance

WAREHOUSE & CARRIERS, WHOLESALE WINE & SPIRIT MERCHANTS

Wage rates in this section are based on those negotiated in the Broken Hill Commerce and Industry Consent Award 2001.

Definitions

- a. Outdoor salesmen are persons employed in loading and unloading vehicles with goods and delivering and selling such goods on their rounds and/or collecting cash. Outdoor salesmen are paid the driver's rate of pay.
- b. All other persons employed within a store are classified as storemen and are paid the appropriate rate.

22.1. Hours of Labour

- a. As of 1 July 1999 the ordinary hours of work shall not exceed thirty eight (38) per week excluding meal breaks. The hours shall be between 6.00 am and 6.00 pm Monday to Friday inclusive.
- b. The starting and ceasing times shall be fixed by the individual employer to suit the circumstances of the particular business. The starting and ceasing times, having been fixed under this clause, no alteration shall be made except by mutual agreement of the parties.
- c. The meal break shall be one half hour to be taken between 12 noon and 2.00 pm.

If any employee is not allowed to take his meal break between 12 noon and 2.00 pm, overtime shall be paid for that time and the sum of \$7.41 for the meal.

- d. If agreeable between employer and employee, the ordinary working hours can be averaged over a 12 week period, as per Section 22 - Ordinary Working Hours in the NSW Industrial Relations Act, 1996.

22.2. Casual Employees

- a. Casual employees are those who are engaged for irregular short periods for the work of their calling.
- b. A casual employee shall be paid a minimum engagement of four hours.
- c. Casual employees in this section shall be paid at the rate of time and 15%, Monday to Friday inclusive.
- d. Casual employees, after twelve months service, shall be entitled to annual leave, calculated at five-forty sevenths of the gross earnings.
- e. Casual employees, shall also be granted an annual leave loading of 17.5% of their holiday pay. The loading is payable on annual leave only.
- f. Casual employees are entitled to long service leave.
- g. Casual employees who leave the service of any establishment of one employer or is put off before the expiration of twelve months service shall receive proportionate payment accordingly.
- h. Casual employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

22.3. Part-Time Employees

Adults may be employed as part-time employees in any classification in this section on the following basis.

- a. Not less than twenty hours per week and not in excess of thirty two hours per week.
- b. Part-time employees shall be paid a minimum of two hours' pay for each day engaged.
- c. Part-time employees shall be paid the minimum rostered hours.
- d. All time worked in excess of eight hours per day shall be overtime and paid for at the rate prescribed for other weekly employees.
- e. The hours of duty each day shall be worked continuously. Provided that an employee who is required to work longer than four hours shall be granted an unpaid meal break of not less and not more than thirty minutes.
- f. Part-time employees shall be paid hourly rates of pay calculated at 1/38th of the weekly rate plus ten percent.
- g. Notwithstanding anything else contained in this Consent Award, the provisions of this Consent Award with respect to Annual Leave, Annual Leave Loading, Sick Leave, Long Service Leave, Compassionate Leave, Parental Leave and Holidays shall apply to part-time employees on a pro-rata basis for each employee.
- h. One month's notice is to be given to change an employee's employment from part-time to casual.
- i. Part-time employees may be asked to work full-time on a temporary basis to allow coverage for staff absences.

22.4. Weekend Penalty

All employees in this section shall be paid at the rate of time and one half for all ordinary hours worked between 6am and 12 noon Saturday and double time for all ordinary hours performed between 12 noon Saturday and midnight Sunday.

22.5. Overtime

Refer to Clause 1.21

22.6. Junior Employees

a. The minimum wages payable to juniors shall be the following percentages of a Storeperson.

16 years and under	60%
At 17 years	65%
At 18 years	75%
At 19 years	85%
At 20 years	100%

b. Junior employees are to have structured training, internal and/or external, incorporated into their duties.

WAREHOUSE & CARRIERS, WHOLESALE WINE & SPIRIT MERCHANTS WAGE SCHEDULE

Effective from the first full pay period on or after 1st October, 2008

Adults	Weekly Rate \$	Part Time Hourly Rate 1/38th +10% \$	Casual Hourly Rate 115% \$
Checker, Assembler, Sorter, Replenisher, Stock Hand Wrapper/ Tier, Indoor Salesperson, Storeperson	604.60	17.50	18.30
Head Storeperson 1-4 Employees	623.48	18.05	18.89
Head Storeperson 5-12 Employees	634.30	18.36	19.20

Juniors	%	Weekly Rate \$	Part Time Hourly Rate 1/38th \$	Casual Hourly Rate 115% \$
16 Years and under	60	362.76	10.50	10.98
At 17 years of age	65	392.99	11.38	11.89
At 18 years of age	75	453.45	13.13	13.72
At 19 years of age	85	513.91	14.88	15.55
At 20 years of age	100	604.60	17.50	18.30

Bona Fide Trainee - 80% of the adult weekly rate or the Junior rate for the same Classification of the Traineeship being undertaken.

Drivers: refer to Transport Industry wage schedule

Penalty rates: All employees shall be paid at the rate of time and one half for all ordinary hours worked between 6am and 12 noon Saturday and double time for all ordinary hours performed between 12 noon Saturday and midnight Sunday.

Overtime: Overtime shall be paid at the rate of time and one half for the first 2 hours and double time thereafter.

P. J. SAMS *D.P.*

Printed by the authority of the Industrial Registrar.

(074)

SERIAL C7219

BUTCHERS' WHOLESALE (NEWCASTLE AND NORTHERN) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1295 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause 27.3 of clause 27, Wages, of the award published 2 March 2001 (322 I.G. 727) and insert in lieu thereof the following:

27.3 Arbitrated Safety Net Adjustment

27.3.1 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments.
2. Delete Appendix 1 - Wages, and Appendix 2 - Other Rates and Allowances, of Part 9, Appendix, and insert in lieu thereof the following:

T1.1 The minimum rate of pay for 40 ordinary hours of any classification shall be as follows:

	Total Weekly Classification	Total Weekly Rate \$
1	Slaughterperson	629.20
2	Employee Grading beef carcasses	590.80
3	Employee weighing and/or recording	584.60
4	Knocker down and/or shackler and/or employee opening up neck and tying weasand before hoisting to bleeding rail	588.00
5	Slaughterhouse labourer whose work includes trimming carcasses after slaughter persons, skinning heads, removing eyes, removing horns, removing tongues and/or cheeks, removing brains and boning for pet foods and boning heads and crutching sheep	584.60
6	Employee skinning feet and taking out sinews	583.50
7	Tripe persons and employee cutting, turning and washing tripes and cutting and washing bibles	583.50
8	Slaughterhouse Labourer	578.80
9	Laundry Attendant	578.80
10	Stockperson (working under conditions of the stock person clause)	585.40
11	Stockperson, stock receiver and penner-up	581.10
12	Yard person and general labourer	574.00
13	Freezer room employee	583.50
14	Dripping and/or lard operator, tallow person, digester person and/or dry melter operator, expeller and/or dryer attendant	586.50
15	Mill hand, by-products labourers and save-all attendant	576.50

Casing Cleaning Department		
16	All-round person	588.30
17	Employee trimming and sliming bungs and bladders and sliming runners	581.10
Boning Department		
18	Boner	606.20
19	Slicer and/or sawyer	591.70
20	Trimmer	584.60
21	Weigh person	580.90
22	Packer, strapper, wiring and/or gluing machine operator	578.80
23	Shop person/butcher	613.80
Motor Wagon Drivers		
24	Motor wagon driver of a vehicle with carrying capacity of up to 3,048 kg (3 tons)	585.50
	For each additional 1,016 kg (1 ton) or part thereof up to 8,128 kg (8 tons) extra	1.99
	For each additional 1,016 kg (1 ton) or part thereof exceeding 8,128 (8 tons) but not exceeding 12,192 kg (12 tons) extra	1.55
	For each additional 1,016 kg (1 ton) or part thereof exceeding 12,192 kg (12 tons) when a trailer is attached to a motor wagon, the carrying capacity of such trailer shall be computed with the rate in determining the driver's wages	1.24
25	Driver of tractor under 50 h.p. or forklift driver	585.50
26	Driver of bulldozer	585.50
27	Loader	594.60
28	Cleaner - cleaning production plant and equipment (working under shift work provisions)	584.60

T1.2 The minimum rate of pay for 40 ordinary hours for juniors shall be as follows:

Age	Percentage of Classification 12-General Labourer	Total Weekly Rate \$
At 15 years of age	36%	206.60
At 16 years of age	48%	275.50
At 17 years of age	60%	344.40
At 18 years of age	74%	424.80
At 19 years of age	87%	499.40
At 20 years of age	Adult rates	

Upon any adjustment, junior rates to be calculated to the nearest ten cents.

APPENDIX 2

Other Rates and Allowances

T2.1 Other rates and allowances - Subject to the provisions of the relevant clauses, allowances and special rates are as follows:

Item No.	Clause No.	Brief Description	Amount \$
1	31.4	Alternating Shifts - per shift	9.93
2	31.5	Afternoon Shift - per shift	14.27
3	32.9.1	Extraordinary Hours Allowance per day	8.57
4	35.5	Horse Allowance - per week	16.15
5	33.3	Meal Money - per meal	9.75

6	29.1	Temperature Allowance - per hour Below minus 1 degree celsius Below minus 16 degree celsius Below minus 20 degree celsius Below minus 26 degree celsius	0.50 0.80 1.48 2.21
7	29.2	Freezing Room Allowance - per hour	0.54
8	29.4	Temperature Allowance - per hour	0.54 0.86
9	10.1	Rovers Allowance - per day	3.32
10	20.1.2	Bull Penalty - per head	3.32
11	23.1	Dog Allowance - per dog per week	8.33
12	23.3	First Aid Attendant - per day	3.98
13	23.4	Leading Hand - per week	29.77
14	23.5.1	Pedestrian Stacker - Cold Temperature - per week	15.36
15	23.5.2	Pedestrian Stacker - per week	11.35
16	23.5.3	Fork Lift - per week	7.99
17	17.1.1	Objectionable Work - Ordinary Hours	3.67
18	17.1.2	Objectionable Work - Outside Ordinary Hours per sheep, calf or pig per head of cattle	4.29 18.23
19	17.1.3	Objectionable Work - on Sundays and Public Holidays - per sheep, calf or pig per head of cattle	6.57 26.40
20	17.1.4	Condemned Carcass Allowance - per day	3.67
21	17.1.5	Brucella Reactor - per day	8.30
22	17.1.6	Work in Artificially Increased Temperature - per hour	0.50
23	17.1.7	Foetal Blood Extraction Allowance - per day	8.30
24	13.4	TP Slaughtering Allowance - all type of Animals per day per half day	5.41 2.71
25	13.5	TP Slaughtering Allowance - two types of animals per day per half day	4.63 2.22
26	13.6	TP Slaughtering Allowance - one type of animal per day per half day	3.32 1.61
27	51.2	Knife Allowance - Slaughterpersons, boners and labourers skinning cattle, heads and feet - per week per day Other employees using a knife - per week per day	3.87 0.76 2.78 0.51
28	49.1(a)	Clothes Allowance - per day	1.64
29	49.1(b)	Laundry Allowance - per day	1.34
30	49.1(c)	Clothes Allowance - per day	0.43
31	49.3	Clothes/Laundry Allowance - (Employees not covered by Items 28-30 of this Appendix)	
	(a)	Clothes Allowance - per day	0.80
	(b)	Laundry Allowance - per day	0.64
	(c)	Clothes Allowance - per day	0.19
32	46.5(b)	TP Boner Allowance	1.87

3. This variation shall come into effect from the first full pay period on or after 22 November 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

(072)

SERIAL C7220**BUTCHERS' WHOLESALE (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1294 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause 27.3, of clause 27, Wages, of the award published 25 January 2001 (321 I.G. 1167), and insert in lieu the following:

27.3 Arbitrated Safety Net Adjustment

27.3.1 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments.
2. Delete Appendix 1 - Wages, and Appendix 2 - Other Rates and Allowances, of Part 9, Appendix, and insert in lieu thereof the following:

APPENDIX 1**Wages**

T1.1 The minimum rate of pay for 40 ordinary hours of any classification shall be as follows:

	Total Weekly Classification	Rate \$
1	Slaughterperson	629.20
2	Employee grading beef carcasses	590.80
3	Employee weighing and/or recording	584.60
4	Knocker down and/or shackler and/or employee opening up neck and tying weisand before hoisting to bleeding rail	588.00
5	Slaughterhouse labourer whose work includes trimming carcasses after slaughterperson, skinning heads; removing eyes, removing horns, removing tongues and/or cheeks, removing brains and boning for pet foods and boning heads and crutching sheep	584.60
6	Employee skinning feet and taking out sinews	583.50
7	Tripeperson and employee cutting, turning and washing tripes and cutting and washing bibles	583.50
8	Slaughterperson labourer	578.80
9	Laundry attendant	578.80
10	Stockperson (working under conditions of the stockperson clause)	585.40
11	Stock person, stock receiver and penner-up	581.10
12	Yard person and general labourer	574.00

13	Freezer room employee	583.50
14	Dripping and/or lard operator, tallow person, digester person and/or dry melter operator, expellor and/or dryer attendant	586.50
15	Mill hand, by-products labourer and save-all attendant	576.50
Casing Cleaning Department		
16	All-round person	588.30
17	Employee trimming and sliming bungs and bladders and sliming runners	581.10
Boning Department		
18	Boner	606.20
19	Slicer and/or sawyer	591.70
20	Trimmer	584.60
21	Weighperson	580.90
22	Packer, strapper, wiring and/or gluing machine operator	578.80
23	Shop person/butcher	613.80
Motor Wagon Drivers		
24	Motor wagon driver of a vehicle with carrying capacity of up to 3,048 kg (3 tons)	585.50
	For each additional 1,016 kg (1 ton) or part thereof up to 8,128 kg (8 tons) extra	1.99
	For each additional 1,016 kg (1 ton) or part thereof exceeding 8,128 kg (8 tons) but not exceeding 12,192 kg (12 tons) extra	1.55
	For each additional 1,016 kg (1 ton) or part thereof exceeding 12,192 kg (12 tons) when a trailer is attached to a motor wagon; the carrying capacity of such trailer shall be computed with the rate in determining the drivers wages	1.24
25	Driver of a tractor under 50h. or fork lift driver	585.50
26	Driver of a bulldozer	585.50
27	Loader	594.60
28	Cleaner - cleaning production plant and equipment (working under shift work provisions)	584.60

T1.2 The minimum rate of pay for 40 ordinary hours for juniors shall be as follows:

Age	Percentage of Classification 12 - General Labourer	Amount \$
At 15 years of age	36%	206.60
At 16 years of age	48%	275.50
At 17 years of age	60%	344.40
At 18 years of age	74%	424.80
At 19 years of age	87%	499.40
At 20 years of age	Adult rates	

Upon any adjustment, junior rates to be calculated to the nearest ten cents

APPENDIX 2**Other Rates and Allowances**

Other Rates and Allowances - Subject to the provisions of the relevant clauses, allowances and special rates are as follows:

Item No	Clause No	Allowance	Amount \$
1	34.1	Alternating Shifts - per shift	9.93
2	31.5	Afternoon Shift - per shift	14.27
3	32.9.1	Extraordinary Hours Allow - per day	8.57
4	35.5	Horse allowance - per week	16.15
5	33.3	Meal money - per meal	9.75
6	29.1	Temperature allowance - per hour Below minus 1 degree Celsius Below minus 16 degrees Celsius Below minus 20 degrees Celsius Below minus 26 degrees Celsius	0.50 0.80 1.48 2.21
7	29.2	Freezing room allowance - per hour	0.54
8	29.4	Temperature allowance - per hour	0.54 0.86
9	10.1	Rovers allowance - per day	3.32
10	20.1.2	Bull penalty - per head	3.32
11	23.1	Dog allowance - per do per week	8.33
12	23.3	First aid attendant - per day	3.98
13	23.4	Leading hand - per week	29.77
14	23.5.1	Pedestrian stacker - cold temperature per week	15.36
15	23.5.2	Pedestrian stacker - per week	11.35
16	23.5.3	Fork lift - per week	7.99
17	17.1.1	Objectionable work - ordinary hours	3.67
18	17.1.2	Objectionable work - outside ordinary hours per sheep, calf or pig Per head of cattle	4.29 18.23
19	17.1.3	Objectionable work - on Sundays; and public holidays - per sheep, calf or pig per head of cattle	6.57 26.40
20	17.1.4	Condemned carcass allowance - per day	3.67
21	17.1.5	Brucella Reactor - per day	8.30
22	17.1.6	Work in artificially increased temperature - per hour	0.50
23	17.1.7	Foetal blood extraction allowance - per day	8.30
24	13.4	TP Slaughtering allowance - all type of animals - per day per half day	5.41 2.71
25	13.5	TP slaughtering allowance - two types of animals - per day per half day	4.63 2.22
26	13.6	TP slaughtering allowance - one type of animal - per day per half day	3.32 1.61

27	51.2	Knife allowance Slaughterpersons, boners and labourers skinning cattle, heads and feet - per week per day other employees using a knife - per week per day	3.87 0.76 2.78 0.51
28	49.1 (a)	Clothes allowance - per day	1.65
29	49.1 (b)	Laundry allowance - per day	1.34
30	49.1 (c)	Clothes allowance - per day	0.43
31	49.3 (a) 49.3 (b) 49.3 (c)	Clothes/laundry allowance (employees not covered by Items 28-30 of the Appendix) Clothes allowance - per day Laundry allowance - per day Clothes allowance - per day	0.80 0.64 0.19
32	46.5 (b)	TP boner allowance	1.87

3. This variation shall come into effect from the first full pay period on or after 29 October 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

BUTCHERS, RETAIL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1300 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete clause 8, Wages, of the award published 11 August 2000 (317 I.G. 808), and insert in lieu the following:

8. Wages

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.
 - (c) By consent of all parties to an award, where the minimum rates adjustments has been completed, award rates may be expressed as hourly rates as well as weekly rates. In the absence of consent, a claim that award rates be so expressed may be determined by arbitration.
 - (d) The State Wage Case adjustment will only be available where the rates in the award have not been increased, other than by safety net or State Wage Case adjustments, or as a result of the application of the Minimum Rates Adjustment principle, since May 1991.
 - (e) Increases arising from the State Wage Case 1991 and from previous State Wage Cases may be phased-in upon application and where circumstances justify it.
 - (f) In the absence of consent in respect in an application will be determined by the Commission.
2. Delete Part B Monetary Rates, and inset in lieu thereof the following:

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

Level	Classification	SWC 2009 Amount per week \$
	Effective from the first full to commence on or after 3rd February 2010	
	Division A- Retail Butcher Shops	
7	General butcher in charge	687.20
6	General butcher (incl employee slaughtering)	660.90
6	Small goods maker Butcher's shop	660.90

5	Boner	618.30
4	Salesperson	606.20
4	Scalder and/or cooker	606.20
3	Salter and/or Pickle - pumper (Arterial or Stab)	590.40
2	Order person	582.50
2	All others	582.50
1	New employee on 3 months probation	560.65
Division B - Drivers		
Driver of motor vehicles		
4	(a) not exceeding 1,270 kg capacity	606.20
4	(b) exceeding 1,270 kg but not exceeding 3 tonnes capacity	606.20
4	(c) exceeding 3 tonnes capacity but under 5 tonnes	606.20
	(d) for each complete tonne over 5 tonnes (p.w)	1.96
	(e) not being a tractor drawing trailer (pd extra)	1.42
4	(f) Refrigerated van	606.20
Division C - Boning and/or Pre-packing Area, Room or Factory		
6	General butcher	660.90
5	Boner	618.30
4	Slicer	606.20
2	Labourer assistant with boning and slicing activities	582.50
4	Sawyer	606.20
3	Trimmer	590.40
3	Employee using knives for cleaning or preparing meat immediately prior to packing	590.40
2	Chiller - room hand	582.50
2	Strapping or wiring machine operator or vacuum machine operator	582.50
2	Employee wrapping, weighing, pricing, packaging or packing uncooked meat	582.50
2	Employee operating wizard knives	582.50
2	All others	582.50
Division D - Clerks and Cashiers		
3	Clerk and/or Cashier	590.40
Division E - Apprentices		
The wage rate for apprentices on probation shall be as follows:		
Year of Apprenticeship		
	1st year - 50% of Level 6	330.45
	2nd year - 65% of level 6	429.60
	3rd year - 85% of Level 6	561.75
	4th year - 95% of Level 6	627.85
And thereafter not less than the minimum rates for tradespersons in the section of trade to which the apprentice was indentured.		

Table 2 - Other Rates and Allowances

Item	Description	Amount \$
1	Meal Money	10.60
2	Leading Hand allowance	
	(a) 3 - 10 employees	10.49
	(b) 10 or more employees	15.63
Division C Employees		
3	Temperature range	
	(a) Below 0° c but not below - 16° c	0.43
	(b) Below -16°c but not below - 20.5°c	1.07
	(c) Below - 20.5°c	1.45
(Note: these rates are not cumulative)		

	All Other Employees	
4	Temperature Range: (a) Below 0°c but not below -16°c (b) Below - 16°c but not below - 20.5°c (c) Below - 20.5°c (Note: these rates are not cumulative)	0.43 1.07 1.45
5	Protective Clothing Allowance	4.23

3. This variation shall come into effect from the first full pay period on or after 3 February 2010.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

BUTTER AND CHEESE AND OTHER DAIRY PRODUCTS (NEWCASTLE AND NORTHERN) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1291 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete Clause 10, Arbitrated Safety Net Adjustment, of the award published 26 October 2001, (328 I.G. 1087) and insert in lieu thereof the following:

10. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Item No	Description	Amount per week \$
1	Production Assistant 1	598.20
2	Production Assistant 2	607.80
3	Plant Operator 1	611.50
4	Plant Operator 2	620.30
5	Plant Operator 3	633.40
6	Foreperson	645.00
7	Employee Grading and Taking Delivery of Milk	652.90

Table 2 - Other Rates

Item No	Clause No	Description	Amount \$
1	5.5	Meal Allowance	8.04
2	8.1	Driver of scammel, articulated or vehicle with trailer attached - Where the semi-trailer has single axle	28.28
3		Where the semi-trailer has more than one axle	34.42
4	8.2	Leading Hand Allowance - In Charge of 2 - 10 employees	15.73

5		In Charge of more than 10 employees	18.95
6	8.3	Clearing or Cleaning of Box Allowance - Each wet clean	0.62
7		Each dry clean	0.33
8	8.4	Operating more than two condenser/evaporating pans/ovens	3.65
9	8.5	Washing condenser pans/vacuum holding vats or evaporators - Each flying clean	0.14
10		Each full clean	0.57
11	8.6	Operating a pedestrian stacker in cold temperatures	10.17
12	8.7	Operating a pedestrian stacker	7.51
13	8.8	Operating a pedestrian forklift	5.54
14	8.9	First-Aid Allowance	11.78
15	8.10.2	Laundry Allowance	6.05
16	8.11.1	Junior employees operating the majonnier test	6.18
17	8.11.2	Junior employees working in a laboratory (other than cleaner/ bottle washer)	3.70
18	9.1.1	Early Morning Shift	10.49
19	9.1.2	Afternoon Shift	13.70
20	9.1.3	Night Shift	17.29
21	9.1.4	Fixed afternoon or night shift - Extra per shift	1.52
22	11.1.1	Working in Cold Temperature Allowance - Below 2 degrees	0.19
23	11.1.2	Below - 1 degree	0.34
24	11.2.3	Below - 16 degrees	0.47
25	11.2.4	Below - 20 degrees	0.88
26	11.2.5	Below - 30 degrees	1.16

3. This variation shall come into effect from the first full pay period on or after 17 March 2010.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

BUTTER, CHEESE AND OTHER DAIRY PRODUCTS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1290 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete clause 10, Arbitrated Safety Net Adjustment, of the award published 26 October 2001 (328 I.G. 1114), and insert in lieu thereof the following:

10. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Item No.	Description	Amount Per week State Wage Case 2009 \$
1	Production Assistant 1	598.20
2	Production Assistant 2	607.80
3	Plant Operator 1	611.50
4	Plant Operator 2	620.30
5	Plant Operator 3	633.40
6	Fore person	645.00
7	Employee grading and taking delivery of milk	652.90

Table 2 - Other Rates

Item No	Clause No	Description	Amount State Wage Case 2009 \$
1	5.5	Meal Allowance	7.47
2	8.1	Driver of scammell, articulated or vehicle with trailer attached	
		Where the semi-trailer has single axle	28.81

3		Where the semi trailer has more than one axle	35.01
4	8.2	Leading hand allowance	
		In charge of 2 -10 employees	15.96
5		In charge of more than 10 employees	19.28
6	8.3	Clearing or cleaning of box allowance	
		Each wet clean	0.63
7		Each dry clean	0.33
8	8.4	Operating more than 2 condenser/evaporating pans/ ovens	3.71
9	8.5	Washing condenser pans/vacuum holding vats or evaporators	
		Each flying clean	0.12
10		Each full clean	0.58
11	8.6	Operating a pedestrian stacker in cold temperatures	10.33
12	8.7	Operating a pedestrian stacker	7.64
13	8.8	Operating a pedestrian forklift	5.61
14	8.9	First-Aid allowance	12.01
15	8.10.2	Laundry allowance	5.78
16	9.1.1	Early morning shift	10.23
17	9.1.2	Afternoon shift	13.38
18	9.1.3	Night shift	16.86
19	9.1.4	Fixed afternoon or night shift - extra per shift	1.87
		Working in cold temperature allowance	
20	11.1.9	Below - 2 degrees	0.19
21	11.1.2	Below - 1 degrees	0.34
22	11.2.3	Below - 16 degrees	0.48
23	11.2.4	Below - 20 degrees	0.89
24	11.2.5	Below - 30 degrees	1.17

3. This variation shall take effect from the first full pay on or after 1 March 2010.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

CANTEEN, &c., WORKERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1404 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete paragraph 7.1.2 of subclause 7.1 of clause 7, Wages, of the award published 17 March 2000 (314 I.G. 155), and insert in lieu the following:

7.1.2 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Wage Rates**

GRADE	Weekly Rates of Pay \$
1	568.10
2	586.20
3	613.60
4	633.60
5	670.40
6	715.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9	Tool Allowance	0.76 per week
2	11	Meal Allowance	12.29 per week
3	13	First Aid Allowance	12.89 per week
4	19	Laundry Allowance: - special clothing requiring ironing - special clothing not requiring ironing	3.56 per day to a maximum of 10.68 per week 2.00 per day to a maximum of 6.03 per week

3. This variation shall commence from the first full pay period on or after 18 September 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

CATERERS EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1403 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete Part B, Monetary Rates, of the award published 13 July 2001 (326 I.G. 78), and insert in lieu thereof the following:

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

Grade	Per week \$
1	568.10
2	586.20
3	613.60
4	633.60
5	670.40
6	713.70
7	736.60

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7.1	Meal Allowance	12.29
2	13.2	Apprentices Tool Allowance	0.76 per week
3	23.1	Laundry Allowance:- - special clothing requiring ironing - special clothing not requiring ironing	3.56 per day to a maximum of 10.68 per week 2.00 per day to a maximum of 6.19 per week
4	8.5	Fares reimbursement	12.30

2. This variation shall commence from the first full pay period on and from 18 September 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

CHARITABLE INSTITUTIONS (PROFESSIONAL PARAMEDICAL STAFF) (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1485 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause 3.10 of clause 3, Salaries, of the published 31 August 2001, (327 I.G. 399), and insert in lieu thereof the following:
 - 3.10 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 adjustment.

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

PART B

MONETARY RATES

Table 1 - Salaries

Classification	Current Rate per week \$	SWC 2009 Adjustment per week %	Wage Rate as from 8.10.2009 per week \$
Scientific Officer			
1 st year of service	711.60	2.8	731.50
2 nd year of service	730.50	2.8	751.00
3 rd year of service	762.60	2.8	784.00
4 th year of service	800.90	2.8	823.30
5 th year of service	841.80	2.8	865.40
6 th year of service	880.20	2.8	904.80
7 th year of service	910.70	2.8	936.20
8 th year of service & thereafter	933.70	2.8	959.80
Senior Scientific Officer			
1 st year of service	988.90	2.8	1,016.60
2 nd year of service	1,015.40	2.8	1,043.80
3 rd year of service	1,038.00	2.8	1,067.10
4 th year of service	1,060.80	2.8	1,090.50
5 th year of service	1,084.40	2.8	1,114.80
6 th year of service	1,114.30	2.8	1,145.50
7 th year of service	1,141.90	2.8	1,173.90
8 th year of service & thereafter	1,165.90	2.8	1,198.50

Senior Scientific Officer in Charge In charge of a section of a laboratory			
1 st year	988.90	2.8	1,016.60
2nd year	1,015.40	2.8	1,043.80
3 rd year & thereafter	1,038.00	2.8	1,067.10
In charge of a laboratory of an agency having an ADA of			
Less than 200 ADA			
1 st year	1,060.80	2.8	1,090.50
2nd year	1,084.40	2.8	1,114.80
3 rd year & thereafter	1,114.30	2.8	1,145.50
More than 200 ADA			
1st year	1,114.30	2.8	1,145.50
2nd year	1,142.00	2.8	1,174.00
3rd year & thereafter	1,165.90	2.8	1,198.50
Principal Scientific Officer			
1st year of service	1,197.60	2.8	1,231.10
2nd year of service	1,222.50	2.8	1,256.70
3rd year of service	1,249.80	2.8	1,284.80
4th year of service	1,274.80	2.8	1,310.50
5th year of service	1,300.60	2.8	1,337.00
6th year of service	1,326.50	2.8	1,363.60
7th year of service	1,352.30	2.8	1,390.20
8th year of service	1,378.50	2.8	1,417.10
9th year of service	1,404.10	2.8	1,443.40
10th year of service & thereafter	1,430.80	2.8	1,470.90
Trainee Scientific Officer			
1st year of service	479.30	2.8	492.70
2nd year of service	524.20	2.8	538.90
3rd year of service	545.70	2.8	561.00
4th year of service	595.40	2.8	612.10
5th year of service	647.30	2.8	665.40
6th year of service	689.40	2.8	708.70
Medical Records Administrator			
Grade 1	702.40	2.8	722.10
Grade 2	713.00	2.8	733.00
Grade 3	723.40	2.8	743.70
Grade 4	733.40	2.8	753.90
Grade 5	747.00	2.8	767.90
Grade 6	758.60	2.8	779.80
Grade 7	771.60	2.8	793.20
Grade 8	802.70	2.8	825.20
Nurse Counsellor			
1st year of service	702.20	2.8	721.90
2nd year of service	726.10	2.8	746.40
3rd year of service	758.60	2.8	779.80
4th year of service	787.90	2.8	810.00
5th year of service	822.20	2.8	845.20
6th year of service	850.40	2.8	874.20
7th year of service	874.70	2.8	899.20
8th year of service	895.80	2.8	920.90
9th year of service	929.40	2.8	955.40
Dental Officer			
On appointment			
Less than 2 years service	803.90	2.8	826.40
with 2 and less than 4 years service	855.00	2.8	878.90
with 4 and less than 5 years service	901.80	2.8	927.10
with 5 or more years' service	955.90	2.8	982.70

on completion of 12 months on maximum of scale-			
1st year	1,010.50	2.8	1,038.80
2nd year	1,062.00	2.8	1,091.70
Senior Dentist			
1st year	1,092.70	2.8	1,123.30
2nd year	1,122.40	2.8	1,153.80
Dental Chairside Assistant			
1st year of service	421.80	2.8	433.60
2nd year of service	453.00	2.8	465.70
3rd year of service	482.40	2.8	495.90
4th year of service	516.70	2.8	531.20
5th year of service	543.80	2.8	559.00
6th year of service	577.90	2.8	594.10
7th year of service	592.00	2.8	608.60
8th year of service	600.30	2.8	617.10
9th year of service	607.90	2.8	624.90
Dietitians			
General Scale			
1st year of service	730.50	2.8	751.00
2nd year of service	762.60	2.8	784.00
3rd year of service	800.90	2.8	823.30
4th year of service	841.80	2.8	865.40
5th year of service	880.20	2.8	904.80
6th year of service	910.70	2.8	936.20
7th year of service	933.70	2.8	959.80
Grade 1			
1st year	988.90	2.8	1,016.60
2nd year	1,015.40	2.8	1,043.80
Therapists (other than Speech Pathologists) Salaries			
1st year of service	711.60	2.8	731.50
2nd year of service	730.50	2.8	751.00
3rd year of service	762.60	2.8	784.00
4th year of service	800.90	2.8	823.30
5th year of service	841.80	2.8	865.40
6th year of service	880.20	2.8	904.80
7th year of service	910.70	2.8	936.20
8th year of service & thereafter	933.70	2.8	959.80
Speech Pathologists			
1st year of service	711.60	2.8	731.50
2nd year of service	730.50	2.8	751.00
3rd year of service	762.60	2.8	784.00
4th year of service	800.90	2.8	823.30
5th year of service	841.80	2.8	865.40
6th year of service	880.20	2.8	904.80
7th year of service	910.70	2.8	936.20
8th year of service & thereafter	933.70	2.8	959.80
Audiologists			
1st year of service	696.30	2.8	715.80
2nd year of service	720.10	2.8	740.30
3rd year of service	752.80	2.8	773.90
4th year of service	784.30	2.8	806.30
5th year of service	817.90	2.8	840.80
6th year of service	849.20	2.8	873.00
7th year of service	874.40	2.8	898.90
8th year of service	898.90	2.8	924.10
9th year of service	929.00	2.8	955.00

Psychologists			
1st year of service	697.00	2.8	716.50
2nd year of service	720.50	2.8	740.70
3rd year of service	752.30	2.8	773.40
4th year of service	783.10	2.8	805.00
5th year of service	817.00	2.8	839.90
6th year of service	848.60	2.8	872.40
7th year of service	873.40	2.8	897.90
8th year of service	928.20	2.8	954.20
Clinical Psychologists			
1st year of service	898.00	2.8	923.10
2nd year of service	941.80	2.8	968.20
3rd year of service	982.40	2.8	1,009.90
4th year of service	1,026.60	2.8	1,055.30
5th year of service	1,067.40	2.8	1,097.30

Table 2 - Allowances

Item No.	Clause No.	Allowance	Amount from 8.10.2009 \$
1	3.1 (d)	Qualification Allowance	39.70 p/wk
2	3.8 (c)	Audiologist's Allowance	49.10 p/wk
3	3.7 (c)	In Charge Allowance In charge of 1 to 5 other therapists of the same discipline In charge of 6 to 9 other therapists of the same discipline In charge of 10 to 19 other therapists of the same discipline In charge of 20 or more other therapists of the same discipline	113.20 p/wk 151.90 p/wk 184.10 p/wk 217.10 p/wk
4	3.7 (c)	Senior Assistant's Allowance	22.40 p/wk
5	3.7 (c)	Location Responsibility Allowance Responsible for 4 to 5 other therapists of the same discipline Responsible for 6 to 9 other therapists of the same discipline Responsible for 10 or more therapists of the same discipline	45.20 p/wk 66.70 p/wk 83.20 p/wk
6	3.7 (c)	Sole Therapist's Allowance	33.00 p/wk
7	7.2	Scientific Officers - On-Call Allowance	11.90 p/on-call
8	7.3	Therapists - On-Call Allowance	7.90 p/on-call 39.40 p/wk
9	7.4	Medical Records Administrators-On-Call Allowance	7.90 p/on-call 39.40 p/wk
10	10.2 (a)	Breakfast Allowance	6.00 p/shift
11	10.2 (b)	Evening Meal Allowance	10.00 p/shift
12	10.2 (c)	Luncheon Allowance	8.00 p/shift
13	21.2	Travelling Allowance	0.526 p/kilometre
14	22.3	Uniform Allowance	1.66 p/wk
15	22.4	Laundry Allowance	0.94 p/wk

3. This variation shall take effect from the first pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

CHARITABLE INSTITUTIONS (PROFESSIONAL STAFF SOCIAL WORKERS) (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1486 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause 3.2 of clause 3, Salaries, of the award published 26 November 1999 (312 I.G. 341) and insert in lieu thereof the following:
 - 3.2 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 adjustment.

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

Table 1 - Salaries

Classification	Current Rate per week \$	SWC 2009 Adjustment per week %	Wage Rate as from 8/10/09 per week \$
1st year of scale	702.00	2.8	721.70
2nd year of scale	725.70	2.8	746.00
3rd year of scale	758.30	2.8	779.50
4th year of scale	787.60	2.8	809.70
5th year of scale	822.10	2.8	845.10
6th year of scale	849.80	2.8	873.60
7th year of scale	874.00	2.8	898.50
8th year of scale	897.40	2.8	922.50
9th year of scale & thereafter	928.90	2.8	954.90
Grade 1	970.60	2.8	997.80
Senior	1,027.00	2.8	1,055.80

3. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

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CHARITABLE SECTOR AGED AND DISABILITY CARE SERVICES (STATE) AWARD 2003

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1487 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Insert after subclause (iii) of clause 5, Wages of the award published 7 May 2004 (344 I.G. 331), the following new subclause (iv)
- (iv) This award has been varied by consent, to reflect adjustments in the rates of pay. The adjustments may be offset against any equivalent overaward payments. The adjustments are in lieu of any adjustments available under the State Wage Case 2009.
2. Delete Tables 1 and 2 of Part B, and insert in lieu thereof the following:

PART B

Table 1 - Monetary Rates

Classifications	Current Rate per week \$	Award Variation Adjustment per week %	Wage Rate as from 17.10.09 per week \$
Care Service Employees			
New Entrant Grade 1 Junior	529.30	2.8	544.10
Grade 1	617.80	2.8	635.10
Grade 2	656.60	2.8	675.00
Grade 3	695.90	2.8	715.40
Grade 4			
- Level 1	732.10	2.8	752.60
- Level 2	794.60	2.8	816.80
Grade 5 from	847.60	2.8	871.30
to	1,252.30	2.8	1,287.40
Note: Employees classified and paid as Recreational Activities Officers as at 10 November 1998 be reclassified in accordance with the new definitions of Care Service Employee. Employees reclassified at Grade 2 by virtue of the above exercise shall be paid at Grade 3 from the effective date of this award, and continue to be so paid whilst employed in the provision of recreational activities by their current employer. These employees may be required to perform the duties of a Level 3 Care Services Employee where they have the skill and competence to do so.			
Note: Salary Band-Grade 5 - Employers and employees may negotiate a rate within the salary band as shown. For the purposes of this award, the rate so negotiated shall be deemed to be the employee's award rate of pay. Salaries in excess of the salary band may also be negotiated between the parties.			
Maintenance Supervisors -			
Maintenance Supervisor (Otherwise)	726.90	2.8	747.30
Maintenance Supervisor (Otherwise)			
- in charge of staff	742.70	2.8	763.50
Maintenance Supervisor (Tradesperson)	788.30	2.8	810.40

Catering Officer			
Trainee Catering Officer -			
1st year	643.10	2.8	661.10
2nd year	654.80	2.8	673.10
3rd year	668.10	2.8	686.80
Assistant Catering Officer -			
80-120 beds	674.50	2.8	693.40
120-300 beds	718.50	2.8	738.60
300-500 beds	770.80	2.8	792.40
500-1000 beds	791.50	2.8	813.70
Catering Officer -			
80-120 beds	750.30	2.8	771.30
120-200 beds	770.80	2.8	792.40
200-300 beds	791.50	2.8	813.70
300-500 beds	831.00	2.8	854.30
500-1000 beds	897.00	2.8	922.10
Diversional Therapist			
1st year of experience	671.00	2.8	689.80
2nd year of experience	704.40	2.8	724.10
3rd year of experience	737.40	2.8	758.00
4th year of experience	770.30	2.8	791.90
5th year of experience and thereafter	801.90	2.8	824.40
Apprentices			
Apprentice Cook -			
1st year	417.60	60% of CSE 3	429.20
2nd year	574.10	82.5% of CSE 3	590.20
3rd year	643.70	92.5% of CSE 3	661.70
Apprentice Gardener -			
1st year	358.40	50% of CSE 3	357.70
2nd year	417.60	60% of CSE 3	429.20
3rd year	556.70	80% of CSE 3	572.30
4th year	626.30	90% of CSE 3	643.90
Homecare Employees			
Homecare Employee -			
Grade 1	621.50	2.8	638.90
Grade 2	651.90	2.8	670.20
Grade 3	697.00	2.8	716.50
Live-in Housekeeper -			
Grade 1	808.00	130% of Home Care-Grade 1	830.60
Grade 2	912.70	140% of Home Care-Grade 2	938.30
Grade 3	1057.70	refer formula	1087.30
Clerical & Administrative Employees			
Juniors -			
At 16 years of age and under	337.90	2.8	347.40
At 17 years of age	383.10	2.8	393.80
At 18 years of age	439.30	2.8	451.60
At 19 years of age	494.90	2.8	508.80
At 20 years of age	545.70	2.8	561.00
Adults -			
Grade 1	666.80	2.8	685.50
Grade 2	706.50	2.8	726.30
Grade 3	747.90	2.8	768.80
Grade 4	781.00	2.8	802.90
Grade 5	816.30	2.8	839.20

Note 1: Any employee paid on a classification/grade carrying a higher wage rate as at 10 November, 1998 shall have the difference between the higher rate and the new agreed grade/rate preserved whilst remaining to undertake the duties associated with the classification held prior to the date referred to above.

Note 2: Clerks who are paid at a grade above that of Grade 5 as at 10 November, 1998 shall have the difference between that grade and the new agreed grade preserved whilst employed in a clerical position with their current employer.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description		Amount from 17.10.09 \$
1	7(xi)(c)	Broken Shift	Per shift	8.11
2	9(iii)(a)	Overtime - Breakfast	Per meal	11.02
3	9(iii)(b)	Overtime - Luncheon	Per meal	14.25
4	9(iii)(c)	Overtime - Evening Meal	Per meal	20.80
5	10(iii)(b)	Overtime - recall use of own vehicle	Per klm	0.30
6	10(iii)(c)	On Call Allowance	Per day (24 hrs)	13.20
7	14(i)	Climatic & Isolation Allowance	Per week	5.26
8	14(ii)	Climatic & Isolation Allowance	Per week	9.93
9	17(i)(a)	Cleaning/Scraping Work - confined space	Per hour	0.50
10	17(i)(b)	Cleaning/Scraping Work - boiler/flue	Per hour	0.80
11	17(iii)	Linen Handling - nauseous nature	Per hour	0.24
12	17(v)	Use of own vehicle per kilometre	Per week	0.58
13	17(ix)	Laundry and Dry Cleaning Certificate Allowance	Per week	8.74
14	28(ii)	Leading Hand Allowance - in charge 2-5 employees	Per week	21.50
15	28(ii)	Leading Hand Allowance - in charge 6-10 employees	Per week	30.73
16	28(ii)	Leading Hand Allowance - in charge 11-15 employees	Per week	38.81
17	28(ii)	Leading Hand Allowance - in charge 16-19 employees	Per week	47.41
18	30(i)(c)	Uniform Allowance	Per week	5.64
19	30(i)(d)	Special Type Shoes Allowance	Per week	1.75
20	30(i)(e)	Cardigan or Jumper Allowance	Per week	1.68
21	30(i)(f)	Laundry Allowance - Uniform	Per week	4.69
22	31(ii)(d)	Sleepover Allowance	Per shift	40.00
23	41(vi)	Apprentice - TAFE Examination Allowance	Per week	1.87

3. This variation shall take effect from the first full pay period to commence on or after 17 October 2009.

D. S. McKENNA, Commissioner

CHARITABLE, AGED AND DISABILITY CARE SERVICES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1484 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

- Delete Table 1 and Table 2 of Part B, Monetary Rates, of the award published 21 June 2002 (334 I.G. 601), and insert in lieu thereof the following:

PART B

Table 1 - Monetary Rates

Classifications	Current Rate per week \$	Award variation per week %	Wage Rate as from 8.10.09 per week \$
Care Service Employees:			
New Entrant Grade 1 Junior	529.30	2.8	544.10
Grade 1	617.80	2.8	635.10
Grade 2	656.60	2.8	675.00
Grade 3	695.90	2.8	715.40
Grade 4			
- Level 1	732.10	2.8	752.60
- Level 2	794.60	2.8	816.80
Grade 5 from	847.60	2.8	871.30
to	1,252.30	2.8	1,287.40
<p>Note: Employees classified and paid as Recreational Activities Officers as at 10 November 1998 be reclassified in accordance with the new definitions of Care Service Employee. Employees reclassified at Grade 2 by virtue of the above exercise shall be paid at Grade 3 from the effective date of this award, and continue to be so paid whilst employed in the provision of recreational activities by their current employer. These employees may be required to perform the duties of a Level 3 Care Services Employee where they have the skill and competence to do so.</p>			
<p>Note: Salary Band - Grade 5 - Employers and employees may negotiate a rate within the salary band as shown. For the purposes of this award, the rate so negotiated shall be deemed to be the employee's award rate of pay. Salaries in excess of the salary band may also be negotiated between the parties.</p>			
Maintenance Supervisors -			
Maintenance Supervisor (Otherwise)	726.90	2.8	747.30
Maintenance Supervisor (Otherwise) - in charge of staff	742.70	2.8	763.50
Maintenance Supervisor (Tradesperson)	788.30	2.8	810.40
Catering Officer:			
Trainee Catering Officer -			
1st year	643.10	2.8	661.10
2nd year	654.80	2.8	673.10
3rd year	668.10	2.8	686.80

Assistant Catering Officer -			
80-120 beds	674.50	2.8	693.40
120-300 beds	718.50	2.8	738.60
300-500 beds	770.80	2.8	792.40
500-1000 beds	791.50	2.8	813.70
Catering Officer -			
80-120 beds	750.30	2.8	771.30
120-200 beds	770.80	2.8	792.40
200-300 beds	791.50	2.8	813.70
300-500 beds	831.00	2.8	854.30
500-1000 beds	897.00	2.8	922.10
Diversional Therapist:			
1st year of experience	671.00	2.8	689.80
2nd year of experience	704.40	2.8	724.10
3rd year of experience	737.40	2.8	758.00
4th year of experience	770.30	2.8	791.90
5th year of experience and thereafter	801.90	2.8	824.40
Apprentices:			
Apprentice Cook -			
1st year	417.60	60% of CSE 3	429.20
2nd year	574.10	82.5% of CSE 3	590.20
3rd year	643.70	92.5% of CSE 3	661.70
Apprentice Gardener			
1st year	358.40	50% of CSE 3	357.70
2nd year	417.60	60% of CSE 3	429.20
3rd year	556.70	80% of CSE 3	572.30
4th year	626.30	90% of CSE 3	643.90
Homecare Employees:			
Homecare Employee -			
Grade 1	621.50	2.8	638.90
Grade 2	651.90	2.8	670.20
Grade 3	697.00	2.8	716.50
Live-in Housekeeper -			
Grade 1	808.00	130% of Home Care Grade 1	830.60
Grade 2	912.70	140% of Home Care Grade 2	938.30
Grade 3	1057.70	Refer Formula	1087.30
Clerical & Administrative Employees:			
Juniors -			
At 16 years of age and under	337.90	2.8	347.40
At 17 years of age	383.10	2.8	393.80
At 18 years of age	439.30	2.8	451.60
At 19 years of age	494.90	2.8	508.80
At 20 years of age	545.70	2.8	561.00
Adults			
Grade 1	666.80	2.8	685.50
Grade 2	706.50	2.8	726.30
Grade 3	747.90	2.8	768.80
Grade 4	781.00	2.8	802.90
Grade 5	816.30	2.8	839.20

Note 1:

Any employee paid on a classification/grade carrying a higher wage rate as at 10 November 1998 shall have the difference between the higher rate and the new agreed grade/rate preserved whilst remaining to undertake the duties associated with the classification held prior to the date referred to above.

Note 2:

Clerks who are paid at a grade above that of Grade 5 as at 10 November 1998 shall have the difference between that grade, inclusive of the 1998 State Wage Case Increase, and the new agreed grade preserved whilst employed in a clerical position with their current employer.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description		Amount from 8.10.09 \$
1	7(xi)(c)	Broken Shift	per shift	8.11
2	9(iii)(a)	Overtime - Breakfast	per meal	11.02
3	9(iii)(b)	Overtime - Luncheon	per meal	14.25
4	9(iii)(c)	Overtime - Evening Meal	per meal	20.80
5	10(ii)(b)	Overtime - recall use of own vehicle	per klm	0.30
6	10(iii)(c)	On Call Allowance	p.d. (24 hrs)	13.20
7	14(i)	Climatic and Isolation Allowance	per week	5.26
8	14(ii)	Climatic and Isolation Allowance	per week	9.93
9	17(i)(a)	Cleaning/Scraping Work - confined space	per hour	0.50
10	17(i)(b)	Cleaning/Scraping Work - boiler/flue	per hour	0.80
11	17(iii)	Linen Handling - nauseous nature	per hour	0.24
12	17(v)	Use of Own Vehicle	per klm	0.58
13	17(ix)	Laundry and Dry Cleaning Certificate Allowance	per week	8.74
14	28(ii)	Leading Hand Allowance - in charge 2-5 employees	per week	21.50
15	28(ii)	Leading Hand Allowance - in charge 6-10 employees	per week	30.73
16	28(ii)	Leading Hand Allowance - in charge 11-15 employees	per week	38.81
17	28(ii)	Leading Hand Allowance - in charge 16-19 employees	per week	47.41
18	30(i)(c)	Uniform Allowance	per week	5.64
19	30(i)(d)	Special Type Shoes Allowance	per week	1.75
20	30(i)(e)	Cardigan or Jumper Allowance	per week	1.68
21	30(i)(f)	Laundry Allowance - Uniform	per week	4.69
22	31(ii)(d)	Sleepover Allowance	per shift	40.00
23	41(vi)	Apprentice - TAFE Examination Allowance	per week	1.87

2. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

CLUB EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1405 of 2009)

Before Commissioner Macdonald

23 September 2009

VARIATION

1. Delete Table 1 - Rates of Pay and Table 2 - Other Rates and Allowances of Part J Monetary Rates, of the award published 26 November 2004 (347 I.G. 431), and insert in lieu thereof the following:

Table 1 - Rates of Pay

- (i) On and from 18 September 2009:

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

Classification	Minimum Rate \$	Supplementary Amount \$	Non-Adjustable Amount \$	Total Weekly Wage \$
Introductory Level	490.20	93.00	-	583.20
Level 1	521.20	89.10	16.70	627.00
Level 2 - All Others	536.20	92.00	-	628.20
Bar/Change Steward	538.30	92.00	7.10	637.40
Door Steward	538.00	92.00	5.90	635.90
Cold Larder Cook	537.40	92.00	3.80	633.20
Short Order Cook	539.20	92.00	9.20	640.40
Cellar/Stores Person	539.20	92.00	11.30	643.20
Clerical Staff	547.80	92.00	37.60	677.40
Level 3 - All Others	563.90	96.00	-	659.90
Receptionist	564.40	96.00	2.50	662.90
Clerical Staff	568.10	96.00	13.60	677.70
Level 4	589.50	99.40	-	688.90
Level 5	628.00	105.10	-	733.10
Level 6	653.40	108.90	-	762.30
Level 7	679.30	112.40	-	791.70

- (ii) Fitness Instructor - \$39.45 per hour

Table 2 - Other Rates and Allowances

(i) On and from 18 September 2009.

Item No.	Part No.	Clause No.	Brief Description	Amount \$	
1	B	9.5.2, 9.11.2, 9.17.1	Shift Penalty	2.18	per hour
2	B	9.5.2, 9.11.2, 9.17.1	MINIMUM payment	7.45	per day
3	B	9.5.3, 9.11.3	Broken Shift penalty	10.82	per day
4	B	9.5.4, 9.11.3	Night Shift penalty	14.38	per day
5	B	12.1.5 (a)	Apprentices prof. allowance 1st Occasion	3.48	per week
6	B	12.1.5 (b)	2nd Occasion	5.79	per week
7	B	12.1.5 (c)	3rd Occasion	8.06	per week
8	C	21.1.1 (i)	First Aid Allowance	19.20	per week
9	B	9.15.4, 14.1.5, 14.1.6	Meal Allowance	10.23	per occasion
10	C	22.1.1 (i)	Clothing - Permanent employees	18.03	per week
11	C	22.1.1 (ii)	- Apprentices	7.56	per week
12	C	22.1.1 (iii)	- Casuals	2.63	per day
13	C	22.1.4	Shoe Allowance Only: Clothing - Permanent employees	4.15	per week
14	C	22.1.4	- Apprentices	2.01	per week
15	C	22.1.4	- Casuals	0.65	per day
16	C	22.1.9 (i)	Laundry Allowance: Permanent Employees	9.04	per week
17	C	22.1.9 (ii)	Apprentices	4.08	per week
18	C	22.1.9 (iii)	Cummerbund	1.12	per week
19	C	22.1.9 (iv)	Casuals	2.65	per day
20	C	22.1.9 (v)	Cooks	12.87	per week
21	C	22.1.9 (vi)	Apprentice Cooks	5.43	per week
22	C	22.1.9 (vii)	Casual Cooks	3.44	per day
23	C	20.1.1 (i)	Meal provided - deduct	10.23	per week
24	C	20.1.1 (ii)	Board & Lodgings - deduct	97.79	per week
25	C	20.1.1 (iii)	Lodgings only - deduct	46.69	per week
26	C	23.1.1	Tool Allowance	10.39	per week
27	C	23.1.2	Apprentice Tool Allowance	6.30	per week

2. This variation shall take effect on and from the first full pay period or after 18 September 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

COLD STORAGE AND ICE EMPLOYEES (NORTHUMBERLAND) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1299 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause (ii) of Clause 6, Wages, of the award published 20 July 2001 (326 I.G. 216) and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - WAGES

Adult Classification	SWC 2009 Eff. 1 Dec. 09 Amount per week \$
Level 1	641.90
Level 2	628.50
Level 3	588.50
Level 4	584.50
Level 5	568.20

Table 2 - Other Rates

Item No.	Clause No.	Description	SWC 2009 Eff. 1 Dec. 09 Amount per week \$
1	4(iii)(a)	Shift Allowances- (a) Day and/ or afternoon and/or night rotating or alternating shifts - per shift	4.35

2	4(iii)(b)	(b) Regular afternoon shift which does not rotate to provide the shift worker at least one third of the employee's ordinary time on day shift - per shift	6.36
3	5 (iii)	Meal Allowance	6.09
4	6 (i)(b)	Pedestrian stacker allowance - per week	9.00
5	8(ii)	Cold temperature Allowance - Below 2 degrees Celsius - per hour	0.12
6	8(iii)	Cold temperature Allowance - Below minus 10 degrees Celsius Per hour or part thereof	0.27
7	8(v)	Cold temperature Allowance - Below 16 degrees Celsius - per hour or part thereof	0.37
8	8(vi)(c)	Cold temperature allowance - Below 20 degrees Celsius - per hour or part thereof	0.71
9	9	First aid Allowance - per week	5.28

3. This variation shall come into effect from the first full pay period on or after 1 December, 2009.

A. MACDONALD, Commissioner

Printed by the authority of the Industrial Registrar.

COLD STORAGE AND ICE EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1301 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause (iv) of clause 5, Rates of Pay, of the award published 1 June 2001 (325 I.G. 69), as varied, and insert in lieu thereof the following:

- (iv) Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments,
2. Delete Part B Monetary Rates, and insert in lieu thereof the following:

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

Classification	2009 State Wage Case Effective 1 Dec 2009 \$
Employee grade 1	602.60
Employee grade 2 (inside hand)	618.70
Employee grade 3 (forklift driver)	624.90
Employee grade 4	645.00
Employee grade 5	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Rate as at 1 Dec 2009 \$
1	7(iii)	Meal Allowance First Meal Subsequent meal	11.51 7.23
2	9 (i)	Temperature Allowances Minus 18 degrees Celsius Between minus 19 degrees and minus 25 degrees Celsius Below minus 25 degrees Celsius	1.28 p/hour 1.37 p/hour 1.91 p/hour

3	9(11)	Laundry Allowance Overalls Freezer Suit	4.87 p/week 12.10 p/week
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3. This variation shall come into effect from the first full pay period on or after 1 December 2009.

A. MACDONALD, 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 1564 of 2009)

Before Mr Deputy President Sams

8 October 2009

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 2009. 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 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
Level 1	569.30	15.90	585.20
Level 2	573.60	16.10	589.70
Level 3	586.10	16.40	602.50
Level 4	607.90	17.00	624.90
Level 5	642.90	18.00	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	8(viii)	Leading Hands in charge of - 2 employees 3-6 employees more than 6 employees	16.20 21.40 25.70	16.65 22.00 26.40
2	8(i)	Industry allowance (other than tile factories)	16.30 p/wk	16.80 p/wk
3	8(i)	Industry allowance for tile factories	10.70 p/wk	11.00 p/wk
4	8(ii)	Lumpers of cement/concrete articles	0.47 p/hr	0.48 p/hr
5	8(ii)	Preparing/Applying epoxy based materials	0.63 p/hr	0.65 p/hr
6	8(iii)	Sand blasting	0.63 p/hr	0.65 p/hr

7	8(iv)	Working in the rain	0.23 p/hr	0.24 p/hr
8	8(v)	Bituminous preparations	0.47 p/hr	0.48 p/hr
9	8(vi)	Slurry work	1.37 p/day	1.41 p/day
10	8(vii)	Wet money	1.57 p/day	1.61 p/day
11	12(d)	Meal allowance	11.85 p/meal	12.45 p/meal
12	24(b)	First-aid	2.38 p/day	2.45 p/day
13	27(iv)(a)	Country work (7days)	312.15 p/wk	312.15 p/wk
14	27(iv)(b)	Country work (broken week)	44.60 p/night	44.60 p/night
15	31(a)(ii)	Clothing	1.78 p/wk	1.83 p/wk
	31(b)(ii)	Boots	2.22 p/wk	2.28 p/wk
16	Appendix 1	Fork lift Allowance	5.50 p/wk	5.65 p/wk
17	35	Loss of clothing - maximum of	594.20	617.40

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 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 2009.

P. J. SAMS *D.P.*

Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES (INSTITUTE MANAGERS IN TAFE) SALARIES AND CONDITIONS AWARD 2009

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Teachers Federation, Industrial Organisation of Employees.

(No. IRC 2360 of 2008)

Before The Honourable Justice Walton, Acting President

26 June 2009

AWARD

PART A

1. Arrangement

PART A

Clause No.	Subject Matter
1.	Arrangement
2.	Dictionary
3.	Salary
4.	Hours of Work
5.	Training and Professional Development
6.	Right of Private Practice
7.	Appointment and Transfer
8.	Performance Management
9.	Appeal Rights
10.	Regression
11.	Dispute Resolution Procedures
12.	Discipline Process
13.	Anti-discrimination
14.	Deferred Salary Scheme
15.	Leave
16.	Filling of Positions
17.	Qualification Requirements
18.	Goods and Services Tax
19.	No Further Claims
20.	Locality/Remote Areas Allowance
21.	Industrial Rights
22.	Special Fitness and Hard to Fill
23.	Deduction of Union Membership Fees
24.	Secure Employment Test Case - OHS Obligations
25.	Area, Incidence and Duration

PART B

MONETARY RATES

- Schedule 1 - Salaries
- Schedule 2 - Performance Management for Institute
Managers
- Schedule 3 - Allowances

2. Dictionary

- 2.1 "Act" means the *Technical and Further Education Commission Act 1990*.
- 2.2 "Association" means the Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales.
- 2.3 "Department" means the NSW Department of Education and Training.
- 2.4 "Employee" means a person employed in a classification covered by this award.
- 2.5 "Employer" means the Crown in the right of the State of New South Wales (the Crown).
- 2.6 "Federation" means the New South Wales Teachers Federation.
- 2.7 "Institute Manager" means all persons permanently or temporarily employed as educational leaders and administrative managers in TAFE within the classification of institute manager as provided for in this Award. Institute managers have supervisory responsibility for administrative and/or educational programs and/or staff.
- 2.8 "Managing Director" means the Managing Director of TAFE.
- 2.9 "Unions" means the New South Wales Teachers Federation and the Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales having regard to their respective coverage.
- 2.10 "Semester" means the period commencing the first day where teachers return generally from the Christmas or the mid year vacation period, and ending on the last day of the next following mid year or Christmas vacation periods.
- 2.11 "TAFE" means the TAFE Commission established under the Act.
- 2.12 "Time off in lieu" means that period of approved time (hours or days) taken by an institute manager to make up for a period or periods of work beyond the standard working hours to undertake the performance of their duties.

3. Salary

- 3.1 Salaries for institute managers under this award are as provided for in Schedule 1, Salaries, of Part B.
- 3.2 Salary Packaging

For the purposes of this clause "salary" means the salary or rates of pay prescribed for the employee's classification by Schedule 1 of this award and any allowances paid to an employee which form part of the employee's salary for superannuation purposes.

- 3.2.1 An employee may, by agreement with the employer, enter into a salary packaging arrangement, including salary sacrifice to superannuation, where they may convert up to 100% of their salary to:
- (a) a motor vehicle (whether on a business/private split in accordance with subclause 3.3 or a novated lease under the Department's salary packaging scheme) and;
 - (b) the full range of benefits under the Department's salary packaging scheme, provided that no institute manager may package more than one motor vehicle at any given time whether on a business/private split in accordance with subclause 3.3 or a novated lease under the employer's salary packaging scheme.

- 3.2.2 Any pre-tax and post-tax payroll deductions must be taken into account prior to determining the amount of salary available to be packaged. Such payroll deductions may include but are not limited to, compulsory superannuation payments, HECS payments, child support payments, judgment debtor/garnishee orders, union fees, health fund premiums.
- 3.2.3 The terms and conditions of the salary packaging arrangement, including the duration as agreed between the employee and employer, will be provided in a separate written agreement, in accordance with the Department's salary packaging guidelines. Such agreement must be made prior to the period of service to which the earnings relate.
- 3.2.4 Salary packaging must be cost neutral for the employer. Employees must reimburse the employer in full for the amount of:
- 3.2.4.1 any fringe benefits tax liability arising from a salary packaging arrangement; and
- 3.2.4.2 any administrative fees.
- 3.2.5 Where the employee makes an election to salary package the following payments made by the employer in relation to an employee shall be calculated by reference to the annual salary which the employee would have been entitled to receive but for the salary packaging arrangement:
- 3.2.5.1 Superannuation Guarantee Contributions;
- 3.2.5.2 any salary-related payment including but not limited to allowances and workers compensation payments; and
- 3.2.5.3 payments made in relation to accrued leave paid on termination of the employee's employment or on the death of the employee.
- 3.3 The motor vehicle benefit provided for in sub-clause 3.2.1 provides the institute manager with access to the use of a motor vehicle on a business/private basis in accordance with TAFE policy.

4. Hours of Work

- 4.1 The parties agree that a flexible and adaptive approach in relation to working hours and working arrangements will be adopted which recognises the professionalism of institute managers and allows that:
- 4.1.1 standard working hours shall be 35 hours per week. The pattern of attendance shall be agreed between an individual manager and their line manager;
- 4.1.2 institute managers shall not be directed to work more than 35 hours in any one week;
- 4.1.3 where work has been negotiated with and approved by the line manager to be performed beyond standard working hours, institute managers are entitled to time off in lieu to compensate for additional hours worked. Time off in lieu arrangements are to be negotiated and approved by the line manager in advance and to be taken to meet the operational requirements of the institute and the personal needs of the institute manager;
- 4.1.4 in recognition of the professional nature of the work the parties agree that time off in lieu does not accrue in any one week until three additional hours have been worked, and then it accrues at the rate of one hour for every hour worked. Where a week includes a public holiday, time off in lieu is to be worked out pro-rata;
- 4.1.5 time off in lieu may be taken in single, multiple or part days within one semester of accrual. In extenuating circumstances, an institute manager may, with the approval of their line manager and taking into account the needs of the institute, accrue time off in lieu in excess of a semester;

- 4.1.6 line managers are responsible for recording and/or reporting of time off in lieu taken by institute managers. Institute managers shall have access to these records, which shall be made available on request.

5. Training and Professional Development

- 5.1 The parties confirm a commitment to training and development for institute managers. Institute managers recognise their obligation to maintain and update their professional skills for the benefit of TAFE students and staff.
- 5.2 The employer will continue to participate in initiatives to identify competencies for institute managers in consultation with relevant industry parties.
- 5.3 The employer is committed to providing access to and support for professional and management development training.
- 5.4 Where the employer requires professional development, the employer will meet the compulsory fees involved. Where the professional development opportunity is voluntary the employer may, at its discretion, refund all or part of the compulsory fees incurred by the institute managers approved to undertake approved training and professional development programs.
- 5.5 Consistent with the above commitments, while there is no minimum time per annum to be allocated to professional development, Institute Directors should ensure that all institute managers undertake training and professional development related to their current and medium term development needs as identified by the performance agreement, the objectives of which are set out in Schedule 2 of Part B, Performance Management for institute managers. This does not preclude access to other professional development opportunities provided by the employer hereof.
- 5.6 Institute managers employed as at the time of making of this award with an existing balance of professional development time, whether accrued or retained under clauses 5.5 or 5.7 of the Crown Employees (Institute Managers in TAFE) Salaries and Conditions Award 2006 may utilise that time in accordance with clause 5.5 of this Award.

6. Right of Private Practice

- 6.1 Institute managers may apply to their institute directors for the right of private practice in accordance with the Department's Private and Secondary Employment policy.
- 6.2 Institute managers may negotiate with their line manager to undertake some teaching as a part-time casual and/or OTEN contract teacher. The line manager shall consider such requests on a case by case basis having regard to the following factors:
- 6.2.1 the institute manager has expressed a wish to return to teaching on a full-time basis in the near future;
- 6.2.2 the institute manager requests such an arrangement in order to maintain and/or develop their educational and/or managerial effectiveness;
- 6.2.3 the institute manager possesses specialist knowledge/experience relevant to the employer's educational needs.

7. Appointment and Transfer

- 7.1 The filling of vacant positions of institute manager will be by way of a competitive selection process based on merit, subject to the provisions of the TAFE NSW Recruitment and Staff Selection policy.
- 7.2 A person who is not an officer and is appointed to an institute manager's position shall be appointed for a minimum probationary period of one year. Confirmation of their position shall depend on completion of a satisfactory annual review, pursuant to Clause 8, Performance Management.

- 7.3 Nothing in this award shall operate to remove the right of the employer to transfer an institute manager to meet the operating needs of the employer or remove existing rights to entitlements as provided in the Transferred Officers Compensation Managing Director of TAFE Determination No.4 of 2001.
- 7.4 Institute managers who wish to seek transfer will be considered by the employer on a case by case basis.
- 7.5 Where the employer directs an institute manager to transfer, the institute manager shall have access to a Transfer Review Panel.
- 7.6 In assessing an application for transfer, the institute director or delegate will assess the institute manager's skills and other attributes against the selection criteria for the position and if matched, can directly appoint or if in doubt can proceed to merit selection.
- 7.7 The institute manager has no right of appeal for non-appointment should a transfer application not be approved.

8. Performance Management

- 8.1 The performance of institute managers will be reviewed annually under a performance management scheme, the objectives of which are set out in Schedule 2, Performance Management for Institute Managers, of Part B Monetary Rates.

9. Appeal Rights

- 9.1 Staff have a right to appeal to the Managing Director where such appointment would involve a salary increase for the appellant. Such appeals will be managed in accordance with TAFE's processes as agreed by the parties.

10. Regression

- 10.1 Staff wishing to regress to positions below institute manager classifications should express their interest to the relevant institute director who will consider the request, along with others, whenever an appropriate vacancy occurs.

11. Dispute Resolution Procedures

- 11.1 Subject to the provisions of the *Industrial Relations Act* 1996 the following procedures shall apply:
- 11.1.1 Should any dispute (including a question or difficulty) arise as to matters occurring in a particular workplace, the institute manager and/or the relevant union's workplace representative shall raise the matter with the appropriate line manager as soon as practicable.
- 11.1.2 The line manager shall discuss the matter with the institute manager and/or the relevant union's workplace representative within two working days with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.
- 11.1.3 Should the above procedure be unsuccessful in producing resolution of the dispute, question or difficulty or should the matter be of a nature which involves multiple workplaces, then the institute manager and or the relevant union may raise the matter with an appropriate officer of TAFE at the Institute level with a view to resolving the dispute, or by negotiating an agreed method and time frame for proceeding.
- 11.1.4 Where the procedures in sub clause 11.2.3 of this clause do not lead to resolution of the dispute, the matter shall be referred to the Deputy Director-General, Workforce Management and Systems Improvement of the Department and the General Secretary of the Federation and the General Secretary of the Association. They or their nominees shall discuss the dispute, question or difficulty with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.

- 11.2 Should the above procedures not lead to a resolution, then either the Department or the Federation or the Association may apply to the Industrial Relations Commission of New South Wales.

12. Discipline Process

- 12.1 The parties recognise that the following two discipline processes have application in TAFE and will be applied to institute managers;
- 12.2 The procedure applicable to members of staff of the employer whose conditions of employment are determined by the Crown Employees (Teachers in TAFE and Related Employees) Salaries and Conditions Award 2006, or any successor instruments to the said award; or
- 12.3 The procedure that applies to all other members of staff which is specified in Part 2.7 of the *Public Sector Employment and Management Act 2002*.

13. Anti-Discrimination

- 13.1 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.
- 13.2 It follows that in fulfilling their obligations under the dispute resolution procedure prescribed in clause 11 of 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.
- 13.3 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.
- 13.4 Nothing in this clause is to be taken to affect:
- 13.4.1 any conduct or act which is specifically exempted from anti-discrimination legislation;
- 13.4.2 offering or providing junior rates of pay to persons under 21 years of age;
- 13.4.3 any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
- 13.4.4 a party to this award from pursuing matters of unlawful discrimination in any state or federal jurisdiction.
- 13.5 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.

14. Deferred Salary Scheme

- 14.1 Institute managers may seek to join the Department's deferred salary scheme.
- 14.2 Successful applicants may defer twenty per cent of their salary for the first four years and be paid the deferred salary in the fifth year.
- 14.3 The deferred salary scheme does not apply to temporary institute managers.

15. Leave

- 15.1 Annual Recreation leave - Annual recreation leave shall be in accordance with the *Annual Holidays Act 1944* and TAFE policy.

15.2 Extended leave - Extended leave shall be in accordance with the Act.

15.3 Sick leave -

15.3.1 Sick leave at the rate of fifteen working days paid sick leave per calendar year i.e. 1 January to 31 December. The full annual entitlement is available from 1 January each year (not accrued on a monthly basis). The unused component of the annual entitlement is fully cumulative.

15.3.2 Where an institute manager requires sick leave additional to the annual or cumulative entitlement provided in sub clause 15.3.1 above in cases of long-term illness, they may apply to the employer for special sick leave. Such requests will be considered by the employer on a case-by-case basis.

15.4 Family and Community Service Leave

15.4.1 General - The institute director or nominee may grant family and community service leave for the following purposes:

- (a) for reasons related to the family responsibilities of the institute manager; or
- (b) for reasons related to the performance of community service by the institute manager; or
- (c) for reasons of pressing necessity.

Family and community service leave replaces short leave.

15.4.2 Quantum - The amount of family and community service leave available to an institute manager shall be either:

- (a) 2.5 days during the first year of service and five days in any period of two years after the first year; or
- (b) after two years of continuous service, one day of family and community service leave for each completed year of service less the total amount of short leave or family and community service leave previously granted to an institute manager;

whichever is the greater period.

Where such leave is exhausted, sick leave in accordance with subclause 15.5.1 may be used.

Family and community service leave is not to be taken for attendance at court to answer a criminal charge, unless the institute director or nominee approves such leave in the particular case.

15.5 Personal Carer's Leave -

15.5.1 Use of Sick Leave - An institute manager may use the available sick leave from the current year plus any accumulated sick leave from the previous three years to provide care and support for family members when they are ill. Such illness shall be supported, if required, by a medical certificate or statutory declaration that the illness is such as to require the care by another person for a specified period. The choice of medical certificate or statutory declaration is the institute manager's. Neither the medical certificate nor statutory declaration is required to reveal the exact nature of the illness. Wherever practicable, prior notice of the intention to take leave should be given.

The entitlement to use sick leave in accordance with this subclause is subject to:

- (a) the institute manager being responsible for the care of the person concerned; and

- (b) the person concerned being:
- (1) a spouse of the institute manager; or
 - (2) a de facto spouse who, in relation to a person, is 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 bona fide domestic basis although not legally married to that person; or
 - (3) a child or an adult (including an adopted child, a stepchild, a foster child or an ex nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the institute manager or spouse or de facto spouse of the institute manager; or
 - (4) a same sex partner who lives with the institute manager as the de facto partner of that institute manager on a bona fide domestic basis; or
 - (5) a relative of the institute manager who is a member of the same household where, for the purposes of this section:

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

"affinity" means a relationship that one spouse, because of marriage, has to blood relatives of the other; and

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

An institute manager shall, wherever practicable, give the institute director or nominee notice, prior to the absence, of the intention to take leave, the name of the person requiring care and that person's relationship to the institute manager, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the institute manager to give prior notice of absence, the institute manager shall notify the institute director or nominee of such absence at the first opportunity on the day of absence.

15.5.2 Use of Other Leave - To care for an ill family member, an institute manager may also use recreation, extended leave or leave without pay with the consent of the institute director.

15.5.3 Use of Time in Lieu - To care for an ill family member, an institute manager may also, with the institute director's consent, take accrued time in lieu as provided for in subclauses 4.1.4 and 4.1.5 of this award.

15.6 Bereavement Leave -

15.6.1 An institute manager shall be entitled to up to two days bereavement leave on each occasion of the death of a person prescribed in subclause 15.5.1 above, provided that for the purpose of bereavement leave, the institute manager need not have been responsible for the care of the person concerned.

15.6.2 The institute manager must notify the institute director or nominee as soon as practicable for the intention to take bereavement leave and shall, if required by the institute director or nominee, provide to the satisfaction of the institute director or nominee proof of death.

15.6.3 An institute manager shall not be entitled to bereavement leave under this clause during any period in respect of which the institute manager has been granted other leave.

15.6.4 Bereavement leave may be taken in conjunction with other leave available under this clause. In determining such a request the institute director or nominee shall give consideration to the

circumstances of the institute manager and the reasonable operational requirements of the employer.

16. Filling of Positions

- 16.1 Positions which have been affected by a workplace change will be filled in accordance with the Department's Displaced and Excess Staff Management Procedures.
- 16.2 Positions not filled through the provisions of subclause 16.1 of this award shall be filled as follows:
- 16.2.1 Displaced/Excess Staff - The regional human resources manager will determine if there are any suitable vacancies using the corporate employees service centre weekly vacancy spreadsheet. The manager will then proceed in accordance with the procedures at subclause 16.1.
- 16.2.2 Regression - Where the position has not been filled by the preceding steps, institute managers who are seeking regression will be eligible for priority consideration for appointment to vacant positions. Further details are contained in TAFE's transfer and regression policy.
- 16.2.3 Staff Selection (Recruitment) Action - Where no appointment has been made through the process identified in subclauses 16.2.1 and 16.2.2, the position will be advertised within TAFE.
- 16.2.4 Staff Selection (Recruitment) Action - Where no appointment has been made through the processes identified in subclauses 16.2.1, 16.2.2 and 16.2.3, the position will be advertised externally.
- 16.3 Nothing in subclause 16.2 shall limit the appeal rights of institute managers, which are set out in clause 9, Appeal Rights.

17. Qualification Requirements

- 17.1 Qualifications for positions shall accurately reflect the requirements of the position and conform to equal employment opportunity principles. Any artificial barriers to promotion should be removed.
- 17.2 The qualification requirements of positions shall be reviewed by the employer from time to time in consultation with the unions.

18. Goods and Services Tax

- 18.1 The parties shall monitor the overall impact of the Commonwealth Government's goods and services tax through the term of the award. In the event that the Industrial Relations Commission makes a State decision (as defined by section 49 of the *Industrial Relations Act 1996*) having regard to the impact on wages of the goods and services tax, the unions reserve the right to make application to the Industrial Relations Commission in relation to that decision.

19. No Further Claims

- 19.1 Except as provided by the *Industrial Relations Act 1996*, prior to 31 December 2011, there shall be no further claims by the parties to this Award for changes to salaries, rates of pay, allowances, or conditions of employment in relation to matters expressly contained in this award.

20. Locality/Remote Areas Allowance

- 20.1 Institute managers currently receiving the allowances contained in Schedule 3, Allowances of Part B - Locality Allowances - Tables 1, 2 and 3, shall continue to receive these allowances for as long as they continue in their current position at their existing location. Institute managers appointed on or after 29 May 2001 shall be paid the remote areas allowances as contained in Table 4 of Schedule 3 of Part B, Allowances as adjusted in line with adjustments to the public service remote areas allowance as contained in clause 41 of the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006 or any variations to or successor instruments to the said award.

- 20.2 Institute managers currently receiving the remote areas allowance as contained in Table 4 of Schedule 3, Part B, Allowances shall continue to receive this allowance while remaining in their current position at their existing location.

21. Industrial Rights

21.1 Union Representatives -

- 21.1.1 An accredited union representative at the place in which he/she is employed shall, upon notification thereof to his/her employer, be recognised as an accredited union representative.
- 21.1.2 An accredited union representative shall be allowed the necessary time during working hours to interview the employer or his/her representative on matters affecting employees.
- 21.1.3 An accredited union representative shall be allowed a reasonable period of time during working hours to interview a duly accredited union official.

21.2 Consultative and Other Committee Work -

- 21.2.1 Where an institute manager is required by the employer, nominated by the union or otherwise selected by staff to participate in work-based consultative or like committees, the employer shall provide such staff with paid leave to attend to such matters.
- 21.2.2 In addition, where such committees unanimously agree to undertake a particular project consistent with its terms of reference, the employer shall provide sufficient paid time to enable the institute manager to undertake the project.

22. Special Fitness and Hard to Fill

- 22.1 A position will be regarded as "hard to fill" when it has been advertised once throughout TAFE and twice throughout New South Wales in the major press and no appointment has been made.
- 22.2 When a position has been identified as "hard to fill" in accordance with subclause 22.1 of this clause, the employer will review the position in order to ensure that the current position description and accountabilities appropriately reflect the nature of the position. Where appropriate, job redesign will follow and the new position will be advertised in the normal manner.
- 22.3 Where job redesign has not been deemed to be appropriate, the employer or nominee may offer an allowance of up to ten per cent of the maximum salary of the position when it is next advertised.
- 22.4 The allowance will be paid to the selected applicant for as long as he/she remains in the advertised position.

23. Deduction of Union Membership Fees

- 23.1 The union shall provide the employer with a schedule setting out union fortnightly membership fees payable by members of the union in accordance with the union's rules.
- 23.2 The union shall advise the employer of any change to the amount of fortnightly membership fees made under its rules. Any variation to the schedule of union fortnightly membership fees payable shall be provided to the employer at least one month in advance of the variation taking effect.
- 23.3 Subject to 23.1 and 23.2 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 union's rules, provided that the employee has authorised the employer to make such deductions.
- 23.4 Monies so deducted from employees' pay shall be forwarded regularly to the union together with all necessary information to enable the union to reconcile and credit subscriptions to employees' union membership accounts.

- 23.5 Unless other arrangements are agreed to by the employer and the union, all union membership fees shall be deducted on a fortnightly basis.
- 23.6 Where an employee has already authorised the deduction of union membership fees from his or her pay prior to this clause taking effect, nothing in this clause shall be read as requiring the employee to make a fresh authorisation in order for such deductions to continue.

24. Secure Employment Test Cases - OHS Obligations

- (i) For the purposes of this clause, the following definitions shall apply:
1. A "labour hire business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which has as 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.
 2. A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit 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 other employer which might otherwise have been carried out by that other employer's own employees.
- (ii) 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):
1. consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
 2. provide employees of the labour hire business and/or contract business with appropriate occupational health and safety induction training including the appropriate training required for such employees to perform their jobs safely;
 3. 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
 4. 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.
- (iii) Nothing in this clause is intended to affect or detract from any obligation or responsibility upon a labour hire business arising under the *Occupational Health and Safety Act 2000* or the *Workplace Injury Management and Workers Compensation Act 1998*.
- (iv) Disputes Regarding the Application of this Clause
- 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.
- (v) This clause has no application in respect of organisations which are properly registered as Group Training Organisations under the *Apprenticeship and Traineeship 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.

25. Area, Incidence and Duration

- 25.1 This award applies to all persons employed in the classification of institute manager. The award shall take effect on and from 1 January 2009 and shall remain in force until 31 December 2011.

25.2 This award rescinds and replaces the Crown Employees (Institute Managers in TAFE) Salaries and Conditions Award 2006 published 27 March 2009 (367 I.G 535).

PART B

MONETARY RATES

Schedule 1 - Salaries

Institute Managers	Salary from the first pay period to commence on or after 1.1.2009	Salary from the first pay period to commence on or after 1.1.2010	Salary from the first pay period to commence on or after 1.1.2011
Increase	4%	4%	4%
	\$	\$	\$
Level 1	107,285	111,576	116,039
Level 2	115,382	119,997	124,797
Level 3	121,456	126,314	131,367
Level 4	129,554	134,736	140,125
Level 5	137,651	143,157	148,883

Schedule 2 - Performance Management for Institute Managers

1. Introduction

The scheme establishes a framework for individuals to plan their work performance and the provision of objective feedback. It also facilitates training and career development.

2. Objectives of Performance Management

The objectives of performance management are to support the professional development of institute managers and to enhance the performance of the employer. All institute managers shall participate in the scheme. The performance management scheme will provide an effective means for institute managers to understand, reflect upon and improve their performance through developmental processes and to understand the role, accountabilities and standards that are expected of them.

The performance management process is a collaborative process between the line manager and the institute manager. The line manager will exercise leadership by working together with the institute manager to implement the performance management scheme and to provide continuing support and feedback to the officer. The institute manager in consultation with the line manager will identify appropriate targets and monitor their progress, requesting assistance as needed.

The major outcomes of the performance management process will be the identification of developmental needs of the institute manager, the development strategies to support these needs, feedback on performance and achievements. The process will also enhance the productivity, effectiveness and efficiency of the employer to meet changing industry and community needs.

The objectives are to:

establish clear individual performance goals linked to, and consistent with, the employer's goals and priorities and institute's plans and objectives;

identify each institute manager's current and medium term development needs (in relation to the organisation and self), and career goals and develop strategies to support these needs;

assist with the achievement of the employer's long term objectives and annual priorities;

provide for each institute manager, a valid basis for performance assessment against job-related criteria; and

provide job-related guidance and performance feedback in a continuing way.

The scheme will reflect and support the employer's overall objectives as set out in:

the Department's and TAFE's Strategic Plans;

annual priorities; and

institutes' management plans.

The scheme is an ongoing process and consists of three major components:

developing the performance agreement;

review process; and

feedback.

Appropriate training will support implementation of the scheme.

Schedule 3 - Allowances

1. Definitions - for the Purpose of This Schedule

- 1.1 "Dependent child" means, unless otherwise defined in the award, a child of which an institute manager is a parent and who is resident with and wholly maintained by such institute manager and either is under the age of sixteen years or is a full time student under the age of eighteen years or is completing their school studies up to and including Year 12.
- 1.2 "Dependent partner" means a person who is resident with and substantially reliant upon an institute manager for their financial support, being either the institute manager's spouse or a person whom the relevant institute director or nominee is satisfied is cohabiting otherwise than in marriage with the institute manager in a permanent de facto and bona fide domestic relationship.
- 1.3 "Married couple" means and shall include an institute manager and their spouse or a person whom the relevant institute director or nominee is satisfied is cohabiting otherwise than in marriage in a permanent de facto and bona fide domestic relationship.

Table 1 - Locality Allowances - Climatic

Climatic Allowances (Hot Summer Temperatures)	TAFE Colleges or TAFE Campuses located in the Western Division of New South Wales at the following locations: Boggabilla, Bourke, Nyngan, Walgett, Warren, Wilcannia		
	From the first pay period commencing on or after 1.1.2009	From the first pay period commencing on or after 1.1.2010	From the first pay period commencing on or after 1.1.2011
Increase	4%	4%	4%
Single or married with independent non-teaching Partner	1,086	1,129	1,174
Married with dependent partner	1,283	1,334	1,387
Married with teaching partner	643	669	696

Isothermic (Cold Winter Temperatures)	TAFE Colleges or TAFE Campuses within a zone of New South Wales established by the 0° Celsius July Average Minimum Temperatures at the following locations: Armidale, Bathurst, Cooma, Glenn Innes, Inverell, Tenterfield		
Single or married with independent non-teaching Partner	549	571	594
Married with dependent partner	732	761	791
Married with teaching partner	367	382	397

Table 2 - Locality Allowances - Isolation from Socio-economic Goods and Services

Isolation from Socio-Economic Goods and Services Allowance	4% from the first pay period to commence on or after 1.1.2009	4% from the first pay period to commence on or after 1.1.2010	4% from the first pay period to commence on or after 1.1.2011
Single or married with independent non-teaching or teaching partner			
	\$	\$	\$
Wilcannia	3,208	3,336	3,469
Goodooga	2,850	2,964	3,083
Brewarrina	1,428	1,485	1,544
Bourke	1,072	1,115	1,160
Boggabilla	719	748	778
Cobar, Dunedoo, Nyngan, Warren	357	371	386
Married with dependent partner			
Wilcannia	6,414	6,671	6,938
Goodooga	5,702	5,930	6,167
Brewarrina	2,856	2,970	3,089
Bourke	2,142	2,228	2,317
Boggabilla	1,434	1,491	1,551
Cobar, Dunedoo, Nyngan, Warren	712	740	770
Dependent children for married institute manager with dependent partner			
Wilcannia			
First Child	372	387	402
Subsequent Child	236	245	255
Goodooga			
First Child	315	328	341
Subsequent Child	177	184	191
Dependent children for single or married institute manager with independent non-teaching or teaching partner			

Wilcannia			
First Child	186	193	201
Subsequent Child	118	123	128
Goodooga			
First Child	158	164	171
Subsequent Child	88	92	96

Table 3 - Locality Allowances - Motor Vehicles Depreciation

Motor Vehicles Depreciation	4% from the first pay period to commence on or after 1.1.2009	4% from the first pay period to commence on or after 1.1.2010	4% from the first pay period to commence on or after 1.1.2011
	\$	\$	\$
Applies to TAFE Colleges or TAFE Campuses at Wilcannia and Goodooga only	1,917	1,994	2,074

Remote Areas Allowance - Public Service Allowances**Table 4 - Remote Areas Allowance**

1. Grade A Allowances	1. Grade B Allowances	1. Grade C Allowances
(a) With dependents: \$1659 per annum	(a) With dependents: \$2,201 per annum	(a) With dependents: \$2,939 per annum
(b) Without dependents: \$1,157 per annum	(b) Without dependents: \$1,543 per annum	(b) Without dependents: \$2,059 per annum
All other locations situated on or to the west of a line starting from the right bank of the Murray River opposite Swan Hill and then passing through the following towns or localities in the following order: Conargo, Coleambally, Hay, Rankins Springs, Marsden, Condobolin, Peak Hill, Nevertire,	Locations Angledool Barrington Bourke Brewarrina Clare Enngonia Goodooga	Locations Fort Grey Mootwingee Mount Wood Nocoleche Olive Downs Tibooburra Yethong
Gulargambone, Coonabarabran, Wee Waa, Moree, Warialda, Ashford and Bonshaw and includes a place situated in any such town or locality. Locations All others within the above but not covered in the Category B or C allowances.	Ivanhoe Lake Mungo Lightning Ridge Louth Mungindi Pooncarie Redbank Walgett Wanaaring Weilmoringle White Cliffs Wilcannia Willandra	

M. J. WALTON J , Acting President

**CROWN EMPLOYEES (KINGSFORD SMITH AIRPORT TRAVEL
CENTRE) AWARD 2007**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales, Industrial Organisation of Employees.

(No. IRC 1555 of 2009)

Before Commissioner Bishop

13 October 2009

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the Crown Employees (Kingsford Smith Airport Travel Centre) Award 2007 published 9 November 2007 (364 I.G. 290) as varied, be rescinded on and from 13 October 2009.

E. A. R. BISHOP, Commissioner

Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES (PUBLIC SERVICE TRAINING WAGE) AWARD 2008

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales, Industrial Organisation of Employees.

(No. IRC 1520 of 2009)

Before Commissioner Bishop

13 October 2009

VARIATION

1. Delete paragraph (iv) of subclause (a) of clause 7, Wages of the award published 24 April 2009 (367 I.G. 1047) and insert in lieu thereof the following:

(iv) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

2. Delete the calculation in the Example of the calculation for the wage rate for a part-time traineeship in subclause (d) of Weekly Wage Rates, of clause 10, Wage Rates for Part-time and School-based Trainees and insert in lieu thereof the following:

$$\frac{\$253 \times (15 - 3.5)}{28} = \$103.91 \text{ plus any applicable penalty rates under the relevant industrial instrument}$$

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

PART B

MONETARY RATES

Table 1 - Full-time Weekly Wage Rates

Effective from the first full pay period to commence on or after 8 September 2009

Diploma

Where the accredited training courses and work performance are for the purposes of generating skills that have been defined for work at Diploma level.

Classification	\$
Trainee Diploma Level	574.00

Skill Level A -

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level A:

	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	253.00	279.00	335.00
Plus 1 year out of school	279.00	335.00	390.00
Plus 2 years	335.00	390.00	453.00
Plus 3 years	390.00	453.00	518.00
Plus 4 years	453.00	518.00	518.00
Plus 5 years or more	518.00	518.00	518.00

Skill Level B -

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level B:

	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	253.00	279.00	324.00
Plus 1 year out of School	279.00	324.00	373.00
Plus 2 years out of school	324.00	373.00	438.00
Plus 3 years out of school	373.00	438.00	500.00
Plus 4 years out of school	438.00	500.00	500.00
Plus 5 years or more	500.00	500.00	500.00

Skill Level C -

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level C:

	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	253.00	279.00	321.00
Plus 1 year out of School	279.00	321.00	362.00
Plus 2 years out of school	321.00	362.00	403.00
Plus 3 years out of school	362.00	403.00	451.00
Plus 4 years out of school	403.00	451.00	451.00
Plus 5 years or more	451.00	451.00	451.00

The average proportion of time spent in structured training that has been taken into account in setting the rate is 20%.

School Based Traineeships -

	Year of Schooling	
	Year 11 \$	Year 12 \$
School based traineeships Skill Levels A, B and C	253.00*	279.00*

* The average proportion of time spent in Structured Training which has been taken into account in setting the above rates is 20%.

Table 2 - Hourly Wage Rates

Set out below are the hourly rates of pay for part-time or school-based trainees calculated by dividing the weekly wage rate in Table 1 by 28 (i.e. 35 hours minus 7 hours). If the ordinary full time weekly hours are not 35, the appropriate hourly rate may be obtained by multiplying the rate in the Table 2 by 35 and then dividing by the ordinary full time hours.

Trainees who have left school:

Diploma

Where the accredited training courses and work performance are for the purposes of generating skills that have been defined for work at Diploma level.

Classification	\$
Trainee Diploma level - part-time	20.50

Skill Level A -

Where the accredited training course and work performance are for the purpose of generating skills which have been defined for work at Skill Level A:

Skill Level A	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	9.04	9.96	11.96
Plus 1 year out of school	9.96	11.96	13.93
Plus 2 years	11.96	13.93	16.18
Plus 3 years	13.93	16.18	18.50
Plus 4 years	16.18	18.50	18.50
Plus 5 years or more	18.50	18.50	18.50

Skill Level B -

Where the accredited training course and work performance are for the purpose of generating skills which have been defined for work at Skill Level B:

Skill Level B	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	9.04	9.96	11.57
Plus 1 year out of school	9.96	11.57	13.32
Plus 2 years	11.57	13.32	15.64
Plus 3 years	13.32	15.64	17.86
Plus 4 years	15.64	17.86	17.86
Plus 5 years or more	17.86	17.86	17.86

Skill Level C -

Where the accredited training course and work performance are for the purpose of generating skills which have been defined for work at Skill Level C:

Skill Level C	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	9.04	9.96	11.46
Plus 1 year after leaving school	9.96	11.46	12.93
Plus 2 years	11.46	12.93	14.39
Plus 3 years	12.93	14.39	16.11
Plus 4 years	14.39	16.11	16.11
Plus 5 years or more	16.11	16.11	16.11

School-Based Trainees:

	Year 11 \$	Year 12 \$
Wages levels A, B and C	9.04	9.96

4. This variation shall take effect from the first full pay period to commence on or after 13 October 2009.

E. A. R. BISHOP, Commissioner.

Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES (TEACHERS IN TAFE AND RELATED EMPLOYEES) SALARIES AND CONDITIONS AWARD 2009

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by NSW Department of Education and Training.

(No. IRC 2043 of 2008)

Before The Honourable Justice Walton, Vice-President

19 February 2009

AWARD

1. Arrangement

Clause No.	Subject Matter
2.	Dictionary
3.	Salaries
4.	Deduction of Union Membership Fees
5.	Allowances
6.	Salary Progression and Maintenance
7.	Teacher Quality
8.	Salary Packaging
9.	Initial Appointments
10.	Teaching in More Than One Location
11.	Deferred Salary Scheme
12.	Compensation for Travel on TAFE Business
13.	Contribution to Institute Output Requirements
14.	Attendance - Teachers and Counsellors
15.	Duties of Teachers
16.	Allocation of Duties
17.	Duties Related to Teaching
18.	Administrative Duties
19.	Averaging
20.	Accumulating Program
21.	Professional Development - Teachers
22.	TAFE Year
23.	Additional One Week
24.	Evening Work - Counsellors
25.	Time Credit
26.	Excess Teaching Hours
27.	Sunday Work/Night Work
28.	Qualifications for Appointment
29.	Working Conditions - Education Officers and Related Employees
30.	Professional Development - Education Officers, Related Employees and Counsellors
31.	Leave for Teachers and Related Employees
32.	Calculation of Service
33.	Training and Development
34.	Multi-skilling
35.	Working Conditions - Part time Casual Teachers, Coordinators and Counsellors
36.	Contract Teachers (OTEN)

37. Provision for Positions which Are Hard To Fill
38. Industrial Rights
39. Quality Improvement Program
40. Pilot Schemes
41. Principles of Restructuring
42. Dispute Resolution Procedures
43. No Further Claims
44. Anti-discrimination
45. Secure Employment Test Case - OHS Obligations
46. Area, Incidence and Duration
47. Further Employee Related Reform Measures and Cost Savings

SCHEDULES

- Schedule 1 - Common Incremental Salary Scale
- Schedule 2 - Allowances
- Schedule 3 - Locality Allowances
- Schedule 4 - Salary Scales - Promotion Classifications
- Schedule 5 - Excess Travel and Compensation for Travel on Official Business
- Schedule 6 - Strategies for Maximising Annual Student Hours in TAFE
- Schedule 7 - Rates of Pay - Part time Casual Teachers, Coordinators and Counsellors in TAFE and Contract Teachers (OTEN)

2. Dictionary

- 2.1 "Adult Literacy Officer" means a teacher employed as such.
- 2.2 "Advanced Skills Counsellor" means a counsellor employed as such.
- 2.3 "Award" means the Crown Employees (Teachers in TAFE and Related Employees) Salaries and Conditions Award 2009.
- 2.4 "Approved Program" means a teaching program taught across the Standard Educational and or TAFE year. A teaching program consists of a standard or an averaging or an accumulating program.
- 2.5 "Australian Qualifications Framework (AQF)" means the policy framework that defines all qualifications recognised nationally in post-compulsory education and training within Australia. The AQF comprises titles and guidelines which define each qualification, together with principles and protocols covering articulation and issuance of qualifications and Statements of Attainment.
- 2.6 "BMET" means the training course known as the Basic Methods of External Teaching, which is the three unit distance mode course that sensitises the contract teacher to the situation of the student working in open/distance mode.
- 2.7 "College/campus/institute" means a TAFE establishment or other centre where instruction is provided by TAFE and includes any place designated as part of, or as an annexe to, such college/campus/institute.
- 2.8 "Contract Teacher" means a teacher employed to mark and provide feedback on work submitted by students enrolled in OTEN and paid per unit of work marked.
- 2.9 "Contract Teaching Duties" means those duties contained in clause 36, Contract Teachers (OTEN).
- 2.10 "Coordination" in clause 35, Working Conditions - Part Time Casual Teachers, Coordinators and Counsellors in TAFE, means educational coordination of programs, courses or subjects or the provision of services by part time casual coordinators.

- 2.11 "Counsellor" means an officer or temporary employee employed to provide counselling services to students.
- 2.12 "Degree" means a course of study in a higher education institution leading to a degree as described in the Australian Qualifications Framework as at 1 January 1995.
- 2.13 "Department" means the Department of Education and Training.
- 2.14 "Diploma" means a course of study in a higher education institution leading to a diploma as described in the Australian Qualifications Framework as at 1 January 1995.
- 2.15 "Duties Other Than Teaching" in clause 35, Working Conditions - Part Time Casual Teachers, Coordinators and Counsellors, means duties other than teaching and coordination except as provided in subclause 35.10 of the said clause 35.
- 2.16 "Education Officer (TAFE)" means an officer appointed as such who has an appropriate degree from a higher education institution and appropriate vocational and/or industrial experience.
- 2.17 "Employee" means a person employed in a classification covered by this Award on a permanent, temporary, casual, part time casual or contract basis.
- 2.18 "Equivalent" when referring to qualifications means those qualifications deemed by the employer to be equivalent to specified qualifications.
- 2.19 "Excess Teaching Hours" means the actual teaching hours in excess of a teacher's standard weekly teaching component or annual teaching component, as appropriate, that a teacher is required to teach.
- 2.20 "Federation" means the New South Wales Teachers Federation.
- 2.21 "General Secretary" means the General Secretary of the Federation.
- 2.22 "Graduate" means a person who has obtained a degree from a higher education institution or possesses qualifications determined by the employer to be equivalent to such a degree.
- 2.23 "Graduate Diploma" means a course of study in a higher education institution leading to a graduate diploma as described in the Australian Qualifications Framework as at 1 January 1995.
- 2.24 "Head Teacher" means all persons employed within this classification, including those referred to in subclause 3.8.
- 2.25 "Higher Education Institution" means a university or other tertiary institution recognised by the employer which offers degrees, diplomas or teacher education courses.
- 2.26 "Institute" means any grouping of TAFE campuses or places where TAFE provides education, training, administrative and other services from time to time as specified by the Managing Director.
- 2.27 "Institute Director" means all persons employed within this classification.
- 2.28 "Institute Manager" means all persons permanently or temporarily employed within this classification.
- 2.29 "Industrial Relations Commission" means the Industrial Relations Commission of New South Wales, established by the Industrial Relations Act 1996.
- 2.30 "Managing Director" means the Managing Director of TAFE.
- 2.31 "Officer" means and includes all persons permanently employed in TAFE and who, on the date of commencement of the Award, were occupying one of the positions covered by the Award or who, after that date, are appointed to one of these positions.

- 2.32 "OTEN" means the Open Training and Education Network.
- 2.33 "Part time Casual Coordinator" means a coordinator engaged on an hourly basis to coordinate special programs or other activities.
- 2.34 "Part time Casual Counsellor" means a counsellor engaged on an hourly basis to provide counselling services to students.
- 2.35 "Part time Casual Teacher" means a teacher engaged to teach on an hourly basis. It is the employer's intention that no Part time Casual Teacher shall be engaged to deliver the equivalent of a full time teaching program for 12 or more weeks in a semester except where a Temporary Teacher is not able to be employed following recruitment action.
- 2.36 "Parties" means the Crown in the right of the State of New South Wales and the Federation.
- 2.37 "Service" means continuous service, unless otherwise specified in the Award.
- 2.38 "Special Programs" means those programs administered by TAFE which are designated to promote access of special groups of students to TAFE's courses.
- 2.39 "Special Program Coordinator" means an officer or temporary employee appointed to a position as Institute media coordinator, consultant for students with a disability, Aboriginal coordinator, labour market program coordinator, outreach coordinator or Institute multicultural education coordinator in Institutes.
- 2.40 "Standard Educational Year" means that period of approximately 41 weeks falling within a calendar year determined as such by the Managing Director.
- 2.41 "TAFE" means the Technical and Further Education Commission, i.e. the TAFE Commission.
- 2.42 "TAFE Commission Act" means the Technical and Further Education Commission Act 1990.
- 2.43 "Teacher" means a person or officer employed permanently or temporarily in a full time or part time teaching position.
- 2.44 "Temporary Employee" means and includes all persons employed on a temporary basis, other than on a casual or part time casual basis or as a contract teacher (OTEN).
- 2.45 "Temporary Teacher" means an officer, or temporary employee employed on a full time or part time basis to teach for defined period. A Temporary Teacher engaged on a part time basis is entitled to pro rata salary and conditions of a Temporary Teacher engaged on a full time basis.
- 2.46 "TAFE Year" means a period of 50 weeks, excluding the two week period surrounding Christmas/New Year, during which educational programs may be conducted.
- 2.47 "Teacher in Training" means a person employed as a teacher who is undertaking a course of teacher education which has been prescribed by the employer as a compulsory course for that teacher to undertake.
- 2.48 "Trained Teacher" means a teacher who has satisfactorily completed a prescribed course of training at a higher education institution, or such other course or courses which the employer determines as satisfying requirements for classification as a teacher.

3. Salaries

- 3.1 Salaries and rates of pay shall be paid in accordance with this clause and Schedules 1, 4, and 7. Salaries under this award incorporate the following increases for the first pay period commencing on or after the specified date.

- 3.1.1 For teachers up to/including step 13, an increase of 4.4% from 1 January 2009, an additional increase of 3.8% from 1 January 2010 and a further increase of 3.8% from 1 January 2011.
- 3.1.3 For promotions positions, an increase of 4.4% from 1 January 2009, an additional increase of 3.8% from 1 January 2010 and a further increase of 3.8% from 1 January 2011.
- 3.2 Allowances under this Award will be increased by 4.4% from the first pay period commencing on or after 1 January 2009, by 3.8% from the first pay period commencing on or after 1 January 2010 and 3.8% from the first pay period commencing on or after 1 January 2011.
- 3.3 Any further increases in salaries and allowances under a replacement industrial instrument shall not be available until after 1 January 2012.
- 3.4 Subject to satisfying the conditions prescribed by this Award, the salaries of the following officers and temporary employees shall be paid in accordance with Schedules 1 and 4.

Classification	Schedule
Teachers, education officers (TAFE), counsellors, adult literacy officers, assistant outreach coordinators.	Schedule 1
Promotion classifications salary scales.	Schedule 4

- 3.5 Except as otherwise provided under the Department's salary packaging scheme as set out in clause 8, Salary Packaging, employees in Schedules 1 and 4 must be paid at an annual salary level not less than that for the appropriate classification.
- 3.6 Minimum salaries on commencement of employment and maximum salaries under the common incremental salary scale in Schedule 1 are set out in the table below:

Classification	Minimum starting salary	Maximum salary
Teachers, counsellors, education officers, adult literacy officers and assistant outreach coordinators	Step 10*	Step 13
Teachers in training	Step 10*	No more than one step beyond the step paid on initial appointment

*For starting salaries above the minimum starting salary for a teacher refer to the TAFE Policy - Teachers Commencing Salary (TAFE Gazette No. 32, 24 September 2003) or its replacement.

- 3.7 Subject to clause 6, Salary Progression and Maintenance and clause 32 Calculation of Service, officers and temporary employees shall progress without change to their incremental date by way of annual increments to Step 13 on the common incremental salary scale as set out in Schedule 1.
- 3.8 Teachers who were classified as head teacher or senior head teacher as at 26 January 1997 continue to receive the salary increases at the appropriate step for these classifications as set out in Schedule 4 for as long as they hold that classification.
- 3.9 A counsellor who is classified as an advanced skills counsellor shall retain the head teacher band 1 salary while they continue to occupy that position.

4. Deduction of Union Membership Fees

- 4.1 The union shall provide the employer with a schedule setting out union fortnightly membership fees payable by members of the union in accordance with the union's rules.

- 4.2 The union shall advise the employer of any change to the amount of fortnightly membership fees made under its rules. Any variation to the schedule of union fortnightly membership fees payable shall be provided to the employer at least one month in advance of the variation taking effect.
- 4.3 Subject to (4.1) and (4.2) 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 union's rules, provided that the employer has authorised the employer to make such deductions.
- 4.4 Monies so deducted from employees' pay shall be forwarded regularly to the union together with all necessary information to enable the union to reconcile and credit subscriptions to employees' union membership accounts.
- 4.5 Unless other arrangements are agreed to by the employer and the union, all union membership fees shall be deducted on a fortnightly basis.
- 4.6 Where an employee has already authorised the deduction of union membership fees from his or her pay prior to this clause taking effect, nothing in this clause shall be read as requiring the employee to make a fresh authorisation in order for such deductions to continue.

5. Allowances

- 5.1 An additional responsibility allowance shall be paid in accordance with this clause and Schedule 2 when:
- 5.1.1 a teacher is required to accept additional responsibilities of a supervisory or administrative character and the circumstances do not warrant the appointment of a head teacher;
- 5.1.2 a counsellor is nominated by the employer in any institute or campus as counsellor in charge.
- 5.2 An education officer (TAFE) who:
- 5.2.1 has completed 12 months service at the salary prescribed on the maximum of the common incremental salary scale; and
- 5.2.2 has demonstrated to the satisfaction of the employer by the work performed, its quality and the results achieved, that the aptitude and abilities of the officer warrant additional payment;
- shall be paid an allowance which is the difference between step 13 and Head Teacher Band 1, renewable each period of two years, to ensure a remuneration equivalent to the salary level of head teacher band 1 as set out in Schedule 4.
- 5.3 Locality and related allowances shall be paid in accordance with in Schedule 3.

6. Salary Progression and Maintenance

- 6.1 An officer shall be entitled to progress along or be maintained on the common incremental salary scale or the salary level for a promotions position after each 12 months of service subject to the officer demonstrating by means of an annual review, continuing efficiency in teaching practice, satisfactory performance and professional growth.
- 6.2 Any teacher who does not satisfy the teacher training requirements as determined by the employer shall not progress more than one step along the common incremental salary scale above the salary step paid on initial appointment.

7. Teacher Quality

- 7.1 To provide feedback on an officer or temporary employee's performance, each officer or temporary employee's institute director or nominee shall ensure that the teacher's performance is appraised by

annual review. This appraisal implemented from the beginning of term four, 2000 continues in force as follows:

- 7.1.1 The officer or temporary employee's institute director or nominee shall be responsible for annually reviewing the performance and development of the officer or temporary employee undertaking their work.
- 7.1.2 For officers and temporary employees, the TAFE Teachers and Related Employees Annual Review Policy (TAFE Gazette No. 32, 10 October 2001) or its replacement shall apply.
- 7.1.3 The annual review for teachers shall be reported by way of the new teacher assessment review form implemented under the Crown Employees (Teachers in Schools and TAFE and Related Employees) Salaries and Conditions Award (327 I.G.582).
- 7.1.4 The parties agree to negotiate on variations, if any, to the policies and procedures in place at the commencement date of the Award relevant to annual review of teacher performance.

8. Salary Packaging

For the purposes of this clause "salary" means the salary or rates of pay prescribed by Schedules 1, 4 and 7 of this award and any allowances paid to an employee which form part of the employee's salary for superannuation purposes.

- 8.1 An employee may, by agreement with the employer, enter into a salary packaging arrangement including salary sacrifice to superannuation where they may convert up to 100% of their salary to other benefits.

Any pre-tax and post-tax payroll deductions must be taken into account prior to determining the amount of salary available to be packaged. Such payroll deductions may include but are not limited to, compulsory superannuation payments, HECS payments, child support payments, judgment debtor/garnishee orders, union fees, health fund premiums.

- 8.2 The terms and conditions of the salary packaging arrangement, including the duration as agreed between the employee and employer, will be provided in a separate written agreement, in accordance with the Department's salary packaging guidelines. Such agreement must be made prior to the period of service to which the earnings relate.
- 8.3 Salary packaging must be cost neutral for the employer. Employees must reimburse the employer in full for the amount of:
 - 8.3.1 any fringe benefits tax liability arising from a salary packaging arrangement; and
 - 8.3.2 any administrative fees.
- 8.4 Where the employee makes an election to salary package the following payments made by the employer in relation to an employee shall be calculated by reference to the annual salary which the employee would have been entitled to receive but for the salary packaging arrangement:
 - 8.4.1 Superannuation Guarantee Contributions;
 - 8.4.2 any salary-related payment including but not limited to allowances and workers compensation payments; and
 - 8.4.3 payments made in relation to accrued leave paid on termination of the employee's employment or on the death of the employee.

9. Initial Appointments

- 9.1 The initial appointment of all officers shall be for a minimum probationary period of one year. Confirmation of an officer's permanent appointment shall depend on completion of a satisfactory annual review pursuant to clause 6, Salary Progression and Maintenance and in the case of teachers, upon satisfactory completion of teacher training requirements.
- 9.2 All initial appointments shall be on the basis of merit.

10. Teaching in More Than One Location

- 10.1 Teachers may be programmed to teach in more than one location including schools.
- 10.1.1 Where this occurs there shall be full consultation with the affected teacher or teachers, including sufficient notice and any specific needs of the affected teacher or teachers shall be taken into account.
- 10.1.2 The travelling compensation provisions at Schedule 5, Excess Travel and Compensation for Travel on Official Business and, as appropriate, time credit provisions at clause 25, Time Credit shall apply to teachers programmed to teach in more than one location.

11. Deferred Salary Scheme

- 11.1 Officers may seek to join the Department's deferred salary scheme.
- 11.2 Successful applicants may defer twenty per cent of their salary for the first four years and be paid the deferred salary in the fifth year.

12. Compensation for Travel on TAFE Business

- 12.1 Where an employee is required and authorised to travel on TAFE business in the performance of their duties, compensation for travel shall be determined in accordance with the provisions of Schedule 5 Excess Travel and Compensation for Travel on Official Business.

13. Contribution to Institute Output Requirements

- 13.1 Teachers, adult literacy officers, head teachers and special program coordinators in TAFE shall contribute to the achievement of Institute output requirements as measured in Annual Student Hours (ASH). Institutes maintain their commitment to providing educationally and vocationally disadvantaged groups with access to technical and further educational services, including a range of appropriate specialised services, in line with the objectives of the TAFE Commission Act 1990.
- 13.2 The strategies detailed in Schedule 6 shall be implemented in TAFE in order to maximise Annual Student Hours.
- 13.3 The parties agree to consult on any variations to State and Commonwealth funding authority requirements in relation to the use of ASH as a measure of institute output.

14. Attendance - Teachers and Counsellors

- 14.1 The standard attendance hours of:
- 14.1.1 teachers, head teachers, special program coordinators and adult literacy officers, shall be 30 hours per week;
- 14.1.2 counsellors, advanced skills counsellors and senior counsellors, shall be 35 hours per week.
- 14.2 The daily span of working hours in colleges/campuses for officers and employees under this Award is between 6.00am and 10.00pm on Monday to Saturday, inclusive. Teaching and related duties hours

worked by teachers should, unless otherwise unavoidable or by agreement between a teacher and their immediate manager, be continuous.

- 14.3 All full time officers shall be required to attend college five days per week on Monday to Friday, inclusive. However, where the course program requires, teachers, head teachers, special program coordinators, adult literacy officers, counsellors, senior counsellors and advanced skills counsellors:

14.3.1 may be required to work on any five days from Monday to Saturday inclusive as part of their normal program, although they may meet weekly attendance requirements in four days per week;

14.3.2 who are required as part of their normal program to work on a Saturday shall, if they so request, be entitled to have two consecutive days off in the following week.

15. Duties of Teachers

- 15.1 For the purpose of this clause teacher includes, head teachers, special program coordinators and adult literacy officers.

- 15.2 Teachers perform a broad range of duties that include the following activities:

Direct Teaching Activities	Duties Related to Teaching
<p>Direct teaching activities include but are not limited to:</p> <ul style="list-style-type: none"> - face to face teaching in any environment or setting, including but not limited to: <ul style="list-style-type: none"> - classrooms, - workshops, - industry - in the field; - distance mode and online; - workplace training and assessment. 	<p>Duties related to teaching include but are not limited to:</p> <ul style="list-style-type: none"> preparation; marking; support and advice to clients; enrolment and administration; course, curriculum and program development and review; industry and community liaison and promotion; training and professional development; development of learning materials; research; attendance at staff meetings; recognition of prior learning; workplace consultancy and advisory services; skills analysis and audit; work placement coordination and supervision; leading approved staff development activities; student selection; course coordination as specified in curriculum documents.

- 15.3 Head teachers also perform administrative duties and special program coordinators and adult literacy officers perform administrative and coordination duties.

16. Allocation of Duties

- 16.1 The direct teaching or counselling component of:

16.1.1 full time teachers shall be 20 hours per week;

16.1.2 head teachers shall be ten or 14 hours per week as determined by the employer;

16.1.3 adult literacy officers shall be nine hours per week;

16.1.4 counsellors and advanced skills counsellors shall be 20 hours per week;

16.1.5 senior counsellors shall be 14 hours per week;

16.1.6 special program coordinators and assistant outreach coordinators shall be six hours per week or 216 hours per annum;

provided that all teachers, special program coordinators and adult literacy officers are entitled, pursuant to clause 21, Professional Development - Teachers, to a reduction in their direct teaching time by the requisite amount of professional development time.

- 16.2 Teachers shall be required to teach 19 hours per week direct teaching including face to face teaching in any environment or setting including, but not limited to, classrooms, workshops, industry, in the field, by distance mode and online, and including workplace training and assessment.
- 16.3 Only at the discretion of the institute director (or nominee) shall any reduction in the teaching load be permitted. If any such reduction is permitted, the teacher shall not be paid for excess teaching hours, except as otherwise approved by the institute director.
- 16.4 Those teachers whose classes finish prior to the end of the TAFE Year, semester or term due to final examination shall continue to perform other duties. Such duties are to be agreed between the teacher and their immediate manager.
- 16.5 The annual hour equivalents of the direct teaching activities, related duties, administrative and coordination duties and annual weeks of attendance of teachers, adult literacy officers, head teachers and special program coordinators shall be as follows:

Classification	Direct teaching (annual equivalent hours) #	Related duties - during teaching weeks (annual equivalent hours)	Related duties hours during the five non teaching weeks (annual equivalent hours)	Admin duties (annual equivalent hours)	Co-ordination & Admin duties (annual equivalent hours) Φ	Total annual hours	Annual weeks of attendance
Teachers	720	360	150	-	-	1230	41
Adult literacy officers	324	216	150	-	540	1230	41
Special program coordinators other than consultants for students with a disability Assistant Outreach Coordinators	216	108	150	-	786	1260	42
Special program coordinators Consultants for students with a disability	216	108	150	-	756	1230	41

Head teachers band 1	504	252	150	324	-	1230	41
Head teachers band 2*	360	180	150	540	-	1230	41

* Includes head teachers band 1 supervising > 150 weighted hours per week

Includes 36 hours professional development.

Φ Coordination and Administrative duties for adult literacy officers and special program coordinators

17. Duties Related to Teaching

- 17.1 For the purpose of this clause teacher includes head teacher, adult literacy officer and special program coordinator.
- 17.2 In addition to direct teaching activities teachers shall be entitled to attend to duties related to teaching for 30 minutes for each hour of teaching that forms part of their approved program, except that adult literacy officers shall be entitled to six hours of related duties time for each week of teaching.
- 17.3 Where a teacher is given a teaching release, each hour of teaching release shall involve a 30 minute reduction in the teacher's related duties time.
- 17.4 Duties related to teaching shall also be undertaken during the five non teaching weeks per annum.
- 17.5 Teachers shall continue, in consultation with their immediate manager, to determine duties that shall be conducted during related duties time.

18. Administrative Duties

- 18.1 The administrative component of a head teacher shall be:
- 18.1.1 nine hours per week for a head teacher band 1 supervising up to 150 weighted teaching hours per week;
- 18.1.2 15 hours per week for a head teacher band 1 supervising more than 150 weighted teaching hours per week; and
- 18.1.3 15 hours per week for a head teacher band 2.

19. Averaging

- 19.1 For the purpose of this clause, teacher includes head teacher.
- 19.2 Teachers and their supervisors may agree to average the teacher's direct teaching component as set out in subclause 16.1 of clause 16, Allocation of Duties, over fixed periods of up to one year determined in advance to enable appropriate patterns of work to meet student needs in accordance with the following provisions.
- 19.2.1 Teachers may, within the fixed averaging period be allocated teaching up to five hours above their direct teaching component, provided that the direct teaching component is to balance over the averaging period.
- 19.2.2 The direct teaching component to related duties ratio is to be maintained but may be averaged over the fixed averaging period, provided that the standard attendance of 30 hours per week is met.
- 19.2.3 Within the fixed averaging period, any direct teaching undertaken which exceeds five hours above the teacher's weekly direct teaching component as set out in subclause 16.1 of the said

clause 16, Allocation of Duties, shall be paid in accordance with clause 26, Excess Teaching Hours.

19.2.4 Any teaching undertaken, which exceeds at the end of the fixed averaging period a teacher's direct teaching component, shall be paid as excess hours. Excess teaching hours claimed in accordance with paragraph 19.2.3 of this subclause cannot be included in determining teaching hours for the purpose of this paragraph.

19.2.5 Except for hours accrued in accordance with the said paragraph 19.2.3, where an averaging teaching program is worked, payment for excess hours will be determined and paid at the end of the fixed averaging period or semester whichever is the lesser in accordance with clause 26, Excess Teaching Hours.

19.3 A teacher may average their direct teaching component over periods of less than one year consistent with subclause 19.2 of this clause.

19.4 The administrative component of a head teacher's approved program must be worked as a consistent number of hours on a weekly basis within any year. Averaging of the administrative component of the standard attendance hours is not permitted.

20. Accumulating Program

20.1 For the purpose of this subclause, teacher includes head teachers.

20.2 By agreement between the teachers and their immediate manager, and subject to TAFE's needs, teachers may elect to teach up to a maximum of five hours above their direct teaching component over one term or up to twelve weeks.

20.3 Teachers may not be directed to teach an accumulating program.

20.4 Regular or repetitive use of accumulating programs for periods over twelve weeks should be avoided. Where the need arises, accumulating hours beyond that period is also voluntary.

20.5 When an accumulating program is chosen, teachers may elect on a once per term basis to accumulate hours or be paid fortnightly for the teaching hours above twenty.

20.6 Where teachers elect to accumulate hours, they may be paid at the end of the term or accrue excess hours into the next term.

20.7 Where an election to accumulate hours is made, teachers in consultation with their immediate manager should, in the context of a pre planned program, determine in advance when the time in lieu is to be taken.

20.8 If payment is elected, it shall be in accordance with clause 26, Excess Teaching Hours.

20.9 By the end of the TAFE year all excess hours must be taken as time in lieu or paid out.

20.10 The teaching component to related duties ratio of 2:1 is to be maintained for the first 20 hours of teaching.

20.11 Teachers shall be required to attend for 41 weeks per annum unless accumulated hours have been banked to be taken as time in lieu.

21. Professional Development - Teachers

21.1 For the purposes of this clause, teacher includes head teachers, special program coordinators and adult literacy officers.

- 21.2 Discussions are to occur between the teacher and their appropriate head teacher/supervisor for an agreed professional development plan that meets the development needs of the teacher and the section/faculty/unit. The plan will be developed as part of the Annual Teacher Review process and will guide the professional development plan over the year.
- 21.3 An approved program for all teachers shall include professional development on the following basis:
- 21.3.1 teachers undertaking teacher training shall have two hours per teaching week professional development in their first two years of service;
- 21.3.2 teachers who are teacher trained on recruitment shall have two hours professional development per teaching week in their first year of service; and
- 21.3.3 all other teachers shall have one hour of professional development per teaching week and may elect to use their professional development time on a weekly basis or to accrue this time over a period of up to twelve weeks.
- 21.4 The parties shall encourage teachers to accumulate their professional development time up to a maximum of twelve hours. This shall facilitate teachers engaging in more meaningful accredited professional development programs. This shall not prevent teachers electing to take their professional development time on a weekly basis.
- 21.5 The related duties time which would normally accrue to the hour(s) of teaching replaced by professional development shall continue to be used for teaching related duties.
- 21.6 The professional development allocation, which is provided by agreement between the parties, is in recognition of the potential value of professional development and:
- 21.6.1 is available for professional experience;
- 21.6.2 is available for self initiated activities;
- 21.6.3 shall be in addition to other professional development time/activities already provided by the employer; and
- 21.6.4 teachers are encouraged to share their experiences with other teachers.

22. TAFE Year

- 22.1 For the purpose of this clause, teacher includes head teacher.
- 22.2 Institutes shall operate for a period of 50 weeks in a calendar year. There shall be a two week close down period in colleges/campuses over the Christmas and New Year period. The dates of the close down period shall be determined by the Managing Director or delegate.
- 22.3 Teachers working TAFE Year programs shall undertake teaching duties for 36 weeks, non-teaching duties for five weeks and are to receive the same number of public holidays and vacation days in the TAFE Year as teachers who are working the standard educational year.
- 22.4 Teachers may not be directed to teach more than twelve consecutive weeks without taking a vacation break or may not elect to teach more than eighteen consecutive weeks without taking a vacation break.
- 22.5 Staffing of courses delivered outside the standard educational year shall be based on an essentially consultative procedure.
- 22.6 Managers of the relevant sections shall:
- 22.6.1 at the first instance, seek volunteers from within the college/campus to teach the course. If suitably qualified full time teachers from within the college/campus are available and they wish

- to make alternative vacation arrangements, the college/campus should introduce an equitable system of selecting volunteer teachers on a rotation basis;
- 22.6.2 if no suitable full time teachers within the college/campus are available, then offers to teach courses may be extended to full time teachers at other colleges/campuses;
- 22.6.3 failing the above, an offer could then be made to suitable part time casual teachers;
- 22.6.4 in the event that all of the above avenues are exhausted, an institute manager may direct a full time teacher to undertake the program, provided that a teacher directed to teach in a TAFE Year program in the midsummer vacation shall not be directed to teach a TAFE Year program in the following midsummer vacation.
- 22.7 Deferred vacation leave shall be arranged on an agreed basis between the teacher and the college management, taking into account the educational programs in the college/campus, particularly in the first two weeks of the standard educational year, and the needs of the teacher.
- 22.8 Deferred vacation leave shall be taken, whenever possible, in full weekly blocks, each beginning Monday and ending on Friday.
- 22.9 Deferred vacation leave is to be cleared within twelve months of the conclusion of the TAFE Year activity and cannot be accumulated and carried over into subsequent years.
- 22.10 The TAFE Year provisions shall apply to teachers who are required to attend college/campus for student selection, programming, enrolment and other duties which can only be done outside the standard educational year and which are essential to the functioning of the section.
- 22.11 Teachers who work up to three days in one block outside the standard educational year may elect, once per TAFE Year, to be paid for this work in lieu of taking vacation leave. Where a teacher elects to be so paid, such payment shall be made at the rate for excess teaching as per clause 26, Excess Teaching Hours.

23. Additional One Week

- 23.1 For the purpose of this clause teacher includes head teacher.
- 23.2 By agreement between teachers and their immediate manager, teachers may elect to attend up to one week of their agreed non attendance period to meet TAFE's needs.
- 23.3 Teachers may elect to be paid for this work or to accumulate their hours.
- 23.4 Where an election for payment is made, then such payment shall be at the rate prescribed at clause 26 Excess Teaching Hours for excess teaching hours or at the part time casual duties other than teaching rate for related duties.
- 23.5 Where teachers elect to accumulate, such hours shall contribute to their bank of hours.
- 23.6 Where teaching duties are undertaken, the hours shall accumulate as part of their total teaching bank of hours.
- 23.7 Where related duties are undertaken, these hours shall accumulate as part of the related duties bank of hours.
- 23.8 Teachers, in consultation with their immediate manager, should consider the provisions of clause 22 TAFE Year, and this clause.
- 23.9 Teachers may only attend one additional week per TAFE Year, whether the provisions of the said clause 22 TAFE Year, or this clause are applied.

- 23.10 Where teachers are directed to undertake duties in a vacation period, after the provisions of subclause 22.6 of clause 22 TAFE Year have been followed, then only the provisions of clause 22 TAFE Year shall apply.
- 23.11 Where teachers volunteer to undertake duties in the vacation period, then either the provisions of clause 22 TAFE Year or the provisions of this clause shall apply.

24. Evening Work - Counsellors

- 24.1 For the purpose of this clause, counsellor includes senior counsellors and advanced skills counsellors.
- 24.2 Counsellors required to perform part of their counselling program after 5.30pm as part of their normal program shall be paid at a rate of 1.25 times their hourly salary rate.
- 260.3 The formula for calculating the hourly salary rates for a counsellor shall be:

$$\frac{\text{Annual Salary}}{260.8929} \times \frac{5}{1} \times \frac{1}{35}$$

25. Time Credit

- 25.1 For the purposes of this clause, teacher includes head teacher and adult literacy officer.
- 25.2 Teachers who are required to perform direct teaching activities between 6.30pm and 10.00pm Monday to Friday and 6.00am and 10.00pm on Saturday as part of their approved program and not part of excess teaching hours, shall have their direct teaching activities reduced by one hour for every four hours of such teaching or pro rata, provided that:
 - 25.2.1 where, as a consequence of the operation of this subclause, a teacher’s teaching load is reduced by their attendance, the said teaching load shall be reduced by an equivalent time but the teacher’s total related duties time shall remain unaltered;
 - 25.2.2 subject to the provisions of clause 19, Averaging, where, as a consequence of the operation of this subclause, a teacher's direct teaching load is reduced, direct teaching hours above the reduced load shall be deemed to be excess and paid at the appropriate rate according to clause 26, Excess Teaching Hours, for the time at which the hours are taught.
 - 25.2.3 A teacher may choose to accumulate the excess teaching hours in accordance with the provisions of clause 20, Accumulating Program.
- 25.3 Teachers who are required to work during the hours prescribed at subclause 25.2, other than direct teaching, including the following circumstances:
 - 25.3.1 Related duties (excluding meal breaks) which in one continuous period of time, extend beyond 6.30pm and 10.00pm Monday to Friday and or between 6.00am and 10.00pm Saturday, where a teacher is required to teach two teaching sessions that are part of their approved program;
 - 25.3.2 where head teachers are directed to perform supervisory duties;
 - 25.3.3 enrolment duties;

as part of their approved program and not as part of excess teaching hours, shall be paid at a rate of 1.25 times the hourly rate for the teacher so engaged. The formula for calculating the hourly rate of the teacher shall be:

$$\frac{\text{Annual Salary}}{1} \times \frac{5}{260.8929} \times \frac{1}{30}$$

26. Excess Teaching Hours

- 26.1 For the purpose of this clause, teacher includes head teacher and adult literacy officer.
- 26.2 Subject to the provisions in clause 19, Averaging, Excess teaching hours worked between 6.00am and 6.30pm Monday to Friday shall be paid at a rate known as the excess teaching rate.
- 26.3 The formula for calculating the excess teaching hourly rate for hours described in subclause 26.2 shall be:

$$\frac{\text{Maximum TAFE Teacher Salary}}{1} \times \frac{5}{260.8929} \times \frac{1}{30} \times 1.3475$$

- 26.4 Subject to the provisions in clause 19, Averaging, excess teaching hours worked between 6.30pm and 10.00pm, Monday to Friday and 6.00am and 10.00pm Saturday, shall be credited on the basis of five hours for every four hours worked, or pro rata, and the hours so derived shall be paid according to this clause.
- 26.5 Where as a consequence of the operation of clause 25, Time Credit a teacher's standard teaching load is reduced, the excess teaching hourly rate will only be payable to:
- 26.5.1 a teacher, if, subject to the provisions of clause 19, Averaging, they have performed direct teaching duties of at least 19 hours in the week.
- 26.5.2 a head teacher, if, subject to the provisions of clause 19, Averaging, they have performed direct teaching duties of 9 to 13 hours in the week as determined by the employer.
- 26.5.3 an adult literacy officer, if they have performed direct teaching duties of at least 8 hours in the week.
- 26.6 Emergency Hours -
- 26.61 Emergency excess teaching hours occur when an unplanned absence of a teacher leads to another teacher being given less than 24 hours notice to take a class.
- 26.62 Payment for emergency excess teaching hours shall be made fortnightly at the appropriate rate for the hours worked.
- 26.63 Emergency excess teaching hours cannot be included in determining the direct teaching hours of an averaging program.
- 26.7 The parties agree that the use of excess teaching hours shall be discouraged.

27. Sunday Work/Night Work

- 27.1 For the purpose of this clause teacher includes head teacher and adult literacy officer.
- 27.2 That part of an approved program required to be worked on Sunday or on other days between the hours of 10.00pm and 6.00 am shall be paid at the rate of double the hourly rate of the teacher.
- 27.3 The formula for calculating the hourly rate shall be:

$$\frac{\text{Annual Salary}}{1} \times \frac{5}{260.8929} \times \frac{1}{27}$$

28. Qualifications for Appointment

- 28.1 Except where the employer determines that special circumstances exist in relation to a particular person which warrant that person's appointment with a lesser qualification or a shorter duration of vocational experience, the minimum qualifications for appointment to positions are as follows:
- 28.1.1 Education officer - appropriate degree or diploma at AQF level or equivalent and appropriate vocational and or industrial experience.
- 28.1.2 Teacher - appropriate technical or professional qualifications plus from two to five years, as appropriate, vocational and or industrial experience.
- 28.1.3 Counsellor - appropriate degree from a higher education institution and at least three years study in psychology or other such study as the employer deems appropriate, plus two years appropriate vocational experience.

29. Working Conditions - Education Officers and Related Employees

- 29.1 This clause sets out the general conditions of employment for the following classifications - education officer, senior education officer, chief education officer, principal education officer, curriculum manager, industry specialist, principal officer, quality assurance coordinator, cluster manager, program manager, Manager Education and Training Resource Centre.
- 29.2 They shall:
- 29.2.1 be employed on a 35 hours per week basis and may average their working hours, provided they work 420 hours every twelve weeks;
- 29.2.2 be entitled to professional development/study time as per clause 30, Professional Development - Education Officers, Related Employees and Counsellors.
- 29.3 In the context of a pre planned program, managers and their employees shall negotiate their working arrangements, including their daily span of hours, so as to meet TAFE's and the individual's needs. Possible working arrangements include:
- 29.3.1 the taking of part, single or multiple days as time in lieu;
- 29.3.2 taking time in lieu before 420 hours have been accumulated;
- 29.3.3 working a standard 35 hour week.
- 29.4 Up to a maximum of one week (35 hours) may be carried forward from one twelve week period to the next.
- 29.5 Where employees do not work the required 420 hours over the twelve week period, then an annual leave debit shall be made to cover the shortfall.
- 29.6 Where agreed working arrangements need to be reviewed this shall also be negotiated between employees and their manager.
- 29.7 The band of hours for employees not located in colleges/campuses shall be from 7.30am to 9.00pm Monday to Friday.
- 29.8 The band of hours for employees located in colleges/campuses shall be from 6.00am to 10.00pm Monday to Saturday.
- 29.9 All full time employees located in colleges/campuses shall be required to attend five days per week unless the taking of time in lieu has been agreed.

30. Professional Development - Education Officers, Related Employees and Counsellors

- 30.1 Permanent and temporary education officers, related employees and counsellors shall have a professional development program as follows:
- 30.1.1 retention of their existing study time - for those employed as at 31 January 1994; or
- 30.1.2 ten working days per annum which may be accumulated over six years up to a maximum of 60 working days to undertake professional experience, work or study inside or outside the TAFE system which is of demonstrated value to TAFE and/or the professional development of the employee. This time may be taken in minimum periods of one half day per week as negotiated with their immediate manager. The absence requires the approval of the employer and is subject to the operating needs of the unit.
- 30.2 Permanent and temporary cluster managers, manager education and training resource centre, principal education officers, program managers, curriculum managers, quality assurance coordinators, chief education officers and senior education officers shall have a professional development program as follows:
- 30.2.1 ten working days per annum, which may be accumulated over two years up to a maximum of 20 working days to undertake professional experience, work or study inside or outside the TAFE system which is of demonstrated value to TAFE and/or to the employee's current and medium term professional development needs. The professional development activity is negotiated with and must be approved by the line manager in advance. This time may be taken in minimum periods of one half day per week subject to the operating needs of the institute or unit. This does not preclude access to other professional development opportunities provided by the employer.
- 30.2.2 Related employees as per clause 30.2 undertaking courses of study who require different arrangements to those in subclause 30.2.1 may apply to the employer for special consideration. The employer shall consider these requests on a case-by-case basis.
- 30.2.3 Where the employer requires professional development, the employer will meet the compulsory fees involved. Where the professional development opportunity is voluntary the employer may, at its discretion, refund all or part of the compulsory fees incurred by the related employees as per clause 30.2.
- 30.2.4 Related employees as per clause 30.2 employed as at 3 June 2005 with an existing balance of professional development time of up to 60 days may utilize this time as provided for in subclause 30.2.1 of this agreement. Following utilisation of this balance, professional development time will accrue on the basis provided for in subclause 30.2.1 of this agreement.
- 30.2.5 Related employees as per sub clause 30.2 who have accumulated 20 working days, but due to operational arrangements, are unable to take them within the two year period shall by negotiation and agreement with the line manager retain the balance of professional development time in excess of 20 working days. The employee shall have six months after the next date of accrual in which to utilise the excess balance. This will not affect the accrual of additional professional development days as per sub clause 30.2.1.

31. Leave for Teachers and Related Employees

- 31.1 In addition to the leave entitlements provided by this subclause, TAFE teachers and related employees are also entitled to adoption, maternity and parental leave in accordance with the TAFE NSW Adoption, Maternity and Parental Leave Procedures.
- 31.2 Annual Recreation Leave - All officers and temporary employees shall be entitled to a minimum of 20 days recreation leave or pro rata where employed for periods less than the equivalent full time.

31.3 Annual Leave Loading - All officers and temporary employees shall be paid a loading of 17.5 per cent of their wage/salary for each week of the four weeks minimum annual leave as provided for in subclause 31.1 for each twelve months of service, or pro rata, on the basis of the employee's ordinary salary rate.

31.4 Annual Leave and Agreed Weeks of Non Attendance - teachers, counsellors and special program coordinators:

31.4.1 Except where provision is otherwise made in this Award, all leave in excess of four weeks shall be deemed to be in lieu of additional work and overtime.

31.4.2 In lieu of the provisions under the Annual Holidays Act 1944, unless otherwise required by the employer, officers and temporary employees in the following classifications shall not be required to attend their workplace for the number of weeks as set out in the following schedule:

Salary Group	Classification	Annual Leave Weeks	Agreed Weeks of Non Attendance
Common Salary Scale	Teacher	4	7
	Adult Literacy Officer	4	7
	Counsellor	4	3
	Advanced Skills Counsellor	4	3
	Assistant Outreach Co-ordinator	4	6
Promotion Salary Scales	Head Teacher	4	7
	Special Program Coordinators	4	6
	Consultants for students with a disability	4	7
	Senior Counsellor	4	3

31.5 Sick Leave -

31.5.1 All officers and temporary employees shall be entitled to fifteen days per annum with the unused component of the annual entitlement being fully cumulative or pro rata where employed for periods less than the equivalent full time.

31.5.2 Employees employed on teaching conditions who, as at 31 January 1994, were entitled to 22 days on full pay and 22 days on half pay in any twelve month period shall retain their previously accumulated sick leave entitlement.

31.5.3 Special sick leave shall continue to be available.

31.5.4 Additional Sick Leave - the provisions of this subclause shall only apply to officers and temporary employees employed on teaching conditions.

- (i) The maximum grant of additional sick leave during the first two years of service is fifteen days.
- (ii) Additional sick leave provided under this subclause is available at any stage during the employee's first two years of service but shall only be granted in circumstances where:
 - (a) there is no current concern regarding the employee's use of sick leave as contained in paragraph 31.4.1 of this subclause;
 - (b) all sick leave entitlements as contained in paragraph 31.4.1 have been exhausted.

31.6 Extended Leave -

31.6.1 Officers and full time temporary employees shall be entitled to extended leave of 44 working days on full pay or 88 working days on half pay after completing ten years of service and a further eleven working days for each completed year of service after ten years.

31.6.2 Extended leave entitlements as a result of service prior to 31 January 1994 shall be saved as accumulated under the pre-existing provisions applying to the employee concerned.

31.7 Family and Community Service Leave -

31.7.1 The maximum amount of family and community service leave that may be granted to full time officers and temporary employees is:

- (i) during the first twelve months of service - three working days;
- (ii) after completion of twelve months service - six working days in any two year period;
- (iii) after completion of two years service - nine working days in any three year period.

31.8 Personal/Carer's Leave -

31.8.1 Use of Sick Leave -

- (i) Where family and community service leave is exhausted an officer or temporary employee with responsibilities in relation to a class of person set out in subparagraph (iii) (b) below who needs that employee's care and support shall be entitled to use, in accordance with this subclause, any current or accrued sick leave entitlement provided for in sick leave provisions of this agreement or absences to provide care and support for such persons when they are ill. Leave may be taken for part of a day.
- (ii) That employee shall if required, 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. In normal circumstances, an employee must not take personal carer's leave under this subclause where another person has taken leave to care for the same person.
- (iii) The entitlement to use sick leave in accordance with this subclause is subject to:
 - (a) the employee being responsible for the care of the person concerned; and
 - (b) the person concerned being:
 - (1) a spouse of the employee; or
 - (2) a de facto spouse who, in relation to a person, is 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 bona fide domestic basis although not legally married to that person; or
 - (3) a child or an adult child (including an adopted child, a stepchild, a foster child or an ex nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse or de facto spouse of the employee; or
 - (4) a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
 - (5) a relative of the employee who is a member of the same household where, for the purposes of this section:

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

"affinity" means a relationship that one spouse, because of marriage, has to blood relatives of the other; and

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

- (iv) An employee shall, wherever practicable, give the employer or nominee notice, prior to the absence, of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the employee to give prior notice of absence, the employee shall notify the employer or nominee of such absence at the first opportunity on the day of absence.

31.8.2 Unpaid Leave for Family Purposes -

- (i) An officer or temporary employee may elect, with the consent of the employer or nominee, to take unpaid leave for purpose of providing care and support to a member of a class of person set out in subparagraph 31.8.1 (iii) (b) who is ill.

31.8.3 Annual Leave -

- (i) An officer or temporary employee may elect, with the consent of the employer or nominee and subject to the Annual Holidays Act 1944, 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.
- (ii) Access to annual leave, as prescribed in subparagraph (i) of this paragraph, shall be exclusive of any shut down period provided for elsewhere under this agreement.
- (iii) The employee and employer or nominee 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.
- (iv) An officer or a temporary employee may elect with the employer's agreement to take annual leave at any time within a period of 24 months from the date at which it falls due.

31.8.4 Time Off in Lieu of Payment for Overtime -

- (i) An officer or temporary employee may elect, with the consent of the employer, to take time off in lieu of payment of overtime at a time or times agreed with the employer within twelve months of the said election.
- (ii) Overtime taken as time off during ordinary time hours shall be taken at the ordinary time rate, that is, an hour for each hour worked.
- (iii) If, having elected to take time as leave in accordance with subparagraph (i) of this paragraph, the leave is not taken for whatever reason, payment for time accrued at overtime rates shall be made at the expiry of the twelve month period or on termination.
- (iv) Where no election is made in accordance with the said subparagraph (i), the employee shall be paid overtime rates in accordance with the award.

31.8.5 Make-up Time -

- (i) An officer or temporary employee may elect, with the consent of the employer or nominee to work "make-up time", under which the employee takes time off ordinary hours and works those hours at a later time during the spread of ordinary hours provided in the agreement, at the ordinary rate of pay.

31.8.6 Rostered Days Off -

- (i) An officer or temporary employee may elect, with the consent of the employer or nominee, to take a rostered day off at any time.
- (ii) An employee may elect, with the consent of the employer or nominee, to take rostered days off in part day amounts.
- (iii) An employee may elect, with the consent of the employer or nominee, 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 or nominee and the employee, or subject to reasonable notice by the employee or the employer or nominee.
- (iv) This subclause is subject to the employer or nominee informing each union which is party to the agreement 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 to participate in negotiations.

31.8.7 Bereavement Leave -

- (i) An officer or temporary employee shall be entitled to up to two days bereavement leave without deduction of pay on each occasion of the death of a person prescribed in subparagraph 31.8.1 (iii) (b) of this subclause, provided that for the purpose of bereavement leave, the employee need not have been responsible for the care of the person concerned.
- (ii) The employee must notify the employer or nominee as soon as practicable of the intention to take bereavement leave and shall, if required by the employer or nominee provide to the satisfaction of the employer or nominee proof of death.
- (iii) An employee shall not be entitled to bereavement leave under this clause during any period in respect of which the employee has been granted other leave.
- (iv) Bereavement leave may be taken in conjunction with other leave available under this clause. In determining such a request the employer or nominee shall give consideration to the circumstances of the employee and the reasonable operational requirements of TAFE.

32. Calculation of Service

32.1 In calculating the years of service for the purpose of this Award the following periods shall not be taken into account:

32.1.1 any leave of absence without pay exceeding five days in any year of service;

32.1.2 any unauthorised absences;

32.1.3 any time period during which an employee is not eligible to progress by reason of failure to satisfy any condition attaching to salary progression under this Award.

33. Training and Development

33.1 The parties confirm a commitment to training and development for all education employees. Employees recognise their obligation to maintain and update their skills. The employer recognises its obligations to provide employees with opportunities to maintain and update their skills.

33.2 It is the aim of the parties to this Award that employees shall be provided with opportunities for training and development so that they will form a highly skilled, competent and committed workforce, experiencing job satisfaction and providing the highest quality service.

- 33.3 The parties agree that, wherever possible, training and development shall be designed to articulate with approved and accredited courses.
- 33.4 The employer shall facilitate the professional development, skills enhancement and career development opportunities of employees and improve effectiveness through a range of activities, including:
- work-based learning;
 - return to industry;
 - job rotation;
 - transfers;
 - secondment;
 - project team participation;
 - job design and redesign;
- provision of training relevant to the needs of the individual and the requirements of the organisation.

34. Multi-Skilling

- 34.1 Subject to appropriate qualifications, training and taking into account a teacher's long term career path opportunities, the employer may transfer teachers to teach their approved program in part or in whole in another location or discipline other than the one to which they currently belong.
- 34.2 Teachers transferred pursuant to subclause 34.1 of this clause shall have a right to a review of their position each year in consultation with relevant TAFE officers.

35. Working Conditions - Part Time Casual Teachers, Coordinators and Counsellors

- 35.1 This clause sets out the general conditions of employment for part time casual teachers, coordinators and counsellors. In addition to the leave entitlements provided by this subclause, part time casual teachers and coordinators are also entitled to adoption, maternity and parental leave in accordance with the TAFE NSW Adoption, Maternity and Parental Leave Procedures.
- 35.2 Subject to satisfying the conditions prescribed by this Award, the hourly rate of pay inclusive of all incidents of employment, excluding entitlements under the Long Service Leave Act 1955 and including duties in subclause 35.7 of this clause, of part time casual teachers and coordinators shall be as set out in Schedule 7.
- 35.3 Part time casual teachers who teach within a correctional centre shall be entitled to an environmental allowance of an additional amount per hour as set out in Schedule 2 on the rates contained in Schedule 7 for each hour so taught within the correctional centre.
- 35.4 Duties -
- 35.4.1 The rate paid for part time casual teachers is for the duties on which part time casual teachers are engaged during the hours for which they have been authorised to undertake direct teaching activities and performance of related duties including:
- attendance in the classroom before the commencement and after the completion of class;
 - setting and marking of class tests;
 - assessing and marking students' practical work;

preparing special lectures and lecture demonstrations;

completing records and returns;

setting and marking assignments;

initial recording of results;

familiarisation with the syllabus;

organisation of lesson plan;

preparation of lesson notes, and teaching aids;

making copies of notes; and

preparation for practical work, drawing and practical exercises.

35.5 Sick Leave -

35.5.1 Part time casual teachers and coordinators shall be entitled to sick leave as follows:

- (i) In any calendar year a part time casual teacher or coordinator shall be entitled to accrue and then use sick leave as set out in subparagraphs (ii) to (viii) below.
- (ii) After having completed 468 hours of service during any calendar year, a part time casual teacher or coordinator shall have accrued paid sick leave of three weeks per annum pro rata to the average number of hours per week worked by the teacher or coordinator in that calendar year. The part time casual teacher or coordinator shall accrue a number of hours sick leave on an annual basis equal to the number of hours service in a calendar year divided by twelve.
- (iii) Provided that a part time casual teacher or coordinator who has completed 468 hours service in a calendar year but does not have accumulated sick leave entitlement from preceding years shall have an hourly sick leave entitlement equal to the number of hours service, at the date of taking leave, multiplied by three and divided by the number of weeks worked by that date.
- (iv) The maximum amount of accumulated sick leave in any calendar year shall be 60 hours.
- (v) At the commencement of each calendar year, a part time casual teacher or coordinator shall be credited with unused sick leave accrued in the preceding calendar year.
- (vi) A part time casual teacher or coordinator who has an accrued sick leave entitlement and who, because of personal illness, is unable to attend or perform duty on any day when engaged or scheduled to attend, shall be entitled to be paid sick leave at the rate applicable to those duties.
- (vii) Where a part time casual teacher's or coordinator's application for sick leave exceeds three consecutive program days or as otherwise required by the employer, the part time casual teacher or coordinator shall produce a satisfactory medical certificate from a qualified medical practitioner stating the nature of the illness and the time which, in the doctor's opinion, must elapse before the applicant can resume duty.
- (viii) Where a part time casual teacher or coordinator is also engaged in any other full time employment and is entitled thereunder to sick leave benefits in respect to a period of employment which is concurrent with any period(s) of employment as a part time casual teacher or coordinator they shall not be entitled to any sick leave benefits under this Award.

35.6.2 Part time casual teachers and coordinators who have a sick leave entitlement pursuant to clause 35.5.1 shall be entitled to use that entitlement for personal/carer's and bereavement leave purposes in accordance with subclause 31.8 Personal/Carer's Leave.

35.7 Hard to Fill Country Locations -

35.7.1 When a part time casual teaching, coordination and or counselling position has been advertised twice in the press and no selection has been made, appropriate travel and subsistence allowances pursuant to the Crown Employees (Public Service Conditions of Employment 2002) Award published 21 March 2003 (338 I.G. 837) as varied, or its successor shall be paid to part time casuals who, upon request by the employer, work in a remote location other than the location to which they are otherwise engaged.

35.8 Payment for Related Duties

35.8.1 Part time casual teachers teaching 10 or more hours in a week in any Institute/s shall be entitled to payment for related duties, provided that they attend to perform the related duties. Such related duties shall be paid at the teaching duties rate according to the following table:

Teaching Duties Hours	Related Duties Hours
19 hours or more per week	6 hours 20 minutes
18 hours	6 hours
17 hours	5 hours 40 minutes
16 hours	5 hours 20 minutes
15 hours	5 hours
12 to less than 15 hours	3 hours
10 to less than 12 hours	1 hour

35.8.2 Payment for related duties paid to part time casual teachers teaching 10 hours or more a week are for duties associated with the part time casual teacher's teaching section as well as for duties related to the part time casual teacher's direct teaching activities set out in subclause 35.7.

35.8.3 The apportionment of the related duties to be undertaken and the required attendance shall be by agreement between the part time casual teacher and their supervisor/s and become part of the teacher's approved program. Where practical, attendance is to be arranged so that the teacher can attend staff meetings, professional development and other related duties on the day/s the teacher is programmed to teach. Split shifts are not to be included as part of a part time casual teacher's approved program unless requested by the part time casual teacher.

35.9 Training and Development -

35.9.1 Where a part time casual teacher, coordinator or counsellor is approved to attend a staff development activity which coincides with normal duties, such part time casuals shall be paid at the rate applicable to their duty program for the length of that duty program whilst so engaged on staff development activities.

35.9.2 Allowances and reimbursement of out-of-pocket expenses pursuant to the Crown Employees (Public Service Conditions of Employment 2002) Award published 21 March 2003 (338 I.G. 837) as varied, or its successor, for motor vehicle allowances shall be made on the following bases, provided that such travel is by the most economical means.

35.9.3 If participants attend courses where they are required to be away from their homes overnight, they shall be entitled to:

- (i) provision of the cost of rail travel or use of car with payment at casual rates; and
- (ii) payment of incidental expenses necessarily incurred in travelling.

35.9.4 If participants attend courses where they are not required to be away from their homes overnight, they shall be entitled to:

- (i) travelling costs as per subparagraph 35.11.3 (i) and
- (ii) meal allowances, when meals are not provided by the employer.

35.10 Class Cancellation -

35.10.1 Where a part time casual teacher reports for duty on any day on the basis of a request by an authorised officer and then is advised that their services are not required or receive less than two hours notice of cancellation, the teacher shall be entitled to receive payment for the scheduled duties.

35.11 Attendance at Staff Meetings -

35.11.1 Part time casual teachers and coordinators who are approved to attend staff meetings shall be paid at the rate specified for duties other than teaching for attendance at the meetings.

35.11.2 A minimum one hour is payable for each meeting attendance.

35.11.3 Approval for attendance in excess of two hours for each meeting shall be at the discretion of the officer at the level above the part time casual's supervisor.

35.12 Public Holiday Pay -

35.12.1 When a public holiday occurs on the day when part time casual teachers and coordinators are normally required to be on duty, they shall be paid for that day's normally programmed hours if they were:

- (i) On their normal duty day immediately preceding the public holiday, irrespective of whether that day was the class day one week earlier or some additional class day between those two days; and
- (ii) On their normal duty day immediately following the public holiday, irrespective of whether that day was the class day one week later or some additional class day between those days.

35.12.2 Part time casual teachers and coordinators engaged as substitutes for other part time casual teachers and coordinators shall be paid only if the normal part time casual teachers or coordinators do not qualify under paragraph 35.12.1 of this subclause.

35.12.3 Part time casual teachers who teach during a vacation period are entitled to be paid for public holidays falling within the vacation period pursuant to this clause.

35.13 Payment of Interview Expenses -

35.13.1 Part time casual teachers, coordinators and counsellors applying for full time TAFE positions are entitled to the following provisions:

- (i) When a part time casual is called for interview for a full time position, then the employer shall meet the applicant's reasonable expenses for travel and subsistence as contained in the Interview Expenses policy contained in the TAFE Commission Gazette of 10 August 1994, as amended from time to time.
- (ii) The payment of expenses shall be a matter for discussion and agreement prior to interview, bearing in mind due economy.
- (iii) Travel arrangements shall be discussed when interviews are arranged.

35.14 Recognition of Previous TAFE Part time Casual Service -

35.14.1 Part time casual teachers, coordinators and counsellors who are subsequently appointed to full time TAFE positions are eligible to have such part time casual TAFE service recognised for extended (long service) leave purposes, provided their service merged without break into full time service.

35.14.2 To calculate their entitlement, the following formula is used:

$$\frac{\text{Number of hours worked per week as a part time casual}}{\text{Number of hours worked per week by full time staff in that classification}} \times \text{Period of part time casual employment}$$

35.15 Agreed Leave -

35.15.1 Declared Emergencies -

- (i) Part time casual teachers and coordinators who, in a declared emergency, volunteer to assist the emergency services or who are members of volunteer emergency organisations which are required to assist during a declared emergency are to be granted leave with payment where it coincides with teaching duty. There is no limit on the duration of such leave.
- (ii) On resumption of duty, proof of attendance certified by an authorised representative of the emergency service shall be provided.
- (iii) Agreed leave for a further one day for rest purposes may be granted prior to the resumption of duty.

35.15.2 Jury Duty -

(i) Part time Casual Teachers and Coordinators Responsibility -

- (a) A part time casual teacher or coordinator, who attends a court in answer to a jury summons on a day when they would otherwise be on duty, may elect to receive payment for jury expenses or receive leave, whichever is most advantageous to the part time casual.
- (b) To obtain leave, a part time casual teacher or coordinator must furnish to the appropriate supervisor any certificate of attendance issued by the Sheriff or by the Registrar of the court giving particulars of attendances by the part time casual teacher or coordinator during any such period and the details of any payment or payments made to the part time casual teacher or coordinator under Section 72 of the Jury Act 1977, in respect of any such period.
- (c) A part time casual teacher or coordinator must, as soon as possible, notify the appropriate supervising officer of the details of any jury summons served.

(ii) Employer's Responsibility -

- (a) The appropriate supervising officer shall, in respect of any period during which a part time casual teacher or coordinator was required to be on duty:
 - (1) upon receipt of any such certificate of attendance grant, in respect of any such period for which the part time casual teacher or coordinator has been paid out-of-pocket expenses only, agreed leave on full pay; or

- (2) in any other case grant, at the sole election of the part time casual teacher or coordinator, agreed leave without pay.

35.15.3 Bereavement Leave

- (i) Subject to the evidentiary and notice requirements in 31.8.1 (ii) and 31.8.1 (iv) part time casual teachers, coordinators and counsellors are entitled to not be available to attend work, or to leave work on the death in Australia of a person prescribed in subclause 31.8.1 (iii) (b) of clause 31.8 Personal/Carer's Leave.
- (ii) The employer and the part time casual teacher, coordinator or counsellor 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 part time casual teacher, coordinator or counsellor is not entitled to any payment for the period of non attendance.
- (iii) The employer must not fail to re-engage a part time casual teacher, coordinator or counsellor because the employee accessed the entitlements provided for in this clause. The rights of the employer to engage or not engage a part time casual teacher, coordinator and counsellor are otherwise not affected.

35.15.4 Personal//Carer's Leave

- (i) Subject to the evidentiary and notice requirements in 31.8.1 (ii) and 31.8.1 (iv) part time casual teachers, coordinators and counsellors are entitled to not be available to attend work, or to leave work if they need to care for a person prescribed in subclause 31.8.1 (iii) (b) of clause 31.8 Personal/Carer's Leave who is sick and requires care and support, or who requires care due to an unexpected emergency, or the birth of a child.
- (ii) The employer and the part time casual teacher, coordinator or counsellor 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 part time casual teacher, coordinator or counsellor is not entitled to any payment for the period of non attendance.
- (iii) The employer must not fail to re-engage a part time casual teacher, coordinator or counsellor because the employee accessed the entitlements provided for in this clause. The rights of the employer to engage or not engage a part time casual teacher, coordinator and counsellor are otherwise not affected.

35.16 Access to Facilities -

- 35.16.1 The institute shall ensure that the facilities are available to all part time casual employees. Subject only to the needs for security and safety, teaching materials, working areas and equipment, resource and reference materials and technical and administrative employees shall be readily accessible by part time casual employees before, during and following their scheduled duty periods.

35.17 Statement of Service -

- 35.17.1 The employer shall maintain a record of service detailing hours paid during the period of engagement of all part time casuals.
- 35.17.2 The record of service prior to the introduction of the Lattice Human Resources Management System shall be established from the employer's records supplemented by part time casuals submitting records/statutory declarations of this service.
- 35.17.3 This record of service will be updated and made available to each part time casual as a Statement of Service:

- (i) On request by the part time casual concerned; or
- (ii) On termination of the part time casual's employment.

35.18 Induction -

35.18.1 A part time casual teacher, on initial engagement, shall be paid up to two hours at the duties other than teaching rate for attendance at a formal induction program.

35.19 Part time Casual Counsellors -

35.19.1 Part time casual counsellors shall be entitled to an hourly rate of pay as set out in Schedule 7.

35.19.2 The hourly rate of pay provided in Schedule 7 is inclusive of all incidence of employment, including sick leave in subclause 35.5, public holiday pay in subclause 35.12 and agreed leave in subclause 35.15 except for entitlements under the Long Service Leave Act 1955.

35.20 Temporary Appointment Opportunities -

35.20.1 Part time casual teachers, counsellors and coordinators are eligible to apply for temporary appointment to positions (other than full time teaching, permanent teaching and promotional teaching positions) advertised within the TAFE Gazette.

36. Contract Teachers (OTEN)

36.1 This clause establishes the general conditions of employment, including hourly rates of pay, which are specific to contract teachers employed at OTEN.

36.2 In addition to the qualifications for appointment the Basic Method of External Teaching (BMET) is the pre entry requirement.

36.3 Rates of Pay -

36.3.1 There shall be a single contract teaching rate. The rate of pay for contract teachers is linked to the hourly teaching duties rate for part time casual teachers as follows:

$$\begin{array}{l} \text{Teaching Duties Rate for} \\ \text{Part time Casual Teachers} \end{array} \quad \times \quad \frac{2}{3} \quad \times \quad \frac{25}{60} \quad = \quad \$ \text{ per unit}$$

36.3.2 This formula reflects the parties' agreement that the marking of each unit of work shall be allocated 25 minutes.

36.3.3 The rates of pay for contract teachers (OTEN) are set out in Schedule 7. These rates are inclusive of all incidence of employment except for long service leave as provided under the Long Service Leave Act 1955.

37. Provision for Positions which Are Hard to Fill

37.1 This clause does not apply to part time casual teachers and contract teachers (OTEN).

37.2 A position will be regarded as "hard to fill" when it has been advertised once throughout TAFE and twice throughout New South Wales in the major press and no appointment has been made.

37.3 When a position has been identified as "hard to fill" in accordance with subclause 37.2, the employer will review the position in order to ensure that the current position description and accountabilities appropriately reflect the nature of the position. Where appropriate, job redesign will follow and the new position will be advertised in the normal manner.

- 37.4 Where job redesign has not been deemed to be appropriate, Institute Directors and managers may offer an allowance of up to ten per cent of the maximum salary of the position when it is next advertised.
- 37.5 The allowance will be paid to the selected applicant for as long as they remain in the advertised position.

38. Industrial Rights

38.1 Federation Representatives -

- 38.1.1 An accredited Federation representative at the place in which they are employed shall, upon notification thereof to their employer, be recognised as an accredited Federation representative.
- 38.1.2 An accredited Federation representative shall be allowed the necessary time during working hours to interview the employer or their representative on matters affecting employees.
- 38.1.3 An accredited Federation representative shall be allowed a reasonable period of time during working hours to interview a duly accredited Federation official.

38.2 Consultative and Other Committee Work -

- 38.2.1 Where an employee is required by the employer, nominated by the Federation or otherwise selected by other employees to participate in work based consultative or like committees, the employer shall provide such employees with paid leave to attend to such matters.
- 38.2.2 In addition, where such committees unanimously agree to undertake a particular project consistent with their terms of reference, the employer shall provide sufficient paid time to enable the employee to undertake the project.

39. Quality Improvement Program

- 39.1 The parties are committed to encouraging officers at all levels to take responsibility for the continuous improvement of all processes, products and services of TAFE.
- 39.2 The parties will actively participate in the development and implementation of the agreed quality improvement program throughout TAFE and will contribute to the program's success.

40. Pilot Schemes

- 40.1 The parties agree to pilot innovative ways to meet customer needs; to jointly develop performance indicators for these schemes; to jointly monitor and measure the success of these schemes using these indicators; and to implement those initiatives which they have agreed are a success.
- 40.2 The parties agree that, before pilot schemes are introduced, the Federation and affected officers involved must be consulted and agree to their trial.

41. Principles of Restructuring

- 41.1 The parties agree to the following basic principles in the restructuring of work units:
- 41.1.1 officers will be consulted at the first opportunity;
- 41.1.2 the Federation is notified and discussions held regarding the restructure;
- 41.1.3 where new structures are being considered, a broad outline of the structure with basic functions of each position will be developed;
- 41.1.4 the process involves ongoing consultation with officers and the Federation;
- 41.1.5 job analysis will be conducted on the new positions;

41.1.6 resulting position descriptions will be discussed with affected officers and the Federation;

41.1.7 job evaluation of positions is undertaken;

41.1.8 staffing of positions occurs in terms of redeployment, potential redeployment, transfer, staff selection and direct appointment, except where a position can clearly be identified as an upgraded position with an incumbent.

42. Dispute Resolution Procedures

42.1 Subject to the provisions of the Industrial Relations Act 1996, the following procedures shall apply:

42.1.1 Should any dispute (including a question or difficulty) arise as to matters occurring in a particular workplace, then the employee and or the Federation's workplace representative shall raise the matter with the appropriate supervisor as soon as practicable.

42.1.2 The supervisor shall discuss the matter with the employee and or the Federation's workplace representative within two working days with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.

42.1.3 Should the above procedure be unsuccessful in producing resolution of the dispute or should the matter be of a nature which involves multiple workplaces, then the employee and or the Federation may raise the matter with an appropriate officer at the institute level with a view to resolving the dispute, or by negotiating an agreed method and time frame for proceeding.

42.1.4 Where the procedures in paragraph 42.1.3 do not lead to resolution of the dispute, the matter shall be referred to the Deputy Director-General Workforce Management and Systems Improvement of the Department and the General Secretary of the Federation. They or their nominees shall discuss the dispute with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.

42.2 Should the above procedures not lead to a resolution, then either party may make application to the Industrial Relations Commission of New South Wales.

43. No Further Claims

43.1 Except as provided by the Industrial Relations Act 1996, prior to 31 December 2011, there shall be no further claims by the parties to this Award for changes to salaries, rates of pay, allowances, or conditions of employment in relation to matters expressly contained in this Award subject to the following:

43.1.1 The parties may make claims with respect to matters prescribed in clause 47 - Further Employee Related Reform Measures and Cost Savings, and may seek to have those matters arbitrated by the Industrial Relations Commission.

44. Anti-Discrimination

44.1 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.

44.2 It follows that in fulfilling their obligations under the dispute resolution procedures prescribed under clause 42, 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 shall 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.

44.3 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.

44.4 Nothing in this clause is to be taken to affect:

44.4.1 any conduct or act which is specifically exempted from anti-discrimination legislation;

44.4.2 offering or providing junior rates of pay to persons under 21 years of age;

44.4.3 any act or practice of a body established to propagate religion which is exempted under section 56(d) of the Anti-Discrimination Act 1977; and

44.4.4 a party to this Award from pursuing matters of unlawful discrimination in any state or federal jurisdiction.

44.5 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.

45. Occupational Health and Safety

(i) For the purposes of this clause, the following definitions shall apply:

1. A "labour hire business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which has as 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.

2. A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit 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 other employer which might otherwise have been carried out by that other employer's own employees.

(ii) 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):

1. consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
2. provide employees of the labour hire business and/or contract business with appropriate occupational health and safety induction training including the appropriate training required for such employees to perform their jobs safely;
3. 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
4. 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.

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

(iv) Disputes Regarding the Application of this Clause

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.

- (v) This clause has no application in respect of organisations which are properly registered as Group Training Organisations under the Apprenticeship and Traineeship 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 for Vocational and Technical Education.

46. Area, Incidence and Duration

- 46.1 This Award covers all teachers and related employees in TAFE, the classifications of which are set out in Schedules 1, 4 and 7 inclusive. This Award does not cover teachers and related employees in TAFE Children's Centres, Bradfield College and educational staff employed at the TAFE NSW - Riverina Institute National Aerospace Training Centre of Excellence (NATCOE) based at the RAAF base Wagga Wagga.
- 46.2 This award has been reviewed in accordance with section 19 of the Industrial Relations Act 1996 and it rescinds and replaces the Crown Employees (Teachers in TAFE and Related Employees) Salaries and Conditions Award 2006 published 11 August 2006 (360 I.G. 500) and all variations thereof.
- 46.3 This Award shall commence on and from 1 January 2009 and remain in force until 31 December 2011.

47. Further Employee Related Reform Measures and Cost Savings

- 47.1 In order to fund the salary increases provided under this award, the parties have committed to the identification and implementation of further employee related reform measures and cost savings to improve TAFE operational efficiency and competitiveness.
- 47.2 The parties agree to establish immediately a working party to identify and finalise the reforms by 3 April 2009. The working party shall consider a range of initiatives, including direct teaching hours of work of TAFE teachers and time credit hours to fund (to the extent not already achieved by the employee related reform measures already agreed and implemented by the parties as outlined in the Industrial Relations Commission Recommendation [2009] NSWIRComm 2 relating to IRC Matter Numbers 1979 of 2008, 1980 of 2008, 2042 of 2008, 2241 of 2008 and 2242 of 2008) the salary increases beyond 2.5% each year .
- 47.3 Should the working party not identify the necessary employee related reform measures and cost savings or should any dispute arise during the process, the parties acknowledge and commit to take all necessary steps so that the Industrial Relations Commission shall arbitrate on and determine by June 2009, the employee related cost savings necessary to fund the salary increases under this award.

SCHEDULE 1

Common Incremental Salary Scale

The following salary scale applies to: teachers; education officers (TAFE); counsellors; adult literacy officers, and assistant outreach coordinators:

Current salary steps	Salary From the first pay period to commence on or after 1.1.2009	Salary From the first pay period to commence on or after 1.1.2010	Salary From the first pay period to commence on or after 1.1.2011
Increase	4.4%	3.8%	3.8%
Step 13	78,667	81,656	84,759
Step 12	71,769	74,496	77,327
Step 11	69,047	71,671	74,394
Step 10	66,332	68,853	71,469

SCHEDULE 2

Allowances

Additional Responsibility Allowances	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
Increase	4.4%	3.8%	3.8%
Teacher nominated as teacher in charge	3,532	3,666	3,805
Counsellor nominated as counsellor in charge	1,570	1,630	1,692
Part time casual teachers teaching within a correctional centre (per hour)	1.53	1.59	1.65

SCHEDULE 3

Locality Allowances

1. Definitions

1.1 For the purposes of this schedule:

- 1.1.1 "Dependent child" means, unless otherwise defined in the Award, a child of which a teacher is a parent and who is resident with and wholly maintained by such teacher and either is under the age of sixteen years or is a full time student under the age of eighteen years or is completing their school studies up to and including Year 12.
- 1.1.2 "Dependent partner" means a person who is resident with and substantially reliant upon a teacher for their financial support, being either the teacher's spouse or a person whom the employer is satisfied is cohabiting otherwise than in marriage with the teacher in a permanent de facto and bona fide domestic relationship.
- 1.1.3 "Duly qualified" means a practitioner practising in Australia who, by training, skill and experience, is competent to diagnose, advise with regard to, and or treat the condition in relation to which relevant medical or dental assistance, as the case may be, is reasonably sought.
- 1.1.4 "Married couple" means and shall include a teacher and their spouse or a person whom the employer is satisfied is cohabiting otherwise than in marriage in a permanent de facto and bona fide domestic relationship.
- 1.1.5 "Practitioner" means a legally qualified and lawfully practising medical practitioner or, as appropriate, a legally qualified and lawfully practising dentist and includes a duly qualified and lawfully practising physiotherapist to whom a teacher or a dependent spouse, partner or child of a teacher has been referred for treatment by a legally qualified medical practitioner.
- 1.1.6 "Reimbursable expenses" means, for the purposes of Part E of this schedule:
- (i) Actual travel costs in excess of the amounts specified in subparagraph (iv) of this paragraph in any one instance reasonably incurred in transporting a teacher and or a dependent partner and or dependent child of a teacher from his or her place of residence to a place at which a duly qualified practitioner is consulted.

- (ii) Travel charges in excess of the amounts specified in subparagraph (iv) of this paragraph in any one instance made by a duly qualified practitioner reasonably summoned to a teacher or a dependent partner or dependent child of a teacher at or near the place of residence of the teacher.
- (iii) The actual cost of accommodation not being hospital or nursing accommodation reasonably and necessarily incurred by a teacher or a dependent partner or dependent child of a teacher in connection with the attendance of that person away from their place of residence at a place at which a duly qualified practitioner is consulted.
- (iv) For the purposes of subparagraphs (i) and (ii) of this paragraph, the amounts which travel costs and charges must exceed are as follows:

From the first pay period to commence on or after 1.1.2009	From the first pay period to commence on or after 1.1.2010	From the first pay period to commence on or after 1.1.2011
\$	\$	\$
28	29	30

1.1.7 "Campus" shall include any college, campus, branch, annex, centre or other establishment to which a teacher is appointed.

1.1.8 "Single teacher" means and shall include a widow, widower, divorcee or teacher living separately and apart from their spouse.

1.1.9 "Travel costs" means, for the purposes of Part E of this schedule, the actual return transport costs payable in respect of the means of conveyance most appropriate to the circumstances and, in relation to a motor vehicle owned by a teacher or a dependent partner of a teacher, an amount calculated for the total distance travelled at the casual rate determined from time to time by the employer provided, however, that transport costs shall not in any circumstances exceed a sum which would be applicable to any return trip over a distance greater than that to and from the place of residence of the relevant teacher and the GPO at Sydney.

1.1.10 "Teacher" for the purpose of this schedule means a permanent or temporary employee covered by this Award.

2. Part A - Allowances - Climatic Disability -

- 2.1 Subject to clause 7 of this schedule, a teacher appointed to a campus located in the Western Division of New South Wales upon or to the west of a line starting from a point on the right bank of the Murray River opposite Swan Hill (Victoria), and thence by straight lines passing through the following towns or localities in the order stated, viz., Conargo, Coleambally, Hay, Rankins Springs, Marsden, Condobolin, Peak Hill, Nevertire, Gulargambone, Coonabarabran, Wee Waa, Moree, Warialda, Ashford and Bonshaw, shall be paid an allowance at the rates prescribed in subclause 2.4 below.
- 2.2 Subject to clause 7 of this schedule, a teacher appointed to a campus within a zone of New South Wales established by the 0 Degrees Celsius July Average Minimum Temperature Isotherm as contained in the Climatic Atlas of Australia, June 1974 as amended, and published by the Bureau of Meteorology, shall be paid an allowance at the rates prescribed in subclause 2.4 below.
- 2.3 The allowances prescribed in subclauses 2.1 and 2.2 of this Part may be extended, excluded or otherwise varied by the employer to take into account any special circumstances.

2.4 Allowances under subclauses 2.1 and 2.2 are as follows:

Subclause No.	Climatic Allowances	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
	Per annum \$			
Increase		4.4%	3.8%	3.8%
2.1	Teacher without dependent partner	1,090	1,131	1,174
	Teacher with dependent partner	1,288	1,337	1,388
2.2	Teacher without dependent partner	551	572	594
	Teacher with dependent partner*	735	763	792

* The dependent partner rate is one third greater than the rate for a teacher without a dependent partner.

3. Part B - Allowances - Isolation from Socio Economic Goods and Services -

3.1 A teacher appointed to a campus included in Appendix A of this schedule shall be paid the following allowances -

Group	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
	Per annum \$		
Increase	4.4%	3.8%	3.8%
1	3,580	3,716	3,857
2	3,221	3,343	3,470
3	2,861	2,970	3,083
4	2,506	2,601	2,700
5	2,146	2,228	2,313
6	1,792	1,860	1,931
7	1,433	1,487	1,544
8	1,076	1,117	1,159
9	721	748	776
10	358	372	386

3.2 A teacher with a dependent partner shall receive double the allowance prescribed in subclause 3.1 of this clause.

3.3 Subject to clause 7 of this schedule, a teacher entitled to an allowance under subclause 3.1 of this clause and with a dependent child or children shall be paid the following additional allowances -

Group	1st dependent child		
	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
	Per annum \$		
Increase	4.4%	3.8%	3.8%
Group 1	428	444	461
Group 2	374	388	403
Group 3	316	328	340
Group 4	260	270	280
Groups 5 and 6	207	215	223

Group	2nd and subsequent dependent child		
	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
	Per annum \$		
Increase	4.4%	3.8%	3.8%
Group 1	288	299	310
Group 2	237	246	255
Group 3	177	184	191
Group 4	125	130	135
Groups 5 and 6	67	70	73

4. Part C - Allowances - Motor Vehicle -

Subject to clause 7 of this schedule, a teacher appointed to a campus included in Appendix A of this schedule shall be paid the following allowances -

Group	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
		Per annum \$	
Increase	4.4%	3.8%	3.8%
Groups 1, 2 and 3	1,924	1,997	2,073
Groups 4, 5 and 6	965	1,002	1,040

5. Part D - Allowances - Vacation Travel Expense - Subject to Clause 7 of This Schedule.

5.1 A teacher, when proceeding on vacation leave, shall be entitled in any calendar year to the payment of certain travel expenses on the following occasions:

5.1.1 if appointed to a campus included in Appendix A of this schedule and in:

- (i) Groups 1 and 2 - three vacation journeys;
- (ii) Groups 3, 4, 5 and 6 - two vacation journeys;
- (iii) Group 7 - one vacation journey; or

5.1.2 if appointed to a campus covered by Determination 21 of the Determinations made pursuant to section 25 of the Teaching Service Act 1980, one vacation journey; and or

5.1.3 if appointed to a campus located more than 720 kilometres from Sydney by the nearest practicable route and other than a school or campus referred to in paragraph 5.1.1 of this subclause, one or more journey(s) if, given the circumstances of the campus location, the employer considers it to be warranted.

Provided always that the provisions of paragraphs 5.1.1, 5.1.2 and 5.1.3 shall not apply to a teacher with less than three years' service who, at the date of their engagement for service, was resident in the relevant area.

5.2 A teacher eligible for the payment of travelling expenses under subclause 5.1 shall have those travelling expenses calculated according to the formula for reimbursement set out in Determination 21 referred to in paragraph 5.1.2 of subclause 5.1 of this clause, except that the amount of overnight expenses shall be as set out in subclause 5.3 below, subject to the conditions contained in the aforementioned

Determination. Provided that the use of a teacher's own car shall not require the approval of the employer.

5.3 For the purposes of subclause 5.2, the amount of overnight expenses are as follows:

From the first pay period to commence on or after 1.1.2009	From the first pay period to commence on or after 1.1.2010	From the first pay period to commence on or after 1.1.2011
\$	\$	\$
34	35	36

6. Part E - Reimbursement of Certain Expenses Related to Medical Or Dental Treatment.

- 6.1 The provisions of subclauses 6.2, 6.3, 6.4, 6.5 and 6.6 of this clause apply only to a teacher who is appointed to a campus included in Appendix A of this schedule, but do not apply to a teacher -
- 6.1.1 who for the time being is on maternity leave; or
- 6.1.2 who is married to a spouse or has a partner normally resident in the locality, unless such spouse or partner is normally and usually dependent upon the teacher as a consequence of illness, incapacity or other reasonable inability to earn an income sufficient to support themselves and or his or her child or children, as the case may be.
- 6.2 Where a teacher reasonably incurs reimbursable expense, the amount thereof shall be paid to that teacher upon written application made to the employer.
- 6.2.1 A teacher shall not be disentitled to such payment merely by reason of the fact that the reimbursable expense incurred was in relation to the attendance by or upon a duly qualified practitioner who was not the nearest duly qualified practitioner available at the relevant time if special circumstances in the particular case render it desirable that the services of some other duly qualified practitioner be sought.
- 6.2.2 In any instance in which it is necessary for the teacher or the partner of the teacher or some other attendant to accompany the person in respect of whom reimbursable expense is incurred then, upon written application by the teacher to the employer, the additional travel and accommodation costs reasonably and actually incurred shall be paid to the teacher.
- 6.3 A teacher who claims payment of reimbursable expenses shall provide such evidence in substantiation of the claim as the employer may reasonably require.
- 6.4 The employer shall be entitled to refuse payment of any claim where it appears that the expense arose as a direct consequence of the serious and wilful misconduct or gross negligence of the person in respect of whom the expense was incurred.
- 6.5 A teacher shall, in respect of any occurrence which gives rise to the incurring of reimbursable expense, take all reasonable steps to recover any insurance, contributory fund, workers' compensation or other benefits or common law damages as may lawfully be payable in respect thereof and any sum actually recovered in respect of items of reimbursable expense under this Schedule shall be brought to credit as against the employer's liability for the same. If any such sum shall be recovered subsequently to payment by the Managing Director of reimbursable expense to a teacher, that teacher shall make an appropriate repayment. The employer shall not be entitled to withhold payment of reimbursable expense merely upon the ground that it or some portion of it may be recoverable at some time in the future from a third party.
- 6.6 The employer may, by notice in writing, require any teacher to effect and keep on foot a policy of insurance or membership of a medical fund to cover that teacher's liability for items of the nature of reimbursable expense under this schedule.

6.6.1 In any such case, the employer shall reimburse to the teacher the amount by which any premium or contribution incurred in so doing exceeds the following amounts:

From the first pay period to commence on or after 1.1.2009 \$	From the first pay period to commence on or after 1.1.2010 \$	From the first pay period to commence on or after 1.1.2011 \$
28	29	30

6.6.2 If a teacher fails to comply with a requirement made by the employer under this subclause, such teacher shall not be entitled to claim any reimbursable expense which, but for their failure, would have been recouped to that teacher as a result of the relevant insurance or membership.

- 6.7 When a teacher is necessarily absent from duty for the purpose of securing advice and or treatment from a duly qualified practitioner for such teacher or dependent partner or child of such teacher, any period of such absence involved in travelling to or from the place of residence of the teacher to the place at which the advice or treatment is obtained shall not be debited against any sick leave credit to which that teacher is entitled. Provided that this clause shall be without prejudice to the right of the employer in their discretion to temporarily appoint the teacher to a campus nearer to the place of consultation or treatment where they may deem it desirable so to do.
- 6.8 The employer shall be entitled to decline payment of reimbursable expense to a teacher in any instance in which such expense relates to a non urgent elective consultation or treatment which might reasonably have been sought during a vacation period whilst the teacher or their relevant dependent partner, child or children (as the case may be) had, in the normal course, travelled to a location at which the type of consultation or treatment could be obtained.

7. Part F - Payment of Allowances According to Marital Status (Payment of Allowances Regardless of Marital Status).

- 7.1 Subject to subclause 7.2 of this clause, where a married couple consists of two teachers who are otherwise eligible for payment of an allowance under this schedule then, in the case of an allowance under:
- 7.1.1 subclause 2.1 or 2.2 of clause 2 of this schedule, each teacher shall only be entitled to one half of the allowance provided therein for a teacher with a dependent partner;
- 7.1.2 subclause 3.3 of clause 3 of this schedule, each teacher shall only be entitled to one half of the allowance provided therein for a teacher with a dependent child or children;
- 7.1.3 clause 4 of this schedule, each teacher shall only be entitled to one half of the motor vehicle allowance applicable to a single teacher;
- 7.1.4 clause 5 of this schedule, each teacher shall only be entitled to one half of the vacation travel allowance; and
- 7.1.5 subclause 6.2 of clause 6 of this schedule, each teacher shall not qualify for reimbursement of expenses in so far as the teacher's partner qualifies for and claims reimbursement as a teacher.
- 7.2 Where a married couple includes a teacher entitled to allowances under the agreement and a person entitled to a similar allowance pursuant to the Crown Employees (Public Service Conditions of Employment) Award 2002 published 21 March 2003 (338 I.G. 837) as varied, or its successor, the teacher shall only receive the difference between that allowance and the married couple or dependent allowances under this schedule.

8. Part G - Locality Allowance Committee -

- 8.1 A Locality Allowance Committee shall be established for the purpose of -
- 8.1.1 investigating all matters in dispute and reporting and making recommendations thereon to the employer and the Federation;
 - 8.1.2 recommending the inclusion or deletion of campuses to be covered by the provisions of clause 3 of this schedule; and
 - 8.1.3 recommending the appropriate groupings and alteration of existing groupings of campuses within clause 3 of this schedule.
- 8.2 The Locality Allowance Committee shall -
- 8.2.1 consist of an equal number of representatives nominated by the employer, and the Federation;
 - 8.2.2 elect its own chairperson, who shall not have a casting vote;
 - 8.2.3 be permitted to act in the absence of any member, provided more than one half of the members are present; and
 - 8.2.4 by its creation and operation not affect the exercise of the powers and functions of any tribunal constituted under the Industrial Relations Act 1996.

APPENDIX A

ALLOWANCE FOR ISOLATION FROM SOCIO ECONOMIC GOODS AND SERVICES

Groupings of Campuses

Group 1	Menindee Centre TAFE , Wilcannia TAFE
Group 2	Goodooga TAFE, Lightning Ridge Centre TAFE
Group 3	Brewarrina TAFE
Group 4	Bourke TAFE
Group 5	Boggabilla TAFE
Group 6	Cobar TAFE, Coomealla TAFE, Dunedoo TAFE Nyngan TAFE , Warren TAFE

SCHEDULE 4

Salary Scales - Promotion Classifications

Classification	Rates From the first pay period to commence on or after 1.1.2009	Rates From the first pay period to commence on or after 1.1.2010	Rates From the first pay period to commence on or after 1.1.2011
	Per annum \$		
Increase Cluster Manager and Manager, Education and Training Resource Centre	4.4% 125,902	3.8% 130,686	3.8% 135,652
Principal Education Officer and Program Manager and Curriculum Manager	117,312	121,770	126,397

Quality Assurance Coordinator	110,536	114,736	119,096
Chief Education Officer	104,706	108,685	112,815
Senior Education Officer and Senior Counsellor			
Step 2	96,274	99,932	103,729
Step 1	93,947	97,517	101,223
Senior Head Teacher (old classification)			
Step 2	96,274	99,932	103,729
Step 1	93,947	97,517	101,223
Head Teacher			
Band 2	93,947	97,517	101,223
Band 1	86,466	89,752	93,163
Head Teacher (old classification)			
Step 2	90,006	93,426	96,976
Step 1	86,466	89,752	93,163
Special Program coordinator			
Step 2	90,006	93,426	96,976
Step 1	86,466	89,752	93,163

SCHEDULE 5

Excess Travel and Compensation for Travel on Official Business

1. Definitions -

1.1 For the purpose of this Schedule:

1.1.1 "Excess Travel" means, for the purpose of subclause 3.3, those distances:

- (i) when travelling from home to work and vice versa, that distance in excess of the distance between the teacher's home and headquarters;
- (ii) on any day where the teacher is required during the day to travel from one college, campus or other workplace to another.

1.1.2 "Headquarters" means that college/campus nominated by the employer or nominee for the teacher, or that college/campus where the major part of the teacher's approved program is performed.

1.1.3 "Teacher" means all persons employed permanently or temporarily in teaching positions, including head teachers, special program coordinators, counsellors, adult literacy officers, and persons employed as part time casual teachers.

1.1.4 "Teaching Program" means the teacher's approved program. This includes direct teaching and other duties as well as approved releases (eg for prescribed course of teacher education) and would normally be the program as approved by the teacher's supervisor

2. Introduction -

2.1 Except where authorised, teachers are responsible for meeting costs incurred in travel between their residence and usual place of work.

2.2 Teachers may be authorised to use their private vehicle for travel on official business in the performance of their normal duties where other modes of travel are unsuitable or unavailable.

2.3 The use of a teacher's private motor vehicle on official business is not mandatory.

3. Excess Travel Time -

3.1 When a teacher, in order to perform their teaching program is required to travel outside the teacher's duty hours:

from the teacher's home to a college, campus or other workplace; and/or

from a college, campus or other workplace to the teacher's home; and/or

between colleges, campuses or other workplaces on any one day; and/or

between parts of a college, campus or other workplace which are at different sites; and/or

between colleges, campuses, institutes or other workplaces and any annexes of a college, campus, institute or other workplace which are at different sites,

and where the teacher is not granted by mutual arrangement between the teacher and TAFE time off the teaching duties equal to and in lieu of the actual time spent in excess travelling, the teacher shall be paid for excess time occupied in travelling, in accordance with this Schedule but subject to the following conditions:

3.1.1 There shall be deducted from the teacher's travelling time on any one day the time normally taken for the periodic journey from home to headquarters and return.

3.1.2 Periods of less than fifteen minutes on any one day shall be disregarded.

3.1.3 Travelling time shall not include any period of travel between:

(i) 11.00pm on any one day and 7.30am on the following day when the teacher has travelled overnight and accommodation has been provided for the teacher; or

(ii) 11.00pm on any one day and 6.00am on the following day for a teacher who is required to perform teaching duties between 6.00am and 7.30am as part of their teaching program when the teacher has travelled overnight and accommodation has been provided for the teacher.

3.1.4 Travelling time shall be calculated by reference to the time that might reasonably have been taken by the use of the most practical and economic means of transport.

3.1.5 No time spent in performing duties shall be counted as travelling time.

3.2 Payment for excess travelling time shall be at the teacher's ordinary rate of pay on an hourly basis, calculated as follows:

3.2.1 For full time teachers:

$$\text{Annual salary} \quad \times \quad \frac{5}{260.8929} \quad \times \quad \frac{1}{30}$$

3.2.2 For part time casual teachers:

Duties Other Than Teaching (DOTT) rate

3.3 Payment for Excess Travel -

3.3.1 All travelling costs reasonably incurred because of excess travel for the use of a private motor vehicle shall be paid on the basis of cents per kilometre at two rates as set out in clause 9 of this schedule for:

- (i) up to 8,000 km per annum;
- (ii) over 8,000 km per annum.

3.3.2 For the purposes of payment under this subclause, excess travel on any day where the teacher is required during the day to travel from one college, campus or other workplace to another, shall be determined in accordance with the provisions of subclauses 3.3.1 to 3.3.8 inclusive.

3.3.3 On days when a teacher is required to travel on official business and travels to and from home, whether or not the teacher visits headquarters, a deduction shall be made from the total distance travelled from home to home as follows:

Distance Home to Headquarters (One Way) Km	Deduction Km
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11-29	10
30 or more	10 plus 2 km for each km above 29 km from home to headquarters.

3.3.4 Provided that when the above deduction in subclause 3.3.3 has been effected, the teacher shall add to the number of kilometres claimed the kilometres shown in the following schedule:

Home to Headquarters (One Way) Kilometres	Add Kilometres
29-35	1
36-40	2
41-45	3
46-50	4
51-55	5
56-60	6
61-65	7
66 and over	8

3.3.5 This daily deduction discounts the normal one way distance travelled from home to headquarters for which teachers shall not be paid.

3.3.6 Where a teacher is on duty at their headquarters on a particular day and the teacher elects to travel to the headquarters in their private motor vehicle, no payment shall be made for such travel.

- (i) If, on such a day, the teacher is directed to travel from their headquarters in an emergency situation, the teacher may be granted approval to use their own motor vehicle and claim the normal kilometre rate for the distance from headquarters to the emergency centre and return.
- (ii) Where a teacher has approval to use their private motor vehicle on official business and is directed to have the vehicle at headquarters on each day, or particular days, in order to

have available a ready means of transport, payment shall be made for the distance from home to headquarters and return for each day of duty the car is required to be available (on official business), less the daily deduction.

- 3.3.7 A claim for travel allowance cannot be made where the headquarters and another centre visited are on the same or adjacent sites where less than fifteen minutes travel between the sites is required.
- 3.3.8 The daily deduction is not applied where a teacher is required to use their private motor vehicle from their home after working hours on official business or when the teacher is required to stay away from home overnight on official business.

4. Waiting Time -

- 4.1 Where a teacher qualifies for payment in accordance with this Schedule for excess time occupied in travelling and necessary waiting time occurs, such waiting time shall be treated as travelling time subject to the following conditions:
- 4.1.1 Where there is no overnight stay with accommodation at a centre away from home or headquarters one hour shall be deducted from the necessary waiting time between the time of arrival at the centre and the commencement of duty and one hour shall be deducted from the necessary waiting time between the time of ceasing duty and the time of departure for home or headquarters or another centre.
- 4.1.2 Where overnight accommodation is provided at a centre any time from the completion of arrival at the centre until departure for home or headquarters or another centre shall not count as travelling time except that:
- (i) where duty is performed on the day of such departure any necessary waiting time (less one hour) from completion of such duty until departure shall be counted;
 - (ii) where no duty is performed on the day of such departure necessary waiting time (less one hour) after 9.00am until such departure shall be counted,
- and provided further that where accommodation as mentioned in subclause 3.1.3 above is provided waiting time after 11.00pm shall not be counted.

5. Official Business Rate -

- 5.1 The official business rate is payable where the use of a teacher's private motor vehicle on official business is authorised and the teacher is required to travel on official business using their motor vehicle on a regular basis of at least once per week throughout the TAFE year or travel a minimum of 400 kilometres during the TAFE year, except where:
- 5.1.1 an official vehicle is available;
- 5.1.2 for all or specific days of travel, public transport is obviously available, suitable, and does not result in a loss of the teacher's professional time and/or restriction in the performance of the teacher's duties and professional responsibilities.
- 5.2 Where a teacher commences duty other than at the start of the TAFE year the minimum period of 400 kilometres to be travelled, as provided by subclause 5.1 above, shall be adjusted proportionately.
- 5.3 The rate paid is that specified at clause 9 of this schedule.

6. Casual Rate -

- 6.1 The casual rate is payable to teachers who are authorised to use their private motor vehicle to travel on official business intermittently as opposed to regular use (as provided by clause 5 of this Schedule) for which the official business rate is paid, except where:
- 6.1.1 an official vehicle is available;
- 6.1.2 for all or specific days of travel, public transport is obviously available, suitable, and does not result in a loss of the teacher's professional time and/or restriction in the performance of the teacher's duties and professional responsibilities.
- 6.2 Circumstances where teachers, who are not authorised for reimbursement of travel expenses at the official business rate, may be given approval to use their private vehicle on official business at the casual rate include travel to attend staff development courses, selection committee interviews, GREAT appeals and hearings.
- 6.3 The rate paid is that specified in clause 9 of this Schedule.

7. Payment of 2601 cc Or More Motor Vehicle Rate

- 7.1 Where the teacher's normal duties are performed within the Sydney Region (as defined by the Department of Planning) the maximum per kilometre rate payable shall be the 1601 to 2600 cc rate.
- 7.2 Where the official travel, in whole or in part, is outside the Sydney Region, consideration shall be given to payment of the 2601 cc or more rate in respect of a vehicle with an engine capacity of 2601 cc or more. Such consideration shall be related to the total annual distance travelled by the teacher on official business, the terrain and other factors advanced by the teacher as relevant.
- 7.3 Provided that the provisions of subclauses 7.1 and 7.2 above shall not apply to teachers who have an existing approval for payment of the previous above 2700 cc rate arising from clause 4 (b) (i) of Industrial Agreement 7036 of 1983.

8. Daily Deduction -

- 8.1 On days when a teacher is required to travel on official business and travels to and from home, whether or not the teacher visits headquarters, a deduction shall be made from the total distance travelled from home to home as follows:

Distance Home to Headquarters (One Way) Kilometres	Deduction Kilometres
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11-29	10
30 or more	10 plus 2 km for each km above 29 km from home to headquarters.

- 8.2 Provided that when the above deduction in subclause 8.1 has been effected, the teacher shall add to the number of kilometres claimed the kilometres shown in the following schedule:

Home to Headquarters (One Way) Kilometres	Add Kilometres
29-35	1
36-40	2
41-45	3
46-50	4
51-55	5
56-60	6
61-65	7
66 and over	8

- 8.3 This daily deduction discounts the normal one way distance travelled from home to headquarters for which teachers shall not be paid.
- 8.4 Where a teacher is on duty at their headquarters on a particular day and the teacher elects to travel to the headquarters in their private motor vehicle, no payment shall be made for such travel.
- 8.4.1 If, on such a day, the teacher is directed to travel from their headquarters in an emergency situation, the teacher may be granted approval to use their own motor vehicle and claim the normal kilometre rate for the distance from headquarters to the emergency centre and return.
- 8.4.2 Where a teacher has approval to use their private motor vehicle on official business and is directed to have the vehicle at headquarters on each day, or particular days, in order to have available a ready means of transport, payment shall be made for the distance from home to headquarters and return for each day of duty the car is required to be available (on official business), less the daily deduction.
- 8.5 A claim for travel allowance cannot be made where the headquarters and another centre visited are on the same or adjacent sites where less than fifteen minutes, travel between the sites is required.
- 8.6 The daily deduction is not applied where a teacher is required to use their private motor vehicle from their home after working hours on official business or when the teacher is required to stay away from home overnight on official business.

9. Official Business and Casual Rates

Clause of Schedule which applies	Rate/Vehicle Engine Capacity	Cents Per Km	
		0 - 8,000 km per annum	8,001 km or more per annum
5	Official Business Rate		
	1600 cc or less	55.3	23.1
	1601 - 2600 cc	77.3	27.4
	2601 cc or more	83	29.5
6	Casual Rate		
	1600 cc or less	23.1	
	1601 - 2600 cc	27.4	
	2601 cc or more	29.5	

Provided that these rates shall be adjusted pursuant to the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006 published 10 March 2006 357 I.G. 1108 or its successor as amended from time to time or in accordance with the rates as approved from time to time by the Director-General of the Department of Premier and Cabinet.

SCHEDULE 6

Strategies for Maximising Annual Student Hours in TAFE

1. Annual Student Hours (Ash) Shall be Maximised By Utilising a Range of Strategies. If Requested, Consultation Shall Occur at the Local Level Between the Teaching Section and Their Line Manager Regarding Educational Soundness, Access and Equity, Appropriate Resources and Occupational Health and Safety.
2. Such strategies include:
 - 2.1 Ensuring that all available student places are filled.
 - 2.2 Continual or "topping up" of enrolments as students meet module outcomes or units of competence and move out of the class. This shall result in an increased output of students.
 - 2.3 Continual or "topping up" of enrolments to replace enrolled students who have not commenced the course, or who have officially withdrawn from modules or who have been absent from class without notice for four consecutive weeks.
 - 2.4 Enrolment of students in modules to undertake the additional training and education required to achieve competency against the module outcome or unit of competence following successful assessment for Recognition.
 - 2.5 Establishing quality partnerships with industry which may result in a proportion of the program being workplace training and assessment, conducted by TAFE approved industry personnel in accordance with an agreed quality assurance process.
 - 2.6 Utilising a variety of delivery modes that are appropriate to the particular learning situation, including the needs of students.
 - 2.7 Core enrolment times shall continue to occur at the start of each semester. These shall be supplemented by continual or "topping up" of enrolments as outlined above.
 - 2.8 Extending enrolments and commencements beyond the core enrolment times at the start of each semester and staggering enrolments and commencement times across the full year.
 - 2.9 Teachers and head teachers shall employ best practice in student administration by ensuring that all activities for which they are responsible are correctly recorded and credited including the completion of enrolment adjustment forms.
 - 2.10 Enrolling in the initial enrolment period up to an additional three students over and above the student teacher ratios in a subject/module, where the subject/module has a history of attrition, based on institute data.

SCHEDULE 7

Rates of pay - Part time Casual Teachers, Coordinators and Counsellors and Contract Teachers (OTEN)

	Salary From the first pay period to commence on or after 1.1.2009	Salary From the first pay period to commence on or after 1.1.2010	Salary From the first pay period to commence on or after 1.1.2011
	Per hour \$		
Increase	2.5%	2.5%	2.5%
Teaching Duties	66.48	68.14	69.84
Co-ordination/Consultancy Duties	62.50	64.06	65.66
Duties Other Than Teaching (DOTT)	52.49	53.80	55.15
Part time Casual Counsellors	53.49	54.83	56.20
	Open Training and Education Network Contract Teachers Per Unit (\$)		
Contract Teaching Duties	18.47	18.93	19.40

M. J. WALTON J , *Vice-President*

 Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES NSW ADULT MIGRANT ENGLISH SERVICE (TEACHERS AND RELATED EMPLOYEES) AWARD 2009

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Teachers Federation, Industrial Organisation of Employees.

(Nos. IRC 1552 and 2338 of 2008)

Before The Honourable Justice Walton, Vice-President

12 August 2009

AWARD

PART A

1. Arrangement

Clause No.	Subject Matter
1.	Arrangement
2.	Statement of Intent
3.	Dictionary
4.	Professional Responsibilities of Teachers
5.	Duties as Directed
6.	Teachers and Related Employees - Annual Review
7.	Performance Management for Operations Managers
8.	Salaries
9.	Salary Packaging
10.	Salary Scale Progression Arrangements
11.	Allowances
12.	Unpaid Absences
13.	Part-Time Work
14.	Hours
15.	Averaging of Hours
16.	Annual Leave and Weeks of Non-Attendance
17.	Sick Leave
18.	Family and Community Service Leave
19.	Personal/Carer's Leave
20.	Adoption, Maternity and Parental Leave
21.	Conditions of Employment - Casual Teachers
22.	Professional Development
23.	AMES Year
24.	Transfer Procedures
25.	Anti-Discrimination
26.	Dispute Resolution Procedures
27.	Goods and Services Tax
28.	Flexible Working Arrangements
29.	Deduction of Union Membership Fees
30.	No Further Claims
31.	Secure Employment Test Case - Occupational Health and Safety Obligations
32.	Area, Incidence and Duration

PART B

MONETARY RATES

Table 1 - Salaries

Table 2 - Other Rates

2. Statement of Intent

- 2.1 The purpose of this award is to provide salaries and conditions of employment for AMES teachers and related employees that will:
- 2.1.1 attract and retain highly skilled employees
 - 2.1.2 acknowledge the professional status and responsibilities of AMES teachers and related employees and their commitment to the achievement of excellence in the delivery of teaching and training programs and related services;
 - 2.1.3 support the active involvement and participation of AMES teachers and related employees in the professional growth of the organisation;
 - 2.1.4 take into account the changes that are taking place in respect of AMES service delivery;
 - 2.1.5 take into account the specific finding and contractual arrangements that may apply to AMES and the competitive environment in which it operates.
- 2.2 Except where specific provision is otherwise made in this award, the administration of attendance, leave and absences of AMES teachers and related employees shall be managed in accordance with the relevant provisions of the *Public Sector Employment and Management Act 2002* and NSW Government Personnel Handbook.

3. Dictionary

- 3.1 "AMES" means the New South Wales Adult Migrant English Service.
- 3.2 "Casual Teacher" means a person employed to teach a course or courses on an hourly basis. A "400 hour Casual Teacher" means a casual teacher who has completed the equivalent of 400 hours teaching service in any teaching year. A "Less than 400 hour Casual Teacher" means a casual teacher who has completed less than 400 hours teaching service in any teaching year.
- 3.3 "Degree Course" means a university or college of advanced education degree course approved by the Director.
- 3.4 "Department" means the NSW Department of Education and Training.
- 3.5 "Director" means the Director Community and Migrant Education.
- 3.6 "Director-General" means the Director-General of Education and Training.
- 3.7 "Educational Counsellor" means an officer or temporary employee appointed, employed or seconded as such.
- 3.8 "Education Officer" means an officer or a temporary employee appointed, employed or seconded as such.
- 3.9 "Equivalent" when referring to qualifications means qualifications and/or experience deemed by the Director to be equivalent to specified qualifications.
- 3.10 "Federation" means the New South Wales Teachers Federation.

- 3.11 "Five Year Trained" in relation to a teacher means a teacher whose teaching qualifications include a degree with honours of a recognised university which requires a minimum of four years full-time study, and has in addition, completed one year's teacher training at a university or college of advanced education approved by the Director or has completed such other course or courses and/or has vocational experience which the Director may, from time to time, deem to be equivalent.
- 3.12 "Four Year Trained" in relation to a teacher means a teacher whose teaching qualifications include a degree of a recognised university or college which requires a minimum of three years full-time study, and has in addition, completed one year's teacher training at a university or college of advanced education approved by the Director or has completed such other course or courses and/or has vocational experience which the Director may, from time to time, deem to be equivalent.
- 3.13 "Full-time Temporary Teacher" means a person employed and designated as such under Section 27 of the Public Sector Employment and Management Act 2002.
- 3.14 "Graduate" means a person who has obtained a degree of a recognised university or college or possesses qualifications deemed by the Director to be equivalent to such a degree.
- 3.15 "Officer" means a person employed in any capacity under Part 2, of the Public Sector Employment and Management Act 2002, and includes an officer on probation but does not include a temporary employee.
- 3.16 "Operations Manager" means an officer appointed as such.
- 3.17 "Permanent Teacher" means an officer appointed as such in the AMES pursuant to the provisions of the Public Sector Employment and Management Act 2002.
- 3.18 "Program" means a learning arrangement or composite of learning arrangements under the management of Teaching Centre Manager.
- 3.19 "Region" means an area designated as such by the Director including one or more venues.
- 3.20 "Senior Education Officer" means an officer or a temporary employee appointed, employed or seconded as such.
- 3.21 "Teacher" means an officer, temporary employee or casual employee appointed or employed as such.
- 3.22 "Teachers and related employees" means all officers and temporary employees covered by this award and includes casual, permanent and full-time temporary teachers, education officers and senior education officers, co-ordinators of studies, co-ordinators of course information and admissions and operations managers.
- 3.23 "Teaching Centre" means a location designated as such by the Director that may include one or more teaching venues.
- 3.24 "Teaching Centre Manager" means an officer or temporary employee employed or seconded as such.
- 3.25 "Teaching Services Coordinator" means an officer or temporary employee employed or seconded as such.
- 3.26 "Temporary Employee" means a person temporarily employed under Section 27 of the Public Sector Employment and Management Act 2002.
- 3.27 "Year of Service" means full-time employment for a period of 52 weeks or the equivalent. Future employees shall be deemed to have the incremental status indicated by the rate of pay at which they are employed.

4. Professional Responsibilities of Teachers

- 4.1 In order to foster and sustain a collaborative professional culture and in keeping with their professional status and their commitment to the achievement of excellence in the delivery of teaching and training programs and related services, teachers shall as part of their professional responsibilities:
- (i) maintain and exhibit the highest standards of conduct;
 - (ii) ensure that in the performance of their teaching and associated duties, AMES policies, standards and practices are observed;
 - (iii) work collaboratively with their colleagues in helping to ensure that essential organisational goals and objectives are met;
 - (iv) provide peer support and leadership to less experienced teachers or to teachers experiencing performance difficulties;
 - (v) participate in working groups and staff meetings as required, to develop and enhance professional knowledge and to improve practices and procedures;
 - (vi) contribute to the development of curricula, teaching materials and resources which support the achievement of excellence in the delivery of teaching and training programs and related services; and
 - (vii) participate in the ongoing moderation of the assessment of student achievements.

5. Duties as Directed

- 5.1 The Director or her/his nominee may direct any employee to carry out such duties as are within the limits of the person's skill, competence and training consistent with the classifications covered by this award and provided that such duties are not designed to promote deskilling.
- 5.2 The Director or her/his nominee may direct any employee to carry out such duties and use such tools, materials and equipment as may be required, provided that the officer has been properly trained in the use of such tools, materials and equipment.
- 5.3 Any directions issued by the Director pursuant to this clause shall be consistent with the Director's responsibility to provide a safe and healthy working environment.
- 5.4 The Director may from time to time deploy teachers to duties other than face-to-face teaching duties in accordance with guidelines designed to increase the efficiency of AMES. Deployments will be for a predetermined period not exceeding one year.
- 5.5 Teachers perform a broad range of duties that include the following activities:

Direct Teaching Activities	Duties Related to Teaching
Direct teaching activities include but are not limited to: - face to face teaching in any environment or setting, including but not limited to: classrooms, individual learning centres, educational computer rooms, workshops, industry, in the field; distance mode and online;	Duties related to teaching include but are not limited to: preparation; marking; assessment and recording of student learning outcomes; support and advice to clients; attendance administration; course development and review; training and professional development; development of learning materials;

assessment of new students; workplace training and assessment.	attendance at staff meetings and moderation sessions; recognition of prior learning; referral of new students; workplace consultancy and advisory services; work placement coordination and supervision.
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- 5.6 Education Officers, Senior Education Officers and Operations Managers perform a range of duties as stated in their Statement of Duties.

6. Teachers and Related Employees - Annual Review

- 6.1 To provide feedback on performance, the Director or nominee will ensure that the performance of all teachers and related employees, except casual teachers and their manager or nominee, is appraised by annual review.
- 6.2 This annual review shall be supported by:
- (i) conferences between the teacher or related employee and their manager or nominee;
 - (ii) review of documentation such as lesson planning, lesson material and student work, plans, evaluations and reports, as appropriate; and
 - (iii) for teachers, observations of educational programs.
- 6.3 The annual review for teachers and related employees shall be reported by way of a NSW AMES Teachers and Related Employees Assessment Review Form.
- 6.4 Concerns about the performance and or conduct of teachers and related employees shall be managed in accordance with the *Public Sector Employment and Management Act 2002* as outlined in Part 2.7 of that Act and as detailed in Chapter 9 of the NSW Government Personnel Handbook.

7. Performance Management for Operations Managers

- 7.1 The performance of operations managers shall be reviewed annually under a performance management scheme.
- 7.2 The objectives of the performance management scheme for operations managers are to:
- (i) establish clear individual performance goals linked to, and consistent with, AMES goals and priorities and regional plans and objectives;
 - (ii) identify each employee's current and medium term development needs and career goals and develop strategies to support these;
 - (iii) assist with the achievement of AMES long term objectives and annual priorities;
 - (iv) provide for each employee a valid basis for performance assessment against job-related criteria;
 - (v) provide job-related guidance and performance feedback in a continuing way.
- 7.3 Appropriate training will support the implementation of the scheme.
- 7.4 Concerns about the performance and or conduct of operations managers shall be managed in accordance with the *Public Sector Employment and Management Act 2002* as outlined in Part 2.7 of that Act and as detailed in Chapter 9 of the NSW Government Personnel Handbook.

8. Salaries

- 8.1 The salaries and other rates that apply to teachers, education officers, senior education officers and operations managers shall be paid in accordance with this clause and Tables 1 and 2 of Part B of this award.

9. Salary Packaging

For the purposes of this clause "salary" means the salary or rates of pay prescribed for the employee's classification by Part B, Table 1 of this award and any allowances paid to an employee which form part of the employee's salary for superannuation purposes.

- 9.1 An employee may, by agreement with the employer, enter into a salary packaging arrangement, including salary sacrifice to superannuation where they may convert up to 100% of their salary to other benefits.

Any pre-tax and post-tax payroll deductions must be taken into account prior to determining the amount of salary available to be packaged. Such payroll deductions may include but are not limited to, compulsory superannuation payments, HECS payments, child support payments, judgment debtor/garnishee orders, union fees, health fund premiums.

- 9.2 The terms and conditions of the salary packaging arrangement, including the duration as agreed between the employee and employer, will be provided in a separate written agreement, in accordance with the Department's salary packaging guidelines. Such agreement must be made prior to the period of service to which the earnings relate.

- 9.3 Salary packaging must be cost neutral for the employer. Employees must reimburse the employer in full for the amount of:

9.3.1 any fringe benefits tax liability arising from a salary packaging arrangement; and

9.3.2 any administrative fees.

- 9.4 Where the employee makes an election to salary package, the following payments made by the employer in relation to an employee shall be calculated by reference to the annual salary which the employee would have been entitled to receive but for the salary packaging arrangement:

9.4.1 Superannuation Guarantee Contributions;

9.4.2 any salary-related payment including but not limited to allowances and workers compensation payments; and

9.4.3 payments made in relation to accrued leave paid on termination of the employee's employment or on the death of the employee.

10. Salary Scale Progression Arrangements

- 10.1 Permanent teachers and full-time temporary teachers who meet the admission requirements as determined by the Director shall commence at a level not less than the first step on the common salary scale, provided that teachers who are four-year trained or five-year trained shall commence on the common salary scale at a level not less than:

Four-year trained

2nd salary level

Five-year trained

3rd salary level

- 10.2 Education officers who meet the admission requirements as determined by the Director shall commence at a level not less than the first step on the common salary scale, provided that graduate education officers - not teacher-trained and graduate education officers - teacher-trained, shall commence on the common salary scale at a level not less than:

Graduate - not teacher-trained	2nd salary level
Graduate - teacher-trained	3rd salary level

- 10.3 Employees shall be entitled to progress after each 12 months of service along the salary steps of the common salary scale, subject to the employee demonstrating continuing satisfactory performance in accordance with the Teacher Quality - Annual Review provisions set out in clause 5.
- 10.4 Any employee whose initial employment is approved on or after 1 January 1992, and who does not satisfy the teacher training requirements as determined by the Director, will not progress more than two salary steps along the common salary scale.

11. Allowances

- 11.1 An education officer who:
- 11.1.1 has completed 12 months service at the salary prescribed on the maximum of the common salary scale; and
- 11.1.2 has demonstrated to the satisfaction of the Director by the work performed, its quality and the results achieved, that the aptitude and abilities of the employee warrant additional payment;
- shall be paid an allowance as set out in Item 1 of Table 2 - Other Rates of Part B, Monetary Rates, and after a further 12 months an additional allowance as set out in the said Item 1. This allowance shall count as salary and be paid for all purposes.
- 11.2 The Teaching Centre Manager may nominate a teacher to undertake responsibilities associated with the supervision and administration of smaller teaching venues and/or smaller evening or weekend teaching programs.
- 11.3 A teacher nominated by the Teaching Centre Manager who accepts and undertakes such responsibilities shall for the period that the responsibilities are undertaken be paid an allowance as set out in Item 2 of Table 2 - Other Rates, of Part B, Monetary Rates. This allowance shall not count as salary.
- 11.4 The Director may release the nominated teacher from face-to-face teaching duties as necessary to undertake these responsibilities.

12. Unpaid Absences

- 12.1 Unpaid absences in excess of five days per annum shall not be taken into account for the purposes of calculating length of service except in relation to leave approved pursuant to subclause 19.2.

13. Part-Time Work

- 13.1 Any permanent officer may apply to work part-time at any time, subject to the appropriate work being available for the position and it is convenient to AMES.
- 13.2 Arrangements of between 0.2 and 0.8 equivalent full-time may in general be worked in patterns mutually convenient to the AMES and the teacher.
- 13.3 Part-time teachers shall be required to undertake, on a pro-rata basis, the full range of duties undertaken by full-time teachers.
- 13.4 Salary and conditions for approved part-time work shall attract a pro-rata entitlement of that associated with full-time permanent or temporary employment.
- 13.5 "Pro-rata entitlement" shall be taken to mean a calculation in which the quantum of hours, leave, pay or other remuneration is determined by multiplying the quantum applicable to full-time teachers by the appropriate equivalent full-time (eg 0.2 to 0.8).

- 13.6 Service shall not be regarded as having been broken by permanent part-time work.

14. Hours

- 14.1 The daily span of working hours for teachers, education officers, senior education officers, and operations managers is between 6.00 a.m. and 10.00 p.m. on Monday to Saturday inclusive. Teachers and related employees who are required as part of their program to work on a Saturday shall, if they so request, be entitled to have two consecutive days off in the following week.
- 14.2 Teachers, education officers and senior education officers may elect to work on a Sunday or on a Monday to Friday between the hours of 10.00pm and 7.30am but shall not be directed to do so.
- 14.3 A teacher may apply to the Director to exclude Saturday from their ordinary attendance pattern for a period not exceeding 12 months on compassionate grounds where there are exceptional and compelling circumstances. Written applications for such exclusion must contain full and substantiated grounds and supporting documents, where appropriate.
- 14.4 The standard hours of attendance for permanent and full-time temporary teachers shall be 30 hours per week inclusive of 20 face to face teaching hours per week, except where such face to face teaching hours are reduced with the approval of the Director for the purpose of undertaking alternative duties.
- 14.5 The standard hours of attendance for education officers, senior education officers and operations managers shall be 35 hours per week.
- 14.6 Standard hours of attendance excludes time taken for meal breaks.
- 14.7 Ordinary attendance patterns within the daily span of hours for teachers, education officers and senior education officers shall be arranged by their manager.
- 14.8 Teachers shall be invited to submit their attendance pattern preferences in June and December each year. In arranging ordinary attendance patterns within the daily span of hours Teaching Centre Managers shall, to the extent possible and practicable, accommodate such preferences. Where there are difficulties in accommodating attendance pattern preferences there will be consultation with the teachers at the teaching location(s) concerned to enable them collectively or individually to make recommendations to resolve the difficulties. In the event that the difficulties are not resolved through consultation with teachers, the Teaching Centre Manager shall apply the principle of rotation and no teacher shall unreasonably refuse.
- 14.9 Teachers and related employees may be required to work on any five days from Monday to Saturday as part of their program. However, with the approval of the Teaching Centre Manager and subject to AMES requirements being met, a teacher's ordinary attendance pattern may be undertaken across four days and/or day/evening configuration.
- 14.10 The hours of attendance for non-teaching duties may be arranged by teachers in consultation with the Teaching Centre Manager provided that the requirements of AMES are met at all times.
- 14.11 Face-to-face teaching hours required to be worked by permanent and full-time temporary teachers as part of their teaching program during the following time bands shall be paid at time and one-quarter of their ordinary rate:
- 6.00 am and 7.30 am Monday to Friday.
- 14.12 Work undertaken by permanent and full-time temporary teachers as part of their teaching program during the following time bands shall be paid at time and one-quarter of their ordinary rate:
- 6.00 am and 5.30 pm Saturday.

14.13 Work undertaken by permanent and full-time temporary teachers as part of their teaching program during the following time bands shall be paid at double time of their ordinary rate:

5.30 pm Saturday to 6.00 am Monday;

10.00 pm to 6.00 am weekdays;

Midnight Friday to 6.00 am Saturday.

14.14 Face to face teaching that is undertaken by a full time temporary teacher that is in excess of their 20 hours of face to face teaching per week shall be paid at time and one quarter of the teacher's normal salary rate.

15. Averaging of Hours

15.1 Notwithstanding the provisions of subclause 14.4 of clause 14 Hours, the 20 face to face teaching hours per week may be averaged on a semester or program basis, provided that the arrangement is known in advance and provided that for the duration of the averaging period the teacher shall continue to receive her/his normal fortnightly or weekly pay.

15.2 In scheduling such hours the Teaching Centre Manager shall to the extent possible and practicable, accommodate teacher's attendance preference patterns. Where there are difficulties in scheduling such hours, the Teaching Centre Manager shall consult with the teachers at the teaching location(s) concerned to enable them collectively or individually to make recommendations to resolve the difficulties. In the event that the difficulties are not resolved through consultation with teachers, the Teaching Centre Manager shall apply the principle of rotation and no teacher shall unreasonably refuse.

15.3 The Teaching Centre Manager shall ensure that the face to face teaching hours in any one week do not exceed 24 per week.

15.4 If a teacher leaves the AMES prior to completion of the relevant settlement period an appropriate credit or debit adjustment to the teacher's payment on termination shall be made.

15.5 The adjustment shall reflect the difference between the total of the hours actually worked (including any period of approved leave in the relevant period) and the total of the hours that would have been worked in the relevant period but for the averaging arrangement.

15.6 Where applicable loadings in accordance with clauses 14.11, 14.12 and 14.13 shall apply to hours worked as part of an averaging arrangement.

16. Annual Leave and Weeks of Non-Attendance

16.1 In lieu of the provisions under the *Annual Holidays Act 1944* the following classifications of employees shall not be required to attend their place of employment for the number of weeks as set out in the following schedule:

Classification	Annual Leave Weeks	Weeks of Non Attendance and Public Holidays
Permanent Teacher	4	7
Full-time Temporary Teacher	4	7
Operations Manager	4	Nil
Senior Education Officer	4	Nil
Education Officer	4	Nil

16.2 From the date of commencement of this award all public holidays, other than Christmas Day, Boxing Day and New Year's Day which fall within the annual close down period, shall be included in the teacher's non attendance periods with no loss of entitlement to the public holiday.

- 16.3 Except where provision is otherwise made in this award, agreed non-attendance will be deemed to be in lieu of additional work.
- 16.4 Permanent teachers and full-time temporary teachers who are deployed for periods not exceeding 12 weeks to positions which would otherwise not be in receipt of equivalent leave and agreed non-attendance will retain their leave and agreed non-attendance as provided by clause 16.1 hereof.

17. Sick Leave

- 17.1 Permanent teachers, full-time temporary teachers, education officers, senior education officers and operations managers shall be entitled to 15 days sick leave per annum with the unused component of the annual entitlement being fully cumulative.
- 17.2 Additional sick leave in the first two years of service:
- 17.2.1 The provisions of this paragraph shall only apply to permanent and full-time temporary teachers.
- 17.2.2 The maximum grant of additional sick leave during the first 2 years of service is 15 days.
- 17.2.3 Additional sick leave provided by this clause is available at any stage during the teacher's first two years of service but will only be granted in circumstances where:
- (a) there is no current concern regarding the teacher's use of sick leave;
 - (b) all sick leave entitlements have been exhausted.

18. Family and Community Service Leave

- 18.1 The Director shall, in the case of emergencies or in personal or domestic circumstances, grant to an employee some or all of the available family and community service leave on full pay.
- 18.2 Such cases may include, but are not limited to, the following:
- 18.2.1 compassionate grounds, such as the death or illness of a close member of the family or a member of the staff member's household;
- 18.2.2 accommodation matters up to one day, such as attendance at court as defendant in an eviction action, arranging accommodation, or when required to remove furniture and effects;
- 18.2.3 emergency or weather conditions such as when flood, fire or snow, etc. threaten and/or prevent an employee from reporting for duty;
- 18.2.4 other personal circumstances, such as citizenship ceremonies, parent/teacher interviews or attending a child's school for other reasons.
- 18.3 Attendance at court by an employee to answer a charge for a criminal offence, if the Director considers the granting of family and community service leave to be appropriate in a particular case.
- 18.4 Employees who are selected to represent Australia or the State as competitors in major amateur sport (other than Olympic or Commonwealth Games).
- 18.5 Employees who hold office in Local Government other than as a Mayor of a Municipal Council, President of a Shire Council or Chairperson of a County Council, to attend meetings, conferences or other duties associated with that office where those duties necessitate absences during normal working hours.
- 18.6 The maximum amount of family and community service leave on full pay which may, subject to this award, be granted to an employee shall be the greater of the leave provided in subparagraph 18.6.1 and 18.6.2:

- 18.6.1 two and a half working days in the employee's first year of service and, on completion of the employee's first year of service, five working days in any period of two years;
- 18.6.2 after the completion of two years' continuous service, the available family and community service leave is determined by allowing one day's leave for each completed year of service, less the total amount of short leave or family and community service leave previously granted to the employee.
- 18.7 If the available family and community service leave is exhausted as a result of natural disasters, the Director shall consider applications for additional family and community service leave, if some other emergency arises.
- 18.8 In cases of illness of a family member for whose care and support the employee is responsible, paid sick leave in accordance with sub clause 19.1 of clause 19 Personal/Carer's Leave, shall be granted when paid family and community service leave has been exhausted.
- 18.9 On the death of a person defined in subparagraph 19.1.3 (b) of clause 19 Personal/Carer's Leave, additional paid family and community service leave of up to two days may be granted on a discrete, per occasion basis to an employee.
- 18.9.1 The employee must notify the Director as soon as practicable of the intention to take bereavement leave and will, if required by the Director, provide to the satisfaction of the Director proof of death.
- 18.9.2 An employee shall not be entitled to bereavement leave under this clause during any period in respect of which the employee has been granted other leave.
- 18.9.3 Bereavement leave may be taken in conjunction with other leave available under paragraphs 19.2, 19.3, 19.4 and 19.5. In determining such a request, the Director will give consideration to the circumstances of the employee and the reasonable operational requirements of the AMES.

19. Personal/Carer's Leave

- 19.1 Use of Sick Leave for the purpose of providing care and support to a member of a class of person set out in sub paragraph 19.1.3 (b), who is ill.
- 19.1.1 An employee, other than a casual employee, with responsibilities in relation to a class of person set out in sub paragraph 19.1.3 (b) below, 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 in clause 17 Sick Leave, for absences to provide care and support for such persons when they are ill. Such leave may be taken for part of a single day.
- 19.1.2 The employee shall, if required, 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.
- 19.1.3 The entitlement to use sick leave in accordance with this paragraph is subject to:
- (a) the employee being responsible for the care of the person concerned; and
 - (b) the person concerned being:
 - (1) a spouse of the employee; or
 - (2) a de facto spouse who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as husband or wife of that person on a bona fide domestic basis although not legally married to that person; or

- (3) a child or an adult child (including an adopted child, a stepchild, a foster child or an ex-nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse or de facto spouse of the employee; or
- (4) a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide basis; or
- (5) a relative of the employee who is a member of the same household where, for the purposes of this section:
 - (i) "relative" means a person related by blood, marriage, affinity or Aboriginal kinship structures;
 - (ii) "affinity" means a relationship that one spouse, because of marriage, has to blood relatives of the other; and
 - (iii) "household" means a family group living in the same domestic dwelling.

An employee, shall wherever practicable, give the Director notice, prior to the absence of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the employee to give notice of absence, the employee shall notify the Director by telephone of such absence at the first opportunity on the day of absence.

- 19.2 Use of unpaid Leave for Family Purpose - An employee may elect, with the consent of the Director, to take unpaid leave for the purpose of providing care and support to a member of a class of person set out in sub paragraph 19.1.3 (b) above, who is ill.
- 19.3 Use of Annual Leave for the purpose of providing care and support to a member of a class of person set out in sub paragraph 19.1.3 (b) above, who is ill.
 - 19.3.1 An employee may elect, with the consent of the Director, subject to the *Annual Holidays Act* 1944, 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.
 - 19.3.2 Access to annual leave, as prescribed in subparagraph 19.3.1 above, shall be exclusive of any shutdown period provided for elsewhere under this award.
 - 19.3.3 An employee may elect with the Director's agreement to take annual leave at any time within a period of 24 months from the date at which it falls due.
- 19.4 Use of Time Off in Lieu of Payment for Overtime for the purpose of providing care and support to a member of a class of person set out in sub paragraph 19.1.3 (b) above, who is ill.
 - 19.4.1 An employee may elect, with the consent of the Director, to take time off in lieu of payment for overtime at a time or times agreed with the Director within twelve (12) months of the said election.
 - 19.4.2 Overtime taken as time off during ordinary time hours shall be taken at ordinary time rate, that is an hour for each hour worked.
 - 19.4.3 If, having elected to take time as leave in accordance with subparagraph 19.4.1 above, the leave is not taken for whatever reason, payment for time accrued at overtime rates shall be made at the expiry of the twelve month period or on termination.

19.4.4 Where no election is made in accordance with subparagraph 19.4.1 above, the employee shall be paid overtime rates in accordance with the award.

19.5 Make-up Time - An employee may elect, with the consent of the Director, to work 'make-up time' under which the employee takes time off ordinary hours for the purpose of providing care and support to a member of a class of person set out in sub paragraph 19.1.3 (b) above, who is ill, and works those hours at a later time, during the spread of ordinary hours provided in the award, at the ordinary rate of pay.

20. Adoption, Maternity and Parental Leave

20.1 Adoption, maternity and parental leave conditions of employees under this Award shall be regulated in accordance with the provisions contained within the *Public Sector Employment and Management Act 2002* and Regulation and will be in addition to those set out in the *Industrial Relations Act 1996* (NSW) and Regulation.

20.2 On and from 1 January 2006 AMES teachers and related employees shall be entitled to adoption, maternity and parental leave in accordance with the relevant provisions of the Crown Employees (Public Service Conditions of Employment) Award 2002 published 10 March 2006 (357 I.G. 1108) as varied, or its successor.

20.3 Right to Request

20.3.1 An employee entitled to adoption, maternity and parental leave may request the Director to allow the employee:

- (i) to extend the period of simultaneous unpaid parental leave use up to a maximum of eight weeks;
- (ii) to extend the period of unpaid parental leave for a further continuous period of leave not exceeding 12 months;
- (iii) to return from a period of parental leave on a part-time basis until the child reaches school age;

to assist the employee in reconciling work and parental responsibilities.

20.3.2 The Director shall consider the request having regard to the employee's circumstances and, provided the request is genuinely based on the employee's parental responsibilities, may only refuse the request on reasonable grounds related to the effect on the workplace or the Director's business. Such grounds might include cost, lack of adequate replacement staff, loss of efficiency and the impact on customer service.

20.3.3 The employee's request and the Director's decision made under 20.3.1 (ii) and 20.3.1 (iii) must be recorded in writing.

20.3.4 Where an employee wishes to make a request under 20.3.1(iii), such a request must be made as soon as possible but no less than seven weeks prior to the date upon which the employee is due to return to work from parental leave.

20.4 Communication During Adoption, Maternity and Parental Leave

20.4.1 Where an employee is on parental leave and a definite decision has been made to introduce a significant change at the workplace, the Director shall take reasonable steps to:

- (i) make information available in relation to any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave; and

- (ii) provide an opportunity for the employee to discuss any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave.

20.4.2 The employee shall take reasonable steps to inform the Director about any significant matter that will affect the employee's decision regarding the duration of parental leave to be taken, whether the employee intends to return to work and whether the employee intends to request to return to work on a part-time basis.

20.4.3 The employee shall also notify the Director of changes of address or other contact details which might affect the Director's capacity to comply with 20.4.1.

21. Conditions of Employment - Casual Teachers

21.1 Annual Leave

No casual teacher shall receive annual leave, as a component for leave is included in the hourly rates.

21.2 Leave Loading

Casual teachers are not entitled to receive a leave loading.

21.3 Sick Leave

21.3.1 As at the date of the recommendation made by the Industrial Relations Commission on 8 May 2009 related to IRC Matter Number 2338 of 2009, casual teachers are not entitled to receive sick leave.

21.3.2 Notwithstanding, 21.3.1 a casual teacher who, prior to 8 May 2009 had an unused sick leave accrual, shall be entitled to access this accrual. Once a casual teacher exhausts their existing unused sick leave accrual no further paid sick leave will be granted.

21.4 Family and Community Services Leave

21.4.1 There is no entitlement to family and community services leave prior to completing 400 hours of paid duty in any teaching year. On completing 400 hours of paid duty in any teaching year, a casual teacher is eligible to apply for family and community services leave for extraordinary and pressing absences on rostered working days.

21.4.2 Within a teaching year, entitlement will accrue as follows:

400 - 531 hours of duty	6 hours leave
532 - 799 hours of duty	8 hours leave
800 + hours of duty	12 hours of leave

21.4.3 Unused credit shall not carry over from one year to another. Service shall not carry over from one year to the next, for the purposes of determining entitlement.

21.5 Special Leave

21.5.1 There is no entitlement to special leave prior to completing 400 hours of paid duty in any teaching year. On completing 400 hours of paid duty in a teaching year, a casual teacher is eligible to apply for special leave for absences of the nature of those listed below and which occur on rostered working days:

- (a) interpreting in court;
- (b) examination in a course of study;

- (c) graduation;
- (d) State emergencies;
- (e) jury service;
- (f) blood donation (if not possible in own time); and
- (g) any other reason which in the opinion of the Director warrants the grant of special leave.

21.5.2 Service shall not carry over from one year to the next, for the purposes of determining entitlement.

21.6 Parental Leave

21.6.1 Employees will be entitled to unpaid parental leave under Chapter 2, Part 4, Division 1, Section 54 Entitlement to Unpaid Parental leave, *Industrial Relations Act 1996*, if they meet the definition of a regular casual employee (see section 53 (2) of the *Industrial Relations Act 1996*). The following provisions shall also apply in addition to those set out in the *Industrial Relations Act 1996* (NSW).

21.6.2 The Director must not fail to re-engage a regular casual employee (see section 53(2) of the Act) because:

- (a) the employee or employee's spouse is pregnant; or
- (b) the employee is or has been immediately absent on parental leave.

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

21.7 Leave Without Pay - Casual teachers are not granted leave without pay.

21.8 Study Leave - Casual teachers are not granted leave for study.

21.9 Personal Carers Leave

21.9.1 Casual teachers are entitled to not be available to attend work, or to leave work if they need to care for a family member described in clause 19.1.3 (b) of the award 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 the evidentiary requirements set out in 21.9.4(a), and the notice requirements set out in 21.9.4(b).

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

21.9.3 The Director must not fail to re-engage a casual teacher because the casual teacher accessed the entitlements provided for in this clause. The rights of the Director to engage or not to engage a casual teacher are otherwise not affected.

21.9.4 The casual teacher shall, if required,

- (a) 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

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

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

21.9.5 The casual teacher must, as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence, inform the Director of their inability to attend for duty. If it is not reasonably practicable to inform the Director during the ordinary hours of the first day or shift of such absence, the casual teacher will inform the Director within 24 hours of the absence.

21.10 Bereavement entitlements for casual teachers

21.10.1 Casual teachers are entitled to not be available to attend work, or to leave work upon the death in Australia of a family member described in clause 19.1.3 (b) of the award on production of satisfactory evidence (if required by the Director).

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

21.10.3 The Director must not fail to re-engage a casual teacher because the casual teacher accessed the entitlements provided for in this clause. The rights of the Director to engage or not engage a casual teacher are otherwise not affected.

21.10.4 The casual teacher must, as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence, inform the Director of their inability to attend for duty. If it is not reasonably practicable to inform the Director during the ordinary hours of the first day or shift of such absence, the casual teacher will inform the Director within 24 hours of the absence.

21.11 Non-engagement on Attendance - Where a casual teacher reports for duty in a particular engagement on any day on the basis of a request by an authorised officer and is then advised that her/his services are not required, then the casual teacher shall be entitled to payment for that engagement at the appropriate rate.

21.12 Payment

21.12.1 A casual teacher shall attend and be paid only for face-to-face teaching in one or more engagements.

21.12.2 Casual teachers who perform duty after 5.30 pm or on a weekend shall be paid at the hourly rate of pay appropriate to their classification and year of service.

21.13 Incremental Progression - a casual teacher on completing a year of service, irrespective of breaks in that service, shall be entitled to progress to the next incremental step on the common salary scale.

22. Professional Development

22.1 AMES and the Federation confirm a commitment to training and development for all teachers and related employees. Teachers and related employees recognise the importance of maintaining and updating their skills. AMES recognises its obligations to provide teachers and related employees with opportunities to maintain and update their skills.

22.2 It is the aim of AMES and the Federation that the teachers and related employees of AMES shall be provided with opportunities for training and development so that they will continue to form a highly

skilled, competent and committed workforce, experiencing job satisfaction and providing the highest quality service.

- 22.3 In order to develop their skills and to meet the aims and objectives of AMES, teachers and related employees may be provided with the opportunity to move between tasks and functions consistent with their classifications and positions. Such opportunities shall be identified in consultation with teachers and related employees having regard to the professional and career development needs of individuals, target groups, efficient organisation of work and personal considerations.
- 22.4 AMES will facilitate the professional development, skills enhancement and career development opportunities of employees and improve effectiveness through a range of activities.

23. Ames Year

- 23.1 The AMES Year means a period of 50 weeks, excluding the two-week period surrounding Christmas/New Year, during which educational programs may be conducted.
- 23.2 Within the 50 weeks of operation, courses will be scheduled to maximise use of existing accommodation and facilitate access for students.
- 23.3 In each preceding year, Teaching Centre Managers will provide program managers with a plan of courses appropriate to the region for the next academic year.
- 23.4 Subject to Clause 23.5, from the date of commencement of this award, annual leave accrued by teachers during the year must be cleared by 1 February of the following year.
- 23.5 In exceptional circumstances a teacher may be granted permission by the Director to accrue a limited amount of annual leave to meet the exigencies of the particular situation. Any such application must be in writing to the Director and set out the nature of the exceptional circumstances relied upon.
- 23.6 Teachers who elected to accrue annual leave prior to or in 2009 shall be entitled to take such accrued leave, but may only do so in course blocks or in configurations arranged on an agreed basis between the teacher and the operations manager, taking into account of the need to minimise disruption to educational programs.
- 23.7 No teacher may be directed to teach beyond eleven consecutive weeks without taking a course break of at least one week.

24. Transfer Procedures

24.1 Requested Transfers

24.1.1 This procedure provides for transfer of a permanent teacher at the request of the teacher.

24.1.2 A permanent teacher may apply at any time in writing to transfer from one teaching centre to another.

24.1.3 A register of transfer applications will be maintained for each teaching centre. The register will be published annually and a copy forwarded to each teaching centre.

24.1.4 Transfer applications will be ranked according to date of receipt. Where two or more requests are received on the same date priority in ranking will be determined on the basis of the closest recorded home address to the vacancy to be filled.

24.1.5 Transfers of eligible teachers will take place once each year on a nominated transfer date prior to the nominal first course date in each year.

24.1.6 To be eligible for transfer a teacher must at the date of transfer be on duty or on a form of approved leave.

24.1.7 A teacher who is offered a transfer for which that teacher has applied shall be removed from all transfer registers.

24.1.8 Requested Transfers will be published in the Staff Bulletin.

24.2 Operational Transfers

24.2.1 Operational transfers may be directed by the Director at any time in order to meet AMES operational requirements.

24.2.2 Except in cases where there are special fitness requirements, for example, a requirement for bilingual teaching, when it is necessary to effect an operational transfer the Director shall first offer the transfer in accordance with the transfer register. If the transfer is not accepted, or if there are no applications for transfer, the Director shall offer the transfer to all teachers in the teaching centre from which the transfer is to be made. If the transfer is not accepted, or if there are two or more applications for transfer, the Director shall nominate for transfer the teacher with the closest recorded home address to the vacancy to be filled.

24.2.3 In cases where there is a special fitness requirement the Director shall firstly offer the transfer to all teachers who meet the special fitness requirement. If the transfer is not accepted or if two or more applications to transfer are received, the Director shall nominate for transfer the teacher who meets the special fitness requirement with the closest recorded home address to the vacancy to be filled.

24.2.4 A teacher nominated for operational transfer shall be given a minimum of two weeks notice before they are required to transfer.

24.2.5 A teacher may apply to the Director to be excluded from operational transfer on compassionate grounds for up to twelve months where there are exceptional and compelling circumstances. Applications for exclusion from operational transfer must contain full and substantiated grounds and supporting documents, where appropriate.

24.2.6 Operational transfers shall be considered temporary until the nominated transfer date in each year, at which time the transfers shall be offered in accordance with the procedures set out in subclause 24.1. If a transfer that is offered in accordance with subclause 24.1 is not accepted, the operational transfer will be confirmed and will cease to be considered temporary.

25. Anti-Discrimination

25.1 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.

25.2 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.

25.3 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.

25.4 Nothing in this clause is to be taken to affect:

25.4.1 any conduct or act which is specifically exempted from anti-discrimination legislation;

25.4.2 offering or providing junior rates of pay to persons under 21 years of age;

25.4.3 any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;

25.4.4 a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.

26. Dispute Resolution Procedures

26.1 Subject to the provisions of the *Industrial Relations Act 1996*, the following procedures shall apply:

26.1.1 Should any dispute (including a question or difficulty) arise as to matters occurring in a particular workplace then the employee and/or the Federation's workplace representative shall raise the matter with the appropriate supervisor as soon as practicable.

26.1.2 The supervisor shall discuss the matter with the employee and/or the Federation's representative within two working days with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.

26.1.3 Should the above procedure be unsuccessful in producing resolution of the dispute, or in relation to matters where it is inappropriate, or should the matter be of a nature which involves multiple workplaces, then the employee and or the Federation may raise the matter with the Director or the Director's nominee with a view to resolving the dispute, or by negotiating an agreed method and time frame for proceeding.

26.1.4 Where the procedures in paragraph 26.1.3 do not lead to resolution of the dispute, the matter shall be referred to the Deputy Director-General, Workforce Management and Systems Improvement of the Department and the General Secretary of the Federation. They or their nominees shall discuss the dispute with a view to resolving the matter or by negotiating an agreed method and time frame for proceeding.

26.2 Should the above procedures not lead to a resolution then either party may make application to the Industrial Relations Commission of New South Wales.

26.3 While the dispute resolution procedure is being followed, the status quo will remain. The status quo is the situation which prevailed before the cause of the dispute.

26.4 Where the subject of the dispute involves the Director or the Director's nominee, the matter may be referred to the Deputy Director-General, Workforce Management and Systems Improvement /Director-General as appropriate.

27. Goods and Services Tax

27.1 The parties shall monitor the overall impact of the Commonwealth Government's goods and services tax through the term of the award. In the event that the Industrial Relations Commission makes a State decision (as defined by section 49 of the *Industrial Relations Act 1996*) having regard to the impact on wages of the goods and services tax, the Federation reserves the right to make application to the Industrial Relations Commission in relation to that decision.

28. Flexible Working Arrangements

28.1 Subject to the operating needs of AMES, where possible, employees should be assisted to deal with family responsibilities through flexible leave and working arrangements in accordance with current Government policy.

29. Deduction of Union Membership Fees

29.1 The union shall provide the employer with a schedule setting out union fortnightly membership fees payable by members of the union in accordance with the union's rules.

- 29.2 The union shall advise the employer of any change to the amount of fortnightly membership fees made under its rules. Any variation to the schedule of union fortnightly membership fees payable shall be provided to the employer at least one month in advance of the variation taking effect.
- 29.3 Subject to 29.1 and 29.2 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 union's rules, provided that the employer has authorised the employer to make such deductions.
- 29.4 Monies so deducted from employees' pay shall be forwarded regularly to the union together with all necessary information to enable the union to reconcile and credit subscriptions to employees' union membership accounts.
- 29.5 Unless other arrangements are agreed to by the employer and the union, all union membership fees shall be deducted on a fortnightly basis.
- 29.6 Where an employee has already authorised the deduction of union membership fees from his or her pay prior to this clause taking effect, nothing in this clause shall be read as requiring the employee to make a fresh authorisation in order for such deductions to continue.

30. No Further Claims

- 30.1 Subject to clause 30.2 and except as provided by the *Industrial Relations Act 1996*, there shall be no further salaries or conditions claims by the parties prior to 31 December 2010, in relation to matters expressly contained in this award.
- 30.2 Clause 30.1 does not prevent the parties making claims after 1 July 2010, for changes in salaries and conditions to take effect after 31 December 2010 or seeking to have the Industrial Relations Commission conciliate or arbitrate such claims prior to 31 December 2010.

31. Secure Employment Test Case - Occupational Health and Safety Obligations

- 31.1 For the purposes of this clause, the following definitions shall apply:
- 31.1.1 A "labour hire business" is a businesses (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which has as 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
- 31.1.2 A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit 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 other employer which might otherwise have been carried out by that other employer's own employees.
- 31.2 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):
- 31.2.1 consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
- 31.2.2 provide employees of the labour hire business and/or contract business with appropriate occupational health and safety induction training including the appropriate training required for such employees to perform their jobs safely.
- 31.2.3 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

31.2.4 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.

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

31.4 Disputes Regarding the Application of this Clause

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.

31.5 This clause has no application in respect of organisations which are properly registered as Group Training Organisations under the *Apprenticeship and Traineeship 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.

32. Area, Incidence and Duration

32.1 This award shall apply to all teachers and related employees employed within the NSW Adult Migrant English Service.

32.2 This Award has been reviewed in accordance with section 19 of the *Industrial Relations Act 1996*.

32.3 This award rescinds and replaces the Crown Employees NSW Adult Migrant English Service (Teachers and Related Employees) Award published 19 May 2006 (359 I.G. 169) and all variations thereof.

32.3 This award commences on 16 July 2009 and will remain in force until 31 December 2010. The salaries and other rates listed in Part B are payable with respect to service from the first pay period commencing after 1 January 2009.

PART B

MONETARY RATES

Table 1 - Salaries

	From the first pay period to commence on or after 1.1.2009 \$	From the first pay period to commence on or after 1.1.2010 \$
Salary Scale for Permanent Teachers, Full Time temporary Teachers and Education Officers		
Increase	4.4%	3.8%
1st Salary Level	49,765	51,656
2nd Salary Level	52,427	54,419
3rd Salary Level	55,085	57,178
4th Salary Level	57,743	59,937
5th Salary Level	60,782	63,092
6th Salary Level	63,443	65,854
7th Salary Level	66,099	68,611
8th Salary Level	68,759	71,372
9th Salary Level	71,990	74,726
10th Salary Level	78,374	81,352
Salary Scale for Senior Education Officers		
Increase	4.4%	3.8%
Senior Education Officer		
Class II	105,510	109,519

Senior Education Officer		
Class I		
Year 1	89,923	93,340
Year 2	93,637	97,195
Year 3	97,354	101,053
Salary Scale for Operations Managers		
Operations Manager	128,312	133,188
Casual Teachers		
Increase	4.4%	3.8%
1st Salary Level	61.28	63.61
2nd Salary Level	64.56	67.01
3rd Salary Level	67.84	70.42
4th Salary Level	71.12	73.82
5th Salary Level	74.87	77.72

Table 2 - Other Rates

Item No.	Clause No.	Brief Description	4.4% From the first Pay period to commence on or after 1.1.2009 \$	3.8% From the first pay period to commence on or after 1.1.2010 \$
1	11	Education Officer after 12 months on the maximum of the common salary scale	3,400	3,529
		after a further 12 months on the maximum of the common salary scale	3,400	3,529
2	11.3	Teacher nominated to undertake additional responsibilities	6,021	6,250

M. J. WALTON J, *Vice-President*

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DENTAL TECHNICIANS (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1488 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause (v) of Clause 6, Wages of the award published 28 May 2004 (344 I.G. 630), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 adjustment.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

	Current Rate per week \$	SWC 2009 Adjustment %	Wage Rate as from 1.12.2009 per week \$
Dental Technician			
1st year	677.00	2.8	696.00
2nd year	702.00	2.8	721.70
3rd year	729.00	2.8	749.40

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount from 1.12.2009 \$
1	9 (ii)	Meal Allowance	11.60

3. This variation shall take effect from the first pay period to commence on or after 1 December 2009.

D. S. McKENNA, Commissioner

DIVISIONS OF GENERAL PRACTICE (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1489 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause (a) of clause 2, Parties of the award published 6 May 2005 (350 I.G. 972) and insert in lieu thereof the following:

This award shall be binding upon:

- (a) the employers named:

Bankstown Division of General Practice;
Barrier Division of General Practice Ltd;
Barwon Division of General Practice;
Blue Mountains Division of General Practice;
Canterbury Division of General Practice;
Central Coast Division of General Practice;
Dubbo/Plains Division of General Practice;
Eastern Sydney Division of General Practice;
Genprac Ltd, t/a The Tweed Valley Division of General Practice;
Hastings Macleay General Practice Network;
Hawkesbury Division of General Practice;
Hornsby Ku-ring-gai Ryde Division of General Practice;
Hunter Rural Division of General Practice Ltd;
Murrumbidgee Division of General Practice Ltd;
Nepean Division of General Practice;
New England Division of General Practice;
North West Slopes (NSW) Division of General Practice Ltd;
NSW Central West Division of General Practice;
Northern Rivers Division of General Practice;
Northern Sydney Division of General Practice Inc.;
Riverina Division of General Practice & Primary Health Ltd;
St George District Division of General Practice Inc.;
South East NSW Division of General Practice Ltd;
South Eastern Sydney Division of General Practice Inc.;
Sutherland Division of General Practice Inc.;
Tweed Valley General Practice Network
Western Sydney Division of General Practice.

2. Delete subclause (b) of clause 40, Salary Rates, and insert in lieu thereof the following:

(b) Entry Level Rates

The minimum entry level rates for the six classification levels in classification system are:

Classification Level	Current Rate S/Annum \$	Award Variation S/Annum \$	Entry Level Annual Salary Rates effective 1.12.2009 (F/T equivalent) \$
1	33,716	944	34,660
2	39,191	1,097	40,288
3	45,182	1,265	46,447
4	50,917	1,426	52,343
5	62,638	1,754	64,392
6	74,354	2,082	76,436

3. This variation shall take effect from the first pay period to commence on or after 1 December 2009.

D. S. McKENNA, Commissioner

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ENGINE PACKING MANUFACTURE (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1315 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete paragraph (b) of subclause (i) of clause 2, Wages, of the award published 16 February 2001 (322 I.G. 354) and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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**MONETARY RATES****Table 1 - Wages**

Classification	Former Rate Per week \$	State Wage Case 2009 %	New Rate Per Week \$
Machinist	564.40	2.8%	580.20
Trainee Machinist (First 3 months)	555.90	2.8%	571.50
Labourer	559.10	2.8%	574.80
Light Machinist (as defined)	557.30	2.8%	572.90
Trainee Light Machinist (First 3 months)	552.70	2.8%	568.20
Tablehand; Trimmer; Finisher; Packager	554.10	2.8%	569.60

Table 2 - Other Rates And Allowances

Item	Clause No.	Brief Description	Former Allowance \$	New Allowance \$
1	9(ii)	Meal Allowance	9.60 per meal	10.20 per meal
2	9(iii)(a)	Leading Hand - Up to 10 employees	25.27 per week	25.98 per week
3	9(iii)(b)	Leading Hand - Over 10 employees	33.63 per week	34.57 per week
4	9(iv)	First Aid Allowance	2.27 per day	2.33 per day
5	9(v)(a)	Dirt Money: Squaring Machine or Cleaning	1.35 per day	1.39 per day
6	9(v)(b)	Dirt Money: Twisting Machine or Hemp and/or Asbestos Plaiters	1.25 per day	1.29 per day

3. This variation shall take effect from the first full pay period to commence on or after 15 November 2009.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

FRICION MATERIALS, &c., MANUFACTURE (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1326 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete subclauses (i) and (iv) of clause 5, Wages, of the award published 11 April 2008 (365 I.G. 467), and insert in lieu thereof the following:

- (i) Adult Employees: The following minimum rates of pay shall be paid:

Grade	Rate Per Week \$
Level 1	601.50
Level 2	606.80
Level 3	612.20
Level 4	620.70
Level 5	633.60
Level 6	646.80
Level 7	665.00
Chargehand	672.50
Senior Chargehand	707.80

- (iv) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may 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 subclauses (i), (ii), (iii) and (iv) of clause 8, Allowances, and insert in lieu thereof the following:

- (i) First Aid Allowance: An employee appointed to act as a first aid attendant in addition to normal duties shall be paid an additional allowance of \$2.95 per day or shift.
- (ii) Boiler Attendant Certificate: An employee required to hold a Boiler Attendants Certificate shall be paid an additional \$17.32 per week.
- (iii) All employees engaged in the periodic cleaning of the dust collection filtration plant shall be paid 81 cents per hour extra whilst so engaged.
- (iv) All employees engaged in handling pigmented oxide shall be paid 39 cents per hour extra whilst so employed.

3. Delete clause 11, Shift Work Allowance for Shiftworkers, and insert in lieu thereof the following:

11. Shiftwork Allowance For Shiftworkers

- (i) Adult shift workers on afternoon shift shall be paid \$20.13 per shift and on night shift \$23.64 in addition to the rates payable under this award.
- (ii) Adult shift workers who do not work day shift in regular rotation or who work permanent afternoon or night shift, shall in addition to the rates prescribed in subclause (i) of this clause be paid \$5.18 for afternoon shift and \$11.83 for night shift over and above the relevant rotating shift rate specified in subclause (i).
4. Delete subclause (v), of clause 14, Meal Times, Meal Allowances and Crib Breaks and insert in lieu thereof the following:
- (v) An employee required to work overtime of two hours or more before or after the usual ceasing time shall be paid \$8.25 for the first meal and \$7.67 for each subsequent meal which will apply after every additional four hours overtime unless suitable meals are provided by the employer. Should an employee be notified of the intention to work overtime and then not be called upon to do so, the employee shall be paid the sum of \$8.21.
5. This variation shall take effect from the beginning of the first pay period to commence on or after 8 September 2009.

P. J. CONNOR, Commissioner

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GELATINE AND GLUE INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1325 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete subclause (f) of clause 2, Rates of Pay of the award published 14 March 2008 (365 I.G. 241), and insert in lieu thereof the following:
 - (f) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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**MONETARY RATES****Table 1 - Wages**

Grade	Adhesive and Glue Stream as of 18 February 2009 \$	Adhesive and Glue Stream as of 18 February 2010 \$	Gelatine and By Product Stream as of 18 February 2009 \$	Gelatine and By Product Stream as of 18 February 2010 \$
6	678.00	697.00	678.00	697.00
5	656.30	676.70	656.30	676.70
4	632.50	650.20	632.50	650.20
3	602.20	619.10	602.20	619.10
2	580.50	596.80	597.80	614.50
1	570.40	586.40	576.20	592.30

Table 2 - Junior Rates

Age	Percentage
At 16 years of age and under	70
At 17 years of age	85
At 18 years of age	100

Table 3 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount as of 18 February 2009 per week \$	Amount as of 18 February 2010 per week \$
1	4(a)(i)	Leading hand up to 10 employees	24.10	24.80
2	4(a)(ii)	Leading hand over 10 employees	33.35	34.30
3	4(b)	Industry allowances - Gelatine and By Products Stream	18.35	18.85
4	4(c)	Boiler Attendants Allowance	11.45	11.75
5	9(d)	Meal Allowance - 1st meal	9.33	9.93
6	9(d)	Meal Allowance - 2nd and subsequent meal	9.33	9.93
7	18(c)	Laundry Allowance	7.17	7.66
8	32(c)	First Aid Allowance	11.18	11.49

3. The variation shall take effect from the first full pay period to commence on or after 18 February 2010.

P. J. CONNOR, 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 1566 of 2009)

Before Mr Deputy President Sams

8 October 2009

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 2009. 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 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
Plant Assistant	571.60	16.00	587.60
Process Assistant	577.90	16.20	594.10
Melt Operator			
(a) as defined	584.10	16.40	600.50
(b) as defined	598.30	16.80	615.10
Glass Maker	611.00	17.10	628.10
Machine Attendant			
(a) as defined	577.90	16.20	594.10
(b) as defined	598.30	16.80	615.10
Ware Maker	649.70	18.20	667.90
Ware Handler	584.10	16.40	600.50
Mobile Handler			
(a) as defined	584.10	16.40	600.60
(b) as defined	597.60	16.70	614.30
Goods Handler	607.70	17.00	624.70
Store Attendant	584.10	16.40	600.60
Verifier	596.00	16.70	612.70
Artisan	596.00	16.70	612.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	3(iii)(a)	Leading Hands	36.05	37.05
	3(iii)(b)	Section Leader	16.85	17.30
	3(iii)(c)	Charge Hand	30.75	31.60
2	3(iv)	Casuals Employees	20%	20%
3	3(v)	Additional Rates - 6months	13.70	14.10
		- 12 months	14.90	15.30
		- 18 months	15.45	15.90
4	3(vi)	Metrology	14.50	14.90
5	3(vii)	Settler Down	16.95	17.45
6	5(A)	Soda Ash (p/hr)	1.42	1.46
7	5(B)	Boiler firing (p/hr)	0.79	0.81
8	5(C)	Raw Materials (p/hr)	0.53	0.55
9	5(D)	Skimming and floater set (p/hr)	2.05	2.10
10	5(E)	Furnace Repair (p/hr)	11.10	11.40
11	5(I)	Jack Bolt Tensioner (p/hr)	6.05	6.20
12	5(G)	Loading/ Unloading (p/hr)	6.05	6.20
13	15j	Meal Allowance	12.00	12.60
14	23	Motor Vehicle Allowance p/km	0.60	0.60
15	24	First-aid p/shift	2.86	2.94

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 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 2009.

P. J. SAMS *D.P.*

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HAIR AND BEAUTY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1385 of 2009)

Before Commissioner McKenna

14 September 2009

VARIATION

1. Delete clause 10, State Wages Case Adjustments, of the award published 23 July 2004 (345 I.G. 452) and insert in lieu thereof the following:

10. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Level	Classification	SWC 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
1	Wigmaker - Employees, male and female, doing work on or in connection with the making of wigs, toupees or other hair pieces and /or doing board work generally Hairdresser doing men's and /or ladies hairdressing Beauty Therapist	642.95	18.00	660.95
2	Receptionist/Salon Assistant - 21 years of age and over	609.90	17.08	627.00
3	Beautician, Electrologist, Chiropodist	605.50	16.95	622.45

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

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	7(v)	Meal Allowance per meal	8.70	9.15
2	9 (iv)	Employee in charge per day	7.05	7.25
3	13 (ii)	Tool allowance per week	8.40	8.80
4	14	Health Department per hour	1.03	1.06
5	15	Laundry per week	5.75	5.95
6	16	First aid per week	10.00	10.30
7	18	Transport per km	0.77	0.77

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

4. Delete Table 3 - Part-time and Casual Rates of Pay of Part B, and insert in lieu thereof the following:

Table 3 - Part-time and Casual Rates of Pay

Level	Classification	Part-time rate per hour \$	Casual rate per hour \$
1	Wigmaker - Employees, male and female, doing work on or in connection with the making of wigs, toupees or other hair pieces and/or doing board work generally. Hairdresser doing men's and/or ladies hairdressing Beauty Therapist	19.13	20.87
2	Receptionist/Salon Assistant - 21 Years of age and over	18.15	19.80
3	Beautician, Electrologist, Chiropodist	18.02	19.66

5. This variation shall take effect from the first full pay period to commence on or after 19 September 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

**HEALTH, FITNESS AND INDOOR SPORTS CENTRES (STATE)
AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C2145 published 19 December 2003

(342 I.G. 483)

(No. IRC 3515 of 2003)

CORRECTION

1. For instruction 1, in paragraph (i), delete the first instance of the duplicated words "an employer may require".
2. For instruction 1, in paragraph (ii), for the word "reasonable " substitute "unreasonable".

G. M. GRIMSON *Industrial Registrar.*

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HEALTH, FITNESS AND INDOOR SPORTS CENTRES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1331 of 2009)

Before Commissioner McKenna

18 September 2009

VARIATION

1. Delete clause 31 State Wage Case Adjustment, of the award published 4 May 2001 (324. I.G. 497) and insert in lieu thereof the following:

31. State Wage Case Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 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

Grade	Full Time \$	Hourly Rate \$
Level 1	560.70	14.75
Level 2	578.50	15.22
Level 3A	602.50	15.86
Level 3B	620.10	16.32
Level 4	623.10	16.40
Level 5	660.90	17.39
Level 6	728.50	19.17

Junior Rates for Levels 1, 2 and 3	Percentage of Appropriate Adult Rate %
At 16 years and under	55
At 17 years	65
At 18 years	75
At 19 years	85
At 20 years	100

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount Per Week \$
1	2(c)	Supervisory loadings - Up to 5 employees	23.50 per week
2	2(c)	Supervisory loadings - 6 to 10 employees	31.95 per week
3	2(c)	Supervisory loadings - 11 or more employees	43.00 per week
4	21(a)	First-aid allowance	11.00 per week 2.20 per shift
5	23(a)	Stocking allowance	3.10 per week 0.62 per day
	23(b)	Toilet cleaning allowance	9.00
	23(c)	Laundry Allowance	8.05 per week 1.61 per day
	23(d)	Broken Shift Allowance: For each broken shift so worked	11.75 per day
		Excess fares allowance	8.30 per week or 1.66 per day

3. This variation shall take effect from the first full pay period to commence on or after 18 September 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

HOTEL EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1409 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete subclause (c) of clause 6, Arbitrated Safety Net Adjustment of the award published 10 May 2002 (333 I.G. 317), and insert in lieu thereof the following:
 - (c) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Wages**

Classification	Wage Total \$
Bar Attendant	568.20
Cashier in Bars	568.20
First Cook	569.00
Qualified Cook	568.20
Cook Employed Alone	568.20
Breakfast & Other Cook	568.20
Head Waiter/ress and/or Host/ess	568.20
Other Waiters/resses, drink and/or Food	568.20
Cleaner in and about Bars	568.20
Cellarperson	568.20
Assistant Cellarson	568.20
Butcher	568.20
Pantryman/maid or Kitchenman/maid	568.20
Storeperson	568.20
Night Porter	568.20
Day Porter	568.20
Billiards Room Attendant	568.20
Commissionaire Messenger and/or Parking Attendant	568.20
Useful and Cleaner	568.20
Person not otherwise provided for	568.20

Office Employees -	
1st year of adult service in the clerical industry	568.20
2nd year of adult service in the clerical industry	568.20
3rd year of adult service in the clerical industry	568.20
Cashier - elsewhere	568.20
Housekeeper or Manager/ess	568.20
Snack Bar Attendant	568.20
Laundry employee	568.20
Houseman/maid	568.20
Houseman/maid who repairs linen or articles of any description	568.20
Pantryman/maid or Kitchenman/maid	568.20
Persons not otherwise provided for	568.20

Table 2 - Other Rates And Allowances

Item	Clause	Description	Amount \$
1	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour	0.61
2	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	4.89
3	5 (b) (i)	In Charge of more than four employees	10.40 per week
4	5 (b) (ii)	In Charge of six to ten employees	13.64 per week
5	5 (b) (iii)	In Charge of ten to twenty employees	15.73 per week
6	5 (b) (iv)	In Charge of more than twenty employees	26.37 per week
7	5 (c) (i)	Shorthand 80 wpm	4.93 per week
8	5 (c) (ii)	Shorthand 100 wpm	10.48 per week
9	5 (c) (iii)	Machine operator	4.82 per week
10	5 (d) (i)	Home deliveries	0.43 per hour
11	5 (d) (ii)	Home deliveries	0.43 per hour
12	5 (d) (ii)	Home deliveries maximum	0.85
13	6A (a) (i)	Apprentice proficiency (first occasion)	1.79 per week
14	6A (a) (ii)	Apprentice proficiency (second occasion)	2.89 per week
15	6A (a) (iii)	Apprentice proficiency (third occasion)	3.70 per week
16	7 (b) (1)	For all work between 7.00 pm and 7.00 am per hour	0.97
17	7 (b) (2)	For all work between 7.00 pm and 7.00 am per hour - Minimum payment per day	1.49
18	8 (a)	Board and residence adult employee	19.31 per week
19	8 (a)	Shared room Board and residence adult employee	18.50 per week
20	8 (b)	Lodgings only adult employee	11.91 per week
21	8 (b)	Shared room lodgings only adult employee	11.79 per week
22	8 (c)	Meal supplied during employee's spread of hours	1.36 per meal
23	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour	0.36
24	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	0.74
25	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour	0.39
26	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	3.31
27	25 (b)	Laundry special clothing - cooks	3.67 per week
28	25 (b)	Laundry special clothing - other than cooks	2.22 per week
29	26 (ii)	Apprentice - Tool allowance	0.68 per week

3. This variation shall commence from the first full pay period on or after 18 September 2009.

A. MACDONALD, Commissioner

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MALTHOUSES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1408 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete Part B, Monetary Rates, of the award published 11 July 2008 (366 I.G. 219) and insert in lieu thereof the following:

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

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

Classification	Wage Total \$
Malthouse Employee	592.70

Table 2 - Other Rates And Allowances

Item	Clause No.	Description	Amount \$
1	2.2	Flat Rate Allowance	10.40 per week
2	2.3	Shift Worker	51.70 per week
3	2.4	Leading Hand	33.60 per week
4	2.5	Laundry Allowance	7.70 per week

2. This variation shall take effect from the first full pay period to commence on or after 18 September 2009.

A. MACDONALD, Commissioner

MEAT PRESERVERS, &c. (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1297 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete clause 7, Arbitrated Safety Net Adjustment, of the award published 16 August 2002 (335 I.G. 922) and insert in lieu thereof the following:

7. Arbitrated Safety Net Adjustment

- 7.1 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 of adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Classification	SWC - 2009 Effective 1 Dec 2009 Amount per week
Grade I - General Hand Storeperson - An employee who carries out all general labouring, cleaning receiving, packing or despatching work within the establishment	568.20
Grade II Processor - An employee who is involved in Meat Processing (Manual and/or Mechanised) or inspecting operations within the establishment. For example: Can Fill Checker, TVP Operator, Meat Inspection Operator, Depalletiser/Palletiser Operator, Unscramble Operator, Canning Machine Operator, Labelling Machine Operator, Hand Forklift Operator, Bone Mincing Machine Operator, Formed Meat Mixer	568.20
Grade III Meat Cutter and Boner - An employee involved in the preserving, boning, cutting and/or slicing of meat. For example: Disintegrator Operator, Closing Machine Operator, Pet Food Batch Mixer, Boner Slicer	587.20

Table 2 - Other Rates

Item No.	Clause No.	Brief Description	SWC 2009 Effective 1 Dec 2009 Amount per week
1	5.4	Meal Allowance	7.89
2	6.3(a)	Bandsaw, Handing out or Chilling Room	0.07
3	6.3(b)	Dirt Cans Allowance	1.10

3. This variation shall come into effect from the first full pay period on or after 1 December 2009.

A. MACDONALD, Commissioner

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METALLIFEROUS MINING INDUSTRY (STATE) AWARD 1995

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1362 of 2009)

Before Commissioner Macdonald

18 September 2009

VARIATION

1. Delete subclause (iv) of clause 7, Rates of Pay, of the award published 8 March 1996 (291 I.G. 1), and insert in lieu thereof the following:
 - (iv) The rates of pay in this award include the adjustments payable under the State Wage Case of 2009. 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 - Rates of Pay**

Classification	SWC 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
(a) Treatment Plant Operators -			
Operator Level 5	552.70	15.50	568.20
Operator Level 4	564.20	15.80	580.00
Operator Level 3	587.30	16.40	603.70
Operator Level 2	608.50	17.00	625.50
Operator Level 1	642.90	18.00	660.90
(b) Mine and Haulage -			
Operator Level 5	552.70	15.50	568.20
Operator Level 4	564.20	15.80	580.00
Operator Level 3	587.30	16.40	603.70
Operator Level 2	608.50	17.00	625.50
Operator Level 1	642.90	18.00	660.90
(c) Underground Operations -			
Mine Level 5	564.20	15.80	580.00
Mine Level 4	587.30	16.40	603.70
Mine Level 3	608.50	17.00	625.50
Mine Level 2	642.90	18.00	660.90
Mine Level 1	664.50	18.60	683.10

(d) Maintenance, Electrical and Mechanical -			
Tradesperson Level 5	642.90	18.00	660.90
Tradesperson Level 4	664.70	18.60	683.10
Tradesperson Level 3	686.30	19.20	705.50
Tradesperson Level 2	706.00	19.80	725.80
Tradesperson Level 1	749.30	21.00	770.30

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	8 (i)	Qualified Supervisor Certificate (Electrician) Certificate of Registration (Electrician)	33.50/week 18.00/week	34.40/week 18.50/week
2	8 (ii)	Leading Hand - 3 to 10 employees 10 to 20 employees More than 20 employees	24.50/week 35.50/week 46.55/week	25.20/week 36.50/week 47.85/week
3	9 (i)	Electrical and Mechanical Tradesperson Tool Allowance	11.95	12.30
4	13 (vi)(c)	Meal Allowance	9.05 on each occasion	9.50 on each occasion
5	24 (iii)	First - Aid Allowance	13.95	14.35

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 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 3 October 2009.

A. MACDONALD, Commissioner

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SERIAL C7260

MINERAL SANDS MINING AND TREATMENT 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 1565 of 2009)

Before Mr Deputy President Sams

8 October 2009

VARIATION

1. Delete subclause (ii) of clause 3, Classification Structure and Wage Rates, of the award published 20 April 2001 (324 I.G. 41), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Cases 2009. 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 Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Classification	SWC 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
(i) Tradespeople			
Boilermaker	642.90	18.00	660.90
Carpenter	642.90	18.00	660.90
Electrical Fitter	657.35	18.40	675.75
Electrical Mechanic	657.35	18.40	675.75
Fitter	642.90	18.00	660.90
Machinist, First class	642.90	18.00	660.90
Motor Mechanic	642.90	18.00	660.90
Marker Off	642.90	18.00	660.90
Turner	642.90	18.00	660.90
Welder - Special Class	642.95	18.00	660.95
Welder	642.90	18.00	660.90
Painter	642.90	18.00	660.90
(ii) Operators			
Floating Pump Operator			
Up to 300 tonnes per hour	615.50	17.20	632.70
300 tonnes per hour and over	634.00	17.80	651.80
Electrostatic Operator	615.50	17.20	632.70
Table and/or Dryer Operator, Concentration Plant operator and or Grinding Mill Operator	615.50	17.20	632.70
Transfer Bin Operator	615.50	17.20	632.70
Mechanical Drill Rig Operator	615.50	17.20	632.70
General Hand	624.60	17.50	642.10
Maintenance Person	642.90	18.00	660.90

Senior Fibreglass and/or Rubber Worker	659.60	18.50	678.10
General Hand (Maintenance)	608.00	17.00	625.00
Fork Lift Operator	608.00	17.00	625.00
Storeperson	598.60	16.80	615.40
Laboratory Assistant - Sampler	642.90	18.00	660.90
Laboratory Assistant - Tester	632.10	17.70	649.80
Nursery Person in charge - Full-time	632.10	17.70	649.80
Registered Weighbridge Attendant	632.50	17.70	650.20
Mobile Crane Operator with lifting capacity			
Up to 5 and including 5 tonnes	628.10	17.60	645.70
Over 5 tonnes	641.60	18.00	659.60
Tractor and Front End Loader and Grader operations			
(a) Up to but not exceeding 48kw	634.10	17.80	651.90
(b) 48kw but not exceeding 96kw	642.30	18.00	660.30
(c) 96kw but not exceeding 220kw	649.90	18.20	668.10
(d) 220kw but not exceeding 370kw	659.00	18.50	677.50
(e) 370kw but not exceeding 450kw	664.70	18.60	683.30
Truck Operators			
Up to and including 4.5 tonnes	616.70	17.30	634.00
Over 4.5 tonnes but not exceeding 9 tonnes	626.50	17.50	644.00
Over 9 tonnes but not exceeding 15 tonnes	635.00	17.80	652.80
Over 15 tonnes but not exceeding 30 tonnes	659.00	18.50	677.50
Over 30 tonnes	664.60	18.60	683.10
Off highway haulage units (including scraper, dumper and off-highway motor trucks)			
Up to but not exceeding 25 tonnes	642.30	18.00	660.30
Over 25 but not exceeding 40 tonnes	649.90	18.20	668.10
Over 40 but not exceeding 100 tonnes	659.00	18.50	677.50

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	SWC 2008 Amount \$	SWC 2009 Amount \$
1	3(iv)	Leading Hand - in charge of up to 10 employees	25.65	27.40
2	3(iv)	Leading Hand - in charge of more than 10 employees	39.35	40.45
3	4(I)(a)	Afternoon Shift Allowance	11.65	12.00
4	4(I)(b)	Night Shift Allowance	15.35	15.80
5	5(I)	Overall Disability Allowance	0.59	0.61
6	5(ii)	Immersion Allowance	10.40	10.70
7	5(iii)	Electrical Licence Qualified Supervisors Certificate (Electrician) Certificate of Registration (Electrician)	34.25 18.40	35.20 18.90
8	5(vi)	No showers Allowance	2.70	2.80
9	5(v)	First Aid Allowance	2.65	2.70
10	7(i)(a)	Tool Allowance	13.35	13.70
11	7(i)(b)	Tool Allowance	13.35	13.70
12	8(iii)	Meal Money	13.05	13.40
13	9(i)(c)(2)	Meal Money - when travelling	10.95	11.50
14	9(i)(f)	Caravan - remote allowance	24.20	24.90

15	9(ii)	Travelling Allowance		
		3-10 km	5.75	5.75
		10-20 km	7.35	7.35
		20-30 km	9.25	9.25
		30-40 km	10.95	10.95
		40-50 km	12.75	12.75
		Over 50 km	14.50	14.50
16	9(iv)	Travel Allowance - own motor vehicle	0.59	0.59
17	12(iv)	Travel Allowance - own motor vehicle	0.59	0.59

"Note": These allowances are contemporary for expense related allowances as at 30 June 2009 and for work related allowances are inclusive of adjustment in accordance with the July 2009 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

4. This variation shall take effect from the first full pay period to commence on or after 27 October 2009.

P. J. SAMS *D.P.*

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MISCELLANEOUS GARDENERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1321 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete paragraph (b) of subclause (i) of clause 10, Wages of the award published 20 April 2001 (324 I.G. 16), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:
 - (1) any equivalent overaward payments, and/or
 - (2) 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	Former Rate Per Week \$	SWC 2009 %	New Rate Per Week \$
Introductory Level	545.40	2.8	560.70
Level 1	562.70	2.8	578.50
Level 2	586.10	2.8	602.50
Level 3	607.90	2.8	624.90
Level 4	642.90	2.8	660.90

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Former Amount \$	New Amount \$
1	11(i)	Leading Hand Allowance	25.90 per week, or 5.18 per day	26.63 per week, or 5.33 per day
2	11(ii)	First Aid Certificate	14.08 per week	14.47 per week
3	11(ii)	First Aid Certificate	2.81 per day	2.89 per day
4	11(iii)	Meal Money	8.60 per meal	9.15 per meal

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

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MISCELLANEOUS WORKERS' - GENERAL SERVICES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1320 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (v) of clause 9, Wages, of the award published 8 December 2000 (320 I.G. 1078), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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	Former Rate \$	SWC 2009 %	New Rate \$
Tea Attendant - Level 1	562.75	2.8	578.50
Cleaner	581.35	2.8	597.65
Lift Attendant	581.35	2.8	597.65
Caretaker rel: 92.4%	607.70	2.8	624.70

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7(i)	Leading Hand: 1-5 employees	26.60
2	7(i)	Leading Hand: 6-10 employees	30.40
3	7(i)	Leading Hand: 11 or more employees	39.50
4	7(ii)	First-aid Allowance	14.50 per week
5	7(ii)	First-aid Allowance	2.90 per day
6	7(iii)	Qualification Allowance	17.70 per week
7	7(iii)	Qualification Allowance	3.54 per day
8	7(v)(a)	Locomotion - Motor cycle or other motor vehicle	24.60 per week
9	7(v)(a)	Locomotion - Bicycle	2.22 per shift
10	7(v)(b)	Laundry Allowance	1.53 per shift

11	8(ii)(a)	Broken Shift	12.45 per shift
12	8(ii)(b)	Excess Fares Allowance	10.20 per week
13	9(iii)	Cleaning Windows Height: each window	0.77
14	9(iv)	Cleaning from Ladder : each window	0.77
15	15(ii)	Meal Allowance	9.00

3. This variation shall take effect from the beginning of the first pay period to commence on or after 23 September 2009 and remain in force for 12 months.

D. S. McKENNA, Commissioner

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MISCELLANEOUS WORKERS' - INDEPENDENT SCHOOLS AND COLLEGES, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1314 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (v), of clause 13, Wages and Classification Structure, of the award published 4 May 2001 (324 I.G. 579), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 - Wage Rates, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wage Rates

Classification	Former Rate	State Wage Case 2009	New Rate Per Week
	per week \$	increase %	\$
LEVEL 6	694.40	2.8	713.85
LEVEL 5	671.10	2.8	689.90
LEVEL 4	631.70	2.8	649.40
LEVEL 3	610.15	2.8	627.25
LEVEL 2	597.90	2.8	614.65
LEVEL 1	585.10	2.8	601.50

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Former Amount \$	New Amount \$
1	11(v)(a) and (b)	Meal Allowance - Overtime		
		First Meal	9.15	9.75
		Second and subsequent meals	9.15	9.75
2	15(i)	Toilet Cleaning	8.37 per week	8.60 per week
3	15 (ii)	Leading Hands in Charge of:	Per Week	Per Week
		1-5 employees	21.21	21.80
		6-10 employees	26.38	27.12
		11-15 employees	35.44	36.43
		16-20 employees	42.84	44.04
		Over 20 employees	42.84	44.04
Each extra employee over 20 employees	0.60 cents	0.62 cents		

4	15 (iii)	First Aid Allowance	12.72 per week 2.55 per day to a maximum of 12.72 per week	13.08 per week 2.62 per day to a maximum of 13.08 per week
5	15 (iv)(a) and (b)	Uniforms - Laundering Allowances Uniforms Aprons Chefs Overalls Trousers	6.73 per week 1.34 per shift 3.00 per week 9.20 per week	7.19 per week 1.43 per shift 3.08 per week 9.46 per week
6	15(v)	Qualification Allowance Cleaning Supervisor's Course	17.25 per week 3.45 per day	17.75 per week 3.55 per day
7	15(viii)	Refuse Disposal - Cleaners	0.89 cents per hour Maximum 18.19 per week	0.91 cents per hour Maximum 18.70 per week
8	15(ix)	Multi-purpose Machines - cleaners	2.31 per shift	2.37 per shift
9	15(x)	Locomotion Allowance - General Service Employees Stream Employee providing own vehicle Employee providing own bicycle	23.60 per shift plus fuel 2.13 per shift	23.60 per shift plus fuel 2.13 per shift
10	16(i)(a), 16(i)(b), 16(i)(c)	Broken Shift Allowances (a) Three shifts per day (b) Two shifts per day	8.90 per day 4.09 per day	9.15 per day 4.20 per day
11	16(i)(c)	Excess Fares Allowances	8.46 per week	8.91 per week
12	33(ii)	Tool Allowance - Apprentice Cooks - where tools not supplied	0.87 per week	0.89 per week

3. This variation shall take effect from the first full pay period to commence on or after 18 October 2009.

D. S. McKENNA, Commissioner

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MISCELLANEOUS WORKERS' - KINDERGARTENS AND CHILD CARE CENTRES, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1322 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete Table 1B, of Part B, Monetary Rates, of the award published 16 June 2006 (359 I.G. 843), and insert in lieu thereof the following:

TABLE 1B

WAGES - SUPPORT WORKER CLASSIFICATIONS

Classification	Rate at 1/9/08 \$	Rate at 8/09/09 \$
Support Worker	592.18	608.76
Support Worker(Qualified Cook)	606.32	623.30

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

TABLE 1C

NEW WAGES - CHILD CARE CLASSIFICATIONS IN LONG DAY CARE

Level	Step	Rate at 1/9/2008	Rate at 8/09/2009
CCW	1	677.33	696.30
	2	682.92	702.04
	3	688.24	707.51
	4	693.80	713.23
	5	700.41	720.02
ACCW	1	707.01	726.81
	2	721.66	741.87
	3	744.64	765.49
ACCWQ	1	757.06	778.26
	2	834.20	857.56
	3	874.57	899.06
	4	918.09	943.80
Asst Co-ord		771.68	793.29
Asst Co-ord Qual.		938.50	964.78
Co-ord OOSH	L1	826.76	849.91
Co-ord LDC	L2	847.06	870.78
	L3	874.94	899.44

	L4	909.86	935.34
Co-Ord Qual OOSH		1,010.10	1,038.38
Co-Ord Qual. LDC	L2	1,030.40	1,059.25
	L3	1,058.28	1,087.91
	L4	1,093.21	1,123.82

3. Delete Table 1D, of Part B, Monetary Rates, and insert in lieu thereof the following:

TABLE 1D

New Wages - Child Care Classifications In Pre-Schools

Level	Step	Rate at 1/9/2008	Rate at 8/09/2009
CCW	1	652.88	671.16
CCW	2	658.25	676.68
CCW	3	663.37	681.94
CCW	4	668.72	687.44
CCW	5	675.07	693.97
ACCW	1	681.42	700.50
ACCW	2	695.40	714.87
ACCW	3	717.60	737.69
ACCWQ	1	729.57	750.00
ACCWQ	2	803.74	826.24
ACCWQ	3	842.52	866.11
ACCWQ	4	884.41	909.17
Asst Co-ord		743.60	764.42
Asst Co-ord Qual.		904.00	929.31
Co-ord OOSH	L1	800.10	822.50
Co-ord Pre-Sch	L2	820.40	843.37
	L3	848.29	872.04
	L4	883.21	907.94
Co-ord Qual OOSH		976.41	1,003.75
Co-Ord Qual. Pre-Sch	L2	996.72	1,024.63
	L3	1,024.60	1,053.29
	L4	1,059.52	1,089.19

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

TABLE 2

**ADDITIONAL RATES AND ALLOWANCES
FROM THE FIRST PAY PERIOD COMMENCING ON OR AFTER 30 JULY 2008**

Item No.	Clause No.	Brief Description	Amount 1/09/2008 \$	New Amount 8/09/09 \$
1	10 (ii)(a)	Broken Shift	59.80 per week 11.96 per day	61.50 per week 12.30 per day
2	10 (ii)(b)	Excess Fares	8.30 per week	8.74 per week
3	10 (iii)	Uniform: Laundry Allowance	4.40 per week	4.70 per week
4	10 (iv)	Cooks Uniforms: Laundry Allowance	6.95 per week	7.45 per week
5	10 (vi)(a)	Qualification Allowance Commercial Cookery Basic Certificate	5.90 per week	6.10 per week
6	10 (vi)(b)	Hotel & Restaurant Cookery Certificate	12.55 per week	12.90 per week
7	12 (iv)	Meal Money	6.65	7.10
8	10(ix)	Authorised Supervisor	32.34 weekly 6.47 daily	33.25 weekly 6.65 daily

5. Delete paragraph (c) of subclause (i) of clause 9, Wages, and insert in lieu thereof the following:

(c) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

6. This variation shall take effect from the beginning of the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

MISCELLANEOUS WORKERS HOME CARE INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1356 of 2009)

Before Commissioner McKenna

18 September 2009

VARIATION

1. Delete the first paragraph in clause 5, Wage Rates, of the award published 4 August 2000 (317 I.G. 618), and insert in lieu thereof the following:

The rates of pay in this award include the adjustments payable under the State Wage Case of 2009. 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 - Wage Rates

Classification	Former Rate per week \$	SWC June 2009 %	Total Rate per week \$
Field Staff Grade 1	612.56	2.8	629.71
Field Staff Grade 2	636.48	2.8	654.30
Field Staff Grade 3	673.92	2.8	692.79
Live-in Houseworker Grade 1*	796.33	-	818.62
Live-in Houseworker Grade 2*	891.07	-	916.02
Live-in Houseworker Grade 3*	1,046.26	-	1,075.56
*For part-time and casual rates refer clause 7 (iii) and 8 (ii) of the award. Wage totals for Live-in Houseworker rates include the All Incidents Loading per clause 5 (iv) (d) of the award which is reflected in the total rate. The Live-In Houseworker Grade 3 rate also includes a 3.5% special loading which is also reflected in the wage total.			

Table 2 - Other Wage Rates

Rate	Field Staff Grade 1 \$	Field Staff Grade 2 \$	Field Staff Grade 3 \$
Part-time minimum daily payment - hourly rate	16.57	17.22	18.23
Casual per hour includes 20% loading	19.88	20.66	21.88

Composite per hour includes 20%	19.88	20.66	21.88
Composite casual per hour includes 20% plus 20%	23.86	24.80	26.25

Table 3 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9(ii)	Shift Allowance	7.59 for each break in the shift
2	13(iii)	Sleep Over Allowance	39.88 per night
3	16	Meal Money (overtime)	10.01
4	29(i)(a)	Vehicle Allowance	0.72 per kilometre

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 18 September 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

MOTELS, ACCOMMODATION AND RESORTS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1323 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause 12.2 clause 12, Classifications and Wage Rates, of the Award published 31 August 2001 (327 I.G. 244) and insert in lieu thereof the following:

12.2 Minimum Rates of Pay

Level & Classification	Former award rate per week \$	SWC 2009 commencing first pay period on or after 30 October 2009 \$
Introductory Level	545.40	560.70
LEVEL 1 Hospitality Services Grade 1	562.70	578.50
LEVEL 2 Hospitality Services Grade 2 Leisure Attendant Grade 1 Hospitality Administration and Front Office Grade 1	588.80 588.80 588.80	605.30 605.30 605.30
LEVEL 3 Hospitality Services Grade 3 Hospitality Administration and Front Office Grade 2 Leisure Attendant Grade 2	607.90 607.90 607.90	624.90 624.90 624.90
LEVEL 4 Hospitality Services Grade 4 Hospitality Administration and Front Office Grade 3 Leisure Attendant Grade 3	642.90 642.90 642.90	660.90 660.90 660.90
LEVEL 5 Hospitality Services Grade 5 Hospitality Administration and Front Office Supervisor	686.30 686.30	705.50 705.50
LEVEL 6 Hospitality Services Grade 6	706.00	725.80

2. Delete subclause 12.4 of the said clause 12, and insert in lieu thereof the following:

12.4 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.

3. Delete Clause 16 Allowances, and insert in lieu thereof the following:

16. Allowances

16.1 Meal Allowance

16.1.1 A full time or regular part-time employee required to work overtime for more than two hours without being notified on the previous day or earlier that he or she will be so required to work shall either be supplied with a meal by the employer or paid \$12.30 meal money.

16.1.2 If an employee pursuant to notice has provided a meal and is not required to work overtime or is required to work less than the amount advised, he or she shall be paid as above prescribed for the meal which he or she has provided but which is surplus.

16.2 Broken periods of work allowance

16.2.1 A full time or regular part-time employee who has a broken work day shall receive an additional allowance for a spread of hours prescribed as follows:

Spread of hours	Rate per day \$
Under 10	Nil
10 but under 10-1/2	1.27
10-1/2 but under 11-1/2	2.50
11-1/2 or more	3.77

16.3 Penalty rates not cumulative

Except as provided in clause 19, Meal Breaks of this award where time worked is required to be paid for at more than the ordinary rate, such time shall not be subject to more than one penalty, but shall be subject to that penalty which is to the employee's greatest advantage.

16.4 Board and lodging

16.4.1

- (a) Where board and residence is made available to adult employees the employer shall have the right to deduct from the pay of the employees residing on the premises an amount of \$136.40 per week of seven days.
- (b) Provided that where an adult employee is required to share a room for lodging, the amount to be deducted from the pay of the employee for lodging shall be \$134.60 per week of seven days.

16.4.2

- (a) Where lodging only is made available to adult employees, the employer shall have the right to deduct from the pay of the employee residing on the premises the sum of \$130.10 per week of seven days.
- (b) Provided that where an adult employee is required to share a room for lodging, the amount to be deducted from the pay of such employee for lodging, shall be \$129.75 per week of seven days.

16.4.3 In the case of employees who do not reside on the employer's premises a deduction at the rate of \$7.35 for each meal supplied and consumed during the employee's spread of working hours may be deducted by the employer.

16.4.4 The rates for board and lodging for adults shall be increased or decreased by 21 cents, for each meal by one cent, for every 50 cents per week alteration in the rate of classification Hospitality services grade 1 in clause 12 - Classification and wage rates.

16.4.5 Junior employees receiving adult rates of pay as prescribed in this Award shall be subject to the deductions applicable to adults prescribed in this clause.

16.4.6 Junior employees receiving junior rates of pay shall be subject to a deduction at the rate of 50 cents for each meal supplied and consumed during the employee's spread of working hours.

16.5 Laundry allowance

Where any employee is required to wear a special uniform such uniform shall be provided and laundered by the employer free of cost to the employee or if mutually agreed that the employee shall launder such uniform the employer shall pay the employee \$2.50 for each uniform so laundered with a maximum of \$7.80 per week.

16.6 Clothing, equipment and tools

16.6.1 Where it is necessary that an employee wear waterproof or other protective clothing such as waterproof boots, aprons, or gloves, the employer must reimburse the employee for the cost of purchasing such clothing. The provisions of this clause do not apply where the special clothing is supplied without cost to the employee. Where protective clothing is supplied without cost to the employee, it will remain the property of the employer. In the event of a dispute, the necessity for the provision of protective clothing may be determined by the Motels, Accommodation and Resorts, &c., Employees (State) Industrial Committee.

16.6.2 Where the employer requires an employee to provide and use any tools, brushes, knives, choppers, implements, utensils and materials, the employer must reimburse the employee for the cost of purchasing such equipment. The provisions of this clause shall not apply where the employer supplied such items without cost to the employee.

16.6.3 An employer may require an employee on commencing employment to sign a receipt for item/s of uniform and property. This receipt must list the item/s of uniform and the value of them. If, when an employee ceases employment the employee does not return the item/s of uniform and property (or any of them) in accordance with receipt the employer will be entitled to deduct the value as stated on the receipt from the employees wages.

16.6.4 In the case of genuine wear and tear, damage, loss, or theft that is not the employee's fault the provision of 16.6.3 will not apply.

16.6.5 Any disagreement concerning the value of item/s of uniform and any other aspect of this clause shall be determined by the Motels, Accommodation and Resorts, &c., Employees (State) Industrial Committee.

16.7 Travelling, transport and fares

16.7.1 Where an employee is detained at work until it is too late to travel by the last ordinary train, tram, vessel or other regular conveyance to his or her usual place of residence the employer shall either provide proper conveyance or provide accommodation for the night free of charge.

16.7.2 If an employee is required to start work before his ordinary commencing time and before the first ordinary means of conveyance (hereinbefore prescribed) is available to convey him or her from his or her usual place of residence to the place of employment, the employer shall provide a conveyance or pay the cost thereof.

16.7.3 Where a full time or regular part-time employee is engaged for work outside a distance of 44 kilometres from the place of engagement he or she shall be paid all fares actually and necessarily incurred in travelling from the place of engagement to the place of employment; provided that if

the employee leaves his or her place of employment or is dismissed for misconduct within a period of three months of the date engagement, the employer may recover from the employee the fare paid on engagement.

16.8 Overnight Stay

Where the employer requests and an employee agrees to stay overnight on the employer's premises for a period outside that of the employee's normal rostered hours of duty, the following arrangements shall apply:

16.8.1 An employee shall be entitled to an amount of \$41.40 per overnight stay period.

16.8.2 This payment shall be deemed to provide compensation for the overnight stay and also includes compensation for all work necessarily undertaken by an employee up to a total of one hour's duration.

16.8.3 Any work necessarily performed during an overnight stay period by the employee in excess of a total of one hour's duration shall be paid for at the rate of time and one half. The payments referred to above shall not extend beyond the period of the overnight stay.

16.8.4 Any time worked under 16.8.2 or 16.8.3 shall not be taken into account for the purposes of Clause 8 - Types of Employment, Clause 18 - Hours of Work or Clause 20 - Overtime of this award.

16.8.5 An employee required to stay overnight in accordance with this clause without being notified on the previous day or earlier that he or she will be so required shall either be supplied with a meal by the employer or paid \$11.50 meal money.

4. Delete subclause 18.8, Work Outside Daily Hours, of clause 18, Hours of Work, and insert in lieu thereof the following:

18.8 Work Outside Daily Hours

18.8.1 Full time or regular part-time employees who are required to work any of their ordinary hours outside the hours of 7.00 a.m. to 7.00 p.m. on Monday to Friday inclusive, shall be paid \$1.69 per hour, or part thereof, for any such time worked outside the said hours with a minimum payment of \$2.58 for any one day.

5. This variation shall take effect on and from the first full pay period to commence on or after 30 October 2009.

D. S. McKENNA, Commissioner

NURSES, OTHER THAN IN HOSPITALS, &c. (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, Industrial Organisation of Employees.

(No. IRC 1427 of 2009)

Before Commissioner McKenna

23 September 2009

VARIATION

1. Delete subclause (iii) of clause 4, Salaries, of the award published 20 August 2004 (346 I.G. 76) and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Salaries**

	Former Wage Rate \$	SWC 2009 Adjustment %	Total Rate \$
Assistant in Nursing			
1st year	569.10	2.8	585.00
2nd year	580.60	2.8	596.90
3rd year	592.30	2.8	608.90
4th year	604.20	2.8	621.10
Enrolled Nurse			
1st year	612.60	2.8	629.80
2nd year	627.10	2.8	644.70
3rd year	649.40	2.8	667.60
4th year	667.80	2.8	686.50
Thereafter	680.60	2.8	699.70
Registered Nurse			
1st year	695.40	2.8	714.90
2nd year	710.70	2.8	730.60
3rd year	738.30	2.8	759.00
4th year	765.60	2.8	787.00
5th year	795.00	2.8	817.30
6th year	824.10	2.8	847.20
7th year	853.20	2.8	877.10
8th year	884.50	2.8	909.30
UG1	910.30	2.8	935.80
Supervisory Nurse	924.50	2.8	950.40

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	Amount \$	Adjusted %
1	3(iv)	Meal	8.23 per meal	1.46
2	6(i)	On Call During Meal	6.61 per day	2.80
3	6(ii)	On Call	15.69 per shift	2.80
4	17(i)	Uniform	7.52 per week	1.46
5	17(i)	Stockings	3.71 per week	1.46
6	17(ii)	Laundry	5.74 per week	1.46
7	18(i)	Vehicle Allowance		
		Standing Charge		
		Up to 2 litres	165.99 per week	1.46
		Over 2 litres < 3.5 litres	182.72 per week	1.46
		Over 3.5 Litres	187.78 per week	1.46
		Vehicle Allowance		
		Running Charge		
		Up to 2 litres	31.48 cents per km	1.46
		Over 2 litres < 3.5 litres	35.20 cents per km	1.46
		Over 3.5 Litres	36.42 cents per km	1.46
8	18(iii)	Vehicle Allowance Casual Usage	70.30 cents per km	1.46

3. This variation shall take effect from the beginning of the first pay period to commence on or after 11 October 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

NURSING HOMES PROFESSIONAL EMPLOYEES (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1490 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause 30.1 of clause 30, State Wage Case Adjustments of the award published 19 January 2001 (321 I.G. 692) and insert in lieu thereof the following:
 - 30.1 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Salaries

Classification	Current Rate per week \$	SWC 2009 Adjustment per week %	Wage Rate as from 1.11.09 per week \$
Nurse Counsellor			
1st year of scale	701.50	2.8	721.10
2nd year of scale	725.30	2.8	745.60
3rd year of scale	757.80	2.8	779.00
4th year of scale	787.20	2.8	809.20
5th year of scale	821.60	2.8	844.60
6th year of scale	848.60	2.8	872.40
7th year of scale	873.60	2.8	898.10
8th year of scale	896.90	2.8	922.00
9th year of scale & thereafter	928.40	2.8	954.40
Dietitian			
1st year of scale	730.10	2.8	750.50
2nd year of scale	762.10	2.8	783.40
3rd year of scale	800.40	2.8	822.80
4th year of scale	841.50	2.8	865.10
5th year of scale	879.70	2.8	904.30
6th year of scale	910.30	2.8	935.80
7th year of scale	933.20	2.8	959.30

Grade 1			
1st year of scale	988.40	2.8	1,016.10
2nd year of scale	1,014.70	2.8	1,043.10
Physiotherapist, Occupational Therapist, Music Therapist, Speech Pathologist			
1st year of scale	711.20	2.8	731.10
2nd year of scale	730.10	2.8	750.50
3rd year of scale	762.10	2.8	783.40
4th year of scale	800.40	2.8	822.80
5th year of scale	841.50	2.8	865.10
6th year of scale	879.70	2.8	904.30
7th year of scale	910.30	2.8	935.80
8th year of scale & thereafter	933.20	2.8	959.30
Welfare Officers (State)			
1st year of scale	632.00	2.8	649.70
2nd year of scale	659.50	2.8	678.00
3rd year of scale	684.10	2.8	703.30
4th year of scale	707.10	2.8	726.90
5th year of scale	759.00	2.8	780.30
Adults - Grade 2			
1st year of scale	756.00	2.8	777.20
2nd year of scale	780.30	2.8	802.10
Social Workers			
1st year of scale	701.50	2.8	721.10
2nd year of scale	725.30	2.8	745.60
3rd year of scale	757.80	2.8	779.00
4th year of scale	787.20	2.8	809.20
5th year of scale	821.60	2.8	844.60
6th year of scale	849.30	2.8	873.10
7th year of scale	873.60	2.8	898.10
8th year of scale	896.90	2.8	922.00
9th year of scale & thereafter	928.40	2.8	954.40

Table 2 - Allowances

Item No.	Clause No.	Allowance	Amount as from 1.11.09 \$
1	3.3	Therapist in Charge	121.80 p/wk
2	6.2	Meal Allowance:	
		- for breakfast when commencing overtime work at or before 6.00 am	8.60
		- for an evening meal when overtime is worked for at least one hour immediately following their normal ceasing time, exclusive of any meal break and extends beyond or is worked wholly after 7.00 pm	16.40
		- for luncheon when overtime extends beyond 2.00 pm on Saturdays, Sundays or holidays.	11.10
3	20	Uniform Allowance:	
	20.3	- in lieu of supplying uniforms	1.70 p/wk
	20.4	- in lieu of laundering	0.95 p/wk

4	21	Mileage Allowance:	
		Motor Car	
		- First 8,000 kilometres per year	
		1,600 cc and over	0.526 p/km
		Under 1600 cc	0.376 p/km
		- Over 8,000 kilometres per year	
		1,600 cc and over	0.187 p/km
		Under 1600 cc	0.157 p/km
		Motor Cycle	0.248 p/km

3. This variation shall take effect from the first pay period to commence on or after 1 November 2009.

D. S. McKENNA, Commissioner

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(009)

SERIAL C7187

OPERATIONAL AMBULANCE MANAGERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1199 of 2009)

Before The Honourable Justice Kavanagh

4 September 2009

VARIATION

1. Delete Clause 36, Leave Reserved & No Extra Claims, of the Operational Ambulance Managers (State) Award, published 26 June 2009 (368 I.G. 527), and insert in lieu thereof following:

36. Leave Reserved & No Extra Claims

This new Award recognises all work value and special case claims up to its commencement date, excepting for the following matters where leave is reserved to the parties to make application in respect of:

- (a) Additional Annual Leave as awarded in the Operational Ambulance Officers (State) Award in 2001; and
- (b) The Award arrangements for Operations Centres, including a new Award, classification structures, rates of pay and conditions of employment.

No additional claims can be pursued to the Award during the life of the 2009 Memorandum of Understanding between the Department and the Union, which ceases on 30 June 2010, excepting those consistent with Clause 5 of that Memorandum. Following the expiry of the Memorandum on 30 June 2010, the parties are accordingly entitled to pursue variations to salaries, salary related allowances and conditions of employment for 1 July 2010 onwards, which may include instituting proceedings before the Commission if the parties are unable to achieve agreement.

2. Delete Section 7 - Monetary Rates, and insert in lieu thereof the following:

Section 7 - Monetary Rates

Note: All rates contained in the following tables are effective from the first full pay period commencing on or after the date listed in the table.

Table 1 - Salaries

Classification	Rate from 13.9.2008 (Incl. 2.5% MOU) \$		Rate from 1.7.2009 \$	
	Min	Max	Min	Max
Operational Manager				
Level 1	80,956	84,811	82,980	86,931
Level 2	82,881	98,304	84,953	100,762
Level 3	96,375	109,868	98,784	112,615
Level 4	107,939	129,144	110,637	132,373
Level 5	127,216	142,638	130,396	146,204

Operations Centre Manager				
Level 1	78,878	82,633	80,850	84,699
Level 2	80,753	95,780	82,772	98,175
Level 3	93,901	107,047	96,249	109,723
Level 4	105,167	125,828	107,796	128,974
Level 5	123,949	138,976	127,048	142,450

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Rate from 13.9.2008 (With 2.5% MOU) per week \$	Rate from 1.7.2009 per week \$
1	13	Climatic and Isolation Allowance (a)*	4.30	4.30
2	13	Climatic and Isolation Allowance (b)*	8.70	8.70
3	37	Laundry Allowance per week*	12.50	12.50

* Rate move independently to award wage increase.

3. This variation shall take effect 1 July 2009.

T. M. KAVANAGH *J*

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OPERATIONAL AMBULANCE OFFICERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1198 of 2009)

Before The Honourable Justice Kavanagh

4 September 2009

VARIATION

1. Delete Clause 46, Leave Reserved & No Extra Claims, of the Award, published 26 June 2009 (368 I.G. 556), and insert in lieu thereof the following:

46. Leave Reserved & No Extra Claims

This new Award recognises all work value and special case claims up to its commencement date, excepting for the following matters where leave is reserved to the parties to make application in respect of:

- (a) The outcome of the extended care paramedic trial;
- (b) The Award arrangements for Operations Centres, including a new Award, classification structures, rates of pay and conditions of employment;
- (c) The operation of sub-clauses 22(a) and 22(b) in respect of the seven day period of notice for the posting of rosters and the seven day period of notice for subsequently altering such rosters; and
- (d) Review of allowance for undertaking a paid crib break away from Station.

No additional claims can be pursued to the Award during the life of the 2009 Memorandum of Understanding between the Department and the Union, which ceases on 30 June 2010, excepting those consistent with Clause 5 of that Memorandum. Following the expiry of the Memorandum on 30 June 2010, the parties are accordingly entitled to pursue variations to salaries, salary related allowances and conditions of employment for 1 July 2010 onwards, which may include instituting proceedings before the Commission if the parties are unable to achieve agreement.

2. Delete Section 8 - Monetary Rates, and insert in lieu thereof the following:

Section 8 - Monetary Rates

Note: All rates contained in the following tables are effective from the first full pay period commencing on or after the date listed in the table.

Table 1 - Wages

Classification	Rate from 13.9.2008 (with 2.5% MOU) \$	Rate from 1.7.2009 \$
Patient Transport Officer		
Year 1	754.90	773.80
Year 2	788.70	808.40
Trainee Paramedic	881.00	903.00

Paramedic Intern		
Year 1	905.90	928.60
Year 2	923.30	946.40
Paramedic		
Year 1	982.60	1007.20
Year 2	1,053.60	1079.90
Paramedic Specialist		
Year 1	1,132.50	1160.80
Year 2	1,163.80	1192.90
Year 3	1,198.70	1228.70
Team Leader	1,258.70	1290.20
Station Manager	1,306.70	1339.40
District Manager	1,354.50	1388.40
Clinical Training Officer	1,354.50	1388.40
Clinical / Paramedic Educator		
Year 1	1,648.60	1689.80
Year 2	1,760.50	1804.50

Table 2 - Operations Centre Staff - Wages

Classification	Rate from 13.9.2008 (With 2.5% MOU) \$	Rate from 1.7.2009 \$
Ambulance Operations Centre - Non Paramedic		
Trainee	912.10	934.80
Year 1	937.80	961.30
Year 2	956.00	979.90
Ambulance Operations Centre Paramedic		
Year 1	1,017.00	1,042.40
Year 2	1,090.80	1,118.10
Ambulance Operations Centre Paramedic Specialist		
Year 1	1,116.60	1,144.50
Year 2	1,154.70	1,183.60
Year 3	1,190.50	1,220.30
Duty Operations Centre Officer	1,345.40	1,379.00
Senior Operations Centre Officer*	1,383.60	1,418.10
Aeromedical Operations Centre Officer	1,375.90	1,410.30

Table 3 - Allowances

Item No.	Clause No.		Rate from 13.9.2008 (With 2.5% MOU) per week \$	Rate from 1.7.2009 per week \$
1	5	Specialist Allowance	35.30	36.20
2	5	Rescue (Standby) Allowance	12.20	12.50
3	23	On Call Allowance (per 24hrs)	17.10	17.50
4	23	On Call Allowance (per week)	68.50	70.20
5	5	Ambulance Studies Certificate Allowance (current recipients only)	20.70	21.20
6	13	Climatic and Isolation Allowance (a)*	4.30	4.30
7	13	Climatic and Isolation Allowance (b)*	8.70	8.70
8	15a	Travelling Meal Allowance*	23.60	23.60
9	15c(i)	Meal Away from Station Allowance*	23.60	23.60
10	15c(ii)	Crib Away From Station Allowance*	11.80	11.80
11	24	Overtime Meal Allowance*	23.60	23.60
12	16	Living Away from Home Allowance*	74.45	74.45
13	37	Laundry Allowance per week*	12.50	12.50

* Rate move independently to award wage increases

**Table 4 - Additional Allowances
Uniformed Operations Centres Staff**

Item No.	Clause No.	Brief Description	Rate from 13.9.2008 (With 2.5% MOU) per week \$	Rate from 1.7.2009 per week \$
1	5	Operations Centre (standby) Allowance	18.10	18.60
2	9(a)	Operations Centre Allowance (This Allowance is only applicable to Paramedics, Paramedic Specialists, Team Leaders, Station Managers and District Managers. Such an allowance is cumulative on other allowances paid to the employee at the time)	72.20	74.00
3	9(a)	Duty Operations Centre Officer-Air Ambulance (Transitional Allowance applicable only to officers employed as Air Ambulance Co-ordination Officers as at 6 February 1998).	11.30	11.60

3. This variation shall take effect from 1 July 2009.

T. M. KAVANAGH J

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ORTHOPTISTS IN PRIVATE PRACTICE (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1496 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete definitions of "Orthoptist - Grade 1" and "Orthoptist - Grade 2" in clause 4, Definitions, of the award published 10 March 2006 (357 I.G. 922), and insert in lieu thereof the following:

"Orthoptists-Level 1"

An Orthoptist - Level 1 means a person having orthoptic experience and/ or holding appropriate tertiary qualifications recognized by the Orthoptic Association of Australia and the Orthoptic board of Australia who is appointed to the position of orthoptists and who generally performs any of the following functions:

- (a) Orthoptic assessments and treatments as specified in the curricula and courses of instruction of the Australian schools of Vision Sciences in the discipline of Orthoptics;
- (b) Ophthalmic investigatory procedures and therapy under the direction of an Ophthalmologist;
- (c) Paramedical tasks incidental to the efficient management of the an ophthalmic practice;
- (d) Detailed preparation of patients for ophthalmic investigations and procedures;
- (e) A wider range of duties including work which is incidental or peripheral to the ophthalmic practice;
- (f) Any other duties allied to the profession not specified herein.
- (g) Exercising independent professional judgment;
- (h) Evidence of attending continuing education activities on an annual basis;
- (i) Have Accreditation with the Australian Orthoptic Board;
- (j) Demonstrate to the employer the ability to independently (after a qualifying period) operate all ophthalmic equipment necessary to fulfil the requirements as an Orthoptist and be competent at all ophthalmic duties required in the practice;
- (k) May be required to clinically supervise junior and/or new orthoptic employees;
- (l) To be in charge of and be involved in the training of other/new Orthoptist employed in the practice;
- (m) Supervision of students from an Orthoptic Training School.

"Orthoptist - Level 2"

A person appointed to this level will be an experienced employee who would be required to work under only general directions from the Practice Manager and/or the Ophthalmologist

Orthoptists at this level may have a clinical, education or management focus, or elements of all three, where they are in charge or responsible for between 5-10 other health professionals or other technical and support staff.

Staff at this level perform novel, complex and critical discipline specific work with a high level of professional knowledge and by the exercise of substantial professional judgement. Work is usually performed without direct supervision with a discretion permitted within the boundaries of broad guidelines to achieve organisational goals

Discipline specific clinical specialists are recognized experts in their field at an advanced level of clinical expertise and practice. This advanced level of expertise will be demonstrated by the fact that the health professional has extensive experience in their field, and may be actively contributing to their clinical field of expertise by presenting papers at conferences and contributing to peer reviewed journals. In recognition of their superior clinical expertise, a position at this level is responsible for development of better practice and clinical research within the facility and is actively involved in teaching staff and students in their field of expertise.

2. Delete subclause (iii) of clause 5, Area, Incidence and Duration, and insert in lieu thereof the following:
 - (iii) The award will take effect from the beginning of the first pay period to commence on or after 2 October 2009 and will remain in effect until 30 June 2011.
3. Delete clause 7, Wages, and insert in lieu thereof the following:

7. Wages

- (i) Wages

This Award permits for the progressive recognition of professional rates for Orthoptists through adoption of the transitional arrangements detailed hereunder.

Classification	Rate from 1.7.2009 3.9% Per Annum \$	Rate from 1.7.2010 3.9% Per annum \$
Orthoptists Level 1		
1st year of service	49,754	51,694
2nd year of service	51,628	53,641
3rd year of service	54,808	56,946
4th year of service	58,575	60,859
5th year of service	62,616	65,058
6th year of service	66,588	69,185
7th year of service	69,829	72,552
8th year of service	72,084	74,895
Level 2		
1st year of service	77,531	80,555
2nd year of service	80,127	83,252

Provided that:

- (a) An employee who holds the degree of Bachelor of Applied Science (Orthoptics) and who has a minimum of 12 months orthoptic experience shall be entitled to be classified as a Level 1, 2nd year.
- (b) An employee who holds or is qualified to hold the degree of Master of Applied Science (Orthoptics) shall be entitled to be classified as a Level 1, 3rd year.
- (c) An employee who holds or is qualified to hold the degree of Doctor of Philosophy shall be entitled to be classified as a Level - 2 1st year.

- (ii) In-Charge Allowance - An employee who is required to supervise at least two other permanent staff members covered by this Award and employed at a practice shall be paid at Orthoptist-Level 2 status. Where an employee is required to supervise other staff and is already recipient of the rate applying to an Orthoptist Level 2 will, in addition to his/her rate, receive an additional weekly allowance of 10 per cent of the weekly wage of an Orthoptist-Level 2.
 - (iii) Acting or Higher Grade Duties - Where an employee relieves a person in a higher paid classification or acts in such classification, the employee shall be paid the higher rate of pay for the time so spent relieving in the higher position.
4. Delete subclause (i) Meal Allowance, of clause 8, Allowances, and insert in lieu thereof the following:
 - (i) Meal Allowance - An employee shall be supplied with a meal or meal allowance of \$23.60 when overtime in excess of one and one half hour is worked after the usual time of ceasing work for the day.
 5. Delete subclause (i) and (ii) of clause 17, Long Service Leave, and insert in lieu thereof the following:
 - (i) Every employee after ten years' continuous service with the same employer shall be entitled to two months' leave of absence on full pay and for each additional five years' continuous service thereafter, to an additional one and one-half months' leave of absence on full pay.
 - (ii) Any employee who has completed ten years of continuous service with the same employer shall be entitled to take such leave. Such leave in all cases to be taken at a time to be mutually arranged between the employer and the employee.
 6. Delete clause 21, Parental leave, and insert in lieu thereof the following:

21. Parental Leave

- (1) Refer to the *Industrial Relations Act 1996* (NSW). The following provisions shall also apply in addition to those set out in the *Industrial Relations Act 1996* (NSW).
- (2)
 - (a) Paid Maternity Leave - an permanent full-time or permanent part-time employee is entitled to four weeks at the ordinary rate of pay from the date maternity leave commences. This leave may commence up to four week prior to the expected date of birth.
 - (b) Eligibility - to be eligible for paid maternity leave an employee must have completed at least 40 weeks continuous service prior to the expected date of birth.
- (3) An employer must not fail to re-engage a regular casual employee (see section 53(2) of the Act) because:
 - (a) the employee or employee's spouse is pregnant; or
 - (b) the employee is or has been immediately absent on parental leave.

The rights of an employer in relation to engagement and re-engagement of casual employees are not affected, other than in accordance with this clause.
- (4) Right to request
 - (a) An employee entitled to parental leave may request the employer to allow the employee:
 - (i) to extend the period of simultaneous unpaid parental leave use up to a maximum of eight weeks;

- (ii) to extend the period of unpaid parental leave for a further continuous period of leave not exceeding 12 months;
- (iii) to return from a period of parental leave on a part-time basis until the child reaches school age;

to assist the employee in reconciling work and parental responsibilities.

- (b) The employer shall consider the request having regard to the employee's circumstances and, provided the request is genuinely based on the employee'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.

- (c) Employee's request and the employer's decision to be in writing

The employee's request and the employer's decision made under 4(a)(ii) and 4(a)(iii) must be recorded in writing.

- (d) Request to return to work part-time

Where an employee wishes to make a request under 4(a)(iii), such a request must be made as soon as possible but no less than seven weeks prior to the date upon which the employee is due to return to work from parental leave.

(5) Communication during parental leave

- (a) Where an employee 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:

- (i) make information available in relation to any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave; and

- (ii) provide an opportunity for the employee to discuss any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave.

- (b) The employee shall take reasonable steps to inform the employer about any significant matter that will affect the employee's decision regarding the duration of parental leave to be taken, whether the employee intends to return to work and whether the employee intends to request to return to work on a part-time basis.

- (c) The employee shall also notify the employer of changes of address or other contact details which might affect the employer's capacity to comply with paragraph (a).

7. The variation takes effect from first full pay period on or after 2 October 2009 but by administrative action the rates displayed herein become payable from 1 July 2009.

D. S. McKENNA, Commissioner

PAINT AND VARNISH MAKERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1317 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete clause 4, Wages, of the award published 30 May 2008 (365 I.G. 1778), and insert in lieu thereof the following:

4. Wages

The minimum rates of pay for weekly employees shall be as set out in Table 1 and Table 2 of Part B Monetary Rates.

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Wage Rates**

Classification Grade	Former rate of pay per week \$	SWC - 2009 %	Total rate per week \$
1	597.20	2.8	613.90
2	609.60	2.8	623.90
3	621.60	2.8	639.00
4	643.30	2.8	661.30
5	672.20	2.8	691.00

Table 2 - Wage Rates - Laboratory Employees

Classification Grade	Former rate of pay per week \$	SWC - 2009 %	Total rate per week \$
1	597.20	2.8	613.90
1A	609.60	2.8	626.70
2A	621.60	2.8	639.00
2B	686.30	2.8	705.50
2C	706.00	2.8	725.80
3	727.60	2.8	748.00

4	749.30	2.8	770.30
5	792.70	2.8	814.90
6	836.10	2.8	859.50
7	857.80	2.8	881.80

Table 3 - Allowances

Item No.	Clause No.	Brief Description	Amount (\$)
1	5(i)(a)	Leading Hand: 1-10 employees	32.71
2	5(i)(b)	Leading Hand: 11 or more employees	46.42
3	5(ii)	Storeperson Working Singly	17.52
4	8(ii)	First Aid Allowance	16.76
5	17	Meal Allowance	13.93
6	39(i)	Excess fares - transfer	0.71 per km
7	39(ii)	Excess fares normal work site	0.71 per km

3. This variation shall take effect from the beginning of the first pay period to commence on or after 8 September 2009.

P. J. CONNOR, Commissioner

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PARKING ATTENDANTS, &c. (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1313 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete clause 6, Wages, of the award published 8 December 2000 (320 I.G. 1171) and insert in lieu thereof the following:

6. Wages

- (i) The minimum adult weekly rates of pay for each classification, are as set out in Table 1 - Wages, of Part B, Monetary Rates.
- (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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.
- (iii) Junior Employees - The minimum rates of pay to be paid to junior employees shall be the following percentages of the appropriate adult rate of pay as prescribed in subclause (i) of this clause:

	Percentage per week
Under 18 years of age	70
At 18 years of age	100

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

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

		Weekly Rates For Full Time Employees		
		A	B	C
Award Classification	Relativity to Metal Industry Tradesperson \$	Former Rates per week \$	SWC 2009 per week %	Total Rates per week \$
Parking Attendant	82.0%	562.70	2.8	578.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount Payable \$
1	6A	Meal Allowance	9.10 per meal
2	6A	Employee in Charge Allowance	33.60 per week
3	6A	First Aid Allowance - Weekly Employee	15.10 per week
4	6A	First Aid Allowance - Other Employee	3.00 per shift
5	6A	Laundrying Allowance - Weekly Employee	11.33 per week
6	6A	Laundrying Allowance - Other Employee	2.25 per shift

3. This variation shall take effect from the beginning of the first pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

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PET FOOD MANUFACTURERS (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 1535 of 2009)

Before Commissioner Macdonald

9 October 2009

VARIATION

1. Delete subclause (ii) of clause 7, Rates of Pay, of the award published 24 November 2000 (320 I.G. 563), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 (A) - Wages, of Appendix A - Wage Rates, and insert in lieu thereof the following:

Table 1 (A) - Wages

- (i) Adults

Classifications	Minimum Award Rate (Per Week) 11 October 2008 \$	Minimum Award Rate (Per Week) 11 October 2009 \$
Leading Hand in Charge of Over 10 Employees	599.80	616.60
Leading Hand in Charge of 6 to 10 Employees	594.00	610.60
Leading Hand in Charge of 1 to 5 Employees	591.30	607.90
Expander Line Operator	579.40	595.60
Baker	575.00	591.10
Doughperson	575.00	591.10
Packing Machine Operator-Setter	575.00	591.10
Flavourperson	575.00	591.10
Storeperson - Head	575.00	591.10
Blender	569.20	585.10
Forklift - Storeperson	569.20	585.10
Ovensperson	569.20	585.10
Biscuit Machine Attendant	569.20	585.10
Packer -		
Grade A Bulk - 10 Kilos and Over	569.20	585.10
Grade B Packets Up to 5 Kilos	561.60	577.30
Grade C Machine Attendant	557.00	572.60
Bag Handler	563.70	579.50
Flavour Processor	563.70	579.50
Storeman General	557.00	572.60
General Hand	552.70	568.20

3. Delete Appendix B - Allowances, and insert in lieu thereof the following:

APPENDIX B

Allowances

Item No.	Clause No.	Subject	Amount \$
1	5(i)	Day, Afternoon and Night Shift - Regular Weekly rotation	61.25 per week
2	5(ii)	Day and Night Shift only in regular weekly rotation	61.25 per week
3	5(iii)	Afternoon and Night Shift only in regular weekly rotation	90.50 per week
4	5(iv)	Afternoon Shift only	90.50 per week
5	5(v)	Permanent Night Shift	135.10 per week
6	5(vi)	Change of Shift During any Week (for each change)	35.86
7	6(iv)	First Meal Allowance	8.00 per meal
8	6(iv)	Second Meal Allowance	6.65 per meal
9	20(i)	Carry bags weighing in Excess of 68 Kilograms	0.36 cents per hour

4. This variation shall take effect from the first full pay period commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

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PLASTIC MOULDING, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1328 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete subclause (ii) of clause 5, Wages, of the award published 2 May 2008 (365 I.G. 1009), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include all the adjustments payable under the State Wage Case 2009. 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 rate adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Adult Employees			
Weekly Rates for Full-time Employees			
Classification	Wage Rate, Payable as of 31 January 2009 \$	2009 State Wage Case Increase %	Wage Rate, Payable as of 31 January 2010 \$
Plastics Worker			
Grade 5	642.90	2.8	660.90
Grade 4	607.90	2.8	624.90
Grade 3	586.10	2.8	602.50
Grade 2	562.70	2.8	578.50
Grade 1	552.70	2.8	568.20

Junior Employees			
Weekly Rates for Full-time Employees			
Age	Percentage of Grade 2 %	Wage Rate, Payable as of 31 January 2009 \$	Wage Rate, Payable as of 31 January 2010 \$
Under 16 years of age	36.8	207.05	212.90
At 16 years of age	47.3	266.15	273.65
At 17 years of age	57.8	325.25	334.35
At 18 years of age	68.3	384.30	395.10

At 19 years of age	82.5	464.25	477.25
At 20 years of age	97.7	549.75	565.20

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Allowances, Payable as of 31 January 2009 \$	Allowances, Payable as of 31 January 2010 \$	Payable
1	6(i)	Meal Allowance	10.75	11.45	per meal
2	6(ii)(a)	Leading Hand: 3 to 10 employees	28.55	29.35	per week
3	6(ii)(b)	Leading Hand: 11 to 20 employees	42.45	43.65	per week
4	6(ii)(c)	Leading Hand: more than 20 employees	53.85	55.35	per week
5	6(iii)	First Aid Allowance	13.00	13.35	per week
6	6(iv)(a)	Dirty Work	0.49	0.50	per hour
7	6(iv)(b)(1)	Hot Places: between 46°C and 54°C	0.49	0.50	per hour
8	6(iv)(b)(2)	Hot Places: exceeding 54°C	0.63	0.65	per hour
9	6(iv)(c)	Wet Places	0.49	0.50	per hour
10	6(v)	Motor Allowance	0.66	0.66	per km

3. This variation shall take effect from the first full pay period to commence on or after 31 January 2010.

P. J. CONNOR, Commissioner

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POULTRY INDUSTRY PREPARATION (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1293 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete subclause 13.2 of clause 13, Wages, of the award published 14 June 2002 (344 I.G. 322) and insert in lieu thereof the following:
 - 13.2 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:
 - (i) any equivalent over-award payments; and/or
 - (ii) award 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

Skill Level	Minimum Rate Per Week \$
Leading Hand - Large Group	38.65
Leading Hand - Small Group	23.17
Level 1	581.10
Level 2	599.00
Level 3	608.30
Level 4	616.90
Level 5	625.70
Level 6	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	Amount \$
1	14.1	Operate Forklift	3.74 per day
2	14.2	Operate Crane and Hoist	7.83 per day
3	14.3	Hanging live Poultry	0.39 per hour
4	14.4	Laundry Allowance	2.68 per day
5	14.5.3	Up to and including 2000cc	0.41
		Over 2000cc	0.48

6	14.5.4	Required to provide motor car	85.77
		Required to provide motor car if part time or casual	16.87
		For each km travelled	0.29
7	14.7	Below 4 degrees	0.20 per hour
		Below minus 16 degrees	0.49 per hour
		Below minus 18 degrees	0.86 per hour
		Below minus 20 degrees	1.32 per hour
8		Location Allowance	0.87 per hour
9		Meal Allowance	9.60

3. This variation shall come into effect from the first full pay period on or after 7 February 2010.

A. MACDONALD, Commissioner

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PRIVATE HOSPITAL (NAMED RESPONDENTS) (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1492 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete Part B, Monetary Rates, of the award published 29 April 2005 (350 I.G. 732), and insert in lieu thereof the following:

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

Classification Rate	Current Rate per week \$	Award Variation per week %	Wage Rate as from 8.10.2009 \$
ADMINISTRATIVE STAFF			
Clerk - Age Scale:			
Under 18 years of age	393.10	2.8	404.10
Clerk - Grade I			
First year of service	624.80	2.8	642.30
Second year of service	641.20	2.8	659.20
Third year of service	656.00	2.8	674.40
Fourth year of service	668.20	2.8	686.90
Fifth year of service and thereafter	680.60	2.8	699.70
Clerk - Grade II			
First year of service	700.90	2.8	720.50
Second year of service and thereafter	719.30	2.8	739.40
Clerk - Grade III			
First year of service	738.00	2.8	758.70
Second year of service and thereafter	754.40	2.8	775.50
Clerk - Grade IV			
First year of service	770.10	2.8	791.70
Second year of service and thereafter	784.60	2.8	806.60
Clerk - Grade V			
First year of service	803.70	2.8	826.20
Second year of service and thereafter	819.00	2.8	841.90

Provided that employees on the Age Scale who are substantially engaged on stenographic duties, or as a comptometer or ledger posting machine operator, shall be paid a weekly allowance as part of salary of the amount per week set out in Item 16 of Table 2 - Other Rates and Allowances

CENTRAL STERILE SUPPLY DEPARTMENT

CSSD Aides -			
Junior Scale -			
Under 18 years of age	436.20	2.8	448.40
Adult -			
First year of service	660.20	2.8	678.70
Second year of service	669.80	2.8	688.60
Third year of service & thereafter	679.40	2.8	698.40
Assistant Supervisor - C.S.S.D.			
500 beds and over	788.70	2.8	810.80
200 but less than 500 beds	723.20	2.8	743.40
100 but less than 200 beds	702.00	2.8	721.70
Supervisor - C.S.S.D.			
500 beds and over	909.50	2.8	935.00
200 but less than 500 beds	847.00	2.8	870.70
100 but less than 200 beds	788.70	2.8	810.80
Central Sterile Supply Department Aides, other than Supervisors and Assistant Supervisors, who possess the Sterilising Certificate shall be paid an allowance of the amount per week set out in Item 17 of Table 2 - Other Rates and Allowances.			
MAINTENANCE STAFF			
Boiler Attendant -			
Certificated	665.70	2.8	684.30
With Maintenance of Plant Duties	671.70	2.8	690.50
Where a boiler attendant attends to more than one boiler and/or performs work other than that of a boiler attendant he shall be paid an additional amount per week as set out in Item 18 of Table 2- Other Rates and Allowances.			
Maintenance Supervisor (Non-Tradesman)			
In charge of staff	762.50	2.8	783.90
Otherwise	747.90	2.8	768.80
Maintenance Supervisor (Tradesman) -			
In charge of staff	856.40	2.8	880.40
Otherwise	805.00	2.8	827.50
Engineer (Certificated) -			
First year of service	881.30	2.8	906.00
Second year of service and thereafter	932.00	2.8	958.10
NUCLEAR MEDICINE DEPARTMENT			
Nuclear Medicine Technologist -			
First year of experience	798.20	2.8	820.50
Second year of experience	817.80	2.8	840.70
Third year of experience	853.10	2.8	877.00
Fourth year of experience	888.60	2.8	913.50
Fifth year of experience	925.80	2.8	951.70
Sixth year of experience	962.80	2.8	989.80
Seventh year of experience	1,001.40	2.8	1,029.40
Eighth year of experience and thereafter	1,042.60	2.8	1,071.80

Handyperson	748.50	2.8	769.50
Senior Nuclear Medicine Technologist	1,117.40	2.8	1,148.70
Chief Nuclear Medicine Technologist -			
Grade I	1,270.80	2.8	1,306.40
Grade II	1,344.70	2.8	1,382.40
OTHER MEDICAL/TECHNICAL STAFF GROUP			
Anaesthetic and Operating Theatre Technician -			
Without Diploma	748.90	2.8	769.90
Provided that an Anaesthetic and Operating Theatre Technician who is the possessor of a Diploma issued by the Australian Society of Anaesthetic and Operating Theatre Technicians shall be paid	779.10	2.8	800.90
Senior Anaesthetic and Operating Theatre Technician	795.30	2.8	817.60
Electro-Cardiograph Recorder/Technician			
First year of experience	748.90	2.8	769.90
Second year of experience and thereafter	759.80	2.8	781.10
Senior Electro-Cardiograph Recorder/Technician	775.80	2.8	797.50
Heart/Lung Assistant	759.50	2.8	780.80
Heart/Lung Technician	791.40	2.8	813.60
Neurophysiological Technician -			
First year of experience	779.10	2.8	800.90
Second year of experience & thereafter	795.30	2.8	817.60
Senior Neurophysiological Technician -			
Grade I	811.70	2.8	834.40
Grade II	862.80	2.8	887.00
Grade III	929.40	2.8	955.40
Surgical Bootmaker -			
First year of experience	736.30	2.8	756.90
Second year of experience & thereafter	745.50	2.8	766.40
Orthotist -			
First year of service	736.60	2.8	757.20
Second year of service	749.10	2.8	770.10
Third year of service	760.20	2.8	781.50
Fourth year of service and thereafter	770.30	2.8	791.90
Chief Orthotist -			
Sole, or in charge of one other	805.90	2.8	828.50

Chief Orthotist -			
In charge of two or more orthotists			
First year of service	805.90	2.8	828.50
Second year of service & thereafter	827.90	2.8	851.10
Wardsperson -			
First year of service	659.60	2.8	678.10
Second year of service and thereafter	663.40	2.8	682.00
Surgical Dresser -			
First year of service	665.60	2.8	684.20
Second year of service	670.00	2.8	688.80
Third year of service and thereafter	676.10	2.8	695.00
Recreation Activities Officer -			
First year of experience	679.30	2.8	698.30
Second year of experience	693.50	2.8	712.90
Third year of experience & thereafter	702.90	2.8	722.60
Diversional Therapist with Associate Diploma -			
First year of experience	673.50	2.8	692.40
Second year of experience	705.80	2.8	725.60
Third year of experience	735.20	2.8	755.80
Fourth year of experience	762.20	2.8	783.50
Fifth year of experience and thereafter	790.40	2.8	812.50

Years of experience as a Diversional Therapist with Associate Diploma employed under the Private Hospital Employees' (State) Award or any award replacing that award will be recognised for appointment and incremental progression.

Technical Assistant			
First year of service	724.00	2.8	744.30
Second year of service	739.20	2.8	759.90
Third year of service and thereafter	749.20	2.8	770.20

PHARMACY DEPARTMENT

Pharmacy Assistant (Graduate/Unregistered) -	753.30	2.8	774.40
Pharmacists (Registered)			
First year of experience	817.80	2.8	840.70
Second year of experience	841.40	2.8	865.00
Third year of experience	881.90	2.8	906.60
Fourth year of experience	930.10	2.8	956.10
Fifth year of experience	981.70	2.8	1,029.20
Sixth year of experience	1,030.00	2.8	1,058.80
Seventh year of experience	1,068.50	2.8	1,098.40
Eighth year of experience and thereafter	1,097.40	2.8	1,128.10
Chief Pharmacist (Practising Pharmacist) -			
Sole pharmacist in charge or in charge of 3 or less registered or unregistered assistants			
First year of service	1,167.00	2.8	1,199.70

Second year of service	1,200.30	2.8	1,233.90
Third year of service	1,228.90	2.8	1,263.30
In charge of 4 or more registered or unregistered assistants			
First year of service	1,257.60	2.8	1,292.80
Second year of service	1,287.20	2.8	1,323.20
Third year of service	1,324.90	2.8	1,362.00

Pharmacists who are in possession of a Fellowship of the Society of Hospital Pharmacists shall be paid in addition to the rates prescribed an allowance per week of the amount set out in Item 20 of Table 2 - Other Rates and Allowances.

RADIOGRAPHIC STAFF

Radiographer -			
First year of experience	798.20	2.8	820.50
Second year of experience	817.80	2.8	840.70
Third year of experience	853.10	2.8	877.00
Fourth year of experience	888.60	2.8	913.50
Fifth year of experience	925.80	2.8	951.70
Sixth year of experience	962.80	2.8	989.80
Seventh year of experience	1,001.40	2.8	1,029.40
Eighth year of experience and thereafter	1,042.60	2.8	1,071.80
Senior Radiographer in a Section	1,117.40	2.8	1,148.70
Assistant Chief Radiographer	1,142.80	2.8	1,174.80
Chief Radiographer or Sole Radiographer at Hospitals			
with an Adjusted Daily Average of			
Under 100 beds	1,142.80	2.8	1,174.80
100 beds but less than 200	1,203.90	2.8	1,237.60
200 beds but less than 300	1,270.80	2.8	1,306.40
300 beds but less than 500	1,344.70	2.8	1,382.40
500 beds but less than 750	1,415.10	2.8	1,454.70
Chief Radiographer, Diagnostic Radiographer at a hospital having an adjusted daily average of occupied beds of 750 or more	1,450.60	2.8	1,491.20

Radiographers who are in possession of a Fellowship of the Australian Institute of Radiography shall be paid an allowance of the amount per week set out in Item 21 of Table 2 - Other Rates and Allowances.

A radiographer employed in a hospital who is required to provide a weekly service to another hospital or hospitals shall be paid in accordance with the following:

- (a) Where a radiographer is classified and paid as a Chief Radiographer in his own hospital, he shall be adjusted to the rate prescribed for a Chief Radiographer based on the combined A.D.A. of the hospitals within the group service, provided that if on this basis the employee would not be entitled to an adjustment to a higher salary rate, the employee shall be paid an allowance of the amount per week set out in Item 17 of Table 2 - Other Rates and Allowances.
- (b) Where the employee is not classified and paid as a Chief Radiographer, the employee shall be paid the weekly rate prescribed for a Senior Radiographer.

SUPPORT SERVICES STAFF

General Services Officer, Grade I (includes Maid, Laundry Hand, Seamstress)			
Junior (under 18 years of age)	526.90	2.8	541.70
Adult (18 years of age and over)	631.90	2.8	649.60
General Services Officer, Grade II - (includes Kitchenhand, Ward Assistant, Wash House Employee, Industrial Washing Machine Operator, Porter/cleaner, Cleaner, General Useful)	645.50	2.8	663.60
General Services Officer, Grade III - (includes Handyperson, Storeperson, Assistant Cook)	655.80	2.8	672.20
General Services Officer, Grade IV - First year of service	669.70	2.8	688.50
Second year of service	679.30	2.8	698.30
Third year of service and thereafter	693.50	2.8	712.90
Cook - Grade A	686.10	2.8	705.30
Grade B	671.50	2.8	690.30
Chef - First year of service	708.00	2.8	727.80
Second year of service and thereafter	719.80	2.8	740.00
Catering Officer - First year of service	759.50	2.8	780.80
Second year of service and thereafter	769.60	2.8	791.10
Housekeeper - First year of service	668.80	2.8	687.50
Second year of service and thereafter	672.60	2.8	691.40
Laundry Foreperson	680.60		699.70
If in possession of Laundry and Dry Cleaning Certificate	689.00	2.8	708.30
Gardener (Otherwise)	658.70	2.8	677.10
Gardener (Qualified)	673.10	2.8	691.90
Head Gardener(Otherwise)	690.40	2.8	709.70
Head Gardener (Qualified)	723.30	2.8	743.60
Motor Vehicle Driver	668.90	2.8	687.60
Motor Vehicle Driver (Trucks and Ambulance)	676.60	2.8	695.50
Storekeeper	701.60	2.8	721.20

TECHNICAL STAFF

Technical Officer -

Grade I -			
First year of experience	764.80	2.8	786.20
Second year of experience	779.00	2.8	800.80
Third year of experience	789.40	2.8	811.50
Fourth year of experience	803.90	2.8	826.40
Fifth year of experience	817.80	2.8	840.70
Sixth year of experience	841.40	2.8	865.00
Seventh year of experience	863.00	2.8	887.20
Eighth year of experience & thereafter	881.90	2.8	906.60
Grade II -			
First year of service	930.20	2.8	956.20
Second year of service	956.00	2.8	982.80
Third year of service	981.70	2.8	1,009.20
Fourth year of service	1,030.00	2.8	1,058.80
Senior Technical Officer -			
First year of service	1,068.50	2.8	1,098.40
Second year of service	1,082.80	2.8	1,113.10
Third year of service and thereafter	1,097.40	2.8	1,128.10
Medical Technologist -			
First year of experience	817.80	2.8	840.70
Second year of experience	841.40	2.8	865.00
Third year of experience	881.90	2.8	906.60
Fourth year of experience	930.20	2.8	956.20
Fifth year of experience	981.70	2.8	1,009.20
Sixth year of experience	1,030.00	2.8	1,058.80
Seventh year of experience	1,068.50	2.8	1,098.40
Eighth year of experience & thereafter	1,097.40	2.8	1,128.10
Senior Medical Technologist in a Section -			
First year of experience	1,167.00	2.8	1,199.70
Second year of experience	1,200.30	2.8	1,233.90
Third year of experience and thereafter	1,228.90	2.8	1,263.30
Chief Medical Technologist -			
If sole technologist in a hospital or in charge of other technologists or trainees at hospitals having an adjusted daily average of occupied beds of less than 200			
First year of experience	1,257.60	2.8	1,292.80
Second year of experience	1,287.20	2.8	1,323.20
Third year of experience & thereafter	1,324.90	2.8	1,362.00

Provided that where a Chief Medical Technologist is the holder of a Fellowship of the Australian Institute of Medical Technology s/he shall be paid an additional amount per week as set out in Item 22 of Table 2 - Other Rates and Allowances.

APPRENTICES

Apprentice Cook -

First year	402.90	60% of Cook B	414.20
Second year	554.00	82½% of Cook B	569.50
Third year	621.20	92½% of Cook B	638.50

Apprentice Gardener

First year	336.50	50% of Gardener (qualified)	346.00
Second year	403.80	60% of Gardener (qualified)	415.10
Third Year	538.50	80% of Gardener (qualified)	553.50
Fourth year	605.80	90% of Gardener (qualified)	622.70
Medical Officers			
Medical Officer - Resident			
First year of service	917.20	2.8	942.90
Second year of service	990.20	2.8	1,017.90
Third year of service	1,071.50	2.8	1,101.50
Fourth year of service	1,148.70	2.8	1,180.90
Medical Officer - Registrar			
First year of service	1,072.20	2.8	1,102.20
Second year of service	1,148.70	2.8	1,180.90
Third year of service	1,225.40	2.8	1,259.70
Fourth year of service	1,299.10	2.8	1,335.50
Medical Officer - Senior Registrar			
1,411.30	2.8	1,450.80	
Scientific Officers			
Scientific Officer-Trainee			
First year of scale	520.60	2.8	535.20
Second year of scale	549.50	2.8	564.90
Third year of scale	606.70	2.8	623.70
Fourth year of scale	670.90	2.8	689.70
Fifth year of scale	736.00	2.8	756.60
Sixth year of scale	789.20	2.8	811.30
Scientific Officer			
First year of scale	817.00	2.8	839.90
Second year of scale	840.90	2.8	864.40
Third year of scale	881.20	2.8	905.90
Fourth year of scale	929.40	2.8	955.40
Fifth year of scale	981.10	2.8	1,008.60
Sixth year of scale	1,029.40	2.8	1,058.20
Seventh year of scale	1,068.00	2.8	1,097.90
Eight year of scale	1,096.80	2.8	1,127.50
Senior Scientific Officer			
First year of scale	1,166.50	2.8	1,199.20
Second year of scale	1,199.50	2.8	1,233.10
Third year of scale	1,228.10	2.8	1,262.50
Fourth year of scale	1,256.70	2.8	1,291.90

Fifth year of scale	1,286.70	2.8	1,322.70
Sixth year of scale	1,324.30	2.8	1,361.40
Seventh year of scale	1,359.30	2.8	1,397.40
Eight year of scale	1,389.20	2.8	1,428.10
Senior Scientific Officer- in charge			
(a) in charge of a section of a laboratory			
First year	1,166.50	2.8	1,199.20
Second year	1,199.50	2.8	1,233.10
Third year	1,228.10	2.8	1,262.50
(b) in charge of a laboratory at a hospital having an ADA of less than 200:			
First year	1,256.70	2.8	1,291.90
Second year	1,286.70	2.8	1,332.70
Thereafter	1,323.10	2.8	1,360.10
(c) in charge of a laboratory at a hospital having an ADA of more than 200:			
First year	1,324.30	2.8	1,361.40
Second year	1,359.30	2.8	1,397.40
Thereafter	1,388.30	2.8	1,427.20
Principal Scientific Officer			
First year of scale	1,429.40	2.8	1,469.40
Second year of scale	1,460.40	2.8	1,501.30
Third year of scale	1,495.00	2.8	1,536.90
Fourth year of scale	1,526.40	2.8	1,569.10
Fifth year of scale	1,559.30	2.8	1,603.00
Sixth year of scale	1,591.60	2.8	1,636.20
Seventh year of scale	1,623.50	2.8	1,669.00
Eight year of scale	1,657.00	2.8	1,703.40
Ninth year of scale	1,689.30	2.8	1,736.60
Tenth year of scale	1,723.00	2.8	1,771.20
Nurse Counsellor			
First year of scale	804.90	2.8	827.40
Second year of scale	834.90	2.8	858.30
Third year of scale	875.90	2.8	900.40
Fourth year of scale	912.80	2.8	938.40
Fifth year of scale	956.20	2.8	983.00
Sixth year of scale	991.00	2.8	1,018.70
Seventh year of scale	1,021.70	2.8	1,050.30
Eight year of scale	1,051.00	2.8	1,080.40
Thereafter	1,090.80	2.8	1,121.30
Psychologist, Audiologist, Research-Project Officer			
First year of service	799.10	2.8	821.50
Second year of service	828.90	2.8	852.10
Third year of service	868.90	2.8	893.20
Fourth year of service	907.80	2.8	933.20
Fifth year of service	950.50	2.8	977.10

Sixth year of service	990.20	2.8	1,017.90
Seventh year of service	1,021.50	2.8	1,050.10
Eight year of service	1,090.40	2.8	1,120.90
Clinical Psychologists			
First year of service	1,052.50	2.8	1,082.00
Second year of service	1,107.70	2.8	1,138.70
Third year of service	1,158.70	2.8	1,191.10
Fourth year of service	1,214.40	2.8	1,248.40
Fifth year of service	1,265.80	2.8	1,301.20
Librarian-Graduate			
First year of service	792.10	2.8	814.30
Second year of service	816.80	2.8	839.70
Third year of service	850.20	2.8	874.00
Fourth year of service	881.10	2.8	905.80
Fifth year of service	912.80	2.8	938.40
Sixth year of service	934.50	2.8	960.70
Seventh year of service	980.70	2.8	1,008.20
Dietitian			
First year of scale	840.90	2.8	864.40
Second year of scale	881.20	2.8	905.90
Third year of scale	929.40	2.8	955.40
Fourth year of scale	981.10	2.8	1,008.60
Fifth year of scale	1,029.40	2.8	1,058.20
Sixth year of scale	1,068.00	2.8	1,097.90
Seventh year of scale	1,096.80	2.8	1,127.50
Grade 1			
First year of scale	1,166.50	2.8	1,199.20
Second year of scale	1,199.50	2.8	1,233.10
Physiotherapists, Occupational Therapists, Music Therapists, Speech Pathologists			
First year of scale	817.00	2.8	839.90
Second year of scale	840.90	2.8	864.40
Third year of scale	880.50	2.8	905.20
Fourth year of scale	929.40	2.8	955.40
Fifth year of scale	981.10	2.8	1,008.60
Sixth year of scale	1,029.40	2.8	1,058.20
Seventh year of scale	1,068.00	2.8	1,097.90
Eight year of scale	1,096.80	2.8	1,127.50
Thereafter			
Medical Records Officer			
First year of scale	803.20	2.8	825.70
Second year of scale	816.60	2.8	839.50
Third year of scale	830.10	2.8	853.30
Fourth year of scale	843.20	2.8	866.80
Fifth year of scale	858.00	2.8	882.00
Sixth year of scale	875.70	2.8	900.20
Seventh year of scale	892.90	2.8	917.90
Eight year of scale	931.60	2.8	957.70

Welfare Officer - Social			
Grade 1			
First year of scale	717.30	2.8	737.40
Second year of scale	751.90	2.8	773.00
Third year of scale	783.00	2.8	804.90
Fourth year of scale	812.00	2.8	834.70
Fifth year of scale	877.30	2.8	901.90
Grade 2			
First year of scale	873.50	2.8	898.00
Second year of scale	904.20	2.8	929.50
Social Worker			
First year of scale	804.90	2.8	827.40
Second year of scale	834.90	2.8	858.30
Third year of scale	875.90	2.8	900.40
Fourth year of scale	912.80	2.8	938.40
Fifth year of scale	956.20	2.8	983.00
Sixth year of scale	991.00	2.8	1018.70
Seventh year of scale	1,021.70	2.8	1,050.30
Eight year of scale	1,051.00	2.8	1,080.40
Ninth year of scale	1,090.80	2.8	1,121.30
Patient Services Assistant	645.50	2.8	663.60
Security Officers			
Grade 1	731.30	2.8	751.80
Grade 2	757.00	2.8	778.20
Medical Records Administrator/Clinical Coders			
1st year of service	803.20	2.8	825.70
2nd year of service	816.60	2.8	839.50
3rd year of service	830.10	2.8	853.30
4th year of service	843.20	2.8	866.80
5th year of service	858.00	2.8	882.00
6th year of service	875.70	2.8	900.20
7th year of service	892.90	2.8	917.90
8th year of service	931.60	2.8	957.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount from 8.10.2009 \$
1	5.2.D	Principal Scientific Officer - Qualification Allowance	56.60 p/week
2	5.3.B	Psychologists, Audiologists & Research or Project Officers - Allowance - Further Allowance	62.90 p/week 62.90 p/week
3	5.6	Physiotherapist, Occupational Therapist, Speech Pathologist - In Charge Allowance	134.00 p/week
4	7.A (xi) 7.B.(iii)	Broken Shift allowance	8.60 per shift
5	9 (vi) 12 (iv)	Meal allowances (overtime) - - breakfast - lunch - dinner	11.90 p/meal 15.20 p/meal 22.70 p/meal

6	15 (vii)	Apprentices - - certificate of exam pass - each subsequent year	2.04 p/week 2.04 p/week
7	17 (i)	Driving allowances - - Where required to drive a vehicle - required to drive more than 10 hours in any week - - minimum payment - required to drive more than four hours in any day or shift - - minimum payment	5.20 p/week 5.20 5.20 p/shift
8	17 (ii)	Post mortem assistance allowance - - weekly allowance - where assisting in more than one post mortem per week	8.10 p/week 8.10 p/p. mortem
9	17 (iii)	Dirty work, confined spaces allowance	0.44 per hour
10	17 (iii)	Confined spaces allowance - inside boiler, flue, etc.	0.76 per hour
11	17 (v)	Handling linen of nauseous nature allowance (except in sealed linen bags)	0.24 per hour
12	17 (vii)	Leading hand allowance - - in charge of 2 to 5 employees - in charge of 6 to 10 employees - in charge of 11 to 15 employees - in charge of 16 to 19 employees	22.00 p/week 31.00 p/week 39.30 p/week 47.80 p/week
13	17 (viii)	On-Call allowance - per 24 hours - On-Call allowance-Rostered days off	19.90 39.00
14	28 (iii)	Uniform allowance	2.10 per week
15	28 (iv)	Laundering of uniform allowance	1.30 per week
16	Table 1	Stenographic Allowance	6.00 per week
17	Table 1	Sterilising Certificate allowance	12.40 per week
18	Table 1	Boiler Attendant allowance	16.00 per week
19	Table 1	Chief Radiographer service to another hospital allowance	41.90 per week
20	Table 1	Fellowship of the Society of Hospital Pharmacists allowance	23.00 per week
21	Table 1	Fellowship of Australian Institute of Radiography allowance	25.30 per week
22	Table 1	Fellowship of Australian Institute of Medical Technology Allowance	41.60 per week
23	18	Transport allowance - use of own vehicle (overtime hours) - vehicles with engine capacity over 1600 cc - vehicles with engine capacity over 1600 cc and under	29.7 cents p/km 24.9 cents p/km

2. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

PRIVATE HOSPITAL EMPLOYEES (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1491 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete subclause (ii) of clause 3, Wages of the award published 4 June 2004 (344 I.G. 734), and insert in lieu thereof the following:
 - (ii) The Rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be off-set 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	Current rate per week \$	SWC 2009 adjustment per week %	Wage Rate as from 8.10.2009 per week \$
Administrative Staff			
Clerk - Age Scale Under 18 years of age	369.50	2.8	379.80
Clerk - Grade I First year of service	591.00	2.8	607.50
Second year of service	604.90	2.8	621.80
Third year of service	617.40	2.8	634.70
Fourth year of service	627.80	2.8	645.40
Fifth year of service and thereafter	638.20	2.8	656.10
Clerk - Grade II First year of service	655.50	2.8	673.90
Second year of service and thereafter	671.10	2.8	689.90
Clerk - Grade III First year of service	687.00	2.8	706.20
Second year of service and thereafter	700.90	2.8	720.50
Clerk - Grade IV First year of service	714.20	2.8	734.20
Second year of service and thereafter	726.40	2.8	746.70

Clerk - Grade V			
First year of service	742.70	2.8	763.50
Second year of service and thereafter	755.70	2.8	776.90
Provided that employees on the Age Scale who are substantially engaged on stenographic duties, or as a comptometer or ledger posting machine operator, shall be paid a weekly allowance as part of salary of the amount per week set out in Item 12 of Table 2 - Other Rates and Allowances			
Central Sterile Supply Department			
Aides -			
Junior Scale -			
Under 18 years of age	410.10	2.8	421.60
Adult -			
First year of service	621.00	2.8	638.40
Second year of service	629.10	2.8	646.70
Third year of service & thereafter	637.30	2.8	655.10
Assistant Supervisor of C.S.S.D.			
500 beds and over	730.00	2.8	750.40
200 but less than 500 beds	674.40	2.8	693.30
100 but less than 200 beds	656.30	2.8	674.70
Supervisor of C.S.S.D			
500 beds and over	832.30	2.8	855.60
200 but less than 500 beds	779.30	2.8	801.10
100 but less than 200 beds	730.00	2.8	750.40
Central Sterile Supply Department Aides, other than Supervisors and Assistant Supervisors, who possess the Sterilising Certificate shall be paid an allowance of the amount per week set out in Item 13 of Table 2 - Other Rates and Allowances			
Maintenance Staff			
Boiler Attendant -			
Certificated	625.70	2.8	643.20
With Maintenance of Plant Duties	630.80	2.8	648.50
Where a boiler attendant attends to more than one boiler and/or performs work other than that of a boiler attendant he shall be paid an additional amount per week as set out in Item 14 of Table 2 - Other Rates and Allowances.			
Maintenance Supervisor (Non-Tradesman)			
In charge of staff	707.70	2.8	727.50
Otherwise	695.30	2.8	714.80
Maintenance Supervisor (Tradesman) -			
In charge of staff	787.30	2.8	809.30
Otherwise	743.60	2.8	764.40
Engineer (Certificated)			
First year of service	808.40	2.8	831.00
Second year of service and thereafter	851.40	2.8	875.20
Nuclear Medicine Department			
Nuclear Medicine Technologist -			
First year of experience	696.10	2.8	715.60
Second year of experience	711.60	2.8	731.50
Third year of experience	738.80	2.8	760.50

Fourth year of experience	767.90	2.8	789.40
Fifth year of experience	797.40	2.8	819.70
Sixth year of experience	826.90	2.8	850.10
Seventh year of experience	857.50	2.8	881.50
Eighth year of experience and thereafter	890.10	2.8	915.00
Senior Nuclear Medicine Technologist	949.50	2.8	976.10
Chief Nuclear Medicine Technologist - Grade I	1,071.40	2.8	1,101.40
Grade II	1,130.10	2.8	1,161.70
Other Medical/Technical Staff Group			
Anaesthetic and Operating Theatre Technician - Without Diploma	657.00	2.8	675.40
Provided that an Anaesthetic and Operating Theatre Technician who is the possessor of a Diploma issued by the Australian Society of Anaesthetic and Operating Theatre Technicians shall be paid	681.00	2.8	700.10
Senior Anaesthetic and Operating Theatre Technician	693.80	2.8	713.20
Electro-Cardiograph Recorder/Technician - First year of experience	657.00	2.8	675.40
Third year of experience and thereafter	665.70	2.8	684.30
Senior Electro-Cardiograph Recorder/Technician	678.40	2.8	697.40
Heart/Lung Assistant	665.50	2.8	684.10
Heart/Lung Technician	690.80	2.8	710.10
Neurophysiological Technician - First year of experience	681.00	2.8	700.10
Second year of experience & thereafter	693.80	2.8	713.20
Senior Neurophysiological Technician - Grade I	706.90	2.8	726.70
Grade II	747.40	2.8	768.30
Grade III	800.40	2.8	822.80
Surgical Bootmaker - First year of experience	685.60	2.8	704.80
Second year of experience & thereafter	693.40	2.8	712.80
Orthotist - First year of service	685.70	2.8	704.90
Second year of service	696.40	2.8	715.90
Third year of service	705.80	2.8	725.60
Fourth year of service and thereafter	714.40	2.8	734.40
Chief Orthotist - Sole, or in charge of one other	744.50	2.8	765.30
Chief Orthotist - In charge of two or more orthotists First year of service	744.50	2.8	765.30
Second year of service & thereafter	763.30	2.8	784.70

Wardsperson -			
First year of service	620.50	2.8	637.90
Second year of service and thereafter	623.70	2.8	641.20
Surgical Dresser			
First year of service	625.60	2.8	643.10
Second year of service	629.30	2.8	646.90
Third year of service and thereafter	634.50	2.8	652.30
Recreation Activities Officer -			
First year of experience	637.30	2.8	655.10
Second year of experience	649.30	2.8	667.50
Third year of experience & thereafter	657.30	2.8	675.70
Diversional Therapist with Associate Diploma -			
First year of experience	632.30	2.8	650.00
Second year of experience	659.70	2.8	678.20
Third year of experience	684.50	2.8	703.70
Fourth year of experience	707.40	2.8	727.20
Fifth year of experience and thereafter	731.30	2.8	751.80
Years of experience as a Diversional Therapist with Associate Diploma employed under the Private Hospital Employees' (State) Award or any award replacing that award will be recognised for appointment and incremental progression			
Technical Assistant -			
First year of service	637.30	2.8	655.10
Second year of service	649.30	2.8	667.50
Third year of service and thereafter	657.30	2.8	675.70
Pharmacy Department			
Pharmacy Assistant (Graduate/Unregistered)	660.50	2.8	679.00
Pharmacists (Registered) -			
First year of experience	711.60	2.8	731.50
Second year of experience	730.50	2.8	751.00
Third year of experience	762.60	2.8	784.00
Fourth year of experience	800.80	2.8	823.20
Fifth year of experience	841.80	2.8	865.40
Sixth year of experience	880.20	2.8	904.80
Seventh year of experience	910.70	2.8	936.20
Eighth year of experience and thereafter	933.70	2.8	959.80
Chief Pharmacist (Practising Pharmacist) -			
Sole pharmacist in charge or in charge of 3 or less registered or unregistered assistants			
First year of service	988.90	2.8	1,016.60
Second year of service	1,015.40	2.8	1,043.80
Third year of service	1,038.00	2.8	1,067.10
In charge of 4 or more registered or unregistered assistants			
First year of service	1,060.80	2.8	1,090.50
Second year of service	1,084.40	2.8	1,114.80
Third year of service	1,114.30	2.8	1,145.50

Pharmacists who are in possession of a Fellowship of the Society of Hospital Pharmacists shall be paid in addition to the rates prescribed an allowance per week of the amount set out in Item 15 of Table 2 - Other Rates and Allowances.			
Radiographic Staff			
Radiographer -			
First year of experience	696.10	2.8	715.60
Second year of experience	711.60	2.8	731.50
Third year of experience	739.80	2.8	760.50
Fourth year of experience	767.90	2.8	789.40
Fifth year of experience	797.40	2.8	819.70
Sixth year of experience	826.90	2.8	850.10
Seventh year of experience	857.50	2.8	881.50
Eighth year of experience and thereafter	890.10	2.8	915.00
Senior Radiographer in a Section	949.50	2.8	976.10
Assistant Chief Radiographer	969.70	2.8	996.90
Chief Radiographer or Sole Radiographer at Hospitals with an Adjusted Daily Average of			
Under 100 beds	969.70	2.8	996.90
100 beds but less than 200	1,018.30	2.8	1,046.80
200 beds but less than 300	1,071.40	2.8	1,101.40
300 beds but less than 500	1,130.10	2.8	1,161.70
500 beds but less than 750	1,185.90	2.8	1,210.10
Chief Radiographer, Diagnostic Radiographer at a hospital having an adjusted daily average of occupied beds of 750 or more	1,214.10	2.8	1,248.10
Radiographers who are in possession of a Fellowship of the Australian Institute of Radiography shall be paid an allowance of the amount per week set out in Item 16 of Table 2 - Other Rates and Allowances.			
A radiographer employed in a hospital who is required to provide a weekly service to another hospital or hospitals shall be paid in accordance with the following:			
(a) Where a radiographer is classified and paid as a Chief Radiographer in his own hospital, he shall be adjusted to the rate prescribed for a Chief Radiographer based on the combined A.D.A. of the hospitals within the group service, provided that if on this basis the employee would not be entitled to an adjustment to a higher salary rate, the employee shall be paid an allowance of the amount per week set out in Item 17 of Table 2 - Other Rates and Allowances			
(b) Where the employee is not classified and paid as a Chief Radiographer, the employee shall be paid the weekly rate prescribed for a Senior Radiographer.			
Support Services Staff			
General Services Officer, Grade I (includes Maid, Laundry Hand, Seamstress) Junior (under 18 years of age)	495.10	2.8	509.00
Adult (18 years of age and over)	597.00	2.8	613.70
General Services Officer, Grade II - (includes Kitchenhand, Ward Assistant, Wash House Employee, Industrial Washing Machine Operator, Porter/cleaner, Cleaner, General Useful)	608.50	2.8	625.50

General Services Officer, Grade III - (includes Handyperson, Storeperson, Assistant Cook)	617.20	2.8	634.50
General Services Officer, Grade IV - First year of service	629.10	2.8	646.70
Second year of service	637.30	2.8	655.10
Third year of service and thereafter	649.30	2.8	667.50
Cook - Grade A	642.90	2.8	660.90
Grade B	630.70	2.8	648.40
Chef - First year of service	661.50	2.8	680.00
Second year of service and thereafter	671.50	2.8	690.30
Catering Officer - First year of service	705.20	2.8	724.90
Second year of service and thereafter	713.80	2.8	733.80
Housekeeper First year of service	628.30	2.8	645.90
Second year of service and thereafter	631.40	2.8	649.10
Laundry Foreman and Forewoman	638.20	2.8	656.10
If in possession of Laundry and Dry Cleaning Certificate	645.40	2.8	663.50
Gardener (Otherwise)	619.70	2.8	637.10
Gardener (Qualified)	631.90	2.8	649.60
Head Gardener (Otherwise)	646.60	2.8	664.70
Head Gardener (Qualified)	674.50	2.8	693.40
Motor Vehicle Driver	628.40	2.8	646.00
Motor Vehicle Driver (Trucks and Ambulance)	634.90	2.8	652.70
Storekeeper	656.00	2.8	674.40
Technical Staff			
Technical Officer - Grade I - First year of experience	669.70	2.8	688.50
Second year of experience	680.90	2.8	700.00
Third year of experience	689.20	2.8	708.50
Fourth year of experience	700.80	2.8	720.40
Fifth year of experience	711.60	2.8	731.50
Sixth year of experience	730.50	2.8	751.00
Seventh year of experience	747.70	2.8	768.60
Eighth year of experience & thereafter	762.60	2.8	784.00

Grade II -			
First year of service	800.90	2.8	823.30
Second year of service	821.40	2.8	844.40
Third year of service	841.80	2.8	865.40
Fourth year of service	880.20	2.8	904.80
Senior Technical Officer			
First year of service	910.70	2.8	936.20
Second year of service	922.20	2.8	948.00
Third year of service and thereafter	933.70	2.8	959.80
Medical Technologist -			
First year of experience	711.60	2.8	731.50
Second year of experience	730.50	2.8	751.00
Third year of experience	762.60	2.8	784.00
Fourth year of experience	800.90	2.8	823.30
Fifth year of experience	841.80	2.8	865.40
Sixth year of experience	880.20	2.8	904.80
Seventh year of experience	910.70	2.8	936.20
Eighth year of experience & thereafter	933.70	2.8	959.80
Senior Medical Technologist in a Section -			
First year of experience	988.90	2.8	1,016.60
Second year of experience	1,015.40	2.8	1,043.80
Third year of experience and thereafter	1,038.00	2.8	1,067.10
Chief Medical Technologist -			
If sole technologist in a hospital or in charge of other technologists or trainees at hospitals having an adjusted daily average of occupied beds of less than 200			
First year of experience	1,060.80	2.8	1,090.50
Second year of experience	1,084.40	2.8	1,114.80
Third year of experience & thereafter	1,114.30	2.8	1,145.50
Provided that where a Chief Medical Technologist is the holder of a Fellowship of the Australian Institute of Medical Technology s/he shall be paid an additional amount per week as set out in Item 18 of Table 2 - Other Rates and Allowances.			
Apprentices			
Apprentice Cook -			
First year	378.40	60% of Cook B	389.00
Second year	520.30	82½% of Cook B	534.90
Third year	583.40	92½% of Cook B	599.80
Apprentice Gardener			
First year	316.00	50% of Gardener (qualified)	324.80
Second year	379.10	60% of Gardener (qualified)	389.80

Third year	505.50	80% of Gardener (qualified)	519.70
Fourth year	568.70	90% of Gardener (qualified)	584.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount from 8.10.2009
1*	6(iii)	Meal allowances (overtime) - Breakfast Lunch Dinner	\$8.80 per meal \$11.40 per meal \$16.70 per meal
2*	7(iii)	Transport allowance - use of own vehicle (overtime hours) vehicles with engine capacity over 1600 cc vehicles with engine capacity 1600 cc and under	24.5 cents per km 20.5 cents per km
3	10(viii)	Apprentices - certificate of exam pass each subsequent year	\$1.91 per week \$1.91 per week
4	12(i)	Driving allowances - Where required to drive a vehicle required to drive more than 10 hours in any week - minimum payment required to drive more than four hours in any day or shift - minimum payment	\$4.80 per week \$4.80 \$4.80 per shift
5	12(ii)	Post mortem assistance allowance - weekly allowance where assisting in more than one post mortem per week	\$7.70 per week \$7.70 p/post mortem
6	12(iii)	Dirty work, confined spaces allowance	\$0.39 per hour
7	12(iii)	Confined spaces allowance - inside boiler, flue, etc.	\$0.71 per hour
8	12(v)	Handling linen of nauseous nature allowance (except in sealed linen bags)	\$0.24 per hour
9	12(vii)	Leading hand allowance - in charge of 2 to 5 employees in charge of 6 to 10 employees in charge of 11 to 15 employees in charge of 16 to 19 employees	\$20.70 per week \$29.00 per week \$36.80 per week \$45.00 per week
10*	21(iii)	Uniform allowance	\$1.70 per week
11*	21(iv)	Laundering of uniform allowance	\$1.00 per week
12	Table 1	Stenographic allowance	\$5.70 per week
13	Table 1	Sterilising Certificate allowance	\$6.60 per week
14	Table 1	Boiler Attendant allowance	\$15.00 per week
15*	Table 1	Fellowship of the Society of Hospital Pharmacists Allowance	\$18.40 per week
16*	Table 1	Fellowship of Australian Institute of Radiography Allowance	\$20.10 per week
17	Table 1	Chief Radiographer service to another hospital allowance	\$35.70 per week
18*	Table 1	Fellowship of Australian Institute of Medical Technology Allowance	\$32.90 per week

3. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

PRIVATE HOSPITAL PROFESSIONAL EMPLOYEES (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1493 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete clause 19, State Wage Case Adjustments, of the award published 16 March 2001 (323 I.G. 35), and insert in lieu thereof the following:

19. State Wage Case Adjustments

- 19.1 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Salaries

Classification	Current Rate per week \$	SWC 2009 Adjustment per week %	Wage Rate as from 1/2/2010 per week \$
Medical Officers Resident			
1 st year of service	790.70	2.8	812.80
2 nd year of service	848.60	2.8	872.40
3 rd year of service	913.10	2.8	938.70
4 th year of service	974.40	2.8	1,001.70
Registrar			
1 st year of service	913.70	2.8	939.30
2 nd year of service	974.40	2.8	1,001.70
3 rd year of service	1,035.30	2.8	1,064.30
4 th year of service	1,093.80	2.8	1,124.40
Senior Registrar	1,182.90	2.8	1,216.00
Scientific Officers			
1 st year of scale	711.20	2.8	731.10
2 nd year of scale	730.10	2.8	750.50
3 rd year of scale	762.10	2.8	783.40
4 th year of scale	800.40	2.8	822.80

5th year of scale	841.50	2.8	865.10
6th year of scale	879.70	2.8	904.30
7th year of scale	910.30	2.8	935.80
8th year of scale	933.20	2.8	959.30
Senior Scientific Officer			
1st year of scale	988.40	2.8	1,016.10
2nd year of scale	1,014.70	2.8	1,043.10
3rd year of scale	1,037.50	2.8	1,066.60
4th year of scale	1,060.20	2.8	1,089.90
5th year of scale	1,083.90	2.8	1,114.20
6th year of scale	1,113.80	2.8	1,145.00
7th year of scale	1,141.60	2.8	1,173.60
8th year of scale	1,165.30	2.8	1,197.90
Senior Scientific Officer-in-Charge			
(a) in charge of a section of a laboratory -			
1st year	988.40	2.8	1,016.10
2nd year	1,014.70	2.8	1,043.10
Thereafter	1,037.50	2.8	1,066.60
(b) in charge of a laboratory at a hospital having an ADA of -			
(i) less than 200:			
1st year	1,060.20	2.8	1,089.90
2nd year	1,083.90	2.8	1,114.20
Thereafter	1,112.80	2.8	1,144.00
(ii) more than 200:			
1st year	1,113.80	2.8	1,145.00
2nd year	1,141.60	2.8	1,173.60
Thereafter	1,164.60	2.8	1,197.20
Principal Scientific Officer			
1st year of scale	1,197.20	2.8	1,230.70
2nd year of scale	1,221.90	2.8	1,256.10
3rd year of scale	1,249.40	2.8	1,284.40
4th year of scale	1,274.30	2.8	1,310.00
5th year of scale	1,300.30	2.8	1,336.70
6th year of scale	1,326.00	2.8	1,363.10
7th year of scale	1,351.30	2.8	1,389.10
8th year of scale	1,378.00	2.8	1,416.60
9th year of scale	1,403.60	2.8	1,442.90
10th year of scale	1,430.30	2.8	1,470.30
Trainee Scientific Officer			
1st year of scale	475.80	2.8	489.10
2nd year of scale	498.70	2.8	512.70
3rd year of scale	544.20	2.8	559.40
4th year of scale	595.10	2.8	611.80
5th year of scale	646.80	2.8	664.90
6th year of scale	689.00	2.8	708.30
Nurse Counsellor			
1st year of scale	701.50	2.8	721.10
2nd year of scale	725.30	2.8	745.60
3rd year of scale	757.80	2.8	779.00
4th year of scale	787.20	2.8	809.20
5th year of scale	821.60	2.8	844.60
6th year of scale	849.30	2.8	873.10
7th year of scale	873.60	2.8	898.10
8th year of scale	896.90	2.8	922.00
Thereafter	928.40	2.8	954.40

Psychologists, Audiologists and Research or Project Officers			
1st year of service	697.00	2.8	716.50
2nd year of service	720.50	2.8	740.70
3rd year of service	752.30	2.8	773.40
4th year of service	783.10	2.8	805.00
5th year of service	817.00	2.8	839.90
6th year of service	848.60	2.8	872.40
7th year of service	873.40	2.8	897.90
8th year of service	928.20	2.8	954.20
Clinical Psychologists			
1st year of service	898.00	2.8	923.10
2nd year of service	941.80	2.8	968.20
3rd year of service	982.40	2.8	1,009.90
4th year of service	1,026.60	2.8	1,055.30
5th year of service	1,067.40	2.8	1,097.30
Librarian - Graduate			
1st year of service	691.30	2.8	710.70
2nd year of service	710.90	2.8	730.80
3rd year of service	737.50	2.8	758.20
4th year of service	762.00	2.8	783.30
5th year of service	787.20	2.8	809.20
6th year of service	804.30	2.8	826.80
7th year of service	841.00	2.8	864.50
Dieticians			
1st year of scale	730.10	2.8	750.50
2nd year of scale	762.10	2.8	783.40
3rd year of scale	800.40	2.8	822.80
4th year of scale	841.50	2.8	865.10
5th year of scale	879.70	2.8	904.30
6th year of scale	910.30	2.8	935.80
7th year of scale	933.20	2.8	959.30
Grade 1			
1st year of scale	988.40	2.8	1,016.10
2nd year of scale	1,014.70	2.8	1,043.10
Physiotherapists, Occupational Therapists, Music Therapists, Speech Pathologists			
1st year of scale	711.20	2.8	731.10
2nd year of scale	730.10	2.8	750.50
3rd year of scale	761.50	2.8	782.80
4th year of scale	800.40	2.8	822.80
5th year of scale	841.50	2.8	865.10
6th year of scale	879.70	2.8	904.30
7th year of scale	910.30	2.8	935.80
8th year of scale	933.20	2.8	959.30
Medical Records Administrator			
1st year of service	700.10	2.8	719.70
2nd year of service	710.70	2.8	730.60
3rd year of service	721.60	2.8	741.80
4th year of service	732.00	2.8	752.50
5th year of service	743.70	2.8	764.50
6th year of service	757.60	2.8	778.80
7th year of service	771.40	2.8	793.00
8th year of service	802.00	2.8	824.50
Welfare Officers - Social			
Adults - Grade 1			
1st year of scale	632.00	2.8	649.70
2nd year of scale	659.50	2.8	678.00

3rd year of scale	684.10	2.8	703.30
4th year of scale	707.10	2.8	726.90
5th year of scale	759.00	2.8	780.30
Adults - Grade 2			
1st year of scale	756.00	2.8	777.20
2nd year of scale	780.30	2.8	802.10
Social Workers			
1st year of scale	701.50	2.8	721.10
2nd year of scale	725.30	2.8	745.60
3rd year of scale	757.80	2.8	779.00
4th year of scale	787.20	2.8	809.20
5th year of scale	821.60	2.8	844.60
6th year of scale	849.30	2.8	873.10
7th year of scale	873.60	2.8	898.10
8th year of scale	896.90	2.8	922.00
9th year of scale	928.40	2.8	954.40

Table 2 - Allowances

Item No.	Clause No.	Allowance	Amount from 1/2/2010 \$
1	3.4	Principal Scientific Officer-Qualification Allowance	50.00 p/wk
2	3(3.6)(b)	Psychologists, Audiologists and Research or Project Officers Allowance Further Allowance	55.30 p/wk 55.30 p/wk
3	3(3.9)	Physiotherapist, Occupational Therapist, Speech Pathologist -In-Charge Allowance	117.90 p/wk
4	6(6.2) (a) (b) (c)	Meal Allowance - Overtime Breakfast Lunch Evening	8.60 11.10 16.40
5	20(20.3)	Uniform Allowance	1.70 p/wk
6	20(20.4)	Laundry Allowance	0.95 p/wk
7	23	Mileage Allowance Motor Car First 8,000 kilometres per year 1,600 cc and over Under 1600 cc Over 8,000 kilometres per year 1,600 cc and over Under 1600 cc Motor Cycle	0.526 p/km 0.376 p/km 0.187 p/km 0.157 p/km 0.248 p/km

3. This variation shall take effect from the first pay period to commence on or after 1 February 2010.

D. S. McKENNA, Commissioner

PRIVATE MEDICAL IMAGING (STATE) AWARD 2004

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, Industrial Organisation of Employees.

(No. IRC 1494 of 2009)

Before Commissioner McKenna

2 October 2009

VARIATION

1. Delete Part B, Monetary Rates, of the award published 26 September 2008 (366 I.G. 798), and insert in lieu thereof the following:

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

Classifications	Current Rate Per Week \$	Award Variation Adjustment Per Week %	Wage Rate as from 8.10.09 Per Week \$
Medical Imaging Technologist (MIT): Medical Radiographer (MIT-MR) Nuclear Medicine Technologist (MIT-NMT) Radiation Therapist (MIT-RT) Ultrasound (MIT-U) Magnetic Resonance Imaging (MIT-MRI)			
Level 1 (n/a for MIT-U and MIT-MRI)	754.00	2.8	775.10
Level 2	847.60	2.8	871.30
Level 3	953.60	2.8	980.30
Level 4	1,036.20	2.8	1,065.20
Level 5	1,108.70	2.8	1,139.70
Level 6 (n/a for MIT-U and MIT-MRI)	1,310.20	2.8	1,346.90
Medical Imaging Administration			
Medical Typist			
Receptionist			
Stenographer			
Clerical and Administration			
Level 1	600.60	2.8	617.40
Level 2	625.50	2.8	643.00
Level 3	665.80	2.8	684.40
Level 4	736.40	2.8	757.00
Level 5	787.90	2.8	810.00
Junior Typist/Receptionist			
Under 17 years of age	231.80	2.8	238.30
At 17 years of age	290.30	2.8	298.40
At 18 years of age	355.80	2.8	365.80
At 19 years of age	387.70	2.8	398.60

At 20 years of age	475.10	2.8	488.40
Junior Stenographer			
At 17 years of age	309.80	2.8	318.50
At 18 years of age	371.70	2.8	382.10
At 19 years of age	436.00	2.8	448.20
At 20 years of age	515.30	2.8	529.70
Medical Imaging Liaison Representative	665.80	2.8	684.40
Imaging Assistant	538.50	2.8	553.60

Hourly rates are calculated by dividing the weekly rate by 38.

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount from 8.10.2009 \$
1	22(i)	Meal allowance per meal	19.20
	22(ii)	Motor vehicle per kilometre	ATO/K
	22(iii)	On call Allowance	
		Per period	23.50
		Maximum per week	165.10

2. This variation shall take effect from the first full pay period to commence on or after 8 October 2009.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

PRIVATE PATHOLOGY LABORATORIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1355 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (iii), of clause 4 Wages, of the award published 14 December 2007 (364 I.G. 643), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29th 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	Former rate per week \$	SWC 2009 %	New Rate per week \$
Pathology Aide - Laboratory			
Grade 3 on commencement	560.60	2.8	576.30
Grade 2 after 12 months	577.20	2.8	593.40
Grade 1 on appointment	609.40	2.8	626.50
Pathology Aide Ancillary			
Grade 3 on commencement	560.60	2.8	576.30
Grade 2 after 12 months	577.20	2.8	593.40
Grade 1 on appointment	609.40	2.8	626.50
Pathology Aide Courier			
On commencement	623.00	2.8	640.40
Pathology Collector			
Grade 4 in training	586.60	2.8	603.00
Grade 3 on appointment	628.20	2.8	645.80
Grade 2 on appointment	656.80	2.8	675.20
Grade 1 - Educator/Coordinator	688.80	2.8	708.10
Practice Trainee - Scientific and Technical Officers			
Stage 1 Scientific and Technical	456.60	2.8	469.40
Stage 2 Scientific and Technical	493.00	2.8	506.80
Stage 3 Scientific and Technical	539.80	2.8	554.90
Stage 4 Scientific and Technical and thereafter	569.90	2.8	585.90

Stage 5 Scientific	608.40	2.8	625.40
Stage 6 Scientific	633.40	2.8	651.10
Scientific and thereafter	662.10	2.8	680.60
Technical Officers			
Grade 4.2 on commencement	678.30	2.8	697.30
4.1 after 12 months service	697.50	2.8	717.00
3.3 on appointment	729.60	2.8	750.00
3.2 after further 12 months service	750.90	2.8	771.90
3.1 after 2 years	766.80	2.8	788.30
2.2 on appointment after not less than 4 years at Grade 3	788.10	2.8	810.20
2.1 after 2 years service on performance	804.10	2.8	826.60
1.2 on appointment	841.50	2.8	865.10
1.1 after 3 years service on performance	860.70	2.8	884.80
Scientific Officers			
Grade 4.2 on commencement	689.00	2.8	708.30
4.1 after 12 months service	729.60	2.8	750.00
3.3 on appointment	793.50	2.8	815.70
3.2 after further 12 months service	814.80	2.8	837.60
3.1 after 2 years	841.50	2.8	865.10
2.2 on appointment after not less than 4 years at Grade 3	860.70	2.8	884.80
2.1 after 2 years service on performance	892.60	2.8	917.60
1.2 on appointment	922.60	2.8	948.40
1.1 after 3 years	954.50	2.8	981.20

Table 2 - Allowances

Item No	Clause No	Brief Description	Amount \$
1	11(i)(c)	Meal Allowance Each Additional 4 hours' overtime	11.80 11.80
2	22(i)	On-call Allowance (each day or shift) Monday to Saturday inclusive	15.80
3	22(i)	On-call Allowance (each day or shift) Sunday	31.35
4	24	Locomotion	0.44 per km
5	25	First-aid Certificate	18.70 per week

3. This variation shall take effect on and from the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

PYROTECHNICS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1330 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete subclause (ii) of clause 8, Wages, of the award published 25 January 2001 (321 I.G. 1043), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 Table 1 - Wages and Table 2 - Other Rates and Allowances of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

Classification	Former Rate per week \$	State Wage Case 2009 2.8%	New Total Rate per week \$
Pyrotechnician	593.20	2.8	609.80
Mixer - dry powder	561.60	2.8	577.30
Mixer sparkler department	561.60	2.8	577.30
All other employees	552.70	2.8	568.20

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Former Amount \$	New Amount \$
1	9(i)	Meal Allowance	8.20	8.70
2	9(ii)	Incremental Rates - 3rd -4th Year	8.50	8.75
3	9(ii)	Incremental Rates - 5th-9th Year	4.45	4.55
4	9(ii)	Incremental Rates - 10th Year & Thereafter	4.45	4.55
5	9(iii)	First Aid Allowance	3.35	3.45

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2009.

D. S. McKENNA, Commissioner

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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 1563 of 2009)

Before Mr Deputy President Sams

8 October 2009

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 2009. 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 2008 Amount \$	SWC 2009 Adjustment \$	SWC 2009 Amount \$
Production Operator Level 1 (83%)	567.10	15.90	583.00
Production Operator Level 2 (89.9%)	597.10	16.70	613.80
Production Operator Level 3 (92.4%)	607.90	17.00	624.90
Team Leader	642.90	18.00	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	3(i)	Disability Allowance	45.10	46.40
2	3(ii)	Shift Workers on day, afternoon and night shifts	9.55	9.80
3	3(iii)	Shift Workers on permanent afternoon or night shifts	11.75	12.15
4	3(v)	Leading Hands	4.80	4.95
5	4(iii)	Overtime - Meal Allowance	10.50	11.05
6	13(ii)	First Aid	2.10 per day or shift	2.15 per day or shift

"Note": These allowances are contemporary for expense related allowances as at 30th June 2009 and for work related allowances are inclusive of adjustments in accordance with the July 2009 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 2009.

P. J. SAMS *D.P.*

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RUBBER WORKERS (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 1541 of 2009)

Before Commissioner Macdonald

9 October 2009

VARIATION

1. Delete subclause (b) of clause 9, Arbitrated Safety Net Adjustments, of the award published 13 July 2001 (326 I.G. 99), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 A - Wage Rates (Adults) and Appendix B - Allowances/Special Rates, and insert in lieu thereof the following:

APPENDIX A**Wage Rates (Adults)****Table 1 - Wage Rates**

Classifications	Former Award Rate (Per week) 11 October 2008 \$	Minimum Award Rate (Per week) 11 October 2009 \$
Manufacturing/Production Employee Level 1	552.70	568.20
Manufacturing/Production Employee Level 2	562.60	578.40
Manufacturing/Production Employee Level 3	586.10	602.50
Manufacturing/Production Employee Level 4	607.90	624.90
Manufacturing/Production Employee Level 5	627.80	645.40
Manufacturing/Production Employee Level 6	642.90	660.90
Warehouse Worker Level 1	586.10	602.50
Warehouse Worker Level 2	607.90	624.90
Warehouse Worker Level 3	627.80	645.40
Warehouse Administration Officer	642.90	660.90

APPENDIX B**Allowances/Special Rates**

Item No.	Clause No.	Subject	Amount \$
1	8(b)(i)	Leading Hand (3-10 employees)	25.09 per week
2	8(b)(ii)	Leading Hand (10-20 employees)	37.21 per week
3	8(b)(iii)	Leading Hand (more than 20 employees)	48.88 per week
4	14(b)	Handling Carbon Black	85 cents per hour
5	14(c)	Installing or repairing belting underground in mines	28 cents per hour
6	14(d)	Working in a confined space	57 cents per hour
7	14(e)	Hot places - 46.1 C° - 54.4 C°	45 cents per hour
8	14(e)	Hot places - more than 54.4 C°	56 cents per hour
9	14(f)	Processing free coal dust	37 cents per hour
10	15(b)	First-aid attendant	9.85 per week
11	23	Motor Vehicle Allowance	40 cents per km
12	25(a)	Meal Allowance	11.50 per meal
13	40(b)	Overalls Allowance	37 cents per day

3. This variation shall take effect from the first pay period commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

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SADDLERY, LEATHER, CANVAS AND PLASTIC MATERIAL WORKERS' (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1324 of 2009)

Before Commissioner Connor

8 September 2009

VARIATION

1. Delete subclause (b), of clause 4, Wage Rates, of the award published 30 May 2008 (365 I.G. 1882), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Rates of Pay

Group	Former Rate Per Week \$	SWC 2009 %	New Rate Per Week \$
A	602.90	2.8	619.80
B	599.00	2.8	615.80
C	596.80	2.8	613.50
D	592.60	2.8	609.20
E	581.20	2.8	597.50
F	575.20	2.8	591.30
G	572.90	2.8	588.90
H	571.80	2.8	587.80
I	569.00	2.8	584.90
J	565.60	2.8	581.40
K	563.80	2.8	579.60
L (all others)	562.60	2.8	578.40
L (glove manufacture with less than 6 months' experience)	557.30	2.8	572.90
M	554.70	2.8	570.20

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(e)	Leading Hand 1-5 employees	25.70 per week
2	4(e)	Leading Hand 6-10 employees	32.50 per week
3	4(e)	Leading Hand 11-15 employees	44.60 per week
4	4(f)	First Aid	10.70 per week
5	7(a)	Repairing Harness - Offensive Nature	0.46 per hour
6	7(b)	Repairing Canvas - Offensive Nature	0.45 per hour
7	8(b)	Operating a Forklift	0.51 per hour
8	12(c)	Meal Allowance - more than one & one half hours overtime	12.05
9	12(c)	Meal Allowance - where employee has provided a meal and not required to work	11.00

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 19 February 2010.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

SECURITY INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1329 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete paragraph 11.1.2 of Clause 11, Wages, of the award published 6 May 2005 (350 I.G. 827) and insert in lieu thereof the following:

11.1.2 The rates of pay in this award include the adjustments payable under the State Wage Case of 2009. These adjustments may be offset against:

- (i) any equivalent over-award 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 per 38-Hour Week**

Classification	Current Rate Per week \$	State Wage Case 2009 %	New Rate Per Week \$
Grade 1	627.60	2.8	645.20
Grade 2	646.70	2.8	664.80
Grade 3	658.40	2.8	676.80
Grade 4	670.10	2.8	688.90
Grade 5	693.20	2.8	712.60

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	Rate per Shift from the first pay period to commence on or after 19 February 2010 \$	Rate per Shift from the first pay period to commence on or after 19 February 2010 \$
	12.1	Leading Hand Allowance		Casuals only
1		up to 5 employees	28.51	5.71
2		6 to 10 employees	32.32	6.46
3		11 to 15 employees	42.26	8.45
4		16 to 20 employees	48.76	9.75
5		Over 20 employees	48.76	9.75

6		for each employee exceeding 20,extra	0.76	0.16
7	12.2	Relieving Officer	28.46	
	12.3	First Aid Allowance		Casuals only
8		Industrial	16.07	3.22
9	12.4	Gun Allowance	11.06	2.21
10	12.5	Locomotion Allowance		All employees
11		Motor Vehicle/cycle		27.36
12		Bicycle		2.88
13	12.6	Meal Allowance		8.78
14	12.7	Fares Allowance		7.54
15	12.8	Overnight Meal Allowance		71.50
			Permanent Employees Rate Per Hour	Casual Employees Rate per Hour
16	12.9	Aviation Allowance	1.14	1.18

3. This variation shall take effect from the first full pay period to commence on or after 19 February 2010.

D. S. McKENNA, Commissioner

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SMALLGOODS MANUFACTURERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australasian Meat Industry Employees' Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1292 of 2009)

Before Commissioner Macdonald

17 September 2009

VARIATION

1. Delete clause 10 Arbitrated Safety Net Adjustment of the award published 30 May 2008 (365 I.G 1920), and insert in lieu thereof the following:

10. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2009. These adjustments may be offset against:

- (i) Any equivalent overaward payments, and/ or
- (ii) Award wage increases since 29th 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**

Item No	Classification	SWC 2009 eff. 1 Dec. 09 Amount per week \$
1	Small goods person as defined in subclause (b) of clause 7	643.75
2	Silent - cutter operator	606.20
3	Filler	590.40
4	Mixing machine other than silent cutter operator)	606.20
5	Butcher	643.75
6	Small goods_seller from vehicle who collects cash - I. Non-refrigerator_vehicle II. Refrigerator vehicle	606.20 606.20
7	Boner	614.75
8	Slicer, cutter-up, guillotine operator and/or derinding machine operator	606.20
9	Salter and/or pickle pumper arterial or stab	590.20
10	Cooker and/or scaldar	606.20
11	Packing-room_hand	569.00
12	Linker	582.50
13	Table hand	582.50
14	All others	582.50

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2009 Eff 1 Dec 2009 Amount \$
1	8 (d)	Employee called upon to work in chilling room with the temperature reduced to:	
		Temperature range Celsius Scale	
		Below 2 but not below 16	0.45
		Below 16 but not below 18	0.78
		Below 18 but not below 21	1.06
		Below 21	1.44
2	12	Meal Money	
		- required to work in excess of one and half hours	10.84
		- Notified of overtime then not required	10.84

3. This variation shall come into effect from the first full pay period on or after 1 December 2009.

A. MACDONALD, Commissioner

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SERIAL C7264

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 1531 of 2009)

Before Commissioner Macdonald

9 October 2009

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 2009. 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 2008 \$	Minimum Award Wage Rates (per week) 11 October 2009 \$
Storeman & Packer Level 1	595.40	612.10
Storeman & Packer Level 2	611.00	628.10
Storeman & Packer Level 3	617.00	634.30
Storeman & Packer Level 4	636.20	654.00
Storeman & Packer Level 5	651.20	669.40

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	19 cents per hour
2	2(ii)	Containerisation (over four hours)	1.82 per day
3	9	Meal Allowance	11.80 per meal
4	20(a)(i)	Employee in Charge (1 to 5 employees)	18.79 per week

5	20(a)(ii)	Employee in Charge (6 or more employees)	28.83 per week
6	20(b)	Single employee	20.42 per week
7	20(d)(i)	Forklift allowance	0.79 per hour
8	20(d)(ii)	Mobile/pendant crane allowance	1.03 per hour
9	20(e)	Bagged stuff exceeding 68.04 kgs	0.54 per hour
10	20(e)	Bagged stuff exceeding 81.65 kgs	0.76 per hour
11	20(f)	Handling certain materials	0.65 per hour
12	20(g)	Hazardous store work	1.45 per day
13	20(g)	Hazardous store work (hourly rate)	0.37 per hour
14	20(h)	Dirty work	0.97 per hour
15	20(i)	Dust allowance	0.65 per hour
16	24(ii)	First-aid attendant	2.34 per day

4. This variation shall take effect from the first full pay period commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

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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 1530 of 2009)

Before Commissioner Macdonald

9 October 2009

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 2009. 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 2008 \$	Minimum Award Wage Rates (Per Week) 11 October 2009 \$
Storeman & Packer Level 1	586.20	602.60
Storeman & Packer Level 2	601.80	618.70
Storeman & Packer Level 3	607.90	624.90
Storeman & Packer Level 4	627.40	645.00
Storeman & Packer Level 5	642.90	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	Amount \$
1	10(iii)	In charge -	
2		1-5	19.10 per week
3		6-10	28.85 per week
4		11-15	39.30 per week
5		over 15	49.45 per week
6	10(v)	Single employee	15.26 per week
7	10(vi)(a)	Operates fork lift	0.76 per hour
8	10(vi)(b)	Operates mobile crane	0.91 per hour
9		Not to exceed	0.91 per hour
10	10(vii)	In iron yards, etc. handling various materials	6.43 per week
11	10(viii)	Packing crockery etc.	14.56 additional

11	10(ix)	Blending of honey	15.83 additional
12	10(x)	Reclaiming waste butter	15.83 additional
13	10(xi)	Carrying bagged stuff etc	0.48 per hour
14		Exceeding 81.65 kg	0.54 per hour
15	18	Overtime - more than 1 hour	11.80 per meal
16		Notified and not called upon	11.80 per meal
17	19(i)	Dirty work	0.49 per hour extra
18	19(ii)	Hot places -	
19		Between 46 and 54.4o Celsius	0.49 per hour extra
20	19(iii)	Exceeds 54.4o Celsius	0.65 per hour extra
21		Wet places	0.49 per hour extra
21	20(i) (a)	Obnoxious materials	0.89 per hour extra
22		Other obnoxious materials	0.77 per hour extra
22	21(iii)	Use of own vehicle	0.73 per km
23	22	First-aid	2.31 per day

3. This variation shall take effect from the first pay period commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

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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 1533 of 2009)

Before Commissioner Macdonald

9 October 2009

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 2009. 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 2008 \$	Minimum Award Wage Rate Per Week 11 October 2009 \$
Storemen and Packer - Level 1	586.20	602.60
Storemen and Packer - Level 2	601.80	618.70
Storemen and Packer - Level 3	607.90	625.00
Storemen and Packer - Level 4	627.40	645.00
Storemen and Packer - Level 5	642.90	660.90

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	25.38 per week
2	In charge of 6 - 10 employees	30.25 per week
3	In charge of more than 10 employees	36.66 per week
4	Hazardous stores work	1.54 per day
5	Forklift Allowance	75 cents per hour

6	Mobile Crane Allowance	89 cents per hour
7	Morning/Afternoon shift allowance	13.35 per shift
8	Night shift allowance	17.87 per shift
9	Travel allowance	73 cents per kilometre
10	Meal allowance	11.80 per meal
11	First Aid Attendant	2.88 per day

4. This variation shall take effect from the first full pay period commencing on or after 11 October 2009.

A. MACDONALD, Commissioner

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SURVEYORS' FIELD HANDS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1498 of 2009)

Before Commissioner Ritchie

2 October 2009

VARIATION

1. Delete subclause (vi) of clause 3, Wages, of the award published 23 November 2001 (329 I.G. 889), and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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 - Wage Private Sector**

Weekly Hands Classification	SWC 2008 Amount \$	SWC 2009 Adjustment %	SWC 2009 Amount \$
Instrument Person	621.30	2.8	638.70
Special class field hand	618.80	2.8	636.10
First class field hand	594.50	2.8	611.10
Second class field hand	583.40	2.8	599.70
Operator of Echo- Sounding Machine	615.60	2.8	632.80

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2008 Amount \$	SWC 2009 Amount \$
1	3(i)(b)	Daily Hands	5.75	5.90
2	3(ii)	Motor Vehicle/Launch Allowance	2.40	2.45
3	3(iii)	Four-wheel-drive Allowance	3.15	3.25
4	3(iii)	Hydrographics Duties Allowance	2.45	2.50
5	3(iv)	Inclement Weather Allowance	27.80	28.60
6	4(i)	Wet Places Allowance	0.56	0.58
7	6	Underground Work Allowance	0.63	0.65
8	14(i)	Distant Places Allowance	1.11	1.14
	14(i)	Distant Places Western Division	1.91	1.96
9	14(ii)	Distant Places Snowy River	1.85	1.90
10	17(iii)	First-aid Allowance	2.44	2.51

11	20(ii)(d)	Meal Allowance	13.45	14.10
	28	Meal Allowance	13.45	14.10
	28	Each Subsequent Meal	11.45	12.00
12	20(ii)(d)	Bed Allowance	68.35	68.35
13	20(v)(a)	Return Home Allowance	50.25	50.25
14	20(vii)	Travelling Allowance (Public Sector)	Per Day	Per Day
		More than 3 but not more than 10 km	4.85	4.85
		More than 10 but not more than 20 km	10.35	10.35
		More than 20 but not more than 30 km	15.50	15.50
		More than 30 but not more than 40 km	20.80	20.80
		More than 40 but not more than 50 km	25.50	25.50
		More than 50 but not more than 60 km	30.50	30.50
		More than 60 but not more than 70 km	35.75	35.75
		More than 70 but not more than 80 km	40.65	40.65
		More than 80 but not more than 90 km	45.70	45.70
		More than 90 but not more than 100 km	51.00	51.00
15	37	Rain Allowance	2.69	2.69

Note These allowances are contemporary for expense related allowances as at 30th June 2009 and for work related allowances are inclusive of adjustments in accordance with the July 2009 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 3 October 2009.

D.W. RITCHIE, Commissioner

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TANNING INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, Industrial Organisation of Employees.

(No. IRC 1327 of 2009)

Before Commissioner McKenna

8 September 2009

VARIATION

1. Delete paragraph (iii) of subclause (b), of clause 4, Wages of the award, published 8 February 2002 (331 I.G. 157), and insert in lieu thereof the following:-
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case of June 2009. These adjustments may be offset against:
 - (1) any equivalent over award payments, and/or
 - (2) 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**

	Former Rate \$	2009 SWC 2.8%
Group 1	552.70	568.20
Group 2	562.70	578.50
Group 3	586.10	602.50
Group 4	607.90	624.90
Group 5	642.90	660.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	2008 SWC \$	2009 SWC \$
1	4 (ii) Industry Loading	23.20 per week	23.80 per week
2	4 (vii) Leading Hand 3 - 10 employees	24.80 per week	25.50 per week
3	4 (vii) Leading Hand 10 - 20 employees	37.60 per week	38.70 per week
4	4 (vii) Leading Hand more than 20 employees	47.60 per week	48.90 per week
5	4 (viii) First Aid	12.30 per week	12.60 per week

6	6 (iii) Fork Lift	0.54 per hour	0.56 per hour
7	12 (iii) Meal - 1st	11.70	12.40
8	12 (iii) Meal - 2nd	11.70	12.40
9	12 (iv) Meal Cancellation of Overtime	11.70	12.40
10	13 (viii) Meal Shift Workers	11.70	12.40
11	14 Special rates	0.54 per hour	0.56 per hour
12	36 (D) (i) Super Contributions	18.70 per week	19.20 per week

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 19 February 2010.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

TRANSPORT INDUSTRY - CAR CARRIERS (NSW) CONTRACT DETERMINATION

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Industry Group New South Wales Branch, Industrial Organisation of Employers and State Peak Council.

(No. IRC 202 of 2009)

Before Commissioner Connor

13 August 2009

AWARD

1. Delete paragraph (a) of subclause (i) of clause 7, Other Conditions, of the award published 11 July 2008 (366 I.G. 274) and insert in lieu thereof the following:
 - (a) The Principal Contractor may (subject to notice of two weeks) deduct the sum of \$251.76 for each incident involving a car or cars under the care or control of the Contract Carrier being damaged and the sum of \$251.76 for each car from which an item becomes missing while the car is under the care or control of the Contract Carrier and the sum of \$251.76 for each car which has damage or from which an item is missing (being damage of the kind referred to in Clause 5(i)(i) which is not noted on the initial survey). In the event that repair and/or replacement costs are less than \$251.76, the lesser amount shall be paid to the Contract Carrier. The amount in this clause (\$251.76) shall be adjusted at the same percentage as the rate adjustment applicable within this determination.
2. Delete subclause (vii) of clause 8 Conditions, and insert in lieu thereof the following:
 - (vii) The Principal Contractor may adjust the remuneration of the Contract Carrier by way of deducting any amount properly payable by the Contract Carrier which has been incurred by the Contract Carrier in the name of the Principal Contractor; and the Principal Contractor may withhold payment from the Contract Carrier's remuneration of the amount of \$302.12 for a maximum of three months on the Contract Carrier ceasing to undertake work for the Principal Contractor, to enable the final adjustment to be made under this subclause. The Principal Contractor shall pay the balance of the remuneration due to the Contract Carrier not later than on the expiry of the period of three months. The \$302.12 amount referred to in this clause shall be adjusted by an amount equal to the overall percentage variation to rates of remuneration as provided by this determination.
3. Delete Schedule 1 - Rates of Remuneration, and insert in lieu thereof the following:

SCHEDULE 1

RATES OF REMUNERATION

- (i) This schedule contains the following tables:

Table A: Rates of remuneration for local and interstate work where the contract carrier supplies the prime mover only.

Table B: Rates of remuneration for local and intrastate work where the contract carrier supplies both the prime mover and the trailer.

Table C: Rates of remuneration for local and intrastate work where the contract carrier supplies the prime mover and the tyres for the principal contractor's trailer.

Table D: Rates of remuneration for Port Kembla Work (including the base rate of remuneration for Port Kembla Work - also referred to as the "Connor Rate") where the contract carrier supplies the prime mover only.

Table E: Rates of remuneration for Port Kembla Work where the contract carrier supplies both the prime mover and trailer.

Table F: Rates of remuneration for Port Kembla Work where the contract carrier supplies both the prime mover and the tyres for the principal contractor's trailer.

Table G: Deemed distances to apply for common trips from the Sydney Metropolitan Area to towns within the State of New South Wales, for the purpose of calculating intrastate remuneration.

Table H: Deemed distances to apply for common trips originating and terminating in the Sydney Metropolitan Area and passing through towns within the State of New South Wales, for the purposes of calculating intrastate remuneration.

(ii) Where:

- (a) a carrier performs a contract of carriage within the area, incidence and duration of this determination; and
- (b) the carrier is eligible to claim a rebate pursuant to the Commonwealth Government's Energy Grants (Credits) Scheme ('the scheme') for that contract of carriage; and
- (c) the carrier has been requested to apply for the rebate pursuant to the scheme by the principal contractor;

the principal contractor may reduce the cartage rates payable in Tables "A", "B", "C", "D", "E" and "F" of Schedule I of this determination up to a maximum reduction of 1.95% of the rate otherwise payable to the carrier for the performance of that contract of carriage.

- (iii) Should a carrier become ineligible to claim a rebate pursuant to the scheme or the scheme is abolished then the principal contractor shall not be permitted to reduce the cartage rates pursuant to subclause (ii).
- (iv) Should the scheme be abolished or altered or modified leave is reserved to the parties to make application in relation to subclauses (ii) and (iii).
- (v) To ensure clarity, the method for calculation of the diesel fuel rebate reduction percentage is contained in the following example:

The reduction is calculated by comparing the Caltex Metro Card Price, excluding GST as at 11 November 2008 for Diesel Low-Sulfur, Sydney Metropolitan with the rebate.¹ If the carrier is eligible for the 17.143 cents per litre rebate this equates to an effective 12.03% rebate in total fuel costs.² When the current weighting for fuel is adjusted in respect of the percentage change in the fuel benchmark, the new weighting becomes 21.02%.³ The actual fuel weighting for a carrier able to claim the rebate is calculated by determining what 12.03% of the new weighting is, which equates to 18.49.⁴ The difference between the reset weighting 20.44 and the actual weighting 18.49 allows the principal contractor to make a net reduction of 1.95%.⁵

- (vi) The rates contained within this schedule shall take effect on and from the first full pay period to commence on or after 24 May 2009, or such later date as determined by the Industrial Relations Commission of NSW.

¹ 156.8 cents per litre, less 1/11th GST = 142.55 cents per litre.

² (142.55-17.143)/142.55 = 87.97% of fuel bill or 12.03% reduction

³ 18.97 x 10.94% = 21.02

⁴ 21.02 x (87.97/100) = 18.49

⁵ 20.44 - 18.49 = 1.95

CAR CARRIER ADJUSTMENT CALCULATIONS						
May Quarter 2008 to September Quarter 2008						
Percentage increase is inclusive of an additional 1% pursuant to Clause 6 of Schedule II =2.82% +1% =3.82%						
Category	Old Value	New Value	% Change	Current Weighting	New Weighting	Reset Weighting
Wages	\$631.40	\$656.66	4%	40.17	41.78	42.63
Capital	97.70	95.4	-0.81%	17.06	16.65	16.99
Insurances	290.50	295.30	5.52%	9.82	9.99	10.19
Registration	232.40	233.90	3.47%	4.29	4.32	4.41
R&M	160.00	161.40	2.11%	6.20	6.25	6.38
Tyres	133.30	135.90	2.22%	1.21	1.23	1.25
Fuel	263.60	213.50	10.94%	18.97	15.52	15.84
Admin	165.90	165.50	2.60%	2.28	2.28	2.32
				100.00	98.03	100.00

4. Delete Tables "A", "B", "C", "D", "E" and "F" of Schedule I of the said determination and insert in lieu thereof the following:

TABLE A (Including 2% Trailer Hire)

LOCAL WORK

Zone Rates per Car Carriage - Prime Mover

Zone 0	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	30.54	48.37	63.95	79.30	87.59	35.69
2	46.12	71.92	90.63	109.79	120.15	53.93
3	59.11	90.81	112.00	136.14	148.77	69.09
4	69.48	106.83	133.22	162.55	177.26	81.26
5	77.29	128.54	154.49	188.90	205.89	90.35

Rates per Car Delivered

Zone 0	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	30.54	16.13	15.99	15.94	14.60	35.69
2	46.12	23.98	22.65	21.96	20.02	53.93
3	59.11	30.27	28.00	27.22	23.81	69.09
4	69.48	35.61	33.31	32.51	29.55	81.26
5	77.29	42.85	38.62	37.78	34.32	90.35

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	38.97	30.21
3 Car	47.16	37.47
4 Car	53.30	42.63
5 Car	56.54	44.65
6 Car	61.13	48.79
1 Car Tilt	45.55	34.89

INTRASTATE WORK

Vehicle	Standing & Running Rates - Cents per kilometre \$
1 Car	75.09
3 Car	107.55
4 Car	119.08
5 Car	132.11
6 Car	142.02
1 Car Tilt	88.07

TABLE B

LOCAL WORK

Zone Rates per Car Carriage - Prime Mover & Trailer

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	31.77	54.19	72.41	91.64	100.41	38.67
2	48.00	80.62	102.46	126.48	139.52	58.44
3	61.52	101.80	126.58	156.74	172.77	74.89
4	72.31	122.88	150.69	187.19	205.89	88.10
5	80.45	144.07	174.77	217.51	239.08	97.94

Rate per Car Delivered

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	31.77	18.07	18.11	18.33	16.73	38.67
2	48.00	26.87	25.62	25.30	23.25	58.44
3	61.52	33.93	31.64	31.35	28.79	74.89
4	72.31	40.97	37.67	37.43	34.32	88.10
5	80.45	48.02	43.69	43.50	39.85	97.94

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	40.56	31.72
3 Car	52.88	37.92
4 Car	60.29	43.64
5 Car	65.09	46.42
6 Car	70.97	59.95
1 Car Tilt	49.37	38.22

INTRASTATE WORK

Vehicle	Standing & Running Rate - Cents per kilometre \$
1 Car	73.82
3 Car	114.59
4 Car	127.24
5 Car	141.31
6 Car	147.51
1 Car Tilt	90.90

TABLE C (Including 2% Trailer Hire)

LOCAL WORK

Zone Rates per Car Carriage - Prime Mover & Tyres

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	30.88	48.96	65.38	80.95	89.09	35.67
2	46.67	72.82	92.63	111.63	122.21	53.87
3	59.84	91.94	114.42	137.81	151.19	69.06
4	70.35	111.03	136.21	165.23	180.18	81.20
5	78.23	130.15	158.00	192.11	209.17	90.32

Rate per Car Delivered

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
1	30.88	16.31	16.34	16.19	14.85	35.67
2	46.67	24.27	23.15	22.33	20.36	53.87
3	59.84	30.64	28.61	27.56	25.20	69.06
4	70.35	37.01	34.06	36.97	30.04	81.20
5	78.23	43.39	39.50	38.42	34.86	90.32

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	39.45	30.18
3 Car	47.76	37.46
4 Car	54.95	42.62
5 Car	57.49	44.63
6 Car	62.14	48.74
1 Car Tilt	45.54	34.86

INTRASTATE WORK

Vehicle	Cents per kilometre
1 Car	76.89
3 Car	110.58
4 Car	125.08
5 Car	137.22
6 Car	147.65
1 Car Tilt	88.02

TABLE D - (Including 2% Trailer Hire)

Port Kembla

Zone Rates per Car Carriage - Prime Mover

Zone 0	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	178.98	247.62	275.91	302.12	325.96	209.11
1	198.47	271.21	302.56	333.40	356.53	231.88
2	217.95	294.79	329.20	358.67	387.10	254.67
3	237.43	318.37	355.86	386.94	417.67	277.44
4	256.92	341.97	382.50	415.22	448.23	300.23
5	300.76	395.02	442.47	478.84	517.02	351.47

Rate per Car Delivered

Zone 0	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	178.98	82.54	68.97	60.43	54.33	209.11
1	198.47	90.40	75.64	66.08	59.43	231.88
2	217.95	98.27	82.31	71.73	64.51	254.67
3	237.43	106.12	88.96	77.38	68.63	277.44
4	256.92	113.99	95.63	83.05	74.70	300.23
5	300.76	131.67	110.62	95.77	86.17	351.47

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	38.97	30.21
3 Car	47.16	37.47
4 Car	53.30	42.63
5 Car	56.54	44.65
6 Car	61.13	48.79
1 Car Tilt	45.55	34.89

INTRASTATE WORK

Vehicle	Standing & Running Rates - Cents per kilometre
1 Car	75.09
3 Car	107.55
4 Car	119.08
5 Car	132.11
6 Car	142.02
1 Car Tilt	88.08

TABLE E**Port Kembla**

Zone Rates per Car Carriage - Prime Mover & Tyres

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	178.98	260.84	291.55	321.19	343.48	219.17
1	199.26	287.28	322.10	353.73	378.96	243.85
2	219.54	313.73	352.24	386.27	414.46	284.26
3	239.81	340.16	382.39	418.81	449.95	293.23
4	260.08	366.60	412.53	451.36	485.43	317.91
5	305.71	426.10	480.37	524.59	565.29	373.46

Rates Per Car Delivered

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	178.98	86.94	72.99	64.24	57.25	219.17
1	199.26	95.76	80.52	70.75	63.16	243.85
2	219.54	104.58	88.06	77.26	69.07	284.26
3	239.81	113.39	95.60	83.76	74.98	293.23
4	260.08	122.20	103.14	90.28	80.91	317.91
5	305.71	142.04	120.10	104.92	94.22	373.46

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	40.56	31.72
3 Car	52.88	37.92
4 Car	60.29	43.64
5 Car	65.09	46.42
6 Car	70.97	53.95
1 Car Tilt	49.37	38.22

INTRASTATE WORK

Vehicle	Standing & Running Rate - Cents per kilometre
1 Car	73.82
3 Car	114.59
4 Car	127.24
5 Car	141.31
6 Car	147.51
1 Car Tilt	90.90

TABLE F (Including 2% Trailer Hire)**Port Kembla**

Zone Rates per Car Carriage - Prime Mover & Tyres

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	182.13	253.01	286.58	311.20	335.94	208.96
1	201.85	276.88	313.82	339.95	367.01	236.40
2	221.58	300.77	341.07	368.69	398.08	266.81
3	241.30	324.66	368.31	397.44	429.15	277.29
4	261.02	348.53	395.56	426.19	460.46	300.06
5	305.39	402.27	456.87	490.86	530.14	351.30

Rates Per Car Delivered

Zone	1 Car Capacity \$	3 Car Capacity \$	4 Car Capacity \$	5 Car Capacity \$	6 Car Capacity \$	1 Car Tilt \$
Base Rate	182.13	84.34	71.64	62.24	55.98	208.96
1	201.85	92.29	78.45	67.98	61.17	236.40
2	221.58	100.26	85.27	73.74	66.35	266.81
3	241.30	108.22	92.08	79.48	71.52	277.29
4	261.02	116.18	98.89	85.24	76.71	300.06
5	305.39	134.09	114.21	98.17	88.35	351.30

Vehicle	Standing and Running Rate Per Hour \$	Standing Time Rate Per Hour \$
1 Car	39.45	30.17
3 Car	47.76	37.46
4 Car	54.49	42.62
5 Car	57.49	44.64
6 Car	62.14	48.74
1 Car Tilt	45.54	34.86

INTRASTATE WORK

Vehicle	Cents per Kilometre
1 Car	76.89
3 Car	110.58
4 Car	125.08
5 Car	137.22
6 Car	147.65
1 Car Tilt	88.02

5. Delete Schedule 2 - Procedure and Time for Adjustment of Rates and Amounts - Rates of Remuneration of the said determination and insert in lieu thereof the following:

SCHEDULE 2

Procedure and Time for Adjustment of Rates and Amounts

1. The Rates Prescribed in Schedule 1 May be Adjusted Each Year Upon Application to the Industrial Relations Commission of New South Wales.
2. Applications for adjustment shall be made by reference to the calculated weighted movements in the following benchmarks for each cost component, calculated as at the end of the September Quarter each year.

Component	Benchmark	Current Index	Current Weighting
Wages	Transport Industry (State) Award, Grade Three Transport Worker	\$656.70	42.63
Capital	ABS Consumer Price Index (CPI), Transportation Group, Motor Vehicles	295.30	16.99
Insurances	ABS CPI Financial and insurance services, Insurance Services	161.50	10.19
Registration	ABS CPI, Transportation Group, Other Motoring Charges	232.40	4.41
Repairs & Maintenance	ABS CPI, Transportation Group, Motor Vehicle Repair and Servicing	160.00	6.38
Tyres	ABS CPI, Transportation Group, Motor Vehicle Parts and Accessories	133.30	1.25
Fuel	AIP NSW State Average for the retail price of diesel fuel, Transportation Group, Automotive Fuel	263.30	15.84
Administration	ABS CPI, All Groups, Sydney	165.90	2.32
Total			100

3. Each cost component shall be re-weighted after each adjustment.
4. The Union, the Industry Principal Contractors, and their nominated representatives shall confer with a view to reaching agreement on any application for adjustment.
5. If the benchmark for the cost components of insurances, tyres, and repairs and maintenance increases between adjustments to the extent that it causes an increase to the total rates greater than 2 per cent, then an interim adjustment may be applied for.
6. Any variation to rates payable within this determination shall take effect not earlier than the first full pay period to commence on or after 13 August 2009. This shall not apply to any interim adjustment.
6. This variation shall take effect on and from the 13 August 2009.

P. J. CONNOR, Commissioner

WAREHOUSE EMPLOYEES' - GENERAL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C7144 published 25 September 2009

(369 I.G. 271)

(Nos. IRC 664 and 665 of 2009)

CORRECTION

1. Delete in Instruction 2 underneath Table (i) Adult Employees the words "May 2005 SWC adjustments" and substitute the following:

"June 2008 SWC adjustments"

G. M. GRIMSON *Industrial Registrar.*

Printed by the authority of the Industrial Registrar.

WIRE DRAWN FERRIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Ferrymen Pty Ltd.

(No. IRC 1309 of 2009)

Before Commissioner Connor

18 September 2009

VARIATION

1. Delete subclause 8.3 of clause 8, Wages of the award published 14 September 2001 (327 I.G. 802), and insert in lieu thereof the following:
 - 8.3 The rates of pay in this award include the adjustments payable under the State Wage Case 2009. 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	Former Rate Per Week \$	SWC - 2009 Per Week \$	Total Rate Per Week \$
Master Engine Driver	632.10	17.70	649.80
General Purpose Hand	619.40	17.30	636.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	New Amount \$
1	8.2.1	Continuous Shift (day, afternoon and night)	44.90
2	8.2.2	Two Shift Roster (day and afternoon)	38.35
3	9.2	Meal Allowance	12.30
4	9.2	Meal Allowance	10.25
5	19.2	Board and Lodging Allowance	436.10
6	19.2	Living expenses incurred in the case of broken parts of a Week	62.30
7	20.3	Fares and Travelling Allowances Engine Capacity (cc) Up to 1600 1601 to 2600 over 2600	63 cents per km 74 cents per km 75 cents per km

3. This variation shall take effect on and from the first pay period to commence on or after 24 September 2009.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

SERIAL C7270

**ENTERPRISE AGREEMENTS APPROVED
BY THE INDUSTRIAL RELATIONS COMMISSION**(Published pursuant to s.45(2) of the *Industrial Relations Act 1996*)**EA09/34 - Byron Shire Council Directors' Enterprise Agreement****Made Between:** Byron Shire Council -&- Mark Arnold, Ray Darney, Phillip Holloway, Philip Warner.**New/Variation:** New.**Approval and Commencement Date:** Approved and commenced 21 September 2009.**Description of Employees:** The agreement applies to employees employed by Byron Shire Council, classified DL1, DL2, or DL3, in Schedule 1, located at Mullumbimby NSW, who fall within the coverage of the Local Government (State) Award 2007.**Nominal Term:** 36 Months.**EA09/35 - Diocese of Lismore Care Services Enterprise Agreement 2009- 2011****Made Between:** Diocese of Lismore -&- the Health Services Union, New South Wales Nurses' Association.**New/Variation:** New.**Approval and Commencement Date:** Approved and commenced 31 August 2009.**Description of Employees:** The agreement applies to nurses, care services employees and other specified employees employed by the Roman Catholic Church for the Diocese of Lismore, located at 75, Magellan Street, Lismore, who fall within the coverage of the Nursing Homes &c., Nurses (State) Award and the Charitable Sector, Aged and Disability Care Services (State) Award.**Nominal Term:** 22 Months.

EA09/36 - Presbyterian Aged Care Enterprise Agreement 2009 - 2011

Made Between: Presbyterian Aged Care -&- the Health Services Union, New South Wales Nurses' Association.

New/Variation: Replaces EA07/17.

Approval and Commencement Date: Approved and commenced 31 August 2009.

Description of Employees: The agreement applies to nurses care service employees and other specified employees employed by the Presbyterian Aged Care, located at 168 Chalmers Street, Surry Hills 2010, who are performing duties within the scope of this Agreement and who fall within the coverage of the Nursing Homes, &c., Nurses' (State) Award and the Charitable, Aged and Disability Care Services (State) Award.

Nominal Term: 22 Months.

EA09/37 - Maintenance Employees Wild Dog Destruction Board Enterprise Agreement 2008

Made Between: Wild Dog Destruction Board -&- Alex Andriessen, Lloyd Cox, Simon Harvey, Larry Johnston, Daniel Mayo, Joseph Mayo, Leonard Mohr, Jennifer O'Neil, William O'Neill, Robert Simpson.

New/Variation: Replaces EA06/52.

Approval and Commencement Date: Approved 2 October 2009 and commenced 5 December 2008.

Description of Employees: The agreement applies to all maintenance employees employed by Wild Dog Destruction Board, located at Adelaide Road, Broken Hill NSW 2880.

Nominal Term: 36 Months.

EA09/38 - Wesley Mission Residential Aged Care and Villages Enterprise Agreement 2009 - 2011

Made Between: Wesley Mission -&- the Health Services Union, New South Wales Nurses' Association.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 2 October 2009.

Description of Employees: The agreement applies to nurses, care service employees and other specified employees employed by Leana Street Consulting for Wesley Mission, located at Level 4,845 Pacific Highway, Chatswood 2067, who fall within the coverage of the Nursing Homes &c. Nurses' (State) Award, and the Charitable, Aged and Disability Care Services (State) Award.

Nominal Term: 20 Months.

EA09/39 - City of Botany Bay Council Waste Services Enterprise Agreement 2009

Made Between: Botany Bay City Council -&- the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union.

New/Variation: New.

Approval and Commencement Date: Approved 13 October 2009 and commenced 30 June 2009.

Description of Employees: The agreement applies to employees engaged in the Waste Service Division employed by City of Botany Bay Council located at 14 Coward Street, MASCOT NSW 2020 who fall within the coverage of the Local Government (State) Award.

Nominal Term: 36 Months.

EA09/40 - Delta Electricity Employees Enterprise Agreement 2009

Made Between: Delta Electricity -&- the Australian Institute of Marine and Power Engineers New South Wales District, Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Construction, Forestry, Mining and Energy Union (New South Wales Branch), Electrical Trades Union of Australia, New South Wales Branch, New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales, The Association of Professional Engineers, Scientists and Managers, Australia (NSW Branch), The Australian Workers' Union, New South Wales, Unions NSW.

New/Variation: Replaces EA08/19.

Approval and Commencement Date: Approved 14 October 2009 and commenced 11 March 2009.

Description of Employees: The agreement applies to all employees except for Senior Executives who are employed by Delta Electricity, PO Box Q863, QVB NSW 1230 and who fall within the coverage of the Delta Electricity Employees Award 2005.

Nominal Term: 24 Months.

SERIAL C7240

**ENTERPRISE AGREEMENTS APPROVED
BY THE INDUSTRIAL RELATIONS COMMISSION**

(Published pursuant to s.45(2) of the *Industrial Relations Act 1996*)

Correction to Serial No. C7192 published 25 September 2009
(369 I.G. 279)

1. Delete EA09/29 and EA09/30, and substitute the following:

EA09/29 - UnitingCare Ageing Enterprise Agreement 2009-2011

Made Between: Uniting Care Ageing -&- the Health Services Union, and New South Wales Nurses' Association.

New/Variation: Replaces EA08/11.

Approval and Commencement Date: Approved 7 September 2009 and commenced 1 July 2009.

Description of Employees: The agreement applies to all employees employed by UnitingCare Ageing, located at Level 5, 222 Pitt Street, Sydney NSW 2000, who are engaged as nurses, care service employees and other specified employees who are performing duties within the scope of this Agreement, who fall within the coverage of the Nursing Homes, &c., Nurses' (State) Award and Charitable, Aged and Disability Care Services (State) Award.

Nominal Term: 24 Months.

EA09/30 - St Vincent's Private Hospital Lismore Nurses' Enterprise Agreement 2008-2011

Made Between: St Vincent's (Private) Hospital Lismore -&- the Health Services Union, and New South Wales Nurses' Association.

New/Variation: Replaces EA05/266.

Approval and Commencement Date: Approved and commenced 14 August 2009.

Description of Employees: The agreement applies to all nursing staff employed by St Vincent's Private Hospital Lismore, located at Dalley Street Lismore NSW 2480, who fall within the coverage of the Private Hospital Industry Nurses' (State) Award; excluding those nursing staff already employed by the employer under public sector conditions but paid as per the Private Hospital Industry Nurses' (State) Award. These employees shall however be bound by the rates of pay and allowances contained in the agreement; nursing staff employed by the employer under public sector conditions and rates of pay; and nursing staff employed by the employer who work at St Joseph's Aged Care Facility, Dalley Street, Lismore NSW 2480.

Nominal Term: 25 Months.