



Western Australian Industrial Gazette

PUBLISHED BY AUTHORITY

Sub-Part 2

WEDNESDAY 23 AUGUST, 2006

Vol. 86—Part 2

THE mode of citation of this volume of the Western Australian Industrial Gazette will be as follows:—

86 W.A.I.G.

THIS EXTRA SUB-PART IS PUBLISHED DUE TO THE STATE WAGE CASE GENERAL ORDER.
CUMULATIVE CONTENTS AND DIGEST APPEAR AT THE END OF THIS PUBLICATION

GENERAL ORDERS—

2006 WAIRC 04611

GENERAL ORDER TO VARY ALL AWARD RATES AND ALLOWANCES

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES

TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA

APPLICANT

-v-

MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, CHAMBER OF
COMMERCE AND INDUSTRY OF WESTERN AUSTRALIA

RESPONDENTS

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS (CTH)

INTERVENOR

AUSTRALIAN COUNCIL OF SOCIAL SERVICES, AUSTRALIAN YOUNG CHRISTIAN
WORKERS, COMBINED SMALL BUSINESS ALLIANCE OF WESTERN AUSTRALIA,
MR. MH DALE, UNITING CHURCH IN AUSTRALIA, WESTERN AUSTRALIAN
SYNOD, WESTERN AUSTRALIAN COUNCIL OF SOCIAL SERVICES

OTHER PERSONS

CORAM

CHIEF COMMISSIONER A R BEECH
SENIOR COMMISSIONER J F GREGOR
COMMISSIONER S J KENNER
COMMISSIONER J H SMITH
COMMISSIONER J L HARRISON

DATE

MONDAY, 26 JUNE 2006

FILE NO.

APPL 957 OF 2005

CITATION NO.

2006 WAIRC 04611

STATEMENT

- 1 I am pleased to announce that all five members of this Commission in Court Session are agreed. We are conscious that this is the first occasion for twenty-five years when we are asked to increase the award minimum wage and associated wage rates in the absence of a national wage decision.
- 2 We consider we have ample evidence and material before us to enquire into and deal with the claim. We have taken the step of inviting submissions either in writing, by e-mail or in person from the community. We commissioned a report from Professor David Plowman regarding the effects of past minimum wage adjustments on the State's economy. We have found the material presented to us more than adequately provides us with the information we need to make a reasoned and considered decision.
- 3 We do not accept the submission of the Commonwealth and the CCIWA that we should await the decision of the AFPC expected in the spring. One of the principal objects of the Act in section 6(ca) is to provide a system of fair wages and conditions of employment. We are to do so for the employees and those employing them that are within the coverage

of the Commission's jurisdiction. Those employees and employers will not be affected by an eventual determination of the AFPC. We consider it is inconsistent with the Commission's statutory duty, including the duty under section 22B of the Act to act with as much speed as the requirements of the Act and a proper consideration of the matter before it permit, to adjourn to an unspecified date in the future to await a determination which will have no direct effect upon the employees and their employers who remain within the Commission's jurisdiction.

- 4 We find that approximately 40% of the State's workforce remains within the Commission's jurisdiction; some of those are presently bound by a federal award or agreement and may return to the State system. Ultimately, we find that the State system still covers employees in almost every sector in the State other than the mining, power and water supplies and communications sectors.
 - 5 The claim before us is for a percentage increase. We find that a flat rate increase achieves the best outcome in terms of targeting those people who will benefit most from the decision.
 - 6 We note that some twelve months have passed since the last general wage adjustment in WA. We have also taken into account that notwithstanding the economic information before us showing unprecedented levels of growth for a sustained period of time, together with positive economic forecasts for the foreseeable future, there will be businesses on the margin of profitability for which any increase in award wage levels may cause financial difficulty.
 - 7 However, we are satisfied from the evidence before us that there are employees now who are unable to bargain for wage increases based upon either maintaining the purchasing power of their wages or assisting in changes in the workplace to make enterprises more productive.
 - 8 The economic material before the Commission, which was not disputed by any person appearing, provides a sound basis for the determining whether employees in this State who are award-dependent and who have not been able to negotiate a wage increase should now have their wages increased. Against the background of the State's final demand and its forecast for the future, fairness and a consideration of the labour-related economic data supports a positive conclusion.
 - 9 The task of determining the increase to be granted is not a mathematical exercise. Whilst we appreciate the assistance given to us from the submissions and evidence before us, the Commission is not restricted to the specific claim made and is to act according to equity, good conscience and the substantial merits of the case. This is not simply the result from an adversarial procedure but rather from an inquiry by the five members of this Commission in Court Session into the matter before it under legislation which has as its objects, relevantly:
 - the promotion of goodwill in industry and enterprises within it,
 - to promote equal remuneration for men and women for work of equal value;
 - to encourage employers, employees and organisations to reach agreements appropriate to the needs of enterprises within industry and the employees in those enterprises; and
 - to provide a system of fair wages and conditions of employment.
 - 10 We consider our task includes, ultimately, deciding what is fair without setting a level of minimum wage that acts to prevent those seeking work from finding it. Account needs to be taken generally of the capacity of employers and industry to pay that increase. We need to be conscious that not all industries outside the mining sector are necessarily profitable although no single employer, group of employers or employer association has objected to the granting of an increase.
 - 11 The increase to be granted should not discourage enterprise agreement making by the size of the increase to award rates. The safety net increases in the past have not done so. We have decided that fairness to those employees and employers directly affected by the outcome of these proceedings warrants an increase which maintains as far as possible the real value of wages and not add to the potential inflationary pressures upon the State's economy.
 - 12 In the context of all of the foregoing, and in equity, good conscience and the substantial merits of the case, we have decided to increase the award adult full time minimum wage, award wage rates and associated allowances by \$20.00 per week. In the context of the previous increases which have occurred in recent times and the very strong economy in this State, that increase is modest. On the evidence, it will be economically insignificant. There is no evidence that such an increase will impact unfairly on small business. We consider it will be within the capacity of employers generally and individually to pay.
 - 13 We also consider that the resulting minimum wage of \$504.40 is both fair and sustainable. The full increase will apply only to employees who are paid the award wage; any wage paid over that award rate is able to be used to offset the increase.
 - 14 The state of the economy is such that the increase we propose is most likely to have a negligible effect on the exceptionally low level of unemployment in the present economic circumstances.
 - 15 The increase will operate on and from 7 July 2006.
 - 16 The present State Wage Principles will be rescinded and re-made and will continue in their usual form until reviewed in the future to see whether they remain appropriate.
 - 17 We propose to give effect to our Decision by issuing a General Order which will:
 - (a) Rescind the General Order 576 of 2005 and its accompanying Statement of Principles.
 - (b) Make a General Order and accompanying Statement of Principles.
 - 18 Our written Reasons and a Minute of the proposed order now issue. We ask that you inform us by 4.00 pm on the 27th June whether you require an opportunity to speak to the minutes. Any speaking to the minutes will be in writing.
-

2006 WAIRC 04608

GENERAL ORDER TO VARY ALL AWARD RATES AND ALLOWANCES

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES

TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA

APPLICANT

-v-

MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, CHAMBER OF
COMMERCE AND INDUSTRY OF WESTERN AUSTRALIA**RESPONDENTS**

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS (CTH)

INTERVENORAUSTRALIAN COUNCIL OF SOCIAL SERVICES, AUSTRALIAN YOUNG CHRISTIAN
WORKERS, COMBINED SMALL BUSINESS ALLIANCE OF WESTERN AUSTRALIA,
MR. MH DALE, UNITING CHURCH IN AUSTRALIA, WESTERN AUSTRALIAN
SYNOD, WESTERN AUSTRALIAN COUNCIL OF SOCIAL SERVICES**OTHER PERSONS****CORAM**CHIEF COMMISSIONER A R BEECH
SENIOR COMMISSIONER J F GREGOR
COMMISSIONER S J KENNER
COMMISSIONER J H SMITH
COMMISSIONER J L HARRISON**HEARD**MONDAY, 30 JANUARY 2006, THURSDAY, 6 APRIL 2006, MONDAY, 22 MAY 2006,
TUESDAY, 23 MAY 2006,
WEDNESDAY, 24 MAY 2006**DELIVERED**

MONDAY, 26 JUNE 2006

FILE NO.

APPL 957 OF 2005

CITATION NO.

2006 WAIRC 04608

CatchWords	General Order – Award rates of wage – Award minimum wage – Arbitrated Safety Net Adjustment – State wage principles – coverage of jurisdiction – <i>Industrial Relations Act 1979</i> s.6, s.22B, s.26(1)(d), s.50(2), s.50(10), s.51(3)
Result	General Order issued
Representation	
Applicant	Ms. J. Boots, of counsel
Respondents	Ms. J. Gardner and Mr. M. Hammond on behalf of the Minister for Consumer and Employment Protection Mr. D. Jones on behalf of the Chamber of Commerce and Industry of Western Australia, Inc.
Intervenor	Mr. S. Amendola, of counsel on behalf of the Commonwealth Minister for Employment and Workplace Relations
Other Persons	Mr. M. Cox, of counsel on behalf of Uniting Church in Australia, Western Australian Synod

Contents

	<i>Page</i>
<u>List of Main Abbreviations</u>	4
<u>Outline of Submissions Made to the Commission</u>	8
<u>Trades and Labor Council</u>	9
<u>Minister for Consumer and Employment Protection</u>	11
<u>Australian Young Christian Workers</u>	13
<u>Western Australian Council of Social Services</u>	14
<u>Social Justice Commission, Uniting Church in Australia, Western Australian Synod</u>	15
<u>Mr MH Dale</u>	17
<u>Combined Small Business Alliance of Western Australia Inc</u>	17
<u>Commonwealth Minister for Employment and Workplace Relations</u>	18
<u>Chamber of Commerce and Industry of Western Australia</u>	20
<u>Plowman Report</u>	21
<u>Consideration</u>	23
<u>Should We Adjourn to Await the AFPC?</u>	24
<u>Coverage of Commission's Jurisdiction</u>	26
<u>Percentage or Flat Increase</u>	29

<u>The Claim - Statutory Obligations</u>	34
<u>The State of the National Economy</u>	34
<u>The State of the Economy of Western Australia</u>	36
<u>Capacity of Employers as a Whole or of an Individual to Pay</u>	38
<u>The Likely Effects of the Decision on the National and State Economies</u>	43
<u>Any Changes in Productivity that Occurred or are Likely to Occur</u>	45
<u>The Need to Facilitate the Efficient Organisation of Performance of Work</u>	45
<u>The Need to Encourage Employers, Employees and Organisations to Reach Agreements Appropriate to the Needs of Enterprises and the Employees in those Enterprises</u>	45
<u>Conclusions</u>	46
<u>The State Wage Principles</u>	51
<u>Minute of Proposed Order</u>	58

List of Main Abbreviations

In this decision the following abbreviations are used:

ABS:	Australian Bureau of Statistics
ACOSS:	Australian Council of Social Services
ACR:	Accommodation, Cafes and Restaurants
Act:	<i>Industrial Relations Act, 1979</i>
ACTU:	Australian Council of Trade Unions
AFPC:	Australian Fair Pay Commission
AMMA:	Australian Mines and Metals Association Inc
AIRC:	Australian Industrial Relations Commission
AYC:	Australian Young Christian Workers
CCIWA:	Chamber of Commerce and Industry of Western Australian
Commonwealth:	Minister for Employment and Workplace Relations
CPI:	Consumer Price Index
CSBAWA:	Combined Small Business Alliance of Western Australia
GMI:	Gross Mixed Income
GOS:	Gross Operating Surplus
LPI:	Labour Price Index
MTAWA:	Motor Trades Association of Western Australia Inc
POS:	Personal and Other Services
Real GDP:	Real Gross Domestic Product
SJC:	Social Justice Commission, Uniting Church in Australia, Western Australian Synod
State Minister:	Minister for Consumer and Employment Protection
TLC:	Trades and Labor Council
WACOSS:	Western Australian Council of Social Services
WASBEA:	Western Australian Small Business and Enterprise Association Inc
WPI:	Wage Price Index
WRA:	<i>Workplace Relations Act, 1996</i>

Reasons for Decision

- 1 This is our unanimous decision. On 10 November 2005 the Trades and Labor Council ("TLC") lodged an application for a General Order pursuant to section 50(2) of the *Industrial Relations Act, 1979* ("the Act"). The TLC's application seeks a 4% increase to all award wage rates and related allowances, and that the minimum adult award wage be increased to \$503.80 per week, from 7 July 2006. The application seeks to amend the State Wage Principles in order to give effect to these changes.
- 2 The application was served upon the Minister for Consumer and Employment Protection ("State Minister"), Chamber of Commerce and Industry of Western Australia, Inc. ("CCIWA") and Australian Mines and Metals Association, Inc. ("AMMA").
- 3 On 13 January 2006 the Commonwealth Minister for Employment and Workplace Relations ("the Commonwealth") made an application seeking leave to intervene in these proceedings. On 30 January 2006 a hearing was conducted to deal with the application to intervene. On 7 March 2006 a Statement and Reasons for Decision were issued by the Commission in Court Session granting the Commonwealth limited leave to intervene ((2006) 86 WAIG 408, 2006 WAIRC 03884). Directions were also issued on this date programming the hearing of the application ((2006) 86 WAIG 414, 2006 WAIRC 03885).

- 4 A notice was placed on 10 and 15 March 2006 in *The West Australian* and on 12 March 2006 in *The Sunday Times*. This notice published the Directions and invited any interested persons to make submissions either in person or in writing.
- 5 On 14 March 2006 the Commission also sent copies of the notice to Anglicare WA, Centacare Employment and Training - Perth, Salvation Army, St. Vincent de Paul Society WA Inc, The Samaritans, UnitingCare, WA Council of Social Services ("WACOSS"), Activ Foundation Inc, Mission Australia, Welfare Rights and Advocacy Service, Women's Electoral Lobby WA Inc, Western Australian Farmers Federation, The WA Retailers Association Inc, WA Small Business Association, WA Hotels and Hospitality Association Inc - Union of Employers, Motor Trade Association of Western Australia Inc ("MTAWA"), Housing Industry Association, Combined Small Business Alliance of Western Australia Inc ("CSBAWA") and Western Australian Small Business and Enterprise Association Inc ("WASBEA") inviting them to present a submission.
- 6 The following persons replied in response to the notice and the Commission's invitation: CSBAWA, WASBEA, MTAWA, Mr MH Dale from Albany, WACOSS, Social Justice Commission, Uniting Church in Australia - Synod of Western Australia ("SJC") and the Australian Young Christian Workers ("AYCW"). WASBEA subsequently advised the Commission that it withdrew.
- 7 The Commission convened on 6 April 2006 to decide whether the persons who had replied did have a sufficient interest in the application pursuant to section 50(10) of the Act to be given an opportunity to be heard. It has been twenty-five years since this Commission was asked to award an increase to the award minimum wage and to award wages in the absence of a corresponding National Wage Decision. The Commission wished to hear a wide range of community views. It decided on this occasion that all persons who replied demonstrated that they had a sufficient interest and they were given the opportunity to place their submissions and materials before us.
- 8 The Commonwealth renewed its application to intervene pursuant to section 30(2) of the Act and this was granted on the basis of the Commonwealth's interest in the national and State economies.
- 9 On 3 April 2006 the AMMA wrote to the Commission advising that it did not intend to participate any further in this matter due to the composition of their membership and the effect of the amendments to the *Workplace Relations Act 1996* (Cwth) ("WRA") by the Work Choices legislation. On 24 April 2006 the MTAWA wrote to the Commission seeking leave to withdraw from its participation in this matter due to other commitments.
- 10 On 1 May 2006 and then 10 May 2006 Further Directions were issued (86 WAIG 1159, 2006 WAIRC 04265 and 86 WAIG 1160, 2006 WAIRC 04325) that amended particular dates in the Direction that was issued on 7 March 2006.
- 11 On 22 May 2006 Mr. MH Dale wrote to the Commission withdrawing from this matter.
- 12 All persons were given the opportunity to make oral submissions and present evidence to the Commission at public hearings on 22, 23 and 24 May 2006. The TLC, State Minister, SJC, the Commonwealth and CCIWA appeared; CSBAWA, WACOSS and AYCW relied upon their written submissions.
- 13 In accordance with Direction 8 of the Directions issued on 7 March 2006 (referred to above in paragraph 3), parties were able to lodge their submissions on the Commission's website. The Commission scanned all written submissions and materials and placed them onto the website. The website was made accessible to the public at the commencement of the public hearings on 22 May 2006.
- 14 Further, the entire hearings on 22, 23 and 24 May 2006 were streamed live over the internet. It is the first time in the Commission's history that the technology has been available for this to occur. The hearings of the Commission are open to the public as a matter of course (section 27(1a) of the Act). The streaming of the hearing, given the importance to the community of WA of setting the award minimum wage and award wage rates, gave access to the public at large and demonstrated to the community the transparency of the Commission's process.

Outline of Submissions Made to the Commission

- 15 The Commission has received comprehensive written submissions and supporting materials relating to the claim before it. Below are outlines of these submissions.

Trades and Labor Council

- 16 The TLC states that its claim seeks to ensure that all WA employees within the jurisdiction of the Commission have access to a fair safety net of wages. This should be done by way of a General Order amending all awards, not on an award-by-award basis. It seeks any increase in award rates to be subject to absorption in the same terms as previous State Wage Decisions. The TLC stressed that one of the principal objects of the Act is "to provide a system of fair wages and conditions of employment" (section 6(ca)). The objects also require the Commission to facilitate the efficient organisation and performance of work according to the needs of an industry and enterprises within it, balanced with fairness to the employees in the industry and enterprises. The TLC referred the Commission to previous decisions where it has recognised the need to give consideration to social as well as economic factors, and the needs of the low paid.
- 17 The TLC submits that an increase that would constitute a significant further reduction in the minimum wage relative to average weekly earnings would not be considered fair. It submits that the evidence before the Commission shows that it is more difficult for award wage earners to rely on bargaining because of a lack of bargaining power; that award wage increases do not reduce or eliminate the incentive to bargain; and that award wage earners have needs associated with the costs of living. It seeks an amendment to the State Wage Principles to the extent necessary to effect a 4% award wage increase.
- 18 The TLC submits that WA is experiencing robust economic conditions with growth that continues to exceed expectations. It refers to the WA Economic Summary for Spring 2005 produced by the Department of Treasury and Finance. The TLC took the Commission in considerable detail to the economic data available showing the state of the national and State economies. We refer to this data subsequently in our findings.

- 19 The TLC submits that the Wage Price Index ("WPI") is the appropriate indicator to use for measuring the fairness and economic impact of the TLC's application. It referred to the Australian Industrial Relations Commission ("AIRC") having highlighted the benefits of the WPI as compared to other measures of wage movements as an indicator of wage movements for the purpose of determining the Safety Net Review decision. The claim, at 4%, is conservative being less than the current rate of the WPI which is 4.2% to the December quarter 2005 in WA, and 4.1% for Australia. Total hourly rates of pay excluding bonuses for all employees increased to 4.2% over the year to the December quarter 2005.
- 20 The TLC submits that from September 2001 to September 2005 the annual percentage change in real unit labour costs has averaged -1.2%; real unit labour costs fell by 2.1% for the year to September 2005, which means that productivity is growing faster than real labour costs. The TLC submits that employee bargaining agreements increased 4.5% for the December quarter 2005. The TLC adopted the recent economic data presented by the State Minister following the publication of the State budget papers in the week before the hearing commenced. It concludes that its claim for a 4% increase in award rates is moderate and reasonable given the trend in wages growth.
- 21 The TLC also submits that increasing minimum award rates will have an important influence on the gender pay gap which in WA in 2005 was 24.7% whereas the national figure was 16.7%. Effective implementation of minimum wage protection was referred by the TLC as being critically important for gender pay equality. The TLC made an extensive submission regarding indicators of living standards from the Household Expenditure Survey of the Australian Bureau of Statistics ("ABS").
- 22 The TLC referred to unpublished ABS data from the Employee Earnings and Hours May 2004 Survey in WA (ABS Cat. 6306.0) and concluded that 40.1% of WA employees will remain within the State jurisdiction. The TLC presented a table (Table 6.1) showing that for Australia as a whole, the coverage of the federal jurisdiction was 76.3% and in Western Australia, the coverage of the federal jurisdiction was 59.9%. Correspondingly, coverage of the State jurisdiction after Work Choices on these figures was 40.1%. The TLC noted that the estimate of 40.1% is likely to be an over-estimate in that there will be non-constitutional corporations remaining in the federal system under the transitional provisions of the WRA.
- 23 The data also showed that in WA, 12.59% of all workers are award-dependent. Further, 8.05% of all WA workers who are award-dependent are employed by unincorporated businesses and these employees are the major subject of the TLC's application; 98.69% of all award-dependent employees are found in the private sector. Almost half of unincorporated employing businesses are concentrated in retail trade (17.8%); agriculture, forestry and fishing (15.7%) and property and business services (15.2%). These industries however only account for less than a third of all private sector employed persons.

Minister for Consumer and Employment Protection

- 24 The State Minister submits the appropriate quantum is a \$20.00 per week wage increase with award wage rates for other classifications of employees to be increased in an appropriate proportion best determined by the Commission having regard to award relativities. The only changes necessary to the State Wage Principles are to Principles 8 (Arbitrated Safety Net Adjustments) and 9 (Minimum Wage).
- 25 The State Minister considers that it is inappropriate for the Commission to assign any significant weight to the state of the national economy or to the impact of any decision of this Commission on the national economy. This is because the potential effect of the Commission's decision is limited to the WA economy and to those employers who are not constitutional corporations or otherwise brought within the scope of the federal system under the definition of "employer" in the WRA who are not already bound by a federal industrial instrument.
- 26 The State Minister estimates that approximately 60% of WA employers fall within the scope of the WRA and 40% of WA employers remain within the State system. This coverage may be centralised in several sectors of the workforce. Relying on the Federal Government's 1996 *Breaking the Gridlock* papers, federal coverage would be relatively low in the accommodation, cafes and restaurants, educational and personal and other services sectors. Sectors such as mining, manufacturing, wholesale trade, transport and storage, communication services, finance and insurance sectors, will be almost exclusively under the WRA.
- 27 Correspondingly, employees remaining within the State system are most likely to be paid wage rates set by awards. The State Minister places emphasis on female employees as being more likely to be more reliant on award rates of pay and have less bargaining power to negotiate above-award rates of pay. These are reasons supporting a submission that an increase in state award rates of pay is necessary to maintain the living standards of award-reliant employees.
- 28 The State Minister states that there are 322 awards that could be affected by this application. Sixty-four specifically apply to cover the majority of the WA Public Sector. Agreement making has historically been approximately 270 agreements per year for the last five years. Recent data suggests that 276 agreements were entered into during the 2005 calendar year. The number of employees becoming covered by agreements was 26,000, when the average is approximately 35,000; the downturn is likely to be due to the cyclical nature of agreement making, the gradual migration of employers and employees towards the federal jurisdiction and confusion resulting from the pending introduction of Work Choices.
- 29 The State Minister presented a comprehensive analysis of the State economy in Attachment D to the written submissions. In the written submissions in reply, the State Minister attached Chapter 5 of the 2006-07 Budget Paper No. 3 (Economic and Fiscal Outlook) which was part of the budget analysis recently delivered by the State Government.
- 30 The State Minister also presented evidence from Ms Nicola Cusworth, the Director, Economic Policy within the Department of Treasury and Finance. Ms Cusworth gave a most comprehensive and detailed overview of the national and State economies. The Commission wishes to record the considerable assistance that she has given to the Commission in both the evidence which she gave and also her accurate and detailed responses to any questions or issues raised by the Commission. Her evidence, and the Economic and Fiscal Outlook are referred to later in these Reasons.

- 31 The State Minister reiterates that WA is currently experiencing extremely robust economic conditions, the likes of which have not been seen for many years. These include historically low unemployment, high participation rates, solid jobs growth, substantial infrastructure investment and a historic commodities boom. The State Minister observed that no party to these proceedings is seeking to deny the strong economic outcomes WA is currently enjoying nor the solid labour market statistics presented to the Commission.
- 32 The State Minister submits that a wage increase of \$20.00 per week is both sustainable and necessary to ensure that award-reliant employees are able to share in the State's prosperity and maintain their living standards. The State Minister also submits that it is fair and appropriate for any General Order which issues in this matter to take effect from 7 July 2006, a date twelve months since the previous decision of the Commission under section 51 of the Act which implemented in awards in this State the 2005 Safety Net Decision of the AIRC.

Australian Young Christian Workers

- 33 The AYCW is a movement that educates, represents, and provides services for, young adults. It is autonomously run by, for and with young workers. The term "workers" is not limited to only paid employees but also unemployed workers, voluntary or unpaid workers, university students, those workers in further training and anyone else who fits this definition.
- 34 In its submission, AYCW predominately presents statistics and situations of young people aged 15 to 24 years. Referring to ABS statistics, AYCW estimates that 14% of the State's total population are young people aged 15 to 24 years. 55.5% of these are employed in some capacity. A high proportion are employed on a part time basis and some are employed on a casual basis. 31% are employed in the retail industry; 10% are employed in the hospitality industry. They are employed in small businesses in low skilled positions earning minimal weekly wages. Many young people will remain under, and continue to heavily rely on, the State award system and State minimum wage. The AYCW strongly supported a 4% increase to the minimum state award wages and allowances. It considered that young people are amongst the most vulnerable in WA's workforce because of an increasing occurrence of individual contracts, lack of bargaining skills and "the impossible situations of intimidation" in negotiating such contracts.
- 35 The AYCW makes the point that an extreme increase in minimum wages and allowances would be detrimental to youth employment because youth employment is vulnerable to any increase in minimum wages. However, it is the AYCW's understanding that a 4% increase is economically sound and sustainable given the current state of the WA economy. Therefore, AYCW believes that the 4% rise will be a moderate increase to the current minimum award wages and allowances and this alleviates any concern that it has that young people will be vulnerable to job losses.

Western Australian Council of Social Services

- 36 WACOSS submits that it is the peak body of the community services sector in WA. It is part of a national network consisting of Australian Council of Social Services ("ACOSS") and the State and Territory Councils of Social Service who assist low income and disadvantaged people, Australia-wide. ACOSS regularly intervenes in the National Wage Case on behalf of low income earners Australia-wide. It supports more than 350 member agencies and individuals and works with and represents a range of agencies including emergency relief agencies, financial counsellors, neighbourhood centres, community legal centres, large church-based welfare organisations, disability service organisations and housing and crisis accommodation services.
- 37 WACOSS supports the application made by the TLC and states that a 4% increase in the minimum wage will go some way to ensuring that the strong economic growth currently being experienced in WA flows on to provide strong social outcomes for the lowest paid workers in this State. Its submission was supported with research into the experience of community service agencies providing services for disadvantaged people, the phenomenon of "working poor", income inequality, rises in the cost of living, minimum wages and work incentives and determining a fair minimum wage. This research has been given detailed consideration by the Commission. Necessarily, only part of it is able to be referred to in these Reasons.
- 38 WACOSS considers that decent minimum wages provide a critical "floor" for the incomes of many low income households. People experiencing "working poverty" are likely to be those who are most reliant on award wages. WACOSS submits that the cost of living has risen much more sharply than has been measured by the Consumer Price Index ("CPI") because research by the St Vincent de Paul Society found that falls in the price of luxury items have caused a fall in the CPI giving a false sense of the cost of living for low income earners, particularly in housing.
- 39 WACOSS repeated in its submission the position of ACOSS to the 2005 National Wage Case that a benchmark for the adequacy of minimum wages should be objectively constructed using contemporary social research methods tested against indicators of actual living standards and set at a level that enables a single adult living alone to live in "modest comfort" and participate fully in society in accordance with contemporary community standards. A 4% increase in the minimum wage would go some way to ensuring that the strong economic growth currently being experienced in WA flows on to provide strong social outcomes for the lowest paid workers in the State.
- 40 In an appendix to its submission, WACOSS attached a number of documents. We have considered these and we record our appreciation of the comprehensiveness of the material provided by WACOSS.

Social Justice Commission, Uniting Church in Australia, Western Australian Synod

- 41 The Social Justice Commission submitted that having regard to the "V8" WA economy in particular, the strong national economy in general, the needs of low income and award-dependent earners and the experience of the Church's social welfare services, that the wage claim of 4% increase is very modest, is within the capacity of employers and the economy to absorb and modestly assists those affected to keep up with average wage increases of income earners and increases in the cost of living. The submission stated that the minority of employees to whom the order to issue will directly apply represents the most vulnerable sectors of the community and are predominantly female.

- 42 The SJC states that its position, role and experience within the community, particularly in WA, demonstrates the crucial need for a minimum wage increase as a matter of fairness, human rights and social cohesion. The position of the Church, as expressed in papers and statements made by it demonstrated the Church's position in relation to current industrial matters. Its experience was set out in the Wesley Mission Perth Annual Report 2005, extracts of which were contained within the submission. The SJC quoted from the "low paid project", a research organisation funded by the Australian Research Council, union bodies and the Brotherhood of St Laurence, examining the effects of low pay on workers and their households.
- 43 In additional oral submissions, Mr Cox, of counsel, argued that the Commission should not defer its decision in this matter as requested by the Commonwealth and CCIWA. Mr Cox submitted that the cost of living in WA has increased faster than elsewhere. He submitted that the claim involved a gender issue and that the increase should be paid as soon as possible. He stated that even the Commonwealth does not say that the economy cannot afford the increase and that therefore its impact on the economy cannot be significant. He emphasises the Church's view that a 4% increase is both modest and moderate. Evidence was called from Rosemary Miller, the Social Justice Consultant to the SJC. Ms Miller is responsible for research, policy development and advocacy in issues relating to prisons, the legal justice systems, post release support programmes, refugees and new migrants, mental health, gender and sexual equality, social justice, human rights and peace.
- 44 Ms Miller's evidence is that while the economy, particularly the WA economy, is apparently booming and upper echelons of the community are doing very well, the more marginalised and economically vulnerable sections of the community that the Church deals with are increasingly struggling and the burdens on church social welfare services are growing. Ms Miller's opinion was that if the claim is granted it will allow employees to keep up with average increases and make it easier for lower income earners in the present difficult climate to keep up with the cost of living. The claim is seen by her as being important for those with little or no bargaining power in relation to working wages and conditions and those on low incomes.
- 45 In addition to her written statement, Ms Miller also gave oral evidence before the Commission. She spoke of the work of the Church in providing assistance to persons on low income and the low-waged. She spoke of single-income households using credit for day-to-day expenses. Refugees are also typically in the low paid/unskilled areas of employment and have difficulty in speaking the language and bargaining for employment conditions. She spoke of the impact of the increasing price of fuel, the impact of the current rental market and of young people in vulnerable positions.

Mr MH Dale

- 46 Mr Dale's written submission was subsequently withdrawn by him, but at the conclusion of the proceedings. His submission had been before us during the proceedings and the Commission has taken into account his views that an increase in wages will carry over to price increases for the general public which includes a widespread, mostly hidden, underclass of financially-struggling people. The more expensive it becomes to employ people, the more employers have to try to do without them. He submitted that wage increases cause hardship for welfare organisations who have to employ paid staff for themselves. Mr Dale submitted that it is hardly the responsibility of employers to make up the cost of living increases for their employees. Mr Dale attached an enclosure regarding what he described as impositions on employers.

Combined Small Business Alliance of Western Australia Inc

- 47 CSBAWA submitted that the Commission should delay delivering its decision until after the Australian Fair Pay Commission ("AFPC") hands down its determination and that the Commission have regard for that determination. It is CSBAWA's considered judgment that the Work Choices amendments present the Commission with an "interesting conundrum" in that the only employers over which the Commission has jurisdiction are ostensibly the public sector and non-registered corporations in the private sector, those being small business. CSBAWA states that government agencies themselves estimate that small business employs approximately 50% of the private sector workforce and that this is significant to the economy of WA. CSBAWA then posed a number of questions about how the Commission will differentiate in its determination between registered and non-registered corporations; how does the TLC present before the Commission representing employees of employers that are both registered and non-registered corporations and where the substantial majority of employees of small business employers are not members of a union? How will the Commission differentiate between registered and non-registered corporations in its determination of the TLC's submissions? It concluded that the Commission retained an important role in influencing consequential amendments to the Act and its determination of the issues which CSBAWA has raised in its submissions. CSBAWA otherwise supported and adopted the submissions of other employer organisations insofar as any of those submissions or any parts of them are not in conflict with CSBAWA's own submissions.

Commonwealth Minister for Employment and Workplace Relations

- 48 The Commonwealth submitted that the TLC application, if granted in its present terms, could have the effect of undermining a national approach to minimum wage fixation and the intent of the WRA as amended by Work Choices. It says granting the application could be the first step to increasing minimum wage differentials that would become more and more divergent over time. A nationally consistent approach to minimum wage fixation is highly desirable and there is nothing in the Work Choices reforms that undermines a nationally consistent approach to minimum wage fixation. The Commonwealth maintains that an appropriate course of action is for the Commission to hear the evidence and defer a decision on this application until it has had the opportunity to consider the deliberations and determinations of the AFPC in spring 2006.
- 49 The Commonwealth expanded on its submissions. It presented material on the AFPC, its legislative charter and its present establishment. It submitted that the reforms move away from an adversarial system of minimum-wage setting to a more consultative approach more closely aligned with minimum-wage setting practice of other OECD countries. It

submitted that the AFPC is primarily concerned with questions of fairness: hence its title. The AFPC presents a significant improvement in terms of fairness because it explicitly references the employment needs of those most disadvantaged in the labour market: the unemployed.

- 50 The Commonwealth made submissions regarding the coverage of the Commission's jurisdiction. It too presented tables extracted from the ABS survey previously referred to by the TLC. The Commission expresses its appreciation to the Commonwealth for the material in Tables 3.1, 3.2, 3.3 and Exhibit CG1. The Commission recognises that the data cannot tell the Commission precisely what proportion of employees of unincorporated enterprises is within its jurisdiction and what proportion remains in the AIRC jurisdiction for the transitional period of five years.
- 51 The Commonwealth submitted that the TLC's submission lacks the detail of the material that has traditionally been put before the AIRC and is wholly inadequate for an application that seeks a wage increase in the absence of a national decision. The Commonwealth contends the TLC costings are inadequate in that they consider the macro impact of the claim on aggregate wages and CPI on the whole of the WA economy. However, it says the TLC's claim will mainly impact on the retail, accommodation, cafes and restaurant sectors of the WA labour market. The Commonwealth says the TLC's macro economic analysis says very little about the sectors affected by this claim. Further it says an appropriate costing would focus on the impact of the competitiveness and effective operation of these businesses and employment opportunities for employees in these enterprises.
- 52 In the Commonwealth's view, granting the claim would put employers affected by the claim who are in the same industries as industries in the federal jurisdiction at a competitive disadvantage compared to those employers in the federal jurisdiction. It is contended that there is nothing in the Act which would present the Commission from waiting for the few months until the AFPC's decision, thus lessening the risk to WA employers. It is conceded however that a corresponding competitive disadvantage could also arise if the AFPC was to award an increase in rates in minimum pay prior to this Commission considering an increase in minimum wages. It is also conceded that there is nothing in the WRA that seeks to ensure national consistency in the setting of wages.
- 53 The Commonwealth referred to historical studies set out in the State Minister's written submissions that support the proposition that unemployment will result in a group of vulnerable employees as a result of any increase in minimum wages. The Commonwealth however also pointed out that the State Minister's submissions say that there may be equity gains that compensate for loss of employment. In particular that a minimum wage helps to ensure that employers do not exploit workers when in a position of power, and may help to prevent the wage differential between the highest and the lowest paid from widening.

Chamber of Commerce and Industry of Western Australia

- 54 The CCIWA does not dispute the economic rationale upon which the submissions of both the TLC and the State Minister are based. It states that it is not possible to deny the economic fact that the WA economy is currently growing at a yearly rate which is at least treble that of the Australian economy as a whole.
- 55 Nor is the CCIWA opposed to employees sharing in the benefits of the economic rewards of a productive economy. Rather, those rewards should be negotiated at the enterprise level to take account of the needs of the individual business enterprises consistent with the objects of the Act. In the alternative, Safety Net Adjustments should be made within a national framework of minimum wage increases determined by the AFPC. To act now, without the advantage of the AFPC determination, may mean the decision of the Commission is out of step with future federal increases thus creating a wage rate disparity and consequential harm to WA employers who may suffer economic disadvantage.
- 56 CCIWA pointed to the history of recent wage fixation in this State which assured WA employees bound by the Commission's awards a minimum wage growth commensurate with those minimum wage increases afforded to employees bound by federal awards: consistent and equal minimum wage growth throughout Australia. This outcome should be the goal of the statute, and the Commission. In the view of the CCIWA, the charter of the AFPC is not substantially different from that which preceded the Work Choices legislation.
- 57 CCIWA similarly referred to the data presented to the Commission by the Commonwealth regarding the coverage of the Commission's jurisdiction. In the CCIWA's submission the Commission should defer its decision until the AFPC has made its determination. In the alternative, the Commission should award a moderate increase that may be topped up if needed to equate to any future minimum award increases determined by the AFPC. The CCIWA agrees with the TLC's submission that the existing State Wage Principles ought be rescinded and new, suitably amended Principles be enacted pursuant to section 50 of the Act. The CCIWA tendered its WA Economic Compass for the March quarter 2006.

Plowman Report

- 58 The Commission requested Professor David Plowman, from the Graduate School of Management, University of WA, to provide a Report on the effects of past statutory minimum wage adjustments on:
- a. the number of persons employed;
 - b. the number of unemployed persons seeking work;
 - c. job vacancies;
 - d. average weekly ordinary earnings;
 - e. the level of inflation;
 - f. the profit share; and
 - g. the level of investment,
- in Western Australia.
- 59 The Report was distributed to the persons appearing in this matter and they were given an opportunity to be heard upon it. Submissions were received that discussed the relevance of the Report to the issues before us; there was no objection as such to the Commission taking the Report into consideration. We do so. What follows is a summary of the Report.

- 60 The Report notes that in the past there had been a consensus that minimum wage increases resulted in unemployment for low paid workers; today, the matter is one of contention with some divergence of opinion. There appears to be little pure science in understanding the important relationship concerning the employment effects of minimum wage increases. After a detailed review of the issues involved, Professor Plowman concludes that the effects of minimum wage increases on employment outcomes are not as clear cut as some might suggest. There is likely to be agreement that, other things being equal, the state of the economy is an important moderator of outcomes: a minimum wage increase during a period of recession is likely to have a greater effect on unemployment than a minimum wage increase during a period of economic buoyancy.
- 61 In relation to the history of minimum wage movements in WA, Professor Plowman notes that the State tribunals made determinations in line with the AIRC's determinations, which in turn were adjusted in line with general wage/earnings movements. As a result, the minimum wage in WA as a proportion of average weekly earnings is high by international standards: in Australia it is 58% of full-time median weekly earnings; in the United Kingdom it is 45% and in the United States of America 34%.
- 62 There are high estimated labour elasticities in Australia. For aggregate labour, the elasticities range from -0.4 to -0.9. For minimum-wage earners they range from -0.2 to -1.14 depending on time lags and type of employment. Professor Plowman estimates that about 2.2% of the WA workforce would be directly affected by a minimum wage adjustment. If account is taken of adjustments of other wages to maintain established relativities, Professor Plowman estimates that about 4% of the WA workforce could be affected in differing degrees. On that estimate, the 4% increase in the minimum wage in 2005 would have added approximately \$518,450 to the total wages bill in a year when that wages bill amounted to nearly \$41 million.
- 63 Professor Plowman notes the prime industries of concern for present purposes are retail, accommodation, cafes, restaurants and personal and other services. However, average employee earnings in each of these industries is well in excess of the minimum wage.
- 64 Professor Plowman then considers in detail the history of minimum wage movements in recent times with economic data applicable to WA. He concludes there has been little minimum wage effect on the economy as a whole and weak effects on those sectors with higher levels of low paid workers. Aggregate demand moderates, and to a considerable extent, any minimum wage effects. The minimum wage increases have had only minor effects on employment and do not seem to have affected employment levels of those aged 15 to 24. Nor has the minimum wage been shown to have had any influence over full-time employment; however there has been a minor effect on part time employment.
- 65 Minimum wages have had a negligible impact on the level of average weekly ordinary time earnings. Analysis of the evidence of the relationship between the CPI and minimum wage growth suggests that CPI is affecting the level of the minimum wage rather than vice versa. The minimum wage is irrelevant in considerations of major investment undertakings in the State. It is likely to have some unquantified effect on investment in the low paid sectors.
- 66 The Commission records its appreciation to Professor Plowman for the timely preparation of this Report. We consider Professor Plowman's 1995 Report on the method of defining, determining and adjusting the minimum wage, and the paper he presented to the Commission for the 2003 State Wage Case, demonstrate his expertise in the application of the minimum wage and its economic effects in this State. His Report provides considerable assistance to the Commission in our consideration of the claim before us regarding the award minimum wage.

Consideration

- 67 The claim before the Commission is to increase the minimum wage prescribed in the awards of the Commission, and the wage rates and related allowances within those awards, by 4%. The increase is to be fully absorbable for any employer who currently pays in excess of those wages. The application does not, and cannot, apply to the statutory minimum wage under the *Minimum Conditions of Employment Act, 1993* which applies to employees in this State who are not covered by the Commission's awards.

Should We Adjourn to Await the AFPC?

- 68 The Commonwealth once again pressed the Commission to await the decision of the AFPC expected in the spring. On the first occasion the Commonwealth made this submission, it was to the effect that the claim not be set down for hearing and the application be adjourned. The Commission ruled against that submission ((2006) 86 WAIG 408, 2006 WAIRC 03884 already referred to). On this occasion, the Commonwealth does not ask the Commission to delay the proceedings; it asks the Commission to hear the case but not deliver its decision until after the AFPC has made its determination.
- 69 Given our earlier ruling in this matter, the Commonwealth's submission is surprising. We have already referred to the statutory obligations upon us. One of the principal objects of the Act in section 6(ca) is to provide a system of fair wages and conditions of employment. We are to do so for the employees and those employing them that are within the coverage of the Commission's jurisdiction. Those employees and employers will not be affected by an eventual determination of the AFPC. We consider it is inconsistent with the Commission's statutory duty, including the duty under section 22B of the Act to act with as much speed as the requirements of the Act and a proper consideration of the matter before it permit, to adjourn to an unspecified date in the future to await a determination which will have no direct effect upon the employees and their employers who remain within the Commission's jurisdiction.
- 70 We reject the rather presumptuous written submission of the Commonwealth that for us to do as we are obliged to do under the Act would be a "leap in the dark". We note that the submission was effectively disowned in the Commonwealth's oral submissions. We emphasise that it is not the role of the Commission in these proceedings, as the Commonwealth seems to suggest, to somehow anticipate some future determination of the AFPC.
- 71 We acknowledge the history of minimum wage fixation in this State which has followed the fixing of minimum wages by the AIRC in National Wage Decisions. Consistency between the State and federal minimum wages may be a

desirable outcome. Consistency at this point in time when there has not been a change to the federal minimum wage since 2005 becomes problematic given the decision of the Commonwealth Parliament to fundamentally change the manner in which federal minimum wages are set. Whether the result of that change is something with which there can be consistency can only be a matter for the future, not the present.

- 72 The Commonwealth and the CCIWA each submit that if the Commission awards an increase from these proceedings prior to the decision of the AFPC, that may well place employers covered by the Commission's decision at a competitive disadvantage compared to employers who are covered by the WRA. This is a very general concept which is highly dependent upon the individual firm's circumstances: its geographical position relative to other firms, its product or products, the service it provides, the wages already being paid and the ability of any firm to either absorb or pass on the cost of increased wages paid to employees. There is no evidence of specific issues before the Commission in support of the Commonwealth's general submission.
- 73 We observe here, as we did during the hearing, that inconsistencies between federal and State wage rates are not novel. They may occur over relatively short periods of time and consistency between State and federal wage rates, if thought desirable, may be achieved in the longer, rather than the shorter term. We also observe that the converse of the Commonwealth's proposition is also true: for the Commission to adjourn until after the AFPC's determination may create a competitive disadvantage for employers under the WRA who may be obliged to pay a higher rate than corresponding employers under the State jurisdiction until the Commission then issues a Decision in this matter. We consider the Commonwealth's and CCIWA's submissions place too little weight on the statutory obligations on the Commission and they are, again, rejected.
- 74 We also observe, as we did during the hearing, that the present inconsistent statutory framework of the Commission and the AFPC results from a decision of the Commonwealth Parliament. The State Parliament has not chosen to amend the Act to follow the Commonwealth's changes. If there is to be any adjustment to the legislation, that is a matter for the State Parliament and not the Commission (*Chamber of Commerce and Industry of WA v ALHMWU* [2002] WASCA 24; (2002) 82 WAIG 405). It is not for this Commission to put itself in the place of the State Parliament.

Coverage of Commission's Jurisdiction

- 75 The TLC, the State Minister, the Commonwealth and the CCIWA made submissions regarding the coverage of the Commission's jurisdiction after Work Choices. The SJC supported the submissions of the TLC in this regard. We agree that it is important to clarify, so far as is possible at this point in time, the effect of any order to issue from these proceedings. In particular the submission made by Mr. Moon on behalf of CSBAWA submits that the situation presents a number of questions. To the extent possible, we attempt to answer those questions.
- 76 The amendments made by the Commonwealth Government to the WRA by its Work Choices legislation did not, and could not, amend the Act which creates and governs the operation of this Commission. This Commission's obligations under section 50 of the Act in the claim before it therefore remain unchanged. Indeed, as CSBAWA itself recognises, the Commission still has its obligations to perform. Accordingly, any General Order to issue from these proceedings will vary all of the Commission's awards.
- 77 For those employers who previously were covered by this Commission's awards and who were not swept into the federal system by Work Choices on 27 March 2006, the effect of amending the Commission's awards will be no different than it was prior to Work Choices. The State's awards continue to apply to them as they did before.
- 78 For those employers who previously were covered by this Commission's awards and who were swept into the federal system by Work Choices, the Commission's awards were frozen in time as at 27 March 2006 and became "notional agreements" under Schedule 8 of the WRA. Any General Order to issue from these proceedings cannot, and will not, vary those "notional agreements".
- 79 Whether an employer is or is not affected by any General Order to issue from these proceedings does not depend upon the General Order. It depends upon whether the employer is an employer as defined in section 6 of the WRA. That involves a case by case examination of the circumstances of the employer. It cannot be decided on a general basis as part of these proceedings. For that reason, any General Order to issue from these proceedings will be in the usual form.
- 80 Each of the persons appearing addressed both the coverage of the Commission's jurisdiction and the proportion of employees who are award-reliant and thus likely to be directly affected by any General Order to issue from these proceedings. Any analysis is necessarily subject to the outcome of the States' challenges to the Work Choices legislation currently before the High Court. All persons relied upon the unpublished data from the Employee Earnings and Hours May 2004 Survey (ABS catalogue 6306.0) already referred to. That data shows that 46.6% of the State's workforce was then employed in incorporated enterprises. Of the remaining 53.4% of the State's workforce -
- 2% was employed by the Federal Government;
 - 8.5% was employed by State Government corporations; and
 - 2.9% was employed by local government.

This is a total of approximately 60% of the State's workforce is likely to be covered by the WRA. We also find, as the Commonwealth conceded in the hearing, that Work Choices' coverage Australia wide is 76.3% and its coverage in WA is as low as 60%. Therefore approximately 40% of the State's workforce is not covered by Work Choices.

- 81 It is unknown what proportion of the 40% of employees and their employers who are not covered by Work Choices are presently covered by federal instruments for 5 years according to the WRA's transitional provisions; they will remain so covered for 5 years before reverting to the State system unless the employer incorporates or becomes party to a State instrument before that time.
- 82 Ultimately, we find that the State system still covers employees in almost every industry sector in the State other than the mining, power and water supplies and communications sectors. Exhibit CG1 submitted by the Commonwealth and

which appears hereunder is illustrative of the position in relation to employees most directly affected by this application:

Table: Western Australian industries with a high number of award-reliant employees, May 2004.

	Number of employees award-reliant ('000)	Rank according to number of employees award-reliant	Percentage of employees award-reliant (%)	Proportion of award-reliant employees in unincorporated enterprises (%)	Number of award-reliant employees in unincorporated enterprises ('000)
Retail trade	20.7	1	20.1	59.5	12.3
Accommodation, cafes and restaurants	19.5	2	48.4	78.7	15.4
Hearth and community services	13.9	3	15.1	93.3	12.9
Manufacturing	9.6	4	12.3	28.0	2.7
Personal and other services	8.0	5	20.6	76.0	6.1
Education	5.2	6	6.9	82.4	4.3
Property and business services	4.4	7	4.8	36.8	1.6
Transport and storage	3.8	8	16.6	0.0	0.0
Cultural and recreational services	3.1	9	17.5	50.0	1.5
Construction	2.8	10	6.1	58.3	1.6
Wholesale trade	2.2	11	6.8	67.9	1.5
Government administration and defence	0.4	12	1.0	0.0	0.0
Mining	0.2	13	0.8	0.0	0.0
Electricity gas and water	0.1	14	1.4	0.0	0.0
Communication services	n.p	n.p	n.p	n.p	n.p
Finance and insurance	n.p	n.p	n.p	n.p	n.p
All Industries	93.7		12.6	64.0	60.0

Source: ABS Employee Earnings and Hours (Cat No 6306.0), May 2004, unpublished data. Note that these data are a combination of data from tables 3.2 and 3.3 from the Commonwealth's submission

83 These figures are accepted to be the best presently available. They do not dis-aggregate the government administration and defence sector which necessarily contains employees employed by the Federal Government, State Government, State Government corporations and local government. Our conclusions do not deal with whether all or any State Government corporations are constitutional corporations nor whether every local government body is a constitutional corporation. We accept that in many cases, local government bodies are presently likely to be parties to federal instruments.

84 The conclusion that can be drawn for present purposes is that there are many State awards operating across an extensive range of industries which will need to be varied on a regular basis to maintain their currency to ensure that the State system provides a viable safety net for employees who remain in it and certainty for their employers.

Percentage or Flat Increase

85 The claim before us seeks a percentage increase in order to avoid any further compression of relativities which has occurred from a succession of past flat dollar safety net increases. The last occasion which the AIRC and this Commission awarded a percentage increase as opposed to a general flat amount increase was in 1991. Its reasons for doing so were as follows:

"In the February 1989 Review decision (endorsed in the August 1989 National Wage Case decision), the Commission said that:

"... minimum rates awards will be reviewed to ensure that classification rates and supplementary payments in an award bear a proper relationship to classification rates and supplementary payments in other minimum rates awards." In many awards, this facet of restructuring has not even commenced; in others, it is incomplete. The process has involved establishing specific relativities, defined in percentage terms, between classifications within awards and aligning classifications across awards. Without denying the possibility of redefining the vertical relativities in consequence of granting flat rate increases, we are reluctant to introduce this complication while the exercise is incomplete. More generally, we are concerned that considerations of cost, if accepted as a ground for flat rate increases, will very frequently cause a compression of relativities and that such a compression will create strong pressures for corrective increases. We acknowledge that flat rate increases have been granted in the past, but we have misgivings about the repetition of that approach particularly given the course set by the August 1989 National Wage Case Decision.

Further reason for the approach adopted in relation to minimum rates and supplementary payments was the benefit to low wage and salary earners who suffered from inequities "due to the level of their award rates and their lack of substantial overaward payments". (52) That process is delivering substantial increases to low paid workers and is preferable to flat rate increases as a method of assisting them."

86 From 1991 to 1996 there were six flat money adjustments to award rates generally. In 1997 the AIRC considered whether to award a further flat increase. On that occasion it was submitted by the Commonwealth Government and State Governments that joined them that internal award relativities were no longer an important part of the award system. The AIRC disagreed. In its August 1997 decision in Print P1977 it held:

“Such relativities remain an important determinant of the fairness of the minimum wage structure within awards. How can award rates be fair if they do not properly reflect the relative skills, responsibilities, etc of jobs covered by the award? If an award system has to be fair, then it is no answer, as the Joint Governments suggest, to leave it to workplace agreements to establish appropriate relativities. The point is stronger when one considers that it is common for workplace agreements to build uniform percentage increases on to the established award rates. Furthermore, the provision of skill-based career structures in awards is a significant way in which employees are encouraged to improve their skills, contribute to higher productivity and advance to higher wages.

We agree with the Joint Employers who submitted that the shift to competency-based classification structures in awards, which commenced with the *August 1989 National Wage Case* decision (the *August 1989 decision*) [7 August 1989; Print H9100], has generally operated successfully and has been regarded as important by the award parties. We also agree with their submission that the 18 month interim period provided by Schedule 5 of the WROLA Act will give parties the opportunity to consider the manner in which they wish to maintain viable award career structures having regard to the new Act. Further, the matter of relativities may be the subject of consideration by the Commission as a result of applications already filed by employers requesting the Commission, pursuant to s.106 of the new Act, to determine principles in respect of allowable award matters.

Given our views on skill-based classification structures reflecting proper relativities, we would have preferred to grant a percentage increase throughout the award structures, thereby maintaining existing relativities. However, given the need to limit the addition to AWOTE - for the reasons elsewhere discussed - and weighing the competing needs of the low paid and the desirability of relativity preservation, we have chosen to give priority to the former.

We add two further points in relation to relativities. First, because of our concern about the disturbance of relativities throughout the structure, we have awarded the \$10 per week increase to all award classifications rather than adopt the arbitrary cut-off of AWOTE, as proposed by the Joint Governments. Second, what is said about the deterioration in the position of employees at the lower end of award structures, relative to movements in agreements, inflation and productivity, applies with even greater force at the higher end of award structures.”

- 87 In 1998 the AIRC again considered the importance of internal relativities in its April 1998 decision. On that occasion it awarded three flat dollar amounts of \$14.00, \$12.00 and \$10.00 a week. The low paid received the highest amounts. When delivering its decision the AIRC observed:

“As on earlier occasions, we are concerned about the effect of flat rate increases on award wage relativities. In 1989 the Commission introduced the Minimum Rates Adjustment principle in an attempt to correct inequities in the wages system because of the potential for those inequities to cause industrial disputation and instability. That Principle was concerned primarily with relativities across awards at the key classification level but also with vertical relativities. The resulting relativity levels were widely adopted in minimum rates awards. Flat increases tend to distort vertical relativities. The distortion is greater if the flat increase does not apply above a certain level. All of the parties advocating an increase in the safety net in these proceedings sought a flat increase. In addition a percentage increase, whilst preserving relativities, necessarily maintains the relative position of those at the lower end of the award hierarchy. Flat increases reduce the relativities in percentage terms. There will often be a tension between the maintenance of relativities and addressing the needs of employees at the lower award levels. The approach we have adopted on this occasion is deliberately designed to give a greater increase to award employees at the lower levels, whilst not neglecting the interests of those at the higher levels who also receive no payments other than those prescribed in the award. We have taken the question of relativities into account in formulating the adjustment on this occasion. The tapering of the adjustment at two points in the scale has an effect on relativities which is almost the same as the effect which would result if the \$20.60 component of the ACTU claim was granted in full. We add that the maintenance of vertical relativities is a significant reason for our decision to reject the Joint Governments' proposal that any increase awarded only apply to employees classified at or below the C10 rate in the Metal Industry Award.”

- 88 In 1999, the AIRC dealt with the submission that an adjustment should only apply to employees classified at or below the C10 rate in the Metal Industry Award. It also dealt with ACTU's claim which sought a percentage adjustment 5% of award rates above \$527.80 per week. On that occasion it determined it should award a flat money increase rather than a percentage increase on the basis it would provide proportionately greater assistance to the low paid. The AIRC stated (Print R1999):

“In previous cases the Commission has drawn attention to the requirement that rates prescribed in awards be fair, to the importance of internal relativities between classification levels and to the need to provide increases for employees who, although employed at the higher levels, are dependent upon safety net increases for increases in pay. Each of these factors, on its own, favours an increase at all levels. Furthermore, we do not accept the Joint Governments' submission that the current legislative framework compels the conclusion that employees on higher award classification rates should generally not be eligible for award safety net increases. In all of the circumstances the approach we have adopted, both the amounts and the form of the increases, strikes the right balance between the competing equity and cost considerations which the parties have drawn to our attention in their submissions.”

- 89 In May 2000, the AIRC considered the issue again. In its decision in Print S5000 the AIRC considered what it had said in its decisions in 1997, 1998 and in 1999 and observed at paragraphs [118] and [119]:

“[118] The last occasion on which the Commission awarded a percentage adjustment to award rates generally was in the April 1991 National Wage Case.³¹ Since that time there have been six adjustments to award rates generally which have been in flat money amounts. Relativities have been compressed further by the tapering of the amount of the increase at the higher levels in 1998 and 1999. As a consequence the rate of increase in award rates at the lower levels has continually exceeded the rate at the higher levels. Each of these decisions has given priority to the

needs of the low paid and in relative terms the low paid have benefited significantly from this approach. We have decided to maintain the approach of granting a flat dollar increase on this occasion. We indicate now, however, that on the next occasion that award rates are reviewed we shall expect to be addressed on whether a return to percentage adjustment is appropriate to ensure that the award system provides fair wages for employees paid at the middle and upper award classification levels. A proper examination of that question will necessarily include an assessment of whether the reasons for percentage adjustments contained in the extract from the April 1997 decision which we have set out remain valid.

[119] In light of these considerations we turn to examine once again the Joint Coalition Governments' proposal that there should be no increase in award rates above the C10 level in the Metal Industry Award. The Joint Coalition Governments' support for a cap at that level rests primarily on their interpretation of the Act "*particularly the intended role of the award system as a genuine minimum safety net protecting the low paid and the Act's emphasis on the Commission's role in encouraging the spread of agreement making.*" They also submit that the introduction of a cap will moderate the increases in aggregate wage costs and produce better distributional outcomes. In its April 1999 decision the Commission decided that the legislative framework does not compel the conclusion that employees on higher award classification rates should generally not be eligible for award safety net increases. Having reviewed the arguments on this occasion we see no reason for a different conclusion now. Furthermore, whilst it would be open to us to introduce a cap, we do not think it would be desirable to do so having regard to the internal relativity issues to which we have just drawn attention and our conclusion that growth in enterprise bargaining has not been materially inhibited by the application of safety net increases to all award rates. Whilst a cap would be likely to lead to a lower rate of growth in aggregate earnings the amount we intend to award is justifiable and, in the current economic environment, unlikely to lead to excessive growth in earnings overall. In relation to distributional outcomes, as we indicate elsewhere we are reluctant to place much reliance on the household income data presented to us."

- 90 All of the major parties made submissions on this issue in 2001. In its decision in May 2001 (Print PR002001) the AIRC dealt extensively with those submissions at paragraphs [130] to [139] and awarded three incremental flat dollar amounts.
- 91 This matter was last considered by the AIRC in May 2002. On that occasion the ACTU sought again a flat dollar increase and said that the Commission should not pay any regard to the fact that the implementation of its claim would compress relativities further. In particular the ACTU contended that the ongoing relevance of middle and upper case classification rates of pay needed a comprehensive response not a piecemeal solution and the ACTU signalled its intention to ensure that proper skilled based classification structures are not allowed to wither on the vine but are addressed in a responsible and economically sustainable way consistent with the requirements of the WRA. Further they said that the matter would not be agitated in the National Wage Case which can focus on delivering a decent increase for the lower paid. The Commission noted the ACTU submissions in their decision at [156] in PR002002 and reiterated what they said in their decisions in September 1994 [Print L5300] and October 1995 [Print M5600] that the Commission would not grant applications to restore pre-existing relativities on the basis that such relativities have been compressed by the granting of flat dollar arbitrated Safety Net Adjustments.
- 92 This is the first occasion this Commission has been called upon to consider awarding arbitrated Safety Net Adjustments without after having first considered a National Wage Decision whereby pursuant to section 51(2)(a) of the Act, the Commission unless it determines there are good reasons not to, must make a General Order to adjust by the amount of any change in the rate of wages under the national wage decision. Consequently until 2006 this Commission in a sense "inherited" the statutory framework of the WRA when it made a General Order to adjust wages under section 51. On this occasion the Commission is not so constrained. It must act according to its own statutory framework including the principal objects of the Act.
- 93 Unlike the AIRC under the now repealed section 88B(2) of the WRA this Commission when adjusting the safety net is not by statute expressly required to have regard to the specific requirements of fair minimum standards for employees in the context of living standards generally prevailing in the Australian community; economic factors, including levels of productivity and inflation and the desirability of attaining a high level of employment and the needs of the low paid. Whilst this Commission's statutory considerations could be said to encompass such matters, the matters this Commission is required to consider pursuant to section 26(1) are much broader in scope.
- 94 Whilst the Commission is not expressly required to pay regard to the needs of the low paid, we are of the opinion that such a consideration is implied as a matter the Commission can consider within the scope of the principal object in section 6(ca), in section 26(1)(a) and the opening words of section 26(1)(c) where such a consideration is raised on the evidence before it. In this matter the Commission has before it a substantial amount of cogent and uncontradicted evidence that supports the submission that the Commission should take into account the needs of the low paid and that they will be disadvantaged if they are not awarded a pay increase which will assist them to keep up with increases in the cost of living. We are of the opinion that in awarding an increase on this occasion that the increase we grant should assist the low paid to do so.
- 95 Although the evidence before us clearly shows that relativities between classifications in the *Metal Trades (General) Award 1966* have compressed as a result of flat dollar arbitrated Safety Net Adjustments, there is no evidence or submission before us that compression of wage rates since 1991 has eroded skill based career paths in awards or had any other detrimental effect at the industry or workplace level. If any party wishes in the future to address this issue it is open for them to do so in an application relating to a specific award under section 40 of the Act or for parties or those granted the right to be heard to raise it in any future proceedings for an adjustment of award safety net rates of pay. Whilst we note what the AIRC said in September 1994 and in October 1995 about not granting applications to

restore pre-existing relativities on the basis that such relativities have been compressed by flat dollar increases we do not consider this Commission is necessarily bound to follow the decisions of the AIRC in respect of this issue.

- 96 We take into account also the evidence of Ms Cusworth in response to a question from Mr Cox: a flat rate increase ensures one is targeting the biggest proportional increase for those who are the key target of applying the minimum wage. A percentage increase will obviously flow through to higher levels and that potentially will affect more people. It will increase the labour costs arising from the decision by a little bit more than it otherwise would. A flat rate increase achieves the best outcome in terms of targeting those people who will benefit most from the decision. The more broadly based the increases are and the further up the pay scale they stretch, the more is the likelihood of seeing a slightly larger effect on employment and inflation.
- 97 The increase we propose will therefore be a flat dollar amount. We consider that where compression in relativities in particular awards have been a cause for concern, this can be addressed by an individual award variation application pursuant to s. 40 of the Act.

The Claim - Statutory Obligations

- 98 When considering the claim before us, the Commission is to take into account the matters set out in section 26(1)(d) of the Act to the extent that those matters are relevant. We now do so.

The State of the National Economy

- 99 We note that over the year to March 2006, real Gross Domestic Product ("real GDP") in Australia rose by 3.1% seasonally adjusted. Over the past five years, real GDP has risen by an average of 3.1% per annum. Nationally, domestic demand increased by 0.8% between the December and March quarters of 2006. In the past five years national demand has grown at an average rate of 4.6% per annum. Real business investment increased by 1.1% between the December and March quarters 2006. Over the year to March 2006 business investment increased by 20.4%. Australia's Current Account Balance improved by \$331 million between the December and March quarters 2006 to a deficit of \$14.0 billion. This is an improvement compared with one year ago when the account was in deficit by \$15.3 billion.
- 100 The CPI increased by 0.9% between the December and March quarters of 2006; over the year to March 2006, the CPI rose by 3%. The prices of goods produced in the manufacturing sector at all stages of production increased over the year to March 2006. The prices of preliminary commodities increased by 8.6% over the year while the prices of commodities at the intermediate stages of production rose by 6.9%; prices of commodities at the final stages of production were up by 3.8%. We also note that from 3 May 2006 the Reserve Bank of Australia increased the official cash rate from 5.5% to 5.75%, being the first rate rise since March 2005. This rate is at its highest level since March 2001.
- 101 Average Weekly Ordinary Time Earnings increased by 0.9% to \$1,035.80 between November and February 2006, up by 4.5% over the year to February 2006. The Labour Price Index ("LPI") increased by 0.9% between the December and March quarters of 2006 and over the year is up by 3.9%. Over the year to April 2006, retail sales across Australia are up by 7.4%.
- 102 The unemployment rate decreased from 5.1% to 4.9% between March and April 2006. Employment is up by 1.7% over the year to May; full time employment is up by 1.8% over this period while part time employment is up by 1.4%.
- 103 We were referred to the Commonwealth Treasury's *Mid-Year Economic and Fiscal Outlook for 2005-06*. The forecasts continue to paint a positive picture for the Australian economy over the near future. We do not reproduce here the mid-year economic and fiscal outlook forecasts in detail but note the information provided. The Australian economy is forecast to grow 3% in 2005-06. Gross Domestic Product is forecast to grow by 3%. Private Consumption is expected to slow to 2.25% in 2005-06 and 2006-07 due to increases in petrol prices, debt servicing ratios and lower growth in household wealth. The recent strength in business investment is to continue. Expected new Capital Expenditure is 17.6% higher than that reported a year earlier indicating business confidence in the continuing strength of the economy. Employment is expected to slow to 2% during 2005-06 and unemployment is expected to remain around 5.25%. Despite increases in oil prices, CPI is forecast to increase by 3% in the year during 2005-06 and 2.5% in 2006-07.

The State of the Economy of Western Australia

- 104 We accept Ms Cusworth's evidence that WA is significantly different from the rest of the country in terms of its industrial structure and its focus on commodities. The very favourable international environment has resulted in commodity prices climbing to record highs; it is an almost unprecedented favourable environment in terms of WA's export industries, particularly mineral commodity export industries.
- 105 We note that in Perth, the CPI increased by 1% between the December and March quarters 2006, leading to an increase over the year to that date of 4.2%; the highest increase related to housing and prices for clothing and footwear fell by 3.5%. Average Weekly Ordinary Time Earnings increased by 1.3% to \$1,070.40 between November and February 2006, up by 5.9% over the year to February 2006. Over the year to April 2006 retail sales in WA are up by 8.9%.
- 106 The WA Treasury's forecasts for the future are that conditions in the State's labour market are forecast to remain tight. Employment is forecast to grow by 2% in 2006-07 which is less than 4.5% expected in 2005-06 due to labour supply constraints.
- 107 We accept the relative merits of the WPI compared to Average Weekly Earnings. Although the WPI has recently recorded the highest level since its inception in terms of growth in WA's wages it has not been quite so dramatically inflationary. Ms Cusworth presented the WPI by industry for the year to December 2005. She noted the significant increase in the construction, mining and manufacturing sectors. The increases also occurred in retail trade (3.6%), accommodation, cafes and restaurants (2.9%), transport and storage (4%), health and community services (4.1%) and personal and other services (3.8%). The State's WPI is forecast to increase by 4.5% in 2005-06 and 4.25% in 2006-07. Wages growth is expected to ease to 3.5% in 2007-08.

- 108 Economic forecasts expect WA to record significantly stronger growth than for the rest of Australia. Gross State Product growth will exceed 5% in 2006-07 and exceed the national average through to 2009-10. The State's rate of inflation will be the highest for about a decade. House price growth is likely to slow although WA's inflation rate will be ahead of the national average.
- 109 The contribution of business investment to the WA economy has been significantly higher than the contribution to the rest of Australia. While it can be true that over the short term different growth rates do prevail in different parts of the economy, there are some general benefits from the strong levels of industrial activity flowing through into other sectors. There has been a strong and accelerating growth in the level of retail sales in WA where nationally there has been something of a deceleration in the rate of growth of retail spending. There has been a resumption of very strong growth in the housing market. The level of approvals for new residential building activity shows a most markedly upward trend in its housing sector with that trend moving downwards in the rest of Australia. There is a very large backlog of engineering and industrial work yet to be done.
- 110 Ms Cusworth described the participation rate as rising to a level unprecedented in terms of the current data series which began in 1978 but is probably the highest ever participation rate in WA achieved in 2005. Supply constraint issues of labour are likely to result in a slowing of employment growth quite markedly in 2006-07.
- 111 We note that Western Australia's unemployment rate decreased from 3.8% to 3.5% between April and May 2006. The State's unemployment rate stood at 4.6% one year earlier. Employment in WA is up by 2.0% over the year to May 2006. Full time employment is up by 1.7% while part time employment is up by 2.7%. The unemployment rate is expected to come down to 4.25% average for 2005-06 and 2006-07 before edging up marginally to 4.75%.
- 112 Ms Cusworth examined the breakdown of the unemployment rate in WA by duration of unemployment. As the overall unemployment rate has trended downwards, there has also been a very marked decline in the proportion of the unemployed who are long-term unemployed. In contrast there has been very little movement in the proportion of unemployed who have been unemployed for less than thirteen weeks. We agree with Ms Cusworth's suggestion that the constant proportion of under-thirteen week unemployed reflects frictional unemployment that would be expected no matter how strong is the labour market.
- 113 Similarly there has been a decline in the proportion of people who are underemployed and that too suggests that the labour market is currently so strong that people who have traditionally been seen as marginal or who find it difficult to find employment have found employment. There has been an increase in labour force participation across the age groups but most markedly for the 15-19, 20-24 and 60-64 age groups.
- 114 Ms Cusworth also spoke about the crude oil price acceleration not having had a massive effect on overall aggregate inflation levels. WPIs by stage of production show that there has been generally a much larger increase in businesses' input costs than in their output costs, which suggests that presently businesses are not passing on all oil price increases in the prices of their own products. However, if the price of oil increases in the future in the same manner as the increase of the past three years, Ms Cusworth considers there is a very real chance that will start to show up in its direct impact on household budgets and also as businesses start to flow on the effect of those cost increases. In relation to interest rates, Ms Cusworth commented that most commentators are suggesting the last increase will not be the last this year but there are not likely to be rapid or marked increases in interest rates compared to history.

Capacity of Employers as a Whole or of an Individual to Pay

- 115 The TLC submits that the cost of its claim of a 4% increase to minimum and award wages and allowances will have a negligible impact on Western Australia's economy. Specifically, the TLC submits that if its claim is granted in full it will have a net impact on aggregate wages in WA of around 0.04%, a maximum addition to total ordinary time earnings in WA of 0.16% and a 0.02% impact on the CPI.
- 116 The cost of the TLC's claim was calculated using unpublished ABS data relating to the ordinary time earnings of Western Australian award employees employed by private sector unincorporated businesses (catalogue 6306.0). The methodology used by the TLC took into account the impact of the increase on full-time, part-time, permanent, casual, adult and junior employees and the calculations factored in wage movements arising from State Wage Case increases in 2004 and 2005 (see TLC submissions Pages 62-65, Tables 7.1 to 7.5 and Tab 8).
- 117 The TLC argues that its costings are an over-estimation of the impact of the proposed increase because it did not take into account a range of factors in its calculations which the Australian Council of Trade Unions ("ACTU") has included in its calculations in previous National Wage Cases when using the same formula: the TLC has not factored in the non-compliance with the payment of the increase and its costings assume that 100% of eligible employees will receive the proposed increase with immediate effect.
- 118 The State Minister did not cost the TLC's claim or its own counter-claim of an increase of \$20.00 per week to minimum and award wage rates. The State Minister stated that its counter-claim results in a 4.1% increase to the minimum adult award wage and a 3.5% increase to the C10 (tradespersons) rate in the *Metal Trades (General) Award 1966*. The Minister submitted that a \$20.00 increase to award wages is likely to have a negligible effect on either the Western Australian or national economies and in support of this contention the Minister relied on data relevant to the state of the Western Australian and Australian economies and the evidence of Ms Cusworth to which we have already referred. The State Minister also argues that for most award classifications a \$20.00 per week wage increase would amount to an increase which is less than the current annual inflation rate for Perth of 4% and the Minister contends that a wage increase of this magnitude is moderate in the current economic climate.
- 119 The Commonwealth did not cost the TLC's claim but argues that the costings provided by the TLC are of no use to the Commission in determining the impact of the TLC's claim as these costings were made in relation to the impact of its proposed wage increases on aggregate wages and CPI. As the increases claimed by the TLC will impact on only a specific section of the Western Australian labour market, that is employees employed by unincorporated enterprises

- within the Commission's jurisdiction who are award-reliant, the Commonwealth argues that material should have been provided about the impact of these increases in these specific sections of the Western Australian labour market.
- 120 The CCIWA did not present any costings of the TLC's claim. The CCIWA acknowledges the current buoyancy of the Western Australian and Australian economies, but argues that the industries most likely to be affected by the Commission's decision, that is Education, Accommodation, Cafes and Restaurants and Personal and Other Services have recently suffered negative employment growth and the Commission should therefore proceed with caution if it proposes to award a wage increase. The CCIWA had also submitted that any increase in minimum wages may have a significant effect on employment opportunities for young people. In this regard the CCIWA referred to one study referred to in the State Minister's written submissions.
- 121 We have already referred to the Report of Professor Plowman. We note again his conclusion that during the period 1990 to 2005 there has been little minimum wage effect on the economy as a whole and weak effects on those sectors with higher levels of low paid workers. As Mr Jones correctly observed, part of Ms Cusworth's presentation showed rolling annual average employment growth by industry in WA for the year to February 2006. Some industries showing marked employment growth are agriculture, mining, construction, government administration and defence and culture and recreation. Industries showing a negative growth were personal and other services, wholesale trade, and finance and insurance.
- 122 Professor Plowman reviewed employment data in three sectors where a relatively high proportion of employees come under the Commission's jurisdiction – Retail, Accommodation, Cafes and Restaurants (ACR) and Personal and Other Services (POS). Award-only employees predominate in these sectors and they are areas which have been identified as having a relatively large number of minimum wage employees. He concluded that the minimum wage has had little effect on employment in general in these sectors but has impacted in small measure on employment in vulnerable sectors and in the main that impact has affected part-time rather than full-time employment.
- 123 Professor Plowman found that in the period 1990 to 2006 total employment grew in the Retail sector by 34%, in the ACR sector total employment grew more modestly and from a lower base, that is 24% and in the POS sector total employment increased by 51%. Professor Plowman stated that growth in each sector had not been even and employment in each sector peaked in 2002 before declining and then increasing to present levels. Professor Plowman found that in these sectors there is a moderate correlation between unemployment in the 15-24 year old age group and found that there is a moderate correlation between employment in the POS sector and minimum wage increases, in the Retail sector there is a moderate correlation between full-time employment and minimum wage movements and in the ACR sector there is a very weak to modest correlation between employment types and movements in the minimum wage. We conclude from the evidence overall that negative employment growth is unlikely to have been the result of past minimum wage increases.
- 124 We accept the integrity of the costing analysis put before us. We are assisted in reaching that conclusion by the acknowledgement by the AIRC in previous National Wage Cases that cost estimates of the impact of the ACTU's claim provided to it by various parties to the proceedings are not perfect but provide guidance to the Commission when reaching conclusions about the cost of the ACTU's claims. In the 2002, 2003 and 2004 National Wage Reviews the AIRC assessed the actual increases to aggregate labour costs as being similar to the ACTU's costings and in 2005 the AIRC determined that the true gross impact of the ACTU's claim on aggregate wage costs was likely to be more than the ACTU's costings but less than the amount estimated by the Australian Chamber of Commerce and Industry.
- 125 There was no evidence presented to the Commission in Court Session questioning the TLC's estimates about the impact of its claim on the earnings of award employees employed by private sector unincorporated businesses in Western Australia in relation to aggregate wages, ordinary time earnings and CPI. Having considered the methodology used by the TLC and taking into account that this methodology has been used by the ACTU and in the main accepted by the AIRC in previous National Wage Reviews as a useful guide when assessing the cost of a wage claim of this nature we are of the view that the TLC's costing are a reasonably accurate assessment of the impact of its claim.
- 126 The Commission has before it the Gross Operating Surplus ("GOS") and Gross Mixed Income ("GMI") by industry for WA (Exhibit SG2). The TLC's submission is that in the accommodation cafes and restaurants, retail and health and community services sectors the GOS and GMI for the financial year 2004-05 indicate profits were 14.7%, 8.3% and 5.7% respectively. These figures, whilst understood to be the most accurate available, are to be treated with caution, as the evidence of Ms Cusworth revealed.
- 127 We note the submission of Mr Jones that the GOS and GMI data are too general and unreliable to allow a firm conclusion regarding the capacity of employers in the accommodation, cafes and restaurants and personal and other services sectors to pay the cost of the increase. We accept the generality of the GOS and GMI data. We consider it relevant to point out that the sectors identified by Mr Jones have been directly affected by the Commission's previous safety net increases. On those previous occasions there has not been the detailed data which Mr Jones observes is absent on this occasion. We see no greater need on this occasion for that data than on previous occasions. The economic data before the Commission as a whole permits us to reach a conclusion consistent with our obligations under the Act as the Commission has done on previous occasions.
- 128 Further, on the evidence in this case, there is no suggestion of an incapacity to pay generally in those sectors which could displace the more general evidence from the GOS and GMI data before us. We acknowledge that at any given point in time, there will be firms for which any increase in wages or salaries may be economically unsupportable. The Incapacity to Pay Principle previously adopted by this Commission recognises that circumstance. A firm's circumstances however, on the economic data before us, are likely to result from a range of economic factors and those factors as we have referred to already, suggest that the incidence of incapacity to pay in the state of the economy at present is likely to be low. We are influenced in his conclusion by the findings of the Plowman Report which we have referred to above.

The Likely Effects of the Decision on the National and State Economies

- 129 We note that the claim made by the TLC is an amount less than the WPI and less than the CPI for the year just ending. Ms Cusworth stated in relation to such a claim that an increase in the minimum wage which differed very substantially from the underlying rate of inflation would adjust either upwards or downwards the real rate and that might have a significant impact on employers' capacities to pay. We take this into account.
- 130 The extent to which an increase in the real rate might generate unemployment is going to depend on a very wide range of factors, including the condition of the labour market when the increase is applied and the extent of the increase which is applied as well. While nobody would ever argue that the increase to the minimum wage had no effect whatsoever in every circumstance, Ms Cusworth considered that given the current labour market there are other factors which are likely more significant by far in determining both employment and wage trends. There are very substantial changes happening pretty much all of the time in terms of relative employment by industry which are being driven by a number of factors of which minimum wages is only one. The likely impact of an increase in minimum wages in the context of the present economy is almost negligible compared to the other factors which are influencing current labour market conditions.
- 131 The evidence of Ms Cusworth makes plain that the effect of awarding a \$20.00 increase to be made in this matter will be economically insignificant to the national and State economies. We accept that evidence and consider it apparent from the evidence as a whole before the Commission that the decision in this matter, is likely to be "swamped" by the State's economic growth to come.
- 132 We have also been considerably assisted here too by the Plowman Report. The Report focuses particularly on the effects of past minimum wage adjustments on the WA economy. Professor Plowman's research concerns the statutory minimum wage. As he observes, from August 2002 the increase in the statutory minimum wage has not differed from the award minimum wage. Prior to 2002, State award minimum wage and award wage rates increased by decisions of the Commission although not necessarily at the same time as increases to the statutory minimum wage may have occurred. We note for the reasons given by Professor Plowman that in the period 1990-2005 there appears to have been little minimum wage effect on the economy as a whole and weak effects on those sectors with higher levels of low paid workers. The State's economic growth moderates, perhaps to a considerable extent, any minimum wage effects.
- 133 We note that any decision we make will be fully absorbable into wage rates already above the award minimum prescribed. The Plowman Report observes that research shows that average employee earnings in the retail, accommodation, cafes, restaurants and personal and other services is well in excess of the minimum wage.
- 134 Further, the Plowman Report supports the view that minimum wage increases have had only minor effects on employment including in the 15-24 age group, a group considered vulnerable to minimum wage changes in the economic literature. There may have been a minor effect on part time employment.
- 135 In relation to the rate of inflation, minimum wage increases have had a negligible impact on the level of Average Weekly Ordinary Time Earnings. Further, any relationship between the CPI and minimum wages growth supports the suggestion that CPI affects the level of the minimum wage rather than vice versa.
- 136 On the evidence before us, the likely effect of the decision on the State and national economies is likely to be insignificant as is the effect on employment, unemployment and inflation.

Any Changes in Productivity that Occurred or are Likely to Occur

- 137 We note the data from the TLC submission showing that real unit labour costs have decreased by 2.1% to the year ending September 2005 and the submission that the decline in real unit labour costs means that productivity is growing faster than real labour costs. We also have considered the submission of the State Minister that the majority of award-reliant employees who stand to receive a benefit from this matter are employed in service industries where there is less scope for achieving significant productivity gains. In service orientated industries, measures of labour productivity traditionally based on physical output and hours worked may not be the most reliable or relevant indicators.
- 138 On the information before us we are unable to draw a specific conclusion regarding the changes in productivity which have occurred other than from the data as submitted by the TLC. From that general proposition we consider there has been a marginal increase in productivity although generalised and not arising from changes in particular sectors of industry.

The Need to Facilitate the Efficient Organisation of Performance of Work

- 139 We do not consider our decision in this matter will have a negative effect upon this consideration.

The Need to Encourage Employers, Employees and Organisations to Reach Agreements Appropriate to the Needs of Enterprises and the Employees in those Enterprises

- 140 The need to encourage employers, employees and organisations to reach agreements is fundamental to the present wages system. We note the material before us regarding the number of enterprise agreements registered and conclude that previous safety net increases have not caused a decline in the registration of enterprise agreements. We recognise that the renewal of those agreements is cyclical once they have been registered.
- 141 We also recognise that there are those in the community who have little or no bargaining power. In this regard, the evidence of Ms Miller was of considerable assistance to the Commission. We consider it within our knowledge of industrial matters to recognise that there necessarily are those employees who depend upon proceedings such as these in order to maintain their wage levels in real terms. Ms Miller identifies these as including people from recent migrant communities with language difficulties and single parent families. We do not consider that the order we propose to make will discourage employers, employees and organisations to reach agreements appropriate to the needs of enterprises and the employees in those enterprises.

Conclusions

- 142 We are conscious that this is the first occasion for twenty-five years when we are asked to increase the award minimum wage and associated wage rates in the absence of a national wage decision. We take into account the fact that the minimum wage being received in WA by employees who are covered by the WRA and its transitional provisions is \$484.40. The knowledge that that rate may change at some point in the not too-distant future does not provide any basis for us not to do our duty and to do so with as much speed as the requirements of the Act and a proper consideration of the matter before it permit. We also note, by way of judicial notice, that the minimum wages paid in other States' jurisdictions is \$484.40; and we take into account the submissions made to us that other State tribunals are similarly in the process of dealing with claims similar, if not the same, to the claim before us, in advance of any federal minimum wage determination which may issue.
- 143 We consider we have ample evidence and material before us to enquire into and deal with the claim. We have taken the step of inviting submissions either in writing, by e-mail or in person from the community. We have found the material presented to us more than adequately provides us with the information we need to make a reasoned and considered decision. We do not accept the submission of the Commonwealth and the CCIWA that we are to have regard principally to the accommodation, cafes and restaurants, personal and other services and education sectors. As we have indicated above, we find that the Commission's jurisdiction extends into most of the industries in the State other than mining and communication and power generation. While the extent of that coverage is not able to be determined with precision on the data presently available, any order which issues from these proceedings will affect a wide range of industries. It will apply only to those employees in the State system whose employment is governed by an award and who is paid the minimum rate in that award. This is approximately only 8.05% of the State's workforce. Many of these are likely to be in small business.
- 144 We note that other than for the submission of Mr Dale, no other person who made a submission to us opposed outright the granting of a minimum wage increase. We consider that Mr Dale's objections go more to issues with the system of employment and remuneration generally; and raise issues much broader than can be dealt with in this application.
- 145 Rather, the submissions opposing the TLC's claim were directed principally to a submission that we should delay our decision. We do not consider this submission valid. We note that some twelve months have passed since the last general wage adjustment in WA. The Commission has historically supported in principle the maintenance of real wages over time to the extent possible. On some occasions, complete maintenance of the real wage is not achievable, at least in the short term. Even during the time of automatic wage indexation between 1975 and 1981 the absolute maintenance of the real wage over that period of time was not achievable.
- 146 Whenever the Commission is requested to amend award rates generally it will necessarily be cautious in doing so. Notwithstanding the economic information before us showing unprecedented levels of growth for a sustained period of time, together with positive economic forecasts for the foreseeable future, there will be businesses on the margin of profitability for which any increase in award wage levels may cause financial difficulty. The Commission has maintained the capacity to give relief in specified circumstances through the incapacity-to-pay State Wage Principle. We do so again on this occasion.
- 147 Also, we share the concerns that a sustained increase in oil prices may increase the cost of fuel beyond the capacity of business to absorb it; it could put pressure on prices and interest rates and decrease profitability and production. A weakening in commodity prices may lead to a consequent decline in the growth of the State's commodity-focused economy.
- 148 However, we are satisfied from the evidence before us that there are employees now who are unable to bargain for wage increases based upon either maintaining the purchasing power of their wages or assisting in changes in the workplace to make enterprises more productive. We reaffirm that enterprise bargaining is the cornerstone of the wage fixing system. The award wage, and increases to it, form the safety net for those who are unable to achieve the benefits of that system. We accept that those persons include the vulnerable in our society, particularly the low-skilled and predominantly female sectors of the State's workforce. We have evidence before us, not contradicted, of a class of "working poor" for whom minimum wages are insufficient to meet minimum living expenses. The evidence from WACOSS and the SJC of the Uniting Church has been particularly relevant in this regard.
- 149 The economic material before the Commission, which was not disputed by any person appearing, provides a sound basis for the determining whether employees in this State who are award-dependent and who have not been able to negotiate a wage increase should now have their wages increased. Against the background of the State's final demand and its forecast for the future, fairness and a consideration of the labour-related economic data supports a positive conclusion.
- 150 We note the level of the CPI for WA and that, despite it being greater than the national average over the same period, it does not demonstrate a relationship with award-based wage increases which would be of concern to the Commission. Indeed, we accept the evidence before us from the Plowman Report that it is more likely that the CPI affects the level of the minimum wage rather than the reverse. The increase sought is to compensate for the past year's cost of living increases, not to cause a further increase in costs.
- 151 Similarly, too, the figures for the level of employment and unemployment in WA show no negative consequences from previous past safety net adjustments which since 2002 have been:

2002:	\$18.00 per week	(2002) 82 WAIG 1369
2003:	\$17.00 per week to wages below \$731.80; \$15.00 per week above that wage	(2003) 83 WAIG 1899
2004:	\$19.00 per week	(2004) 84 WAIG 1521
2005:	\$17.00 per week	(2005) 85 WAIG 2083.

152 Since the July 2005 increase, the evidence before us shows that the national weighted average wage increase in enterprise bargaining agreements has been 4.2% to the December quarter 2005 and the cost of living in Perth has increased by 4.1%.

153 The task of determining the increase to be granted is not a mathematical exercise. Whilst we appreciate the assistance given to us from the submissions and evidence before us, the Commission is not restricted to the specific claim made and is to act according to equity, good conscience and the substantial merits of the case. This is not simply the result from an adversarial procedure but rather from an inquiry by the five members of this Commission in Court Session into the matter before it under legislation which has as its objects, relevantly:

- the promotion of goodwill in industry and enterprises within it,
- to promote equal remuneration for men and women for work of equal value;
- to encourage employers, employees and organisations to reach agreements appropriate to the needs of enterprises within industry and the employees in those enterprises; and
- to provide a system of fair wages and conditions of employment.

154 We consider our task includes, ultimately, deciding what is fair without setting a level of minimum wage that acts to prevent those seeking work from finding it. Account needs to be taken generally of the capacity of employers and industry to pay that increase. We need to be conscious that not all industries outside the mining sector are necessarily profitable although no single employer, group of employers or employer association has objected to the granting of an increase.

155 The increase to be granted should not discourage enterprise agreement making by the size of the increase to award rates. The safety net increases in the past have not done so. We have decided that fairness to those employees and employers directly affected by the outcome of these proceedings warrants an increase which maintains as far as possible the real value of wages and not add to the potential inflationary pressures upon the State's economy.

156 In the context of all of the foregoing, and in equity, good conscience and the substantial merits of the case, we have decided to increase the award adult full time minimum wage, award wage rates and associated allowances by \$20.00 per week. In the context of the previous increases which have occurred in recent times and the very strong economy in this State, that increase is modest. On the evidence, it will be economically insignificant. There is no evidence that such an increase will impact unfairly on small business. We consider it will be within the capacity of employers generally and individually to pay.

157 We also consider that the resulting minimum wage of \$504.40 is both fair and sustainable. The full increase will apply only to employees who are paid the award wage; any wage paid over that award rate is able to be used to offset the increase.

158 The state of the economy is such that the increase we propose is most likely to have a negligible effect on the exceptionally low level of unemployment in the present economic circumstances. We consider this is likely to be the case as well for the part-time employees and for employees in the 15-19 age group. Exhibit SG2 shows a declining level of unemployment in the 15-19 age group. We accept that the level of minimum wage of itself is only one factor influencing the state of the economy. We also recognise that household disposable income is highly determined by family circumstances and the tax and benefits regime.

159 The increase will operate on and from 7 July 2006.

The State Wage Principles

160 Both the TLC and the State Minister support the re-making of the present State Wage Principles with changes necessary to accommodate the decision in this matter. This position was also supported by the CCIWA. During the course of the proceedings we raised with the parties the utility of the State Wage Principles given the changes federally brought by the Work Choices legislation. We accept that the common view of those persons identified in section 50, and of those to whom we are obliged to give an opportunity to be heard, is for the re-making of the present State Wage Principles. That common view carries considerable weight. We propose to accede to their view. The present State Wage Principles will be rescinded and re-made and will continue in their usual form until reviewed in the future to see whether they remain appropriate. We raise for future consideration whether it is appropriate for State Wage Principles to remain part of the State's wage fixation system and if it is, what those Principles should contain.

161 It may be of assistance to consider their history. In the period 1975 to 1981 wage fixing at the federal and State levels was by way of a system of wage indexation based on quarterly adjustments to wages having regard to movements in the consumer price indices. In the National Wage Case April 1975 (1975) AILR 322, the AIRC commenced the process of wage adjustment by indexation and in connection with it, adopted eight Principles setting out the basis of wage adjustments under this system. Those Principles referred to wage adjustments with movements in the CPI on a

quarterly basis. They also set out a restricted basis upon which wage increases could be achieved outside of CPI adjustments.

162 This Commission also adopted a general approach to wage fixation based upon wage indexation adjustments. Over the period from 1975 to 1981, the Commission refrained from promulgating rigid Wage Fixing Principles, as had been the case with the AIRC. Rather, the Commission adopted a broad approach to the adjustment of wages and conditions of employment consistent with the Commission's general duty under section 26 of the Act. Three broad "Principles" were adopted by the Commission including a well recognised nexus with awards of other tribunals; unfair discrepancies between rates of pay in WA; and the ability to establish a nexus with other State or federal awards.

163 At the federal level, following the disintegration of the wage indexation process, the AIRC conducted an inquiry into federal wage fixing: *Inquiry into Wage Fixation Principles* (1981) 260 CAR 4. In what was the last of the indexation cases by the AIRC, its decision of May 1981, it handed down an adjustment to award rates of wages and salaries of 3.6%. The Commission came to consider this in July 1981 in the State Wage Case of that year: (1981) 61 WAIG 1039. That matter was dealt with under section 51(2) of the Act, as it then was which required the Commission, in substantially the same terms as the present Act, to follow a National Wage Decision unless good reasons were shown not to do so.

164 An issue raised in that case was whether the Wage Fixing Principles of the AIRC were a "National Wage Decision" for the purposes of section 51 of the Act and whether the Commission in Court Session was obliged to adopt those Wage Fixing Principles accordingly. By reason of the fact that the AIRC had concluded that the centralised system of wage indexation had broken down and there would be no further proceedings under those Principles, the Commission in Court Session did not consider it relevant to finally determine that issue. However, in considering this matter, the Commission in Court Session rejected the proposition that the Commission should adopt such Principles, and was content to proceed on the basis that the Commission had done in previous years, that being following the terms of the Act, in particular section 26 and the general guides referred to above.

165 Relevantly for present purposes, when considering this issue, the Commission in Court Session said at 1040:

"We focus our attention therefore on considerations which spring from our own legislation and in so doing we think it is of first importance to draw attention to a fact which often appears to be overlooked in discussions of wage fixing principles and practices, namely that a fundamental reason for the creation and existence of the Commission is the prevention and settlement of disputes about industrial matters between employers and their employees and of the unions which represent them; and although employers and unions may be affiliated more or less loosely to "central" organisations such as the Trades and Labor Council, the Confederation of Western Australian Industry or Australian Mines and Metals Association, we doubt that those bodies have the charter or an effective power to direct their respective members or affiliates or a general capacity to commit them to a course of action for the future. Thus, although we respect the points of view of those "central" bodies when they appear before us, whether by intervention or as of right, our assessment of the principles which should guide the Commission in carrying out its prescribed functions must be made in the light of the fact that those functions are performed in relation to disputes between particular employers and employees or groups of them and in the light of our knowledge of the ways in which such employers, employees or groups tend to behave. Even if it were within our power to lay down inflexible rules or rules which have the appearance of inflexibility as was suggested by some of the submissions made to us, to do so would, in our opinion, serve no purpose other than to bring the credibility of the Commission into question. That would be particularly so if those rules prevented the Commission from providing practical solutions to real disputes or if the Commission were seen to be bending or breaking those rules in order to do so."

166 Further, the Commission in Court Session commented as follows at 1041:

"In exercising its jurisdiction the Commission is of course obliged to observe relevant decisions of the Industrial Appeal Court and in the context of the present proceedings the decision of the Court in the State Energy Commission case (59 WAIG 494) although given in respect of the provisions of the previous Industrial Arbitration Act, has, in our respectful opinion, equal application to the provisions of the Act which is now in force. In its essence that decision points up the fact that the original jurisdiction of the Commission to make and amend awards and orders is reposed in the individual members of the Commission sitting or acting alone; that they are required by the statute to exercise that jurisdiction in accordance with equity, good conscience and the substantial merits of the case; and that it is not given to the Commission in Court Session to take away that jurisdiction and power nor that responsibility. The decision in that case recognised nevertheless that if the Commission in Court Session in an appropriate case had expressed an opinion as to the principles which ought to be followed generally it would be wrong for a Commissioner to ignore that opinion in forming his own, not because it would be jurisdictionally wrong to do so, but because, if he did so, his decision might be set aside if there were an appeal."

167 Therefore, the Commission's approach was to enable wage adjustment claims to be determined in accordance with the Act by Commissioners, in particular, having regard to the terms of section 26 of the Act. In this regard, the Commission in Court Session further said at 1041:

"It is also important to emphasise that each matter must be decided as and when it falls for decision by the Commission constituted to deal with it. It cannot be decided in advance by the Commission in Court Session in proceedings under section 51 and even if it could be it would, in our opinion, be an unwise thing to attempt. In the field of industrial relations, the crystal ball has always been notoriously unreliable and in today's volatile circumstances it is even more so. Indeed it is often difficult enough to decide at the time of the determination

what may justifiably be allowed in the light of circumstances then known to exist without laying problems in store by making plans and promises with respect to the future.

A suggestion by the Confederation which was adopted by the Attorney General in these proceedings was that we might include in each award affected by the General Order a provision to the effect that the rates of pay in each such award could not be varied except in accordance with the Commission's wage fixing principles. In our opinion, such a provision would be beyond the power conferred on the Commission in Court Session by the Act. Subject to the limitations relating to variation of awards which are still within their prescribed term, any employer, union or association bound by an award has, under section 40 of the Act, the right to apply to vary the award, and as we have already explained, the Commission has the duty to hear and determine the matter according to equity, good conscience and the substantial merits of the case, and it has the power to dismiss the application or refrain from hearing it if, in its opinion, such a course is necessary or desirable in the public interest. To do as the Confederation and the Attorney General suggested would in our opinion be contrary to and inconsistent with the provisions of the Act both in inhibiting rights conferred on parties by the Act and in purporting to determine in advance matters which can only be decided at the time by the Commission constituted to decide them."

168 Subsequently in December 1982 the AIRC adopted a wages pause, preventing any wage increases for six months, following the implementation by the then Federal Government, of a wages freeze for some twelve months: *Re National Wage Case and Wages Pause* [1983] AILR 19. This was in response to the severe economic recession being experienced at that time. The various State jurisdictions, by March 1983, adopted a wages pause which was intended to last until about June 1983. The Commission considered the wages pause of the AIRC in January 1983 in the *State Wage Case* at that time: (1983) 63 WAIG 257. The Commission in Court Session acting pursuant to section 51 of the Act, decided to follow the Australian Commission's decision restraining wage increases from that time, by general order. Additionally, the Western Australian Parliament enacted the *Salaries and Wages Freeze Act 1982*, which froze wage increases in the public sector but was not at that time proclaimed to apply to employees in the private sector.

169 The next significant event was the *State Wage Case* of October 1983: (1983) 63 WAIG 2207. This followed a *National Wage Case Decision* (Print F2900). In considering the AIRC's decision, which re-instituted a system of centralised wage fixing and granted an increase of 4.3% based on CPI movements, the Commission in Court Session noted the basis for the AIRC's decision, that being in large part the justification of lifting the wages pause as a result of the Accord, the National Economic Summit and general agreement between the principal parties at the time. An important element of the reintroduction of a centralised system of wage indexation was the agreement between the main parties, including those appearing before the Commission, of consistency between the State and federal tribunals in the operation of the system. The AIRC, in order to regulate the requirements of the new system, introduced 11 Principles to cover the making of claims over the ensuing period. In dealing with the approach of the Commission to date in relation to wage claims, the Commission in Court Session observed at 2208 as follows:

"During the period just mentioned, this Commission avoided too precise a formulation of principles to accompany the indexation of awards. Our reasons for doing so have been spelt out in earlier decisions. They included the fact that primary responsibility for the resolution of anomalies, inequities and special and extraordinary problems resided with individual Commissioners; that the principle of comparative wage justice so pervaded the making of State awards that it needed to be retained to ensure that in adverse economic circumstances employees in Western Australia were not called upon to make a greater sacrifice than their counterparts in other States; and that some of the Australian Commission's principles were not capable of adoption here because of provisions of the State Act. Additionally, we entertained some reservations about the extent to which guidelines too specific were capable of being rigorously observed inside and outside industrial tribunals.

In the present proceedings the TLC has asked that we continue with a flexible approach to matters coming before us. The Confederation of Western Australian Industry (the Confederation) however, whilst acknowledging the need for us to have regard for local circumstances has pressed upon us the view that on this occasion the appearance of uniformity of approach by all industrial tribunals is almost as important as the actuality. For that reason it urges us to adopt a set of principles which can more readily be identified with those laid down by the Australian Commission."

170 In its judgment, the Commission in Court Session favoured the approach advanced by the Confederation that the Commission adopt Wage Fixing Principles similar to that adopted by the AIRC. Subject to some adjustments to the AIRC's Principles to have regard to local circumstances, the Commission in Court Session adopted that course by general order. This was the commencement of the general approach of the Commission to continue to apply the Wage Fixing Principles throughout the rest of the 1980's and the 1990's.

171 There were however, some difficulties experienced en route. In the 1993 *State Wage Case* ((1993) 74 WAIG 198) the Commission in Court Session adopted the then federal Arbitrated Safety Net Adjustment Principle with some reluctance. Whilst some variations to this Principle were suggested, the Commission in Court Session considered that it would be contrary to section 51(2) to make a general order materially different to a *National Wage Case Decision* which would also lead to significant practical problems in the workplace, given the expectation that the Commission should give effect to the *National Wage Decision*. In the 1994 *State Wage Case* ((1994) 74 WAIG 23) the Commission in Court Session noted difficulties in adopting the federal Wage Fixing Principles, due to the divergence in the legislation between the federal and State jurisdictions. Similar observations were made in the 1997 *State Wage Case*: ((1997) 77 WAIG 3177).

- 172 In the 1998 State Wage Case ((1998) 78 WAIG 2579) the Commission in Court Session adopted the Safety Net Review decision of the AIRC, but decided against the option of effecting a general wage movement from a common date as was done in 1997, as this would have meant only six months had passed since the last wage increase. The Commission in Court Session retained the Enterprise Bargaining Principle in the same terms in the Statement of Principles, despite submissions to the contrary.
- 173 In the 1999 State Wage Case ((1999) 79 WAIG 1847) the Commission in Court Session found that the AIRC's National Wage Decision should be given effect to. However, the Commission gave notice to the parties that if the operation of the wage fixing system, promoted under the Statement of Principles, inhibited the realisation of the objects of the Act, and thereby affected good industrial relations, then that would be sufficient reason not to give effect to the National Wage Decision. In particular in relation to the Statement of Principles, the Commission in Court Session deleted the preamble and held that the Enterprise Bargaining Principle was no longer appropriate. The Commission in Court Session also said at 1849:
- “It is important to ensure that the Statement of Principles operates within the scope of the Industrial Relations Act and does not prescribe procedures which limit the Commission's statutory obligations with respect to the resolution of disputes in providing a means for conciliation and promoting good will in industry. It is noted that although the federal industrial relations system maintains a set of wage fixing principles that focus on enterprise outcomes, the availability of “protected industrial action” is quite different from the system in this State. Here the emphasis is on dispute resolution without recourse to industrial action and indeed there is a formal process of secret ballots for that to occur.”
- 174 State Wage Case Decisions after this date, generally gave full effect to National Wage Decisions with only minor variations to the Statement of Principles.
- 175 We consider that the position has changed markedly with the abolition of the AIRC's national wage fixing role, and the legislative amendments to the WRA effected by Work Choices. There is no longer any nexus between State and federal minimum wage fixation. The legislative regimes applying to the discharge of the jurisdictions of the Commission under the Act and the AIRC under the WRA are now very different. For present purposes, it may be open to argue that there will no longer be any "National Wage Decision" under section 51(1) of the Act, which the Commission is obliged to consider in the future.
- 176 The Wage Fixing Principles applicable to the AIRC were most recently made as a consequence of the June 2005 Safety Net Wages Review (Print PR002005). Those Principles remain current.
- 177 The amendments to the WRA effected by Work Choices commenced on 27 March 2006. From that time, all employers and employees falling within the definitions of “constitutional corporations” in sections 5 and 6 of the WRA, move into the new federal system. On and from commencement of the new system, employers and employees within the terms of sections 5 and 6 of the WRA, remain parties to existing federal awards which are now called “pre-reform awards” which will continue to apply. Significantly however, the amendments to the WRA prescribe that all terms of such awards which are not allowable award matters, save for certain preserved award matters, will cease to have effect. All wages and classification matters for such awards will no longer be allowable award matters, will be prescribed by the AFPC and be the subject of the Australian Fair Pay and Conditions Standard.
- 178 In the case of pre-reform awards, the AIRC's ability to make and vary such awards would appear to be limited; generally only to give effect to award rationalisation, to maintain the minimum safety net entitlements, and on other specified grounds. The AIRC's powers in this regard are set out in sections 552, 553 and 554 of the WRA.
- 179 Given that the terms of the AIRC's Wage Fixing Principles predominantly deal with for present purposes, the making and variation of awards above the minimum safety net, under the WRA as it now is, it would appear that these Principles will have little practical effect for this Commission to consider.
- 180 In the case of non-constitutional corporations, and other unincorporated employers, current federal awards and agreements will continue until their expiry, for a transitional period of up to five years. Transitional arrangements for such employers and employees are set out in Schedule 6 of the WRA. This Schedule retains the AIRC's conciliation and arbitration powers in respect of employers and employees bound by such instruments only.
- 181 Specifically, Division 2 of Schedule 6 deals with the variation and revocation of transitional awards by the AIRC. It can make an order varying a transitional award only as permitted by clause 29 which in the main, deals with the provision of minimum safety net entitlements about prescribed matters set out in clause 29(2). Furthermore, the AIRC may also vary a transitional award for the purposes of removing discriminatory terms as set out in clause 30. By clause 40(1), the Full Bench of the AIRC may establish Principles about varying transitional awards concerning allowable transitional award matters. Once such Principles are made, variations of transitional awards in relation to such matters may only generally be made by a Full Bench.
- 182 These transitional provisions would seem to suggest that the existing Wage Fixing Principles of the AIRC, arising from the June 2005 Safety Net Review, have little or no application to transitional awards and are no longer relevant for this Commission to consider, when it comes to discharging its statutory duty under the Act in relation to minimum wages.

Minute of Proposed Order

183 We propose to give effect to our Decision by issuing a General Order which will:

- (a) Rescind the General Order 576 of 2005 and its accompanying Statement of Principles.
- (b) Make a General Order and accompanying Statement of Principles.

184 A minute of the proposed order is attached.

2006 WAIRC 04702

GENERAL ORDER TO VARY ALL AWARD RATES AND ALLOWANCESWESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION
TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA**PARTIES****APPLICANT**

-v-

MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, CHAMBER OF
COMMERCE AND INDUSTRY OF WESTERN AUSTRALIA**RESPONDENTS**

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS (CTH)

INTERVENORAUSTRALIAN COUNCIL OF SOCIAL SERVICES, AUSTRALIAN YOUNG CHRISTIAN
WORKERS, COMBINED SMALL BUSINESS ALLIANCE OF WESTERN AUSTRALIA,
MR. MH DALE, UNITING CHURCH IN AUSTRALIA, WESTERN AUSTRALIAN
SYNOD, WESTERN AUSTRALIAN COUNCIL OF SOCIAL SERVICES**OTHER PERSONS****CORAM**CHIEF COMMISSIONER A R BEECH
SENIOR COMMISSIONER J F GREGOR
COMMISSIONER S J KENNER
COMMISSIONER J H SMITH
COMMISSIONER J L HARRISON**HEARD**MONDAY, 26 JUNE 2006, MONDAY, 30 JANUARY 2006, TUESDAY, 7 MARCH 2006,
THURSDAY, 6 APRIL 2006, MONDAY, 22 MAY 2006, TUESDAY, 23 MAY 2006,
WEDNESDAY, 24 MAY 2006**DELIVERED**

TUESDAY 4 JULY 2006

FILE NO.

APPL 957 OF 2005

CITATION NO.

2006 WAIRC 04702

Result

General Order and Order issued

Representation**Applicant**

Ms J. Freeman (in writing)

RespondentsMs J. Gardner and Mr M. Hammond on behalf of the Minister for Consumer and Employment
Protection (in writing)
Mr D. Jones on behalf of the Chamber of Commerce and Industry of Western Australia, Inc. (in
writing)*Supplementary Reasons for Decision*

- 1 Pursuant to section 35 of the Act, the parties concerned shall, at a time fixed by the Commission, be entitled to speak to matters contained in the minutes of the decision and the Commission may, after hearing the parties, vary the terms of those minutes before they are delivered as the decision of the Commission. A Speaking to the Minutes was requested by the State Minister and the TLC concerning the award minimum rate of pay for adult apprentices. The CCIWA also queried how the Commission's decision is to be applied to allowances. These parties provided their submissions in writing to the Commission by 12 noon on 4 July 2006.
- 2 The first matter is the application of the Commission's decision to the award minimum rate of pay for adult apprentices. This is an issue with some history. The present minimum award adult apprentice rate of \$406.70 per week was set during the proceedings which initially followed the amendments to the *Industrial Relations Act, 1979* and the *Minimum Conditions of Employment Act, 1993* made by the *Labour Relations Reform Act, 2002*. The rate of \$406.70 per week was "phased in" by a General Order issued under section 50(2) of the Act in October 2003 (2003 WAIRC 09877; (2003) 83 WAIG 3555). The rate was the third year apprentice rate for a 4-year term under the *Metal Trades (General) Award* which is 75% of the tradesperson's rate of pay. The rate of \$406.70 was effective from the beginning of the first pay period commencing on or after 30 April 2004.
- 3 In the 2004 State Wage Case under section 51 of the Act, the Commission stated that in the absence of the provision for an adjustment to the wage for adult apprentices in the National Wage Decision, the minimum adult apprentice award wage could not be adjusted under section 51 of the Act (2004 WAIRC 11660; (2004) 84 WAIG 1524 at paragraph 58).
- 4 We consider that the restriction on the Commission under section 51 amending the award minimum rate of pay for adult apprentices does not arise in the present proceedings under section 50. We consider that the power given to the Commission in section 50(2) of the Act includes the power to make a General Order in relation to adult apprentice wage rates in awards of the Commission.
- 5 The TLC claim before the Commission sought an increase to the rate to \$423.00 per week (see tab 2 of the TLC materials). No separate submissions about this claim were put specifically during the proceedings. In its written submission the TLC now submits that the rate should be increased to \$448.65 being the 3rd year rate of a 4 year apprenticeship under the *Metal Trades (General) Award* after the increase from this decision. The TLC states that given the skill shortage and record unemployment in WA it is "a big decision" for an adult worker to consider an apprenticeship if it means taking a considerable cut in pay. In the alternative, the TLC supports the State Minister's position that the full \$20.00 per week increase should be applied.
- 6 The State Minister submits that if the Commission had maintained the award minimum rate of pay for adult apprentices at the level at which it was established, that is the third year rate of a 4-year apprenticeship under the *Metal Trades (General) Award*, the rate would now be \$448.65. As this has not occurred, the State Minister considers it would be more appropriate to increase the adult apprentice award rate by \$20.00 per week, being the full amount awarded to adult award wages generally, even though this is still significantly below the third year rate in the *Metal Trades (General)*

Award. In the view of the State Minister, this increase would satisfy the Minister's view of providing a fair and up to date wage rate that reflects a balance between the training nature of an apprentice's employment and the financial needs of any adult employee, and is preferable to the \$15.00 per week increase (being 75% of the \$20.00 wage increase) which would result if the rate was increased on the basis upon which it has been set.

- 7 The CCIWA submitted that the rate should be increased by \$15.00 to reflect the 3rd year apprentice relativity of 75%.
- 8 The conclusion we now reach arises from the fact that the award minimum rate of pay for adult apprentices was not raised for separate consideration in the proceedings before us. The difficult history of the rate which is seen in the October 2003 decision of the Commission in Court Session ((2003) 83 WAIG 3537) suggests that the Commission in Court Session should merely increase the rate in accordance with the basis upon which it was fixed. That would adjust the rate in accordance with the method it was originally calculated, that is, the third year apprentice rate for a 4-year term under the *Metal Trades (General) Award* which is 75% of the tradesperson's rate of pay. This will result in a \$15.00 per week adjustment.
- 9 We recognise that this does not address the fact that the rate has not been increased since 30 April 2004. However, that fact was not raised in the claim before us and thus was not part of our decision. Whether the award minimum rate of pay for adult apprentices should be further increased should be the subject of a further application to the Commission which will allow a detailed examination of the issue.

Allowances

- 10 The CCIWA notes that the Minute does not deal with how allowances in awards are to be dealt with. It is our intention that past practice when a flat rate award wage increase is ordered be followed and award allowances which relate to work or conditions which have not changed, or service increments, may be varied in accordance with our decision by application to vary the award. We propose to adopt the wording from paragraph 8 of the General Order from the 2004 State Wage Decision ((2004) 84 WAIG 1531 at 1532) as follows:

"That allowances which relate to work or conditions which have not changed and service increments may be varied in accordance with the Statement of Principles – July 2006 by an application to amend the award."

Other Matters

- 11 The Commonwealth's representative wrote to the Commission regarding the Commonwealth's position referred to in paragraph 80 of the Reasons for Decision. The Commonwealth's representative submits, by referring to the transcript of proceedings, that he made no concession regarding whether or not the percentage figure asserted by the TLC was correct and that his response to a question from the Bench did nothing more than confirm that a table which had been prepared by the TLC asserted that coverage of the federal system for Australia as a whole is 76.3%.
- 12 We consider the Commonwealth's representative correctly states his position. We note however that the table presented by the TLC referred to was based upon the same unpublished ABS data from which the Commonwealth itself presented tables during the proceedings. The Commonwealth did not dispute the figure of 76.3% nor provide any different figure for the Commission's consideration. We therefore consider that our conclusion that Work Choices' coverage Australia-wide is 76.3% on the information before us is correct.

Conclusion

- 13 A General Order and Order now issues in the terms of the Minute other than clarifying the award minimum wage for adult apprentices and clarifying the position regarding how allowances within awards are to be dealt with.

2006 WAIRC 04703

GENERAL ORDER TO VARY ALL AWARD RATES AND ALLOWANCES

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES

TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA

APPLICANT

-v-

MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, CHAMBER OF COMMERCE AND INDUSTRY OF WESTERN AUSTRALIA

RESPONDENTS

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS (CTH)

INTERVENOR

AUSTRALIAN COUNCIL OF SOCIAL SERVICES, AUSTRALIAN YOUNG CHRISTIAN WORKERS, COMBINED SMALL BUSINESS ALLIANCE OF WESTERN AUSTRALIA, MR. MH DALE, UNITING CHURCH IN AUSTRALIA, WESTERN AUSTRALIAN SYNOD, WESTERN AUSTRALIAN COUNCIL OF SOCIAL SERVICES

OTHER PERSONS

CORAM

CHIEF COMMISSIONER A R BEECH
SENIOR COMMISSIONER J F GREGOR
COMMISSIONER S J KENNER
COMMISSIONER J H SMITH
COMMISSIONER J L HARRISON

DATE

TUESDAY, 4 JULY 2006

FILE NO.

APPL 957 OF 2005

CITATION NO.

2006 WAIRC 04703

Result	General Order and Order issued
Representation	
Applicant	Ms J. Boots, of counsel, and later Ms J. Freeman
Respondents	Ms J. Gardner and Mr M. Hammond on behalf of the Minister for Consumer and Employment Protection Mr D. Jones on behalf of the Chamber of Commerce and Industry of Western Australia, Inc.
Intervenor	Mr S. Amendola, of counsel on behalf of the Commonwealth Minister for Employment and Workplace Relations
Other Persons	Mr M. Cox, of counsel on behalf of Uniting Church in Australia, Western Australian Synod

General Order and Order

THE COMMISSION IN COURT SESSION constituted for the purpose of section 50 of the *Industrial Relations Act 1979* ("the Act"), having published its reasons for decision and pursuant to sections 50 and 51(4) of the Act hereby:

A. Makes the following Order:

THAT the General Order which issued on 4 July 2005 in matter No. 576 of 2005 (2005 WAIRC 01956; (2005) 85 WAIG 2089) is rescinded with effect on and from 7 July 2006.

B. Makes the following General Order:

1. THAT weekly rates of pay for adults in each award of the Commission, other than those awards set out in Schedule 1, be increased by the arbitrated safety net adjustment of \$20.00 per week with effect on and from 7 July 2006 and that this increase shall be subject to absorption in the same terms as previous State Wage decisions.
2. THAT any increase to wages resulting from the General Order, unless provided for elsewhere, shall be calculated on the basis that:
 - (a) Where the award prescribes an adult fortnightly rate of pay, the fortnightly rate of pay be increased by \$40.00 per fortnight with effect on and from 7 July 2006.
 - (b) Where the award prescribes an adult annual rate of pay, the annual rate of pay is increased by \$1043.00 per annum with effect on and from 7 July 2006.
 - (c) Where the award prescribes an adult hourly rate of pay, the hourly rate of pay is increased by the amount of \$20.00 per week divided by the number of ordinary hours of work prescribed by the relevant award for a full-time employee. Where applicable, casual loadings are to be calculated based on the hourly rate.
3. THAT where an award rate other than an adult rate is determined by reference to a percentage of the adult rate or some other formula those award rates shall be varied on the basis of that percentage or formula to take into account the application of the arbitrated safety net adjustment of \$20.00 per week to the adult award wage.
4. THAT increases under State Wage Case Principles prior to 7 July 2006, except those resulting from enterprise agreements, are not to be used to offset the arbitrated safety net adjustment of \$20.00 per week.
5. THAT all awards which contain a Minimum Adult Award Wage Clause or provision be varied by:
 - (a) deleting the amount of "\$484.40" wherever it appears and inserting in lieu the amount of "\$504.40".
 - (b) Deleting the date "7th July 2005" wherever it appears and inserting in lieu the date "7th July 2006".
 - (c) Deleting the words "2005 State Wage Case Decision" wherever they appear and inserting in lieu the words "2006 General Order Wage Case Decision".
6. THAT all awards which contain a minimum rate of pay for adult apprentices be varied by deleting the amount of "\$406.70" wherever it appears and inserting in lieu the amount of "\$421.70".
7. THAT allowances which relate to work or conditions which have not changed and service increments may be varied in accordance with the Statement of Principles – July 2006 by an application to amend the award.
8. THAT the Statement of Principles – July 2006 as set out in Schedule 2 operate with effect on and from 7 July 2006.
9. THAT the Registrar publish in the Western Australian Industrial Gazette and on the Commission's website the clauses of the awards varied by this General Order incorporating the amendments made by this General Order.

[L.S.]

(Sgd.) A R BEECH,
Commission In Court Session.

Schedule 1

LIST OF AWARDS NOT SUBJECT TO THIS GENERAL ORDER

Alcoa Long Service Leave Conditions Award, 1980
 Catering Employees' (North West Shelf Project) Long Service Leave Conditions Award 1991
 Catering Workers' (North Rankin A) Long Service Leave Conditions Award No. A 40 of 1987
 Clerks (Racing – Betting) Award 1978, No. R22 of 1977
 Contract Cleaning (F.M.W.U.) Superannuation Award 1988 - The
 Health Care Industry (Private) Superannuation Award 1987
 Hospital Salaried Officers (Joondalup Health Campus) Award 1996
 Iron and Steel Industry Workers' (Australian Iron and Steel Pty Ltd) Production Bonus Scheme Award
 Iron Ore Production & Processing (BHP Billiton Iron Ore Pty Ltd) Award 2002
 Iron Ore Production & Processing (Locomotive Drivers) Award 2006
 Iron Ore Production & Processing (Locomotive Drivers Rio Tinto Railway) Award 2006
 Miscellaneous Government Conditions and Allowances Award No A 4 of 1992
 Miscellaneous Workers' (Security Industry) Superannuation Award, 1987
 Ngala Superannuation Award
 North Rankin Construction Award
 Printing Industry Superannuation Award 1991
 Printing (The Sunday Times Guaranteed Employment and Voluntary Retirement) Award, 1983
 Printing (West Australian Newspapers Limited, Guaranteed Employment and Voluntary Retirement) Award, 1983
 Public Service Allowances (Fisheries and Wildlife Officers) Award 1990
 Shearing Contractors' Award of Western Australia 2003
 Supported Employees Industry Award
 Swan Brewery Company Limited (Superannuation) Award 1987 - The
 West Australian Petroleum Pty Ltd Long Service Leave Conditions Award 1991
 Western Australian Mint Award 2005
 Woodside Offshore Petroleum Pty Ltd Long Service Leave Conditions Award, 1984
 Worsley Alumina Pty Ltd Long Service Leave Conditions Award, 1984

Schedule 2

STATEMENT OF PRINCIPLES – July 2006**1. Role of Arbitration and the Award Safety Net**

Existing wages and conditions in awards and relevant agreements of the Commission constitute the safety net which protects employees who may be unable to reach an industrial agreement.

Wages and conditions of employment maintained in awards in accordance with these Principles and through the operation of section 40B of the Act are the safety net.

These Principles do not have application to Enterprise Orders made under section 42I of the Act.

2. When an Award or relevant Agreement may be varied or another Award made without the claim being regarded as above or below the Safety Net:

In the following circumstances an award or relevant agreement may, on application, be varied or another award made without the application being regarded as a claim for wages and/or conditions above or below the award safety net:

- (a) to include previous State Wage Case increases in accordance with Principle 3.
- (b) To incorporate test case standards in accordance with Principle 4.
- (c) To adjust allowances and service increments in accordance with Principle 5.
- (d) To adjust wages pursuant to work value changes in accordance with Principle 6.
- (e) To reduce standard hours to 38 per week in accordance with Principle 7.
- (f) To adjust wages for arbitrated safety net adjustments in accordance with Principle 8.
- (g) To vary an Award or relevant Agreement to include the Minimum Adult Wage in accordance with Principle 9.
- (h) A consent variation to a single enterprise specific award or a consent replacement award to a single enterprise specific award under Principle 10 giving effect to structural efficiency initiatives or productivity based arrangements.
- (i) Where awards already make provision for superannuation pursuant to principles which operated under State Wage Cases from 1986 until 1993 the terms of those clauses may be varied to refer to current Federal Statutes in lieu of employers' contributions, but these clause shall not be varied otherwise.

- (j) To vary the award to incorporate industrial agreement provisions into the award by consent pursuant to section 40A of the Act. The incorporated industrial agreement wage rate and allowance provisions will not be subject to arbitrated safety net adjustments and will be identified separately in the award at the time of variation.

3. Previous State Wage Case Increases

Increases available under previous State Wage Case Decisions such as structural efficiency adjustments, and previous arbitrated safety net adjustments will, on application, still be accessible.

Minimum rates adjustments may also be progressed under this principle.

4. Test Case Standards

Test Case Standards established and/or revised by the Commission may be incorporated in an award. Where disagreement exists as to whether a claim involves a test case standard, those asserting that it does, must make an application and justify its referral. The Chief Commissioner will decide whether the claim should be dealt with by a Commission in Court Session.

5. Adjustment of Allowances and Service Increments

Existing allowances which constitute a reimbursement of expenses incurred may be adjusted from time to time where appropriate to reflect the relevant change in the level of such expenses.

Adjustment of existing allowances which relate to work or conditions which have not changed and of service increments will be determined in each case in accordance with State Wage Decisions.

Allowances which relate to work or conditions which have not changed and service increments may be adjusted as a result of the arbitrated safety net increase in Clause 8 of this Section.

In circumstances where the Commission has determined that it is appropriate to adjust existing allowances relating to work or conditions which have not changed and service increments for a monetary safety net increase, the method of adjustment shall be that such allowances and service increments should be increased by a percentage derived as follows: divide the monetary safety net increase by the rate of pay for the key classification in the relevant award immediately prior to the application of the safety net increase to the award rate and multiply by 100.

Existing allowances for which an increase is claimed because of changes in the work or conditions will be determined in accordance with the relevant provisions of the Work Value Changes Principle of this Statement of Principles.

New allowances to compensate for the reimbursement of expenses incurred may be awarded where appropriate having regard to such expenses.

Where changes in the work have occurred or new work and conditions have arisen, the question of a new allowance, if any, shall be determined in accordance with the relevant principles of this Statement of Principles. The relevant principles in this context may be Work Value Changes Principle or First Award and Extensions to an Existing Award Principle.

New service increments may only be awarded to compensate for changes in the work and/or conditions and will be determined in accordance with the relevant parts of the Work Value Changes Principle of this Statement of Principles.

6. Work Value Changes

- (a) Changes in work value may arise from changes in the nature of the work, skill and responsibility required or the conditions under which work is performed. Changes in work by themselves may not lead to a change in wage rates. The strict test for an alteration in wage rates is that the change in the nature of the work should constitute such a significant net addition to work requirements as to warrant the creation of a new classification or upgrading to a higher classification.

In addition to meeting this test a party making a work value application will need to justify any change to wage relativities that might result not only within the relevant internal award classifications structure but also against external classifications to which that structure is related. There must be no likelihood of wage "leapfrogging" arising out of changes in relative position.

These are the only circumstances in which rates may be altered on the ground of work value and the altered rates may be applied only to employees whose work has changed in accordance with this provision.

In applying the Work Value Changes Principle, the Commission will have regard to the need for any alterations to wage relativities between awards to be based on skill, responsibility and the conditions under which work is performed.

- (b) Where new or changed work justifying a higher rate is performed only from time to time by persons covered by a particular classification or where it is performed only by some of the persons covered by the classification, such new or changed work should be compensated by a special allowance which is payable only when the new or changed work is performed by a particular employee and not by increasing the rate for the classification as a whole.
- (c) The time from which work value changes in an award should be measured is the date of operation of the second structural efficiency adjustment allowable under the September 1989 State Wage Decision ((1989) 69 WAIG 2917).
- (d) Care should be exercised to ensure that changes which were or should have been taken into account in any previous work value adjustments or in a structural efficiency exercise are not included in any work evaluation under this provision.
- (e) Where the tests specified in (a) are met, an assessment will have to be made as to how that alteration should be measured in money terms. Such assessment should normally be based on the previous work and the nature and extent of the change in work.

- (f) The expression "the conditions under which the work is performed" relates to the environment in which the work is done.
- (g) The Commission should guard against contrived classifications and over-classification of jobs.
- (h) Any changes in the nature of the work, skill and responsibility required or the conditions under which the work is performed, taken into account in assessing an increase under any other provision of this Statement of Principles, shall not be taken into account in any claim under this provision.

7. Standard Hours

In approving any application to reduce standard hours to 38 per week, the Commission will satisfy itself that the cost impact is minimised.

8. Arbitrated Safety Net Adjustments

Where the minimum rates adjustment process in an award has been completed, the Commission may consider an application for the base rate, supplementary payment and arbitrated safety net adjustments to be combined so that the award specifies only the total minimum rate for each classification.

By consent of all parties to an award, where the minimum rates adjustment has been completed, award rates may be expressed as hourly rates as well as weekly. In the absence of consent, a claim that award rates be so expressed may be determined by arbitration.

The arbitrated safety net adjustment arising from the decision in Matter No. 957 of 2005 is \$20.00 per week.

9. Minimum Adult Award Wage

A minimum adult award wage clause will be required to be inserted in any new award.

The minimum adult wage clause will be as follows –

MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full-time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special category of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall –
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by the award for an adult apprentice in force immediately prior to 5 June 2003.

10. Making or Varying an Award or issuing an Order (other than an Enterprise Order under section 42I of the Act) which has the effect of varying wages or conditions above or below the safety net

An application or reference for a variation in wages or conditions above or below the safety net will be referred to the Chief Commissioner for him to determine whether the matter should be dealt with by a Commission in Court Session or by a single Commissioner.

Provided that where parties to a single enterprise specific award apply to vary the award by consent or consent to a replacement award to give effect to structural efficiency initiatives or productivity based arrangements the Chief Commissioner may allocate the matter to a single Commissioner.

11. New Awards (including interim Awards) and Extensions to an existing Award

The following shall apply to the making of a new award (including an interim award) and an extension to an existing award:

- (a) In the making of a new award, the main consideration shall be that the award meets the needs of the particular industry or enterprise while ensuring that employees' interests are also properly taken into account. Structural efficiency considerations shall apply in the making of such an award.
- (b) Subject to section 36A(3) in the making of an interim award the Commission shall ensure that the award meets the needs of the particular industry or enterprise while ensuring that employees' interests are also properly taken into account. Structural efficiency considerations shall apply in the making of such an award.
- (c) A new award (including and interim award) shall have a clause providing for the minimum award wage [see Clause 9 of this Section] included in its terms.
- (d) In the extension of an existing award to new work or to award-free work the rates applicable to such work will be assessed by reference to the value of work already covered by the award, providing structural efficiency considerations including the minimum rates adjustment provisions where relevant have been applied to the award.

12. Economic Incapacity

Any respondent or group of respondents to an award may apply to reduce and/or postpone the variation which results in an increase in labour costs under this Statement of Principles on the ground of very serious or extreme economic adversity. The merit of such application shall be determined in the light of the particular circumstances of each case and any material relating thereto shall be rigorously tested. The impact on employment at the enterprise level of the increase in labour costs is a significant factor to be taken into account in assessing the merit of an application. A party making such an application must make and justify an application as a Special Case. It will then be a matter for the Chief Commissioner to decide whether it should be dealt with by a Commission in Court Session.

13. Duration

This Statement of Principles will operate until reviewed.

2006 WAIRC 04725

GENERAL ORDER TO VARY ALL AWARD RATES AND ALLOWANCES

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES

TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA

APPLICANT

-v-

MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, CHAMBER OF COMMERCE AND INDUSTRY OF WESTERN AUSTRALIA

RESPONDENTS

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS (CTH)

INTERVENOR

AUSTRALIAN COUNCIL OF SOCIAL SERVICES, AUSTRALIAN YOUNG CHRISTIAN WORKERS, COMBINED SMALL BUSINESS ALLIANCE OF WESTERN AUSTRALIA, MR. MH DALE, UNITING CHURCH IN AUSTRALIA, WESTERN AUSTRALIAN SYNOD, WESTERN AUSTRALIAN COUNCIL OF SOCIAL SERVICES

OTHER PERSONS

CORAM

CHIEF COMMISSIONER A R BEECH
SENIOR COMMISSIONER J F GREGOR
COMMISSIONER S J KENNER
COMMISSIONER J H SMITH
COMMISSIONER J L HARRISON

DATE

FRIDAY 7 JULY 2006

FILE NO.

APPL 957 OF 2005

CITATION NO.

2006 WAIRC 04725

Result Correction Order issued

Correction Order

WHEREAS Schedule 1 of the General Order dated 4 July 2006 which issued in application 957 of 2005 (2006 WAIRC 04703) listed awards not subject to the General Order;

AND WHEREAS in 5 of the listed awards only certain clauses should be not subject to the General Order, the Commission in Court Session hereby makes the following correcting order –

THAT Schedule 1 attached to the General Order dated 4 July 2006 in application 957 of 2005 be corrected as follows:

1. After *Clerks (Racing Industry – Betting) Award 1978* insert "Schedule C only".
2. After *Iron Ore Production & Processing (BHP Billiton Iron Ore Pty Ltd) Award 2002* insert "Schedule 1 only".
3. After *Iron Ore Production & Processing (Locomotive Drivers Rio Tinto Railway) Award 2006* insert "Clause 6 only".
4. After *Shearing Contractors' Award of Western Australia 2003* insert "Clause 4.2 only".
5. After *Western Australian Mint Award 2005* insert "First Schedule only".

[L.S.]

(Sgd.) A R BEECH,
Commission In Court Session.

VARIATION SCHEDULES—

"Clauses of Awards as varied by the General Order of the Commission in Court Session in Application 957 of 2005 dated 4th July 2006"

2006 WAIRC 04797

ABORIGINAL MEDICAL SERVICE EMPLOYEES' AWARD

NO. A 26 OF 1987

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.

- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

26. – WAGES

The minimum weekly rate of wage payable to employees covered by this award shall include the base rate plus the arbitrated safety net adjustments expressed hereunder:

	Base Rate Per Week \$	Arbitrated Safety Net Adjustments Per Week \$	Total Per Week \$
(1) (a) Aboriginal Community Care Worker			
1st six months of employment	383.70	179.00	562.70
2nd six months of employment	388.20	179.00	567.20
2nd year of employment	397.00	179.00	576.00
3rd year of employment	405.50	179.00	584.50
(b) Aboriginal Health Worker Grade 1			
1st year of employment	409.80	179.00	588.80
2nd year of employment	414.20	179.00	593.20
3rd year of employment	423.40	181.00	604.40
5th year of employment	437.06	181.00	618.06
(2) Aboriginal Health Worker Grade 2			
1st year of employment	437.06	181.00	618.06
2nd year of employment	457.77	181.00	638.77
3rd year of employment	477.90	179.00	656.90
4th year of employment	512.90	179.00	691.90
6th year of employment	537.40	179.00	716.40
8th year of employment	561.40	179.00	740.40
(3) Aboriginal Health Worker Grade 3			
1st year of employment	512.90	179.00	691.90
2nd year of employment	537.40	179.00	716.40
3rd year of employment	561.40	179.00	740.40
5th year of employment	570.40	179.00	749.40
6th year of employment	603.84	179.00	782.84
8th year of employment	650.40	177.00	827.40
(4) (a) Aboriginal Health Workers Grade 4 Level 1			
1st year of employment	650.40	177.00	827.40
2nd year of employment	675.40	175.00	850.40
3rd year of employment	706.90	175.00	881.90
4th year of employment	766.78	175.00	941.78
6th year of employment	805.12	175.00	980.12
(b) Aboriginal Health Worker Grade 4 Level 2			
1st year of employment	706.90	175.00	881.90
2nd year of employment	766.78	175.00	941.78
3rd year of employment	805.12	175.00	980.12
5th year of employment	865.38	175.00	1040.38
(5) Junior Employees: Junior employees shall receive the following percentage of the 1st year rate:			
	%		
Under 17 years of age	73		
Under 18 years of age	81		
Under 19 years of age	87		
(6) (a) The ordinary rate of wage prescribed in subclause (1) hereof shall be increased by \$11.10 per week when a registered enrolled nurse has obtained a post basic certificate approved by the Nurses Board of Western Australia and he/she is required to use the knowledge gained in that certificate as part of his/her employment.			

- (b) The ordinary rate of wage prescribed in subclause (1) hereof shall be increased by \$8.90 per week when a registered enrolled nurse becomes proficient to do work deemed extraordinary by the employer or the Western Australian Industrial Relations Commission.
- (c) The on call allowance shall be paid to health workers for each on call period they are rostered to.
- (7) Any employee who has passed the examination for registration prescribed by the Nurses Board of Western Australia shall, for the purposes of this clause, be deemed to be an enrolled nurse.
- (8) **Supervisory Allowance**
A health worker Grade 1 or Grade 2 who is appointed to supervise other employees and to be responsible for the operation of a clinic, health unit or outpost shall be paid an hourly allowance based on the ordinary wage prescribed for the classification in which they are employed increased by 4.5%.
- (9) Where an enrolled nurse is engaged as a health worker and that enrolled nurse wishes to maintain their enrolled nurse registration, the employer shall provide work in a nursing situation each year to enable them to maintain their registration with their nurses' board.
- (10) **Specialist Allowance**
Where a health worker is performing specialist duties, for example has responsibility for a special project or program, which require independent application of a high level of theoretical or specialist knowledge, that health worker shall be paid an allowance equal to 7% of the Aboriginal Health Worker Grade 4 Level 1, 1st year of employment for the period that worker is exercising those skills.

	Base Rate Per Week \$	Arbitrated Safety Net Adjustments Per Week \$	Total Per Week \$
(11) Gardener			
1st year of employment	374.60	179.00	553.60
2nd year of employment	379.60	179.00	558.60
3rd year of employment and thereafter	383.80	179.00	562.80
(12) Domestic			
1st year of employment	374.60	179.00	553.60
2nd year of employment	379.60	179.00	558.60
3rd year of employment and thereafter	383.80	179.00	562.80
(13) Cook			
1st year of employment	394.90	179.00	573.90
2nd year of employment	399.20	179.00	578.20
3rd year of employment and thereafter	403.30	179.00	582.30
(14) Driver of Motor Vehicle (under 1.2 tonnes)			
1st year of employment	394.80	179.00	573.80
2nd year of employment	398.60	179.00	577.60
3rd year of employment and thereafter	401.70	179.00	580.70
(15) Driver of Motor Vehicle (exceeding 1.2 tonnes capacity but not exceeding 3 tonnes capacity)			
1st year of employment	399.10	179.00	578.10
2nd year of employment	402.80	179.00	581.80
3rd year of employment and thereafter	406.00	179.00	585.00
(16) Bus Driver (under 25 passengers)			
1st year of employment	401.20	179.00	580.20
2nd year of employment	404.90	179.00	583.90
3rd year of employment and thereafter	408.10	179.00	587.10
(17) Storeperson (Grade 1)			
1st year of employment	388.90	179.00	567.90
2nd year of employment	392.80	179.00	571.80
3rd year of employment and thereafter	396.20	179.00	575.20
(18) Leading hands shall be paid the ordinary wage prescribed for the classification in which they are employed increased by:			
			Per Week \$
(a) When in charge of not less than 3 and not more than 10 other employees			17.69
(b) When in charge of more than 10 and not more than 20 other employees			26.44
(c) When in charge of more than 20 other employees			35.20

- (19) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (20) Where the term "year of employment" has been used in this clause, it shall mean all service whether full time or part time and shall include service of an equivalent nature in any Aboriginal Health Organisation.
- Such service shall be calculated in periods of calendar years from the date of commencement of work with the employer and by automatic progression subject to satisfactory service.
- (21) When an employee transfers from one grade or level to another, the employee shall be placed at the next highest rate of pay from the wage they were previously receiving and subclause (20) of this clause shall not apply in these circumstances.

2006 WAIRC 04798

**ABORIGINAL POLICE AIDES AWARD, THE
NO. R 31 OF 1979**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - SALARIES

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (1) The rates payable in respect of the ordinary hours of duty shall be as prescribed hereunder:

	Existing Salary \$	Arbitrated Safety Net Adjustment \$	Total Salary P/A \$
Police Aide	26884	8712	35596
First Class Aide	27946	8712	36658
Senior Aide	30487	8712	39199

Hours worked in excess of forty (40) in a week on a voluntary basis at sporting or other public events shall be considered ordinary hours of duty and paid in accordance with the hourly rate prescribed in subclause (3) of this clause.

- (2) Salaries shall be paid by direct funds transfer to the credit of an account nominated by the employee at a bank, building society or credit union approved by the Under Treasurer or an Accountable Officer.
Provided that where such form of payment is impracticable or where some exceptional circumstances exist, and by agreement between the Minister and the Union, payment by cheque may be made.
- (3) (a) For the purpose of ascertaining the rate per fortnight the total annual salary shall be multiplied by 12 and divided by 313.
(b) For the purpose of ascertaining the rate per day the rate per fortnight shall be divided by 10.
(c) For the purpose of ascertaining the rate per hour the annual salary prescribed in subclause (1) of this clause shall be divided by three hundred and thirteen (313), multiplied by twelve (12) and divided by eighty (80).
- (4) A part-time employee shall be paid a proportion of the appropriate full-time salary contained in this clause dependent on the number of ordinary hours worked. The salary shall be calculated in accordance with the following formula –

$$\frac{\text{Hours worked per fortnight}}{80} \times \frac{\text{Full-time fortnightly salary}}{1}$$

2006 WAIRC 04799

**ACTIV FOUNDATION (SALARIED OFFICERS) AWARD,
NO. 13 OF 1977**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6) (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
(b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
(a) apply to all work in ordinary hours.
(b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE B - MINIMUM SALARIES

- (1) Subject to the provision of Clause 10. Salaries and to the provisions of this schedule the minimum annual salaries for employees bound by the award are set out hereinafter.

- (2) Minimum Salaries

LEVELS	CURRENT	ASNA	NEW
Level 1 Under 17 Years Of Age	11363	3886	15249
17 Years Of Age	13270	4538	17808
18 Years Of Age	15490	5297	20787
19 Years Of Age	17929	6131	24060
20 Years Of Age	20135	6885	27020
21 Years Of Age 1 st Year Of Service	22117	7563	29680
22 Years Of Age 2 nd Year Of Service	22771	7563	30334
23 Years Of Age 3 rd Year Of Service	23421	7563	30984
24 Years Of Age 4 th Year Of Service	24069	7668	31737
Level 2	24720	7668	32388
	25371	7668	33039
	26120	7564	33684
	26638	7564	34202
	27403	7564	34967
Level 3	28307	7564	35871
	29010	7564	36574
	29749	7564	37313
	30928	7564	38492
Level 4	31545	7564	39109
	32470	7564	40034
	33421	7564	40985
	34772	7459	42231
Level 5	35476	7459	42935
	36443	7459	43902
	37438	7355	44793
	38462	7355	45817
Level 6	40434	7355	47789
	41898	7355	49253
	43978	7355	51333
Level 7	45091	7355	52446
	46501	7355	53856
	47962	7355	55317
Level 8	50097	7355	57452
	51847	7355	59202
Level 9	54495	7355	61850
	56337	7355	63692
Level 10	58354	7355	65709
	61598	7355	68953
Level 11	64189	7355	71544
	66824	7355	74179
Level 12	70437	7355	77792
	72878	7355	80233
	75662	7355	83017

An employee, who is 21 years of age or older on appointment to a classification equivalent to Level 1, may be appointed to the minimum rate of pay based on years of service, not on age.

Where State Wage Case decisions of the Western Australian Industrial Relations Commission result in an expressed money adjustment to adult (21 years and over) salaries under this clause, the rates for Level 1 employees under 21 years shall be calculated using the following formula:

Current junior rate Current Level 1 (21 years, 1st year of service) rate x ASNA rate for Level 1 (21 years, 1st year of service) = Junior ASNA rate.

The junior ASNA rate is added to the Current Junior Rate to obtain the applicable New Junior rate.

(3) Salaries Specified Callings and Other Professionals

- (a) Employees, who possess a relevant tertiary level qualification, or equivalent as agreed between the union and the employers, and who are employed in the callings of Librarian, Program Development, or any other professional calling as agreed between the union and employers, shall be entitled to Annual Salaries as follows:

LEVELS	CURRENT	ASNA	NEW
LEVEL 3/5	28307	7564	35871
	29749	7564	37313
	31545	7564	39109
	33421	7564	40985
	36443	7459	43902
LEVEL 6	38462	7355	45817
	40434	7355	47789
	41898	7355	49253
	43978	7355	51333
LEVEL 7	45091	7355	52446
	46501	7355	53856
	47962	7355	55317
LEVEL 8	50097	7355	57452
	51847	7355	59202
LEVEL 9	54495	7355	61850
	56337	7355	63692
LEVEL 10	58354	7355	65709
	61598	7355	68953
LEVEL 11	64189	7355	71544
	66824	7355	74179
LEVEL 12	70437	7355	77792
	72878	7355	80233
	75662	7355	83017

- (b) Subject to subclause (d) of this clause, on appointment or promotion to the Level 3/5 under this clause
- (i) Employees, who have completed an approved three academic year tertiary qualification, relevant to their calling, shall commence at the first year increment.
- (ii) Employees, who have completed an approved four academic year tertiary qualification, relevant to their calling, shall commence at the second year increment.
- (iii) Employees, who have completed an approved Masters or PHD degree relevant to their calling, shall commence on the third year increment.

Provided that employees who attain a higher tertiary level qualification after appointment shall not be entitled to any advanced progression through the range.

- (c) The employer and union shall be responsible for determining the relevant acceptable qualifications for appointment for the callings covered by this clause and shall maintain a manual setting out such qualifications.
- (d) The employer in allocating levels pursuant to clause (3) of this schedule may determine a commencing salary above level 3/5 for a particular calling/s.
- (4) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04800

AERATED WATER AND CORDIALMANUFACTURING INDUSTRY AWARD 1975

NO. 10 OF 1975

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. – WAGES

- (1) For employees employed pursuant to this Award by Coca-Cola Bottlers (Perth) Ltd, Cadbury Schweppes Pty Ltd and Pepsi-Seven Up Bottlers Australia Pty Ltd only the minimum weekly rate of pay shall include the base rate plus the supplementary payment per week, operative on and from 7 July 2006.

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Rates \$
(a) Production Employee - Grade 1	385.40	179.00	564.40

Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who may be required to regularly carry out any general duties together with the specific duties listed hereunder:

Specific Duties - Grade 1

- Employees engaged in bottling or canning line operations who are not in charge of operating machines - Operators of bottle washing machines - Inspecting or sighting empty or full bottles - Stacking cases on pallets - Fruit Juice extracting - General Hand.

(b) Production Employee - Grade 2	410.00	179.00	589.00
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Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who in addition to the duties of a Production Employee - Grade 1 may be required to regularly carry out the specific duties listed hereunder

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Rates \$
(b) Production Employee - Grade 2— <i>continued</i>	410.00	179.00	589.00
Specific Duties - Grade 2			
<ul style="list-style-type: none"> • Syrup and/or cordial makers mixing recipes or formulae who are not solely responsible for ensuring adherence to quality standards of batches. • Operators of Filling machines • Operators of labelling, palletising or depalletising, case packing or unpacking, carton or multi packing machines. • Employees engaged on routine line testing • Forklift Driver • Truck Driver 			
Provided that drivers who are required to collect money during any week or portion of a week as part of their duties and account for it shall be paid \$4.55 for such a week in addition to the rate of wage prescribed above.			
(c) Production Employee - Grade 3	430.50	181.00	611.50
Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who in addition to the duties of a Production Employee - Grade 2 may be required to regularly carry out the specific duties listed hereunder.			
Specific Duties - Grade 3			
- Syrup and/or cordial makers mixing recipes or formulae who are solely responsible for ensuring adherence to quality standards of batches - Operators of bottle washing, filling, labelling, palletising or depalletising, case packing or unpacking, carton or multi packing machines or forklifts who are competent and required to operate at least three such different machines one of which may be a forklift truck. - Driver Forklift carrying truck			
(d)	Provided that, where an employee will, as a result of the implementation of the new grading structure receive an increase in excess of that allowed by the Structural Efficiency Principle, the additional amounts will be phased in as follows - the increases will be phased in over four equal instalments which will become payable at not less than six monthly intervals - the first instalment will not be available earlier than 23 February, 1990		
(2)	For all other employees employed pursuant to this Award and not specified in subclause (1) of this clause, the minimum rate shall include the base rate plus the arbitrated safety-net adjustment per week, operative on and from 7 July 2006.		
	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Rates \$
(a) Cordial and/or syrup maker mixing recipe or formulae who is responsible for ensuring that the correct qualities and quantities of ingredients are included in batches	392.50	179.00	571.50
(b) Filler operator:			
(i) for lines with a rate capacity of under 150 units per minute	378.50	179.00	557.50
(ii) for all other lines	387.30	179.00	566.30
(c) Driver of motor vehicle	387.70	179.00	566.70
Provided that drivers who are required to collect money during any week or portion of a week as part of their duties and account for it shall be paid \$4.25 for such week in addition to the rate of wage prescribed above			
(d) Driver of Fork Lift -			
(i) Less than three months experience	377.00	179.00	556.00
(ii) Thereafter	387.60	179.00	566.60
(e) Employees operating labelling, palletising or de-palletising, case packing or unpacking or carton packing machines	380.60	179.00	559.60

- | | Base Rate \$ | Arbitrated Safety Net Adjustments \$ | Minimum Rates \$ |
|--|--------------|--------------------------------------|------------------|
| (f) Employees engaged on routine line testing | 370.40 | 179.00 | 549.40 |
| (g) Employees engaged on bottling or canning line operations including operating bottle washer, removing empty bottles from cases or placing empty bottles on conveyors, sighting, inspecting, filling cases with full bottles and stacking on pallets, fruit juice extracting, cordial and/or syrup room. | 362.70 | 179.00 | 541.70 |
| (h) All others | 357.70 | 179.00 | 536.70 |
- (3) Junior Employees:
- (a) Except as provided for in paragraph (b) of this subclause junior employees shall receive the prescribed percentage of the adult rate for the class of work on which they are engaged.
- | | % |
|---------------------------|-------------|
| 16 years of age and under | 50 |
| At 17 years of age | 60 |
| At 18 years of age | 75 |
| At 19 years of age | 90 |
| At 20 years of age | Adult Rates |
- (b) Where a person is employed pursuant to this Award by Coca Cola Bottlers (Perth) Ltd or Cadbury Schweppes Pty Ltd and he/she is 20 years of age or less then the rate of wage payable shall be as specified in subclause (1) of this clause according to the appropriate classifications.
- (4) Leading Hands:
- In addition to the appropriate rate prescribed in this clause a leading hand shall be paid –
- | | \$ Per Week |
|---|-------------|
| (a) If placed in charge of not less than 3 and not more than 10 other employees | 20.60 |
| (b) If placed in charge of more than 10 and not more than 20 other employees | 31.70 |
| (c) If placed in charge of more than 20 other employees | 42.10 |
- (5) Supplementary payments set out in subclauses (1) and (2) of this clause represent payment in lieu of equivalent overaward payments.
- "Overaward Payment" is defined as the amount (whether it be termed "overaward payment", "attendance bonus", "service increment" or any term whatsoever) which an employee would receive in excess of the "award wage" which applied immediately prior to the decision of the Western Australian Industrial Relations Commission dated 24 December 1993 (Application No. 1457/1993) for the classification in which such employee is engaged. Provided that such payment shall exclude overtime, shift allowances, penalty rates, disability allowances, fares and travelling time allowances and any other ancillary payments of a like nature prescribed by this award.
- The supplementary payment at each classification level includes an \$8.00 adjustment reflecting the application of the arbitrated safety net adjustment principle enunciated in the State Wage decision of 24 December 1993 (Application No. 1457/1993). Consistent with the requirements of the Principles the \$8.00 safety net adjustment is absorbable to the extent of any equivalent amount in rates of pay - whether overaward, award or industrial agreement - in excess of the minimum rates (classification rate and supplementary payment) prescribed in accordance with the September 1989 State Wage Case decision.
- (6) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04801

AEROSPACE ENGINEERING SERVICES PTY LTD ENTERPRISE AWARD 2005

NO. A 6 OF 2003

16. - RATES OF PAY

- (1) Employees will be paid no less than the consolidated base annual salary in accordance with their classification in the following table. The annual salary is inclusive of the 38 hour rostered hours and all allowances (which include annual leave loading, leading hand, first aid, meal allowance, transport allowance, dirty work, hot work, cold work, wet places work, confined space work, fuel tank work and fibreglass work). The annual salary does not include overtime penalties, shift allowances and superannuation payments.
- (2) Employees will be rewarded with promotion and pay increases based on merit and in accordance with Company policy.

<i>38 Hour Week Remuneration</i>			
Classification	Annualised Salary (AS)	Base Weekly Payment (BWP)	Standard Hourly Rate
Administrative Assistant 1	29543	AS/52 weeks	BWP/38 hours
Administrative Assistant 2	31043	AS/52 weeks	BWP/38 hours
Administrative Officer	32543	AS/52 weeks	BWP/38 hours
Storeperson 1	31607	AS/52 weeks	BWP/38 hours
Storeperson 2	33043	AS/52 weeks	BWP/38 hours
Stores Officer	34543	AS/52 weeks	BWP/38 hours
Snr Technician 1 (on probation)	33118	AS/52 weeks	BWP/38 hours
Snr Technician 1	34443	AS/52 weeks	BWP/38 hours
Snr Technician 2	35943	AS/52 weeks	BWP/38 hours
Snr Technician 3	37443	AS/52 weeks	BWP/38 hours
Service Engineer 1	38943	AS/52 weeks	BWP/38 hours
Service Engineer 2	40443	AS/52 weeks	BWP/38 hours
Senior Service Engineer	41943	AS/52 weeks	BWP/38 hours

- (3) Where an employee is paid in excess of the base of the consolidated annual base salary, any increase to the rates resulting from a State Wage Increase will be absorbed within the employee's actual rate and the employee's pay rate will not be adjusted. Employee's pay will only be adjusted as a result of State Wage Increases if an increase to the base rate would result in the employee being paid less than the adjusted rate.

26. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04802

AGED AND DISABLED PERSONS HOSTELS AWARD, 1987

NO. A 6 OF 1987

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

18. - WAGES

- (1) (a) The minimum weekly rate of wage payable to employees covered by this award shall be the Base Rate plus the Arbitrated Safety Net Adjustment (ASNA) Payment expressed hereunder:

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
(i) Qualified Cook	460.90	181.00	641.90
(ii) Cook Working Alone	401.00	179.00	580.00
(iii) Other Cook	395.90	179.00	574.90
(iv) Supervisor	426.40	181.00	607.40
(v) Assistant Supervisor	403.60	179.00	582.60
(vi) Domestic	378.30	179.00	557.30
(vii) Driver	402.90	179.00	581.90

- (2) The classification "domestic" shall include the following: cleaner, domestic, gardener, handyperson, kitchen employee, laundry employee, pantry employee, machinist, storeperson and like classification.
- (3) The ordinary wages of any employee other than a supervisor or assistant supervisor placed in charge of three or more employees shall be increased by \$18.50 per week.
- (4) The hourly rate shall be calculated by dividing the weekly rate by 38.

- (5) The minimum weekly rates of wage for work in ordinary time to be paid to junior employees shall be as follows -

	Percentage of Adult Rate %
Under 17 years of age	60
At 17 years of age	70
At 18 years of age	80
At 19 years of age	100

- (6) Apprentices Wages:

The weekly wage rate shall be a percentage of the tradesperson's rate as under:

	Percentage of Tradesperson's Weekly Rate %
(a) Four year Term	
First year	42
Second year	55
Third year	75
Fourth year	88
(b) Three and One Half Year Term	
First six months	42
Next year	55
Next following year	75
Final year	88
(c) Three-year Term	
First year	55
Second year	75
Third year	88

- (d) For the purposes of this part "Tradesperson's Rate" means the rate of wage payable to a "Qualified Cook", as prescribed in this clause.

- (7) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04803

AIR CONDITIONING AND REFRIGERATION INDUSTRY (CONSTRUCTION AND SERVICING) AWARD

NO. 10 OF 1979

29. - WAGES

- (1) (a) Subject to Clause 16. - Special Rates and Provisions of this award, the ordinary weekly rate of wage shall be as set out hereunder and shall be inclusive of all special rates and allowances and be paid as an "all purpose" rate.

- (b) The ordinary weekly wage of an employee (other than an apprentice) shall consist of the base rate and the special payment as set out in subclause (2) of this clause.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) (a)

Classification	Base Rate\$	Special Payment\$	Arbitrated Safety Net Adjustments\$	Total Rate Per Week\$
Instrument Fitter	380.10	80.00	181.00	641.10
Welder - Special Class	371.40	80.00	181.00	632.40
Welder	362.80	80.00	181.00	623.80
Tradesperson	362.80	80.00	181.00	623.80
Refrigeration Fitter	362.80	80.00	181.00	623.80
Boilermaker -Structural Steel Tradesperson	362.80	80.00	181.00	623.80

Classification	Base Rate\$	Special Payment\$	Arbitrated Safety Net Adjustments\$	Total Rate Per Week\$
Sheetmetal Employee -				
First Class	362.80	80.00	181.00	623.80
Second Class - 1st six months in industry	310.20	64.30	179.00	553.50
Thereafter	327.20	66.80	179.00	573.00
Certificated Rigger or Scaffolder	345.70	68.90	179.00	593.60
Rigger or Scaffolder - Other	334.70	67.60	179.00	581.30
Tool and Material Storeperson	322.90	65.80	179.00	567.70
Tradesperson's Assistant	310.20	64.30	179.00	553.50
Tradesperson's Assistant who from time to time uses a grinding machine	311.70	65.80	179.00	556.50
Lagger -				
1st six months' experience	310.20	63.40	179.00	552.60
2nd & 3rd six months' experience	311.70	65.40	179.00	556.10
4th & 5th six months' experience	315.90	65.60	179.00	560.50
Thereafter	317.40	66.60	179.00	563.00

(b) A Certified Rigger, other than a Leading Hand, who in compliance with the provisions of the regulations made pursuant to the Construction Safety Act 1972, is responsible for the supervision of other employees shall be deemed to be a Leading Hand and be paid the additional rate prescribed for a leading hand placed in charge of not less than three and not more than 10 other employees.

(3) Apprentices:

(a) Wages per week expressed as a percentage of the "Tradesperson's " rate:

Five Year Term -	%
First Year	40
Second Year	48
Third Year	55
Fourth Year	75
Fifth Year	88
Four Year Term -	%
First Year	42
Second Year	55
Third Year	75
Fourth Year	88
Three and a Half Year Term -	%
First six months	42
Next Year	55
Following Year	75
Final Year	88
Three Year Term -	%
First Year	55
Second Year	75
Third Year	88

(b) For the purpose of paragraph (a) of this subclause, "Tradesperson's rate" means the base rate and the special payment prescribed in subclause (2) of this clause for the classification "Tradesperson".

(4) (a)

In addition to the appropriate rates of pay prescribed in this clause, an employee shall be paid -

- (i) \$40.10 per week if engaged on the construction of a large industrial undertaking or any large civil engineering project.
- (ii) \$36.20 per week if engaged on a multi-storey building, but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employee between the ground floor and the floor upon which he/she is required to work. A multi-storey building is a building which, when completed, will consist of at least five storeys.
- (iii) \$21.30 per week if engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Definitions of this award.

- (b) Any dispute as to which of the aforesaid allowances apply to particular work shall be determined by the Board of Reference.
- (5) **Leading Hands:**
In addition to the appropriate total wage prescribed in this clause a leading hand shall be paid -
- | | \$ |
|---|-------|
| (a) If placed in charge of not less than three and not more than 10 other employees | 22.70 |
| (b) If placed in charge of more than 10 and not more than 20 other employees | 34.60 |
| (c) If placed in charge of more than 20 other employees | 44.70 |
- (6) **Casual Employees:**
A casual employee shall be paid 20 per cent of the ordinary rate in addition to the ordinary wage for the calling in which the employee is employed.
- (7) The classification "Sheetmetal Worker - Second Class - First Six Months' Experience in Industry" shall only be applied to an employee who commences employment in the industry after July 25, 1979.
- (8) (a) Where an employer does not provide a tradesperson, second-class sheetmetal employee or an apprentice with the tools ordinarily required by that tradesperson second-class sheetmetal employee or an apprentice in the performance of work as a tradesperson, second-class sheetmetal employee or as an apprentice, the employer shall pay a tool allowance of -
- (i) \$12.50 per week to such tradesperson or second-class sheetmetal employee;
 - or
 - (ii) in the case of an apprentice a percentage of \$12.50 being the percentage which appears against the year of apprenticeship in subclause (3) hereof, for the purpose of such tradesperson, second-class sheetmetal employee or Apprentice supplying and maintaining tools ordinarily required in the performance of work as a tradesperson, second-class sheetmetal employee or as an apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this subclause.
- (c) An employer shall provide for the use of tradesperson, second-class sheetmetal employee and apprentice all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A tradesperson, second-class sheetmetal employee or an apprentice shall replace or pay for any tools supplied by the employer, if lost through the employee's negligence.
- 29A. - MINIMUM ADULT AWARD WAGE**
- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6) (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.

- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04804

AMBULANCE SERVICE COMMUNICATION CENTRE EMPLOYEES' AWARD 1991

NO. A 4 OF 1991

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

9. - WAGES

The minimum rates of weekly wages payable for officers covered by this Award shall be as follows:

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum \$
(1) (a) Communications Officer:			
1st year of employment	427.00	181.00	608.00
2nd year of employment	439.00	181.00	620.00
3rd year of employment	452.00	181.00	633.00
4th year of employment	466.00	179.00	645.00
5th year of employment	476.00	179.00	655.00
6th year of employment, and thereafter	491.00	179.00	670.00

- | | Base
Rate
\$ | Arbitrated Safety
Net Adjustments
\$ | Minimum
\$ |
|--|--------------------|--|---------------|
| (b) Senior Communications Officer: | | | |
| 1st year of employment in this rank | 508.00 | 179.00 | 687.00 |
| 2nd year of employment in this rank | 522.00 | 179.00 | 701.00 |
| 3rd year of employment in this rank and thereafter | 536.00 | 179.00 | 715.00 |
- (c) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) Where casual officers are employed, they shall be paid at the rates prescribed in paragraph (a) of subclause (1) of this clause, as applicable to first year of employment, plus 20%. Any casual officer shall only be employed for periods of less than two weeks duration.

2006 WAIRC 04805

AMBULANCE SERVICE EMPLOYEES' AWARD, 1969

NO. 50 OF 1968

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

9. - RATES OF PAY

The minimum rate of weekly wages payable to officers covered by this award shall be as follows:

(1)	(a)	Ambulance Officer Grade I (Transport)	\$	ASNA	TOTAL
		1st year	426.90	181.00	607.90
		2nd year	432.00	181.00	613.00
		3rd year and thereafter	436.50	181.00	617.50
	(b)	Ambulance Officer Grade I			
		1st year	426.90	181.00	607.90
		2nd year	432.00	181.00	613.00
		3rd year and thereafter	436.50	181.00	617.50
	(c)	Ambulance Officer Grade II			
		1st year	464.10	179.00	643.10
		2nd year	469.10	179.00	648.10
		3rd year and thereafter	473.70	179.00	652.70
	(d)	Ambulance Officer Grade III	491.20	179.00	670.20
	(e)	Ambulance Officer Grade III with Certificate Allowance	535.60	179.00	714.60
	(f)	Where appointed as such the following shall apply:			
		Station Officers			
		Grade I	547.40	179.00	726.40
		Grade II	559.10	179.00	738.10
	(g)	The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.			
(2)		In addition to the weekly rates prescribed in subclause (1) of this clause the following amounts shall be paid for weekend penalties and shift loadings in accordance with Clause 33. - Appendix of this award.			
	(a)	Ambulance Officer Grade I	\$		
		1st year	151.53		
		2nd year	153.16		
		3rd year and thereafter	154.59		
	(b)	Ambulance Officer Grade II			
		1st year	163.40		
		2nd year	165.00		
		3rd year and thereafter	166.46		
	(c)	Ambulance Officer Grade III	172.05		
	(d)	Ambulance Officer Grade III with Certificate Allowance	185.58		
	(e)	Station Officers			
		Grade I	189.34		
		Grade II	193.08		
(3)		In addition to the weekly rates prescribed in subclause (1) and (2) of this clause the following amounts shall be paid for regularly worked overtime being an average of two hours over an eight week cycle of shifts worked by those Officers employed to work the hours prescribed in paragraph (a) of subclause (1) and (2) of Clause 7. - Hours of Duty of this award.			
	(a)	Ambulance Officer Grade I	\$		
		1st year	12.50		
		2nd year	12.63		
		3rd year and thereafter	12.75		
	(b)	Ambulance Officer Grade II			
		1st year	13.48		
		2nd year	13.61		
		3rd year and thereafter	13.73		
	(c)	Ambulance Officer Grade III	14.19		

- (d) Ambulance Officer Grade III \$
with Certificate Allowance 15.31
- (e) Station Officers
Grade I 15.62
Grade II 15.92
- (4) An Ambulance Officer who has been fully employed for one year or more shall be credited with his/her years of service on promotion to a higher grade.
- (5) To become entitled to the rates prescribed in subclauses (1), (2) and (3) of this clause the Officers shall at all times wear a uniform approved by the Association and shall hold an appropriate motor vehicle driver's licence.
All training programmes and examination schedules agreed by the Union and the Association for promotional and proficiency purposes shall be under the jurisdiction and administration of the Association.
- (6) (a) To be entitled to the certificate allowances as prescribed in paragraph (d) of subclauses (1), (2) and (3) of this clause an Officer will be required:
(i) to have passed the Grade III requirements of the West Australian Ambulance Training Centre, hold the rank of Grade III and to have completed five years' service; or
(ii) to hold the rank of Grade III and to have passed the TAFE authorised Certificate in Emergency Care.
(b) The Certificate in Emergency Care will not be used as a pre-requisite for promotion to the rank of Station Officer for those officers employed prior to January 1984.
- (7) Ambulance officers who have been trained to give medication by intra-muscular injections or test blood sugar levels or perform intravenous cannulation shall be paid a flat allowance of \$15.00 per week provided that it shall be paid on Annual Leave, Long Service Leave and Sick Leave.

2006 WAIRC 04806

ANIMAL WELFARE INDUSTRY AWARD

NO. 8 OF 1968

18. – RATES OF PAY

- (1) The minimum weekly rate of wage per week payable to an employee covered by this award shall include the base rate plus the arbitrated safety net adjustments reflected hereunder:

Classification	\$	7 Feb 06	1 July 06	7 July 06	1 Jan 07	1 July 07
Introductory (not exceeding 3 months)	484.40	484.40	484.40	504.40	504.40	504.40
Level 1 (87.4%)	484.40	494.15	503.90	523.90	533.65	543.40
Level 2 (92.4%)	484.40	497.13	509.92	529.92	542.71	555.55
Level 3 (Cert III) (100%)	484.40	507.45	531.30	551.30	574.75	598.20
Level 4 (Cert IV) (110%)	518.40	547.38	576.36	596.36	625.34	654.32
Level 5 (Diploma.) (119.4%)	518.40	560.57	602.74	622.74	664.90	707.07

Editor's Note: The 2006 General Order Wage Case has been applied to the last 3 columns (i.e 7 July 2006, 1 Jan 2007 and 1 July 2007)

- (2) Classification Structure
For the purposes of determining the appropriate classification level for each employee, the classification definitions in sub clause 6. hereof shall be applied to each employee falling within scope of this Award.
- (3) Implementation of Classification Structure
Employees shall be classified at one of the levels specified in this Clause. The classification definitions in this clause describe the relative skills, qualifications, responsibilities and conditions under which employees at each level will work.
- (4) Promotion to Higher Levels
All employees shall be given the opportunity to participate in ongoing skills training to enable promotion to the next level. Where possible, this training shall be in accordance with the Animal Care and Management Training Package.
- (5) Transitional Arrangements
No employee shall suffer a reduction in their rate of pay or conditions of employment as a result of the introduction of these provisions.
- (6) Classification Definitions
(a) Introductory level
An employee who has had no experience in this industry shall initially be engaged at the introductory level for a period not exceeding 3 months. During this period the employer will provide on the job training to assist the employee to gain the appropriate skills.
(b) Level 1
Employees at this level will perform routine tasks involving adherence to determined procedures and with only minimal scope for deviation from these procedures.

An employee at this Level will:

- (i) work under direct supervision with regular close checking of their work;
- (ii) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- (iii) work within a specified range of contexts where the choice of action is clear and restricted;
- (iv) normally develop and then use their competencies within established routines, where methods and procedures are predictable.

Typical activities at this level may include:

- (i) assists other employees in their duties;
- (ii) appropriate induction to the industry and the routines of the practice;
- (iii) basic animal care;
- (iv) grooming, feeding, cleaning and restraint as instructed.

(c) Level 2

Work at this level will involve the use of limited discretion and initiative. Knowledge relating to the care of animals will be involved.

An employee at this level will, in addition to level 1 duties:

- (i) work under direct supervision with routine checking of their work;
- (ii) develop and then apply their knowledge and skills to a limited range of tasks and roles;
- (iii) work within a specified range of contexts where the choice of action is clear and restricted;
- (iv) normally use their competencies within established routines, where methods and procedures are predictable;
- (v) exercise discretion and judgment against established criteria.

Typical activities at this level may include:

- (i) basic animal care, animal handling;
- (ii) consult duty veterinarian;
- (iii) tasks relating to the clinic and surgery including maintaining patient records and compiling patient and client histories;
- (iv) ability to undertake basic animal health procedures.

(d) Level 3

General

A Level 3 employee will possess the competencies of Certificate III in Companion in Animal Services or other equivalent qualification or possess knowledge and experience which enables them to operate at trade equivalent level.

An employee at this Level will, in addition to lower level duties:

- (i) generally be working with limited supervision ;
- (ii) normally use their competencies within established routines, where methods and procedures are predictable;
- (iii) exercise discretion and judgment against established criteria.

Typical activities at this level may include:

- (i) assist with animal care under limited supervision;
- (ii) limited Staff Supervision of introductory and Level 1;
- (iii) undertake daily clinic routines and routine monitoring of patient care;
- (iv) ability to follow clinic procedures for hazard identification and risk control;
- (v) ability to provide grief support to clients/animal owners;
- (vi) work in the companion animal industry;
- (vii) provide basic first aid for animals.

(e) Level 4

A Level 4 employee will possess the competencies, of AQF Level 4 or other equivalent qualification such as the ACVN. The attainment of these competencies by an individual employee will be determined through a formal assessment process carried out through a Registered Training Organisation.

An employee at this Level will, in addition to lower level duties:

- (i) use their competencies within established routines, where methods and procedures are predictable;
- (ii) exercise discretion and judgment against established criteria;
- (iii) provide veterinary nursing care;
- (iv) be registered under the Veterinary Surgeons Act 1960.

Notwithstanding the above an employee at this level may also be employed to undertake the duties of an Inspector.

Typical activities and competencies at this level for a veterinary nurse may include:

- (i) ability to undertake limited Staff Supervision ;
- (ii) ability to undertake daily clinic routines and patient care;
- (iii) ability to identifying deviation from normal animal behaviour which may suggest illness, and taking appropriate action;
- (iv) ability to undertake the maintenance of records relating to the physical aspects of the animals;

- (v) can perform clinic pathology procedures;
 - (vi) can conduct medical and surgical support;
 - (vii) can identify vital signs of patients and relate these findings to the supervising veterinary surgeon.
- (f) Level 5
A Level 5 employee will possess a Diploma in Veterinary Nursing or recognized equivalent qualification. The attainment of the competencies by an individual employee necessary for the granting of such qualifications, will be determined through a formal assessment process carried out through a Registered Training Organisation.
An employee at this Level will, in addition to lower level duties:
- (i) exercise skills, discretion and responsibilities beyond that required at Level 4;
 - (ii) be registered under the Veterinary Surgeons Act 1960.
- (7) Junior employees shall receive the prescribed percentage of the minimum rate for the appropriate classification prescribed in this clause per week:

Under 17 years of age	50%
17 to 18 years of age	60%
18 to 19 years of age	70%
19 to 20 years of age	80%
20 to 21 years of age	90%

- (8) An employee placed in charge of three or more other employees shall be paid an amount of \$22.80 per week in addition to their ordinary rate of pay.
- (9) Where an employee is required to carry out the ordinary hours of duty per day in more than one shift an allowance of \$2.07 per day shall be paid.

19. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04807

ARGYLE DIAMONDS PRODUCTION AWARD 1996

NO. A 7 OF 1996

23. - RATES OF PAY

- (1) An employee, other than a casual or an apprentice, in the classification specified in the table hereunder shall be paid, on commencement, as follows:

(a)	Operator	Per Hour \$
	Level 1	16.18
	Level 2	17.01
	Level 3	17.85
	Level 4	18.32
	Level 5	18.70
	Level 6	19.38
	Level 7	20.07
	Level 8	20.76
	Level 9	21.37
	Level 10	22.07

(b)	Mechanical & Electrical Trades	Per hour \$
	Level 1	18.13
	Level 2	19.12
	Level 3	19.89
	Level 4	20.41
	Level 5	20.79
	Level 6	21.43
	Level 7	22.04
	Level 8	22.61

- (2) A casual employee shall be paid at the hourly rate appropriate to Level 1 of the classification plus a loading of twenty percent (20%) in lieu of the leave provided under Clause 15. - Annual Leave, Clause 16. - Sick Leave, and Clause 18. - Parental Leave of this Award.

- (3) (a) Employees shall progress between levels in the classification after earning points by participating in the Skills Extension Programme provided in Clause 25. - Training of this Award or gaining the TAFE qualifications as specified for the higher levels.

- (b) Employees in all classifications shall on commencement of employment with the employer enter Level 1. Where the employee has previously been employed by the employer or has participated in training programmes similar to those set out in Clause 25. - Training of this Award the employee may be reclassified to higher levels in accordance with the following:

- (i) Previously employed by the employer and absent for a period up to Six Commute Cycles.
All points shall be reinstated for modules the employee successfully completed previously, that are in the matrix applying on re-engagement. Provided that the employer may require that the employee be reassessed with respect to any module, and if the criteria are not met the points will not be reinstated.

- (ii) Periods of Absence of more than Six Commute Cycles or Never Previously Employed by the Employer.
The employee shall commence at Level 1 and shall work for three commute cycles and during those cycles shall be assessed for all modules that the employee seeks recognition for that are in the matrix applying upon engagement. The employee shall be awarded points for all modules where the criteria are met and the points shall be deemed to have been awarded upon engagement.

- (iii) Where on engagement the points awarded exceed the points required for a level, discussions between the employer and employee will take place in relation to the number of commute cycles required before progression to the next level. In the absence of agreement as to the number of commute cycles, this issue will be referred to the Training Review Committee established under Paragraph (c) of subclause (4) of Clause 25. - Training.

- (c) Operator:

- (i) Subject to paragraph (ii) hereof, progression from Level 1 shall be in accordance with the following scale:
- | | |
|--------------------|---|
| Level 1 to Level 2 | After earning a total of 175 points. |
| Level 2 to Level 3 | After earning a total of 425 points. |
| Level 3 to Level 4 | After earning a total of 700 points. |
| Level 4 to Level 5 | After earning a total of 1000 points and therefore completing the Argyle Diamonds Skills Extension Programme Certificate. |

- | | | |
|--|---------------------|--|
| | Level 5 to Level 6 | After completion of the TAFE Mining Skills Course. |
| | Level 6 to Level 7 | After completion of 50% of the TAFE Certificate in Mining Operations. |
| | Level 7 to Level 8 | After completion of the TAFE Certificate in Mining Operations. |
| | Level 8 to Level 9 | After completion of 50% of the TAFE Advanced Certificate in Mining Operations. |
| | Level 9 to Level 10 | After completion of the TAFE Advanced Certificate in Mining Operations. |
- (ii) Until an operator attains Level 5 the employee must complete at least ten commute cycles of duty in each level before progression to the next level, except where an alternative number of cycles is determined pursuant to paragraph (iii) of subclause (b) of this clause.
- (d) Mechanical or Electrical Trades:
- (i) Subject to paragraph (ii) hereof, progression from Level 1 shall be in accordance with the following scale:
- | | | |
|--|--------------------|---|
| | Level 1 to Level 2 | After earning a total of 175 points. |
| | Level 2 to Level 3 | After earning a total of 425 points. |
| | Level 3 to Level 4 | After earning a total of 700 points or possessing an appropriate TAFE Post Trades Certificate. |
| | Level 4 to Level 5 | After earning a total of 1000 points and therefore completing the Argyle Diamonds Skills Extension Programme Certificate. |
| | Level 5 to Level 6 | After completion of the appropriate TAFE Post Trades Certificate. |
| | Level 6 to Level 7 | After completion of 50% of the additional requirements for the TAFE Advanced Trades Certificate. |
| | Level 7 to Level 8 | After completion of the appropriate TAFE Advanced Trades Certificate. |
- (ii) Until a mechanical or electrical trades employee attains Level 5 the employee must complete at least ten commute cycles of duty in each level before progressing to the next level, except where an alternative number of cycles is determined pursuant to paragraph (iii) of subclause (b) of this clause.
- (e) The rates of pay in this award include the arbitrated safety net adjustment available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (4) Minimum Adult Award Wage
- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
- (i) apply to all work in ordinary hours.
- (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (i) Adult Apprentices
 - (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
 - (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

2006 WAIRC 04808

ARTWORKERS AWARD NO. A 30 OF 1987

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - WAGES

- (1) It is a term of this Award that the Union undertakes, for the duration of the Principles determined by the Commission in Court Session in Application No. 1940 of 1989, not to pursue any extra claims, award or overaward, except when consistent with the State Wage Principles.
- (2) (a) The rate of wages payable to the employees covered by the award shall be as follows:

	Rate Per Week\$	Supplementary Payment\$	Total Rate\$
Artworker	543.71	179.00	722.71
- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) Artworker Allowances:
- (a) Equipment Allowance 32.20
Provided that the equipment allowance shall not be paid where the employer supplies an employee with all necessary equipment
- (b) Studio Allowance 52.10
Provided that such allowance shall only be payable where an artworker is directed by the employer to carry out his/her work primarily in his/her own studio.
- (c) Construction Allowance \$18.34
An employee shall not be entitled to this construction allowance except when required to work "on site" or any work in connection with the erection of a building or to carry out work which the employer and the union agree is construction work or in default of agreement, that is so declared by a Board of Reference.

2006 WAIRC 04809

ASBESTOS JOINTINGS INDUSTRY AWARD 1967 NO. 7 OF 1967

24. - WAGES

An employer on whom this award or industrial agreement is binding shall not increase the rate of wage payable to an employee on 9th September 1988, or otherwise vary the conditions of employment applicable to an employee on that date so as to increase that employer's labour costs except to the extent that any such increase has been authorised by the Commission after that date.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

The minimum rates of wages payable under the provisions of this award shall be as follows:-

(1)	Adults Weekly Rate	ASNA	\$
	Raw Material Preparation -		
	Raw material preparer	141.00	362.60
	Calendar Department -		
	Calendar Operator	141.00	359.50
	Calendar Operator's Assistant	141.00	362.60
	Plant Hands	141.00	362.50
(2)	Junior Workers	%	
	Percentage of Plant Hands:-		
	Under 16 years of age:	35	
	16 to 17 years of age:	45	
	17 to 18 years of age:	55	
	18 to 19 years of age:	65	
	19 to 20 years of age:	78.5	
	20 to 21 years of age:	93	

- (3) Leading Hands:
In addition to the appropriate rate prescribed in subclause (1) of this clause, a leading hand shall be paid:-

(a)	if placed in charge of not less than three and not more than ten other workers	\$	12.80
(b)	if placed in charge of more than ten and not more than twenty other workers		19.30

24A. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.

- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04810

**AUSTRALIAN WORKERS UNION ROAD MAINTENANCE, MARKING AND TRAFFIC
 MANAGEMENT AWARD 2002 – THE
 NO. A 4 OF 2004**

4.1 - MINIMUM ADULT AWARD WAGE

- 4.1.1 No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- 4.1.2 The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- 4.1.3 The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- 4.1.4 Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- 4.1.5 Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- 4.1.6
- 4.1.6.1 The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- 4.1.6.2 Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- 4.1.7 Subject to this clause the minimum adult award wage shall –
- 4.1.7.1 apply to all work in ordinary hours.
- 4.1.7.2 Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- 4.1.8 **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be

offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

4.1.9 Adult Apprentices

4.1.9.1 Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.

4.1.9.2 The rate paid in paragraph 4.1.9.1 above is payable on superannuation and during any period of paid leave prescribed by this Award.

4.1.9.3 Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

4.1.9.4 Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

4.2 - WAGES

4.2.1 Actual Weekly Rate

The actual weekly rate shall be calculated by multiplying the sum of the appropriate amounts prescribed in 4.2.2 and Clause 5.14 – Location Allowances by 52 over 50.4 (52/50.4) rounded to the nearest ten cents, and by adding to that subtotal the Special Allowance prescribed in 4.2.3. Other allowances to be included in the wage rate are under Part 5 – Allowances and Facilities of this Award.

4.2.2 The following shall be the minimum rate of wages payable to employees under this award from the beginning of the first pay period commencing on or after 7 July 2006.

Classification	WeeklyRate \$	HourlyRate \$
Trainee Traffic Controller – First 3 months probation	570.80	15.02
Traffic Controller	615.20	16.19
Traffic Controller Team Leader	637.30	16.77
Construction Employee Grade 2	574.40	15.12
Construction Employee Grade 3	586.00	15.42
Construction Employee Grade 4	601.60	15.84
Construction Employee Grade 5	613.80	16.16
Construction Employee Grade 6	619.30	16.30
Plant Operator Grade 1	581.20	15.30
Plant Operator Grade 2	608.50	16.02

4.2.3 Special Allowance

In addition to the base rate specified in 4.2.2 employees shall be paid for all purposes of the award a special allowance of \$7.70 per week and such allowance shall not be altered as a consequence of wage indexation decisions.

4.2.4 Casual Employees

Casual employees shall be paid at the actual weekly rate plus 25% loading.

2006 WAIRC 04811

AWU GOLD (MINING AND PROCESSING) AWARD 1993 NO. A 1 OF 1992

16. - WAGE RATES

(1) **Underground**

	Total Weekly Minimum Rate (Includes Industry Allowance)
	\$
Group 1	568.00
Trucker	
Toolcarrier	
Salvage Person	
Pass Runner	
Group 2	581.80
Pipe Sampler	
Sampler	
Popper Machineperson	
Diamond Drillers Assistant	
Air Hoist Operator	

		Total Weekly Minimum Rate (Includes Industry Allowance)
	Group 2 — <i>continued</i>	581.80
	Ventilation Person	
	Pump Attendant (as distinct from Pumpperson)	
	Hydraulic Fill Operator	
	Group 3	587.00
	Platelayer	
	Train Crew	
	Mechanical Loader Operator	
	Scraper Hauler Operator	
	Braceperson	
	Group 4	591.80
	Scaler	
	Pumpperson (engaged dewatering a mine)	
	Group 5	599.80
	Rock Drill Person in other places	
	Rock Bolter	
	Powder Monkey	
	Percussion Drill Operator	
	Sanitary Person	
	Crusher Operator	
	Group 6	608.60
	Rock Drill Person in Rises	
	Rock Drill Person in Winzes	
	Raise Drill Operator	
	In-The-Hole-Hammer Operator	
	Diamond Driller up to 15kw	
	Timberman	
	Group 7	616.90
	Rock Drill Person in Shaft	
	Timberman in Shaft	
	Diamond Driller over 15kw	
	Group 8	625.00
	Diesel Truck and Loader Operator	
	Diesel Personnel Carrier Operator	
	Group 9	637.70
	Hydraulic Jumbo Drill Operator	
(2)	(a) Mining - Open Cut	
		Total Weekly Minimum Rate (Includes Industry Allowance)
		\$
	Mine Employee - Grade 1	568.90
	Labourer	
	Spotter	
	Sampler	
	Mine Employee - Grade 2	591.30
	Blast Crew	
	Trainee - Mobile Plant Operator	
	Serviceperson	
	Production	
	Driller	
	Mine Employee - Grade 3	633.50
	Trained - Mobile Plant Operator	
	Serviceperson	
	Production	
	Driller	

		Total Weekly Minimum Rate (Includes Industry Allowance)
		\$
	Mine Employee - Grade 4	643.10
	Shot Firer	
	Skilled - Mobile Plant Operator	
	Serviceperson	
	Production	
	Driller	
	Mine Employee - Grade 5	656.60
	Multiskilled	
(b)	OreProcessing	
		Total Weekly Minimum Rate (Includes Industry Allowance)
		\$
	Process Operator - Grade 1	561.20
	Process Operator - Grade 2	578.20
	Process Operator - Grade 3	594.70
	Process Operator - Grade 4	610.50
	Process Operator - Grade 5	643.10
	Laboratory	
	Laboratory Employee - Grade 1	561.20
	Laboratory Employee - Grade 2	578.20
	Laboratory Employee - Grade 3	594.70
	Laboratory Employee - Grade 4	610.50
	Laboratory Employee - Grade 5	643.10
(c)	Mine Services Employees (MSE)	
		Total Weekly Minimum Rate (Including Industry Allowance)
		\$
	MSE - Grade 1	568.90
	MSE - Grade 2	585.50
	MSE - Grade 3	601.70
(3)	The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.	
	These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.	
	Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.	
(4)	Leading Hands	
	In addition to the highest relevant wage rates for his or her classification an employee appointed as a leading hand shall be paid per week, the following -	
(a)	In charge of not less than three and not more than ten other employees	\$19.50
(b)	In charge of more than ten and not more than twenty other employees	\$29.40
(c)	In charge of more than twenty employees	\$38.10
(5)	Wage rates under this award may be adjusted in accordance with applicable decisions of the Western Australian Industrial Relations Commission.	
(6)	Minimum Adult Award Wage	
(a)	No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.	
(b)	The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.	
(c)	The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.	
(d)	Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.	

- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
- (i) apply to all work in ordinary hours.
- (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (i) **Adult Apprentices**
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
- (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

APPENDIX 1 – MAKE UP OF TOTAL WAGE

This appendix shows how the total wages in this award are made up detailing both base wage rates and safety net adjustments as well as the industry allowance and total rate published in Clause 16. - Wages.

Classification and wage per week.

1)	Underground	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	Group 1	298.80	90.20	179.00	568.00
	Trucker				
	Toolcarrier				
	Salvage Person				
	Pass Runner				
	Group 2	312.60	90.20	179.00	581.80
	Pipe Sampler				
	Sampler				
	Popper Machineperson				
	Diamond Drillers Assistant				
	Air Hoist Operator				
	Ventilation Person				
	Pump Attendant (as distinct from Pumpperson)				
	Hydraulic Fill Operator				
	Group 3	317.80	90.20	179.00	587.00
	Platelayer				
	Train Crew				
	Mechanical Loader Operator				
	Scraper Hauler Operator				
	Braceperson				
	Group 4	322.60	90.20	179.00	591.80
	Scaler				
	Pumpman (engaged dewatering a mine)				

1)	Underground	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	Group 5	330.60	90.20	179.00	599.80
	Rock Drill Person in other places				
	Rock Bolter				
	Powder Monkey				
	Percussion Drill Operator				
	Sanitary Person				
	Crusher Operator				
	Group 6	339.40	90.20	179.00	608.60
	Rock Drill Person in Rises				
	Rock Drill Person in Winzes				
	Raise Drill Operator				
	In-The-Hole-Hammer Operator				
	Diamond Driller up to 15kw				
	Timberman				
	Group 7	347.70	90.20	179.00	616.90
	Rock Drill Person in Shaft				
	Timberperson in Shaft				
	Diamond driller over 15kw				
	Group 8	353.80	90.20	181.00	625.00
	Diesel Truck and Loader Operator				
	Diesel Personnel Carrier Operator				
	Group 9	366.50	90.20	181.00	637.70
	Hydraulic Jumbo Drill Operator				
2)	(a) Mining - Open Cut	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	Mine Employee - Grade 1	299.70	90.20	179.00	568.90
	Labourer				
	Spotter				
	Sampler				
	Mine Employee - Grade 2	322.10	90.20	179.00	591.30
	Blast Crew				
	Trainee - Mobile Plant Operator				
	Serviceperson				
	Production				
	Driller				
	Mine Employee - Grade 3	362.30	90.20	181.00	633.50
	Trained - Mobile Plant Operator				
	Serviceperson				
	Production				
	Driller				
	Mine Employee - Grade 4	371.90	90.20	181.00	643.10
	Shot Firer				
	Skilled - Mobile Plant Operator				
	Serviceperson				
	Production				
	Driller				

(2)	(a) Mining - Open Cut—continued	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	Mine Employee - Grade 5 Multiskilled	385.40	90.20	181.00	656.60
	(b) Ore Processing	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	Process Operator - Grade 1	292.00	90.20	179.00	561.20
	Process Operator - Grade 2	309.00	90.20	179.00	578.20
	Process Operator - Grade 3	325.50	90.20	179.00	594.70
	Process Operator - Grade 4	341.30	90.20	179.00	610.50
	Process Operator - Grade 5	371.90	90.20	181.00	643.10
	Laboratory				
	Laboratory Employee - Grade 1	292.00	90.20	179.00	561.20
	Laboratory Employee - Grade 2	309.00	90.20	179.00	578.20
	Laboratory Employee - Grade 3	325.50	90.20	179.00	594.70
	Laboratory Employee - Grade 4	341.30	90.20	179.00	610.50
	Laboratory Employee - Grade 5	371.90	90.20	181.00	643.10
	(c) Mine Services Employees (MSE)	Base Rate	Industry Allowance	Arbitrated Safety Net Adjustment	Total Weekly Minimum Rate
		\$	\$	\$	\$
	MSE - Grade 1	299.70	90.20	179.00	568.90
	MSE - Grade 2	316.30	90.20	179.00	585.50
	MSE - Grade 3	332.50	90.20	179.00	601.70

2006 WAIRC 04812

AWU NATIONAL TRAINING WAGE (AGRICULTURE) AWARD 1994

NO. A 1 OF 1995

10. - WAGES

- (1) (a) The weekly wages payable to Trainees shall be as provided in paragraphs (d), (e) and (f) of this sub-clause.
- (b) These wage rates will only apply to Trainees while they are undertaking an approved Traineeship which includes approved training as defined in this Award.
- (c) The wage rates prescribed by this clause do not apply to complete trade level training which is covered by the Apprenticeship system.
- (d) **Industry/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 industry/skill level A

HIGHEST YEAR OF SCHOOLING			
School Leaver	Year 10	Year 11	Year 12
	\$	\$	\$
	148.00 (50%)*173.00 (33%)	183.00 (33%)206.00 (25%)	254.00
plus 1 year out of school	206.00	254.00	294.00
plus 2 years	254.00	294.00	342.00
plus 3 years	294.00	342.00	392.00
plus 4 years	342.00	392.00	
plus 5 years/more	392.00		

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (e) **Industry/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 industry/skill level B.

HIGHEST YEAR OF SCHOOLING			
School Leaver	Year 10	Year 11	Year 12
	\$	\$	\$
	148.00 (50%)*173.00 (33%)	183.00 (33%)206.00 (25%)	244.00
plus 1 year out of school	206.00	244.00	279.00
plus 2 years	244.00	279.00	327.00
plus 3 years	279.00	327.00	374.00
plus 4 years	327.00	374.00	
plus 5 years/more	374.00		

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (f) **Industry/Skill Level C:** Where accredited training course and work performed are for the purpose of generating skills which have been defined for work at industry/level C.

HIGHEST YEAR OF SCHOOLING			
School Leaver	Year 10	Year 11	Year 12
	\$	\$	\$
	148.00 (50%)*173.00 (33%)	183.00 (33%)206.00 (25%)	232.00
plus 1 year out of school	206.00	232.00	261.00
plus 2 years	232.00	261.00	293.00
plus 3 years	261.00	293.00	329.00
plus 4 years	293.00	329.00	
plus 5 years/more	329.00		

* Figures in brackets indicate the average proportion of time spent in approved training to which the associated wage rate is applicable. Where not specifically indicated, the average proportion of time spent in structured training which has been taken into account in setting the rate is 20 per cent.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Schedule C - Industry/Skill Levels of this Award sets out the industry/skill level of an approved Traineeship. The industry skill levels contained in Schedule C - Industry/Skill Levels of this Award are prima facie the appropriate levels but are not determinative of the actual skill levels (i.e. Skill Level A, B, or C) that may be contained in a Traineeship Scheme. The determination of the appropriate skill level shall be made by NETTFORCE based on the following criteria:

- Any agreement of the parties.
- The nature of the industry.
- The total training plan.
- Recognition that training can be undertaken in stages.
- The exit skill level in the relevant award contemplated by the Traineeship.

In the event that the parties disagree with such determination it shall be open to any party to the award to seek to have the matters in dispute determined by the Commission.

- (3) For the purposes of this provision, "out of school" shall refer only to periods out of school beyond Year 10, and shall be deemed to:
- include any period of schooling beyond Year 10 which was not part of nor contributed to a completed year of schooling;
 - include any period during which a Trainee repeats in whole or part a year of schooling beyond Year 10; and
 - not include any period during a calendar year in which a year of schooling is completed.

2006 WAIRC 04813

BAG, SACK AND TEXTILE AWARD NO. 3 OF 1960

25. - WAGES

- (1) The minimum weekly rate of wage payable to an employee covered by this award shall include the base rate plus the Arbitrated Safety Net Adjustment expressed hereunder:

		Base Rate	Arbitrated Safety Net Adjustments	Minimum Rate
		\$	\$	\$
Tradespersons				
	Canvas and Vinyl Fabricator	397.60	179.00	576.60
Other Classifications				
(a)	Bag and sack repairing machinist	339.70	179.00	518.70
(b)	Labourers in bag and sack repairing sections	331.50	179.00	510.50
(c)	Bag-making machinist	336.50	179.00	515.50
(d)	Sailmaker (as defined)	369.80	179.00	548.80
(e)	Manufacturer and/or repair of sails and ship's gear (including nets, fenders and rigging) and other articles that require the hand sewing of incomplete ropes by use of palm and needle:	346.80	179.00	525.80
	First six months of employment on such work -			
	Between six and twelve months of employment on such work	349.40	179.00	528.40
	After twelve months of employment on such work	354.10	179.00	533.10
(f)	Manufacture and/or repair of canvas goods of all description covered by this award including plastic substitutes for canvas:	339.90	179.00	518.90
	First six months of employment on such work			
	Between six and twelve months of employment on such work	342.60	179.00	521.60
	After twelve months of employment on such work	347.50	179.00	526.50
(g)	Sewing machinist, cutter or repairer of canvas:	339.90	179.00	518.90
	First six months of employment on such work -			
	Between six and twelve months of employment on such work	342.60	179.00	521.60
	After twelve months of employment on such work	347.50	179.00	526.50
(h)	Sewing Machinist (bag)	339.90	179.00	518.90
	First six months of employment on such work -			
	Thereafter	342.60	179.00	521.60
(i)	All Others	342.70	179.00	521.70

- (2) Junior Employees: Junior employees shall receive the prescribed percentage of the "All Others" rate per week.

	%
16 years of age and under	50
17 years of age	60
18 years of age	70
19 years of age	80
20 years of age	90

- (3) Apprentices - (Percent of the "Tradespersons" rate per week)

(a)	Four-Year Term	%
	First year	42
	Second year.....	55
	Third year.....	75
	Fourth year.....	88
(b)	Three and a Half-Year Term	%
	First six months	42
	Next year	55
	Next year	75
	Final year	88
(c)	Three-Year Term	%
	First year	55
	Second year	75
	Third year	88

- (4)

- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
- (i) apply to all work in ordinary hours.
- (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (i) **Adult Apprentices**
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
- (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

- (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.
- (5) Leading Hands: Any employee placed by the employer in charge of other employees shall be paid the following rates in addition to their ordinary rate of wage:

	Per Week
	\$
In charge of 1 - 5 employees	22.40
In charge of 6 - 10 employees	34.40
In charge of 11 or more employees	44.15

- (6) Tool Allowance:
- (a) Where an employer does not provide a tradesperson or an apprentice with the tools ordinarily required by that tradesperson or apprentice in the performance of their work as a tradesperson or apprentice the employer shall pay tool allowance of:
- (i) \$10.45 per week to such tradesperson; or
- (ii) in the case of an apprentice a percentage of \$10.95 being the percentage which appears against his/her year of apprenticeship in subclause (4) of this clause.
- for the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of his/her work as a tradesperson or apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of the ordinary weekly wage prescribed in this clause.
- (c) An employer shall provide for the use of tradespersons or apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A tradesperson or apprentice shall replace or pay for any tools supplied by their employer if lost through their own negligence.
- (7) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04814

BAKERS' (COUNTRY) AWARD NO. 18 OF 1977

8. - WAGES

- (1) (a) The total minimum wage payable each week shall consist of appropriate allowances and the Award Rate (comprising Base Rate, Supplementary Payment and Arbitrated Safety Net Adjustment) as set out in this clause:
- | Classification | Base Rate\$ | Supplementary Payment\$ | Arbitrated Safety Net Adjustments \$ | Award Rate\$ |
|-------------------|-------------|-------------------------|--------------------------------------|--------------|
| Adults: | | | | |
| Doughmaker | 370.75 | 34.10 | 179.00 | 583.85 |
| Single Hand Baker | 370.75 | 34.10 | 179.00 | 583.85 |
| Baker | 365.20 | 37.80 | 179.00 | 582.00 |
- (b) (i) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (ii) The supplementary payment set out in this clause is to be paid in addition to the base rates prescribed by this clause, and the total rate prescribed by this clause is the award rate of pay prescribed by this clause for the respective classification.
- (iii) The supplementary payment set out in this clause represents payment in lieu of equivalent overaward payments.
- (iv) "Overaward payment" is defined as the amount (whether it be termed "overaward payment", "attendance bonus" or any term whatsoever) which an employee would receive in excess of the "award wage". Provided that such payment shall exclude overtime, shift allowance, penalty rates, disability allowances, fares and travelling time allowances and any other ancillary payments of a like nature prescribed by the award.

- (c) Casual Employee:
One thirty-eighth of the weekly rate prescribed for the class of work in which engaged plus 20 per cent per hour.
- (d) Foreperson: In addition to the total wage prescribed in this clause for a doughmaker, a foreperson shall be paid:

	\$
(i) if placed in charge of less than four other employees (per week)	14.15
(ii) if placed in charge of four but less than ten other employees (per week)	22.40
(iii) if placed in charge of ten and not more than 20 other employees (per week)	34.25
(iv) if placed in charge of 20 or more other employees (per week)	46.70

- (e) Disability Allowance:
In addition to the total wage prescribed in this subclause a disability allowance of \$6.00 per week shall be paid to doughmakers and single hand bakers.
- (2) A worker other than a doughmaker who is called upon to make dough shall be paid doughmaking wages during the time he has performed these duties.
- (3) There shall be a foreman in each bakehouse where more than one worker is employed but where a single hand baker is employed the existing custom shall continue.
- (4) Junior Employees:
Junior Employees shall be paid the following percentages of the total minimum wage for a Baker, dependent upon the junior employee's age:

Age	Percentage
Under 16 years	45
16 and under 17 years	60
17 and under 18 years	70
18 and under 19 years	80
19 and under 20 years	90
20 and under 21 years	100

(5) Apprentices (wage per week):	Percentage of Tradesman's Rate
Four year term -	%
First year	42
Second year	55
Third year	75
Fourth year	88
Three and a Half year term -	
First six months	42
Next year	55
Next year	75
Final year	88
Three year term -	
First year	55
Second year	75
Third year	88

"Tradesman's Rate" shall mean the total wage prescribed for the baker in subclause (1) of this clause.

- (6)
- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.

- (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
 - (i) apply to all work in ordinary hours.
 - (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (i) **Adult Apprentices**
 - (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
 - (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

2006 WAIRC 04815

BAKERS' (METROPOLITAN) AWARD NO. 13 OF 1987

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.

- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - WAGES

The minimum ordinary wages payable under this award shall be:

- (1) (a) The total minimum wage payable each week shall consist of appropriate allowances and the Award Rate (comprising Base Rate, Supplementary Payment and Arbitrated Safety Net Adjustment) as set out in this clause:

Classification	Base Rate \$	Supplementary Payment \$	Arbitrated Safety Net Adjustments \$	Award Rate \$
Adults:				
Doughmaker	374.10	36.10	179.00	589.20
Single Hand Baker	374.10	36.10	179.00	589.20
Baker	365.20	38.80	179.00	583.00
Bakers' Assistant	310.20	21.30	179.00	510.50

- (b) (i) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (ii) The supplementary payment set out in this clause is to be paid in addition to the base rates prescribed by this clause, and the total rate prescribed by this clause is the award rate of pay prescribed by this clause for the respective classification.
- (iii) The supplementary payment set out in this clause represents payment in lieu of equivalent overaward payments.
- (iv) "Overaward payment" is defined as the amount (whether it be termed "overaward payment", "attendance bonus" or any term whatsoever) which an employee would receive in excess of the "award wage". Provided that such payment shall exclude overtime, shift allowance, penalty rates, disability allowances, fares and travelling time allowances and any other ancillary payments of a like nature prescribed by the award.
- (c) Jobber: One thirty-eighth of the Bakers' wage plus 20 per cent per hour -
- (d) Foreperson In addition to the total wage prescribed in this clause for a doughmaker, a foreperson shall be paid:

	\$
(i) if placed in charge of less than four other employees (per week)	13.95
(ii) if placed in charge of four but less than ten other employees (per week)	22.25
(iii) if placed in charge of ten and not more than 20 other employees (per week)	34.15
(iv) if placed in charge of 20 or more other employees (per week)	43.95

- (e) Disability Allowance:
In addition to the total wage prescribed in this subclause a disability allowance of \$5.85 per week shall be paid to doughmakers and single hand bakers.

- (2) Junior Employees:

Junior employees shall be paid the following percentages of the appropriate adult rate for the work upon which they are engaged.

	%
Under 16 years of age	45
Between 16 and 17 years of age	60
Between 17 and 18 years of age	70
Between 18 and 19 years of age	80
Between 19 and 20 years of age	90
Between 20 and 21 years of age	100

- (3) Casual employees shall be paid at the rate of one thirty-eighth of the appropriate weekly rate plus a loading of 20%.

2006 WAIRC 04816

BESPOKE BOOTMAKERS' AND REPAIRERS' AWARD NO. 4 OF 19468. - WAGES

- (1) The following shall be the minimum weekly rates of wages payable to workers covered by this award -

	ASNA	\$
(a) Surgical Bootmaker	141.00	504.20
(b) Bespoke Bootmaker	141.00	497.20
(c) Boot Repairer	141.00	494.70

A worker employed in the classification of "Boot Repairer" who is called upon to perform the work of "Bespoke Bootmaker" or "Surgical Bootmaker" shall be paid the appropriate rate for the actual time he/she is engaged on the work of the higher classification, provided that if he/she is employed for more than four hours in any one day on work of the higher classification he/she shall be paid the appropriate rate for the whole of that day.

- (2) A casual worker as defined in Clause 11 hereof shall be paid twenty per cent of the ordinary rate in addition to the ordinary rate for the calling in which he is employed.
- (3) Apprentices (percentage of Boot Repairers' rate per week)

Five year term -

First year	40%
Second year	48%
Third year	55%
Fourth year	75%
Fifth year	88%

Four year term -

First year	42%
Second year	55%
Third year	75%
Fourth year	88%

- (4) At the completion of an apprenticeship to boot repairing and bespoke bootmaking, the employer and the apprentice may mutually agree to extend the contract of apprenticeship for a further two years for the purpose of the apprentice being taught surgical bootmaking. The rate of pay shall be as mutually agreed between the employer, the apprentice and the union, or failing agreement, as determined by the Commission.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

8A. - MINIMUM WAGE - ADULT MALES AND FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- apply to all work in ordinary hours.
 - Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above

award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04817

BHP-UTAH MINERALS INTERNATIONAL CADJEBUT PRODUCTION AWARD 1989,

NO. A 11 OF 1989

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

19. - RATES OF PAY AND ALLOWANCES

- (1) An employee other than a casual employee or an employee who is remunerated in accordance with Clause 20. - Piecework of this Award, shall be paid in accordance with the following schedule:

Classification	ASNA ASNA/38hr	Rate Per Hour \$
Probationary Operator	3.63	13.67
Mill Operator Grade 1	3.63	14.61
Mill Operator Grade 2	3.63	15.08
Mill Operator Grade 3	3.76	15.88
Mill Operator Grade 4	3.76	16.58
Probationary Storeperson	3.63	13.67
Storeperson Grade 1	3.63	14.61
Storeperson Grade 2	3.63	15.08
Storeperson Grade 3	3.76	16.24

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) Cadjebut Allowance

A flat allowance of \$96.41 per work cycle shall be paid to each employee, provided that in the case of employees with dependants living with them they shall receive an allowance of \$122.89 per work cycle. This allowance accounts for district allowance, all site disability and commuting to and from the Cadjebut mine site.

(3) Shift Allowance

An employee shall, in addition to the ordinary rate of pay receive an allowance of \$12.75 per shift of 12 hour duration on night shift.

(4) Acting Foreman Allowance

Where an employee is requested by the employer to act in the capacity of foreman for a period of not less than 12 consecutive hours an allowance of \$20.50 per shift shall be paid whilst the employee is so engaged. Provided that where a part shift is worked an allowance of not more than \$10.25 shall be paid on any occasion.

(5) Where an employee has been appointed as a leading hand in charge of other employees, he or she shall receive an amount of 34 cents in addition to the base rate for each hour when so employed.

(6) Travel Allowance

An employee who is required to attend for work at Cadjebut shall be paid four hours at the rate prescribed in subclauses (1) and (2) of this clause for each work cycle, in addition to other payments prescribed in this clause.

(7) Casual Employees

A casual employee shall be paid at the appropriate hourly rate as prescribed in this clause at subclause (1) plus a loading of 20 per cent in lieu of sick leave, annual leave, bereavement and compassionate leave, maternity leave and long service leave.

2006 WAIRC 04818

BIBRA LAKE FABRICATION WORKSHOP AWARD

NO. A 1 OF 2002

25. - WAGES

(1) (a) The rate of wages payable weekly to adult employees covered by this award shall be as follows :

Classification	Relativity Wage Rate%	+ \$10 Safety Net Adjustment\$	Arbitrated Safety Net Adjustments\$	Total \$
Tradesperson Level 4	115.0	524.40	109.00	681.40
Tradesperson Level 3	110.0	501.60	109.00	658.60
Tradesperson Level 2	105.0	478.80	109.00	637.80
Tradesperson Level 1	100.0	456.00	109.00	615.00
Maintenance Employee Level 4	92.4	421.40	109.00	578.40
Maintenance Employee Level 3	88.0	401.30	109.00	558.30
Maintenance Employee Level 2	84.0	383.00	109.00	540.00
Maintenance Employee Level 1	79.2	361.20	109.00	518.20
Driver Articulated Vehicle exceeding 20 tonne capacity	98.44	448.90	109.00	607.90

- | Classification— <i>continued</i> | Relativity
Wage Rate% | + \$10 Safety
Net
Adjustment\$ | Arbitrated Safety
Net Adjustments\$ | Total \$ |
|---|--------------------------|--------------------------------------|--|----------|
| Driver Motor Vehicle
Exceeding 7 tonne
capacity | 94.76 | 432 | 109.00 | 589.10 |
- (b) The total rates of pay in this award include Arbitrated Safety Net Adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
The Arbitrated Safety Net Adjustments may be absorbed into over-award or industrial agreement increases in the terms specified in State Wage Case Decisions.
- (2) In Charge Allowance:
- (a) In addition to the appropriate total rate prescribed in subclause (1) of this clause an employee shall be paid:-
- | | |
|---|------------|
| | \$ |
| (i) if placed in charge of one to ten employees | 18.00 |
| OR | |
| (ii) if placed in charge of not less than 11 and not more than 20 other employees | 27.60 |
| (b) For the purpose of calculating authorised paid leave and overtime payments only, any in charge allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in the award. | 20 x 35.70 |
- (3) Apprentices
Percentage of the Tradesperson's Level 1 rate per week -
- | | |
|------------------------------|-----|
| (a) Four year term | |
| 4th year | 88% |
| 3rd year | 75% |
| 2nd year | 55% |
| 1st year | 42% |
| (b) Three & A Half Year Term | |
| Final year | 88% |
| Next year | 75% |
| Next year | 55% |
| First 6 months | 42% |
| (c) Three Year Term | |
| 3rd year | 88% |
| 2nd year | 75% |
| 1st year | 55% |
- (4) Tool Allowance:
- (a) Where the employer does not provide a tradesperson or apprentice with the tools ordinarily required by that tradesperson or apprentice in the performance of his/her work as a tradesperson or as an apprentice, the employer shall pay a tool allowance of -
- (i) \$10.00 per week to such tradesperson; or
- (ii) in the case of an apprentice a percentage of \$10.00 being the percentage which appears against the year of apprenticeship in subclause (3) of this clause;
- for the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of his/her work as a tradesperson or apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.
- (5) Where two or more mobile cranes or forklifts are engaged on any one lift, the driver thereof shall be paid an additional amount for the time occupied at the rate of \$2.88 per week.
- (6) A casual employee shall be paid 20% of the ordinary rate in addition to the ordinary rate for the classification in which he/she is employed.

2006 WAIRC 04819

BP FREMANTLE LTD OIL BUNKERING AWARD 1992, NO. A 20 OF 19811B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

21. - WAGE RATES

- (1) The following shall be the actual wage per week to employees covered by this Award.

	RatePer Week\$	ArbitratedSafety Net Adjustments\$	Total RatePer Week\$
Bunkering Attendant 3	595.00	179.00	774.00
Bunkering Attendant 2	565.00	179.00	744.00
Bunkering Attendant 1	535.00	179.00	714.00
Bunkering Attendant Base	505.00	179.00	684.00

- (2) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04820

B.P. REFINERY (KWINANA) CONSTRUCTION, MINING AND ENERGY WORKERS UNION AWARD 1980,

NO. A 2 OF 1981

36. - MINIMUM WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) **Adult Apprentices**

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

37. - WAGE RATES

- (1) It is a term of this award (arising from decisions of the Western Australian Industrial Relations Commission in State Wage Cases) that the Union undertakes until the 14th November 1991 not to pursue any additional claims, award or overaward.
- (2) The actual wage to be paid to an adult worker of a classification specified in this clause, shall except as otherwise required in this award, be at the rate hereinafter assigned to that classification.

Classification

	Base Rate plus ASNA\$	6 mths- 2 yrs plus ASNA\$	2 yrs- 3 yrs plus ASNA\$	3 yrs- 5 yrs plus ASNA\$	Over 5 yrs plus ASNA\$
Head Operator - Grade 4	702.20	727.50	733.20	739.60	745.50
Control Operator- Grade 1	662.80	687.20	692.80	700.50	706.50
Control Operator	657.60	682.20	687.70	694.10	702.00
Unit Operator - Grade 1	640.10	664.40	669.90	675.50	681.60
Unit Operator	628.80	653.20	658.80	664.40	669.90
Operator - Grade 1	617.50	641.90	645.00	650.10	655.60
Operator	614.40	636.60	641.90	644.90	650.00
Mobile Crane Driver (Restricted)	609.10	633.40	638.80	641.70	647.10
Mobile Crane Driver (Unrestricted)	638.20	662.80	668.30	674.00	679.80

- (3) The determination of wage rates prescribed in this award takes into account all disabilities associated with the performance of operating and other duties under the scope of this award.
- (4) The wage rates prescribed in this award shall be varied only to give effect to any general increase in wage rates resulting from any Wage Indexation decision or economic enquiry by the Australian Conciliation and Arbitration Commission into the level of total wages in National Wage Cases.
- (4) Casual workers shall be paid twenty per cent in addition to rates prescribed in this clause.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04821

**BP REFINERY (KWINANA) (SECURITY OFFICERS') AWARD, 1978
NO R 56 OF 1978**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

20. - WAGES

- (1) (a) The minimum rate of pay for officers under this award shall be as follows:

	Base Rate	ASNA	Award Rate
	\$	\$	\$
Security Officer (First 12 months)	407.70	179.00	586.70
Security Officer (Thereafter)	421.80	181.00	602.80
- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
 Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) A casual officer shall be paid 20% of the ordinary rate in addition to the ordinary rate for the calling in which he/she is employed, with a minimum engagement of three hours to be worked in a continuous shift.
- (3) The wage rate prescribed in subclause (1) of this clause takes into account all disabilities associated with the performance of security and other duties under the scope of this award.
- (4) **Leading Hands: -**
 Any officer placed in charge of other officers shall be paid in addition to the appropriate wage prescribed, the following:

	\$ Per Week
(a) if placed in charge of not less than 3 and not more than 10 other officers	22.20
(b) if placed in charge of not less than 10 and not more than 20 other officers	34.05
(c) if placed in charge of more than 20 other officers	43.75
 (5) Additional allowance	
Security officers required to hold a licence in accordance with the provisions of the Security Agents' Act shall have, in the second and subsequent years of employment, 50% of the cost of the licence reimbursed by the employer.	

2006 WAIRC 04822

BRADKEN BASSENDEAN (WA) WAY FORWARD ENTERPRISE AWARD 2003 NO A 9 OF 2003

4.1 - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

4.2 - WAGES

- (1) **Ordinary Wage Rates**
 Employees covered by this Award shall be classified at a level as specified by this clause and paid the ordinary wage rate, expressed as an hourly rate, applicable to their classification according to the schedule below, cross-referenced to subclause 4.2 (4) for the detail of wage increases and applicable dates:

Employee Classifications	Relativity to C10	Ordinary Hourly Wage Rate				
			3.0%	3.5%	3.5%	
		Present	When Agreed	24/11/04	24/11/05	07/07/06
C7	115%	22.7534	23.4360	24.2563	25.1052	25.7148
C8	110%	21.7641	22.4170	23.2016	24.0137	24.5968
C9	105%	20.7749	21.3981	22.1471	22.9222	23.4784
C10	100%	19.7856	20.3792	21.0924	21.8307	22.3607
C11	92.40%	18.2819	18.8304	19.4894	20.1715	20.6613
C12	87.40%	17.2926	17.8114	18.4348	19.0800	19.5432
C13	82%	16.2242	16.7109	17.2958	17.9012	18.3358

Note: For continuity and industry consistency, the classification structure used is consistent with that contained in the Metal Trades (General) Award 1966 – Part 1 with some local modifications.

(2) Payment of Wages

Wages will be paid as follows:

- (a) Wages shall be paid fortnightly by electronic funds transfer into a bank (or other recognised financial institution) account of the employee's choice.
- (b) The pay fortnight covers a two (2) week period, Monday to Sunday inclusive, with funds ordinarily being available in the employees' account on the Wednesday following the close of the pay fortnight.
- (c) For timekeeping purposes the following shall be applied:
- (d) It will be at the Supervisors discretion whether the deduction to the next ¼ hour will be waived or applied for those employees clocking on late.
- (e) To facilitate the efficient processing of the payroll each employee is responsible for completing their timecard and getting it to the Leading Hand so that the Leading Hand can lodge all timecards at the pay office by 10am on the day after the pay fortnight closes.
- (f) The Company will make all effort to resolve any pay anomalies within a 24-hour period of the notice of the anomaly. If the issue is not resolved a cash cheque or cash will be made available to meet the immediate needs of the employee. The maximum value will not exceed one weeks normal pay. The adjustment for reimbursement will be made in the next weeks pay.

(3) Wage Increases

- (a) The Parties have agreed on the following increases to apply to: the ordinary wage rates in subclause 4.2 (1) as depicted in the schedule in that subclause; and the shift allowances in subclause 4.2 (4).
 - (i) On and from agreement of this award an increase of 3.0% in ordinary wage rate and an increase of 0.5% in income protection insurance will apply.
 - (ii) In all cases in subclause 4.2 (1), the percentage increase shall be applied to the C10 classification and subsequently the ordinary wage rate for each of the other Employee Classifications shall be increased according to the relativity of each to the C10 Employee Classification.
 - (iii) On and from the 24/11/04 an increase of 3.5% shall apply as above.
 - (iv) On and from the 24/11/05 a further increase of 3.5% shall apply as above with no further increase payable until 1/07/06.

(4) Apprentices

- (a) The Company is committed to the training of apprentices, which may either be sourced form a group training scheme or be Company employed.
- (b) Where the Company directly employs an apprentice then, except for clause 19, the Apprentices shall be entitled to the same benefits as a full-time employee under this Award other than for remuneration which must be a specific percentage of the wage rate for the relevant classification. The specific percentages to apply are:
 - (i) First Year Apprentice 42%
 - (ii) Second Year Apprentice 55%
 - (iii) Third Year Apprentice 75%
 - (iv) Fourth Year Apprentice 88%
- (c) Where the Company employs an "adult" (that is a person of 21 years of age or older) apprentice then that employee shall be paid at a C11 for the full duration of his apprenticeship.

2006 WAIRC 04823

BREADCARTERS (COUNTRY) AWARD 1976 NO. R 17 OF 1975**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - WAGES

- (1) The following shall be the rates of wages payable to employees covered by this Award. The total minimum weekly wage rate shall be the amount specified in the "Total Weekly Payment" column in this clause for the appropriate grade or sub-grade.

	Base Rate	Supplementary Payment	Safety Net Adjustment	Total Weekly Payment
	\$	\$	\$	\$
Grade 1 LoaderYardperson	314.30	44.90	179.00	538.20
Grade 2 Breadcarter in charge of rigid vehicle up to 4.5 tonnes Gross Vehicle Mass (GVM) or Gross Combination Mass (GCM)Loader in charge of automatic slicing and wrapping machineBreadcarter	327.70	46.80	179.00	553.50
Grade 3 Breadcarter in charge of rigid vehicle 4.5 to 13.9 tonnes GVM or GCM	334.40	47.80	179.00	561.20
Grade 4 Breadcarter in charge of rigid vehicle over 13.9 tonnes GVM or GCM up to 13 tonnes capacity	344.50	49.20	179.00	572.70
Grade 5 Breadcarter in charge of rigid vehicle and trailer up to 22.4 tonnes GCM over 10 and up to 15 tonnes capacity	351.10	50.20	179.00	580.30

(2) JUNIOR WORKERS:

The following percentage of the total wage payable to an adult worker for the class of work performed.

	%
If under 17 years of age	60
If 17 and under 18 years of age	70
If 18 and under 19 years of age	80
If 19 and under 20 years of age	90
If 20 years of age	Adult Rate

No junior under 17 years of age shall be permitted to be in sole charge of a motor vehicle.

A junior who is required to have a "B" class motor vehicle driver's license shall be paid the full adult rate.

(3) LEADING HANDS:

A leading hand appointed as such by the employer and placed in charge of:

- (a) Not less than three and not more than ten other workers shall be paid \$24.03 per week extra.
- (b) More than ten and not more than twenty other workers shall be paid \$35.88 per week extra.
- (c) More than twenty other workers shall be paid \$45.46 per week extra.

(4) Part-Time Workers: Part-time workers shall be paid at the rate of 20 per cent in addition to the rates prescribed for weekly hands. The minimum payment for a part-time worker shall be four hours in any day.

(5) CASUALS:

Casual hands shall be paid at the rate of 20 per cent in addition to the rates prescribed for weekly hands. The minimum payment to a casual hand shall be four hours in any day.

(6) COLLECTION OF MONIES:

Breadcarters who are required in any week to collect monies and account for them as part of their duties are to be paid \$6.37 per week in addition to the rates before-mentioned.

- (7) (a) Loaders who are required to commence working before 4.00 a.m. on any day shall be paid for each day so worked, an extra 30 per cent.
- (b) Loaders who are required to commence work between 4.01 a.m. and 7.00 a.m. on any day shall be paid an extra 15 per cent for each day so worked.
- (8) Bread Carters who are required to commence working before 7.00 a.m. on any day shall be paid an extra 15 per cent for each day so worked.

2006 WAIRC 04824

BREADCARTERS' (METROPOLITAN) AWARD NO. 35 OF 1963

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of

employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - WAGES

(1) The following shall be the total minimum rates of wages payable to employees covered by this award.

	Base Rate\$	Supple- mentary Payment\$	Safety Net Adjustment\$	Total Weekly Wage\$
Grade 1 LoaderYardperson	314.30	44.90	179.00	538.20
Grade 2 Breadcarter in charge of rigid vehicle up to 4.5 tonnes Gross Vehicle Mass (GVM) or Gross Combination Mass (GCM)Loader in charge of automatic slicing and wrapping machineBreadcarter	327.70	46.80	179.00	553.50
Grade 3 Breadcarter in charge of rigid vehicle 4.5 to 13.9 tonnes GVM or GCM	334.40	47.80	179.00	561.20
Grade 4 Breadcarter in charge of rigid vehicle over 13.9 tonnes GVM or GCM up to 13 tonnes capacity	344.50	49.20	179.00	572.70
Grade 5 Breadcarter in charge of rigid vehicle and trailer up to 22.4 tonnes GCM over 10 and up to 15 tonnes capacity	351.10	50.20	179.00	580.30
Grade 6 Breadcarter in charge of articulated vehicle 3 or more axles over 22.4 tonnes GCM over 22 and up to 39 tonnes capacity	357.90	51.10	179.00	588.00

Leading Hands

A leading hand appointed as such by the employer and placed in charge of:

- (a) Not less than three and not more than ten other workers shall be paid \$24.03 per week extra.
- (b) More than ten and not more than twenty other workers shall be paid \$35.88 per week extra.
- (c) More than twenty other workers shall be paid \$45.46 per week extra.

(2) JUNIOR WORKERS:

Rates of pay (percent of total wage payable to an adult worker for the class of work performed).

	%
If under 17 years of age	60
If 17 and under 18 years of age	70
If 18 and under 19 years of age	85
If 19 and under 20 years of age	90
If 20 years of age	100

No junior under 17 years of age shall be permitted to be in sole charge of a motor vehicle.

A junior who is required to have a "B" class motor vehicle driver's license shall be paid the full adult rate.

(3) CASUALS:

Casual hands shall be paid at the rate of 20 per cent in addition to the rates prescribed herein.

(4) Breadcarters who are required in any week to collect monies and account for them as part of their duties are to be paid \$6.37 per week in addition to the rates before-mentioned.

- (5) (a) Loaders who are required to commence working before 4.00 a.m. on any day shall be paid for each day so worked, an extra 30 per cent -

- (b) Loaders who are required to commence work between 4.01 a.m. and 7.00 a.m. on any day shall be paid an extra 15 per cent for each day so worked.
- (6) Breadcarters who are required to commence working before 7.00 am on any day shall be paid an extra 15 per cent for each day so worked.

2006 WAIRC 04825

BREWERY LABORATORY EMPLOYEES AWARD 1983, THE NO. A 8 OF 1983

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE "A"

Rates of Pay

- (1) **Laboratory Employees:**
Notwithstanding the prescribed percentage relativities in this subclause, the rates applying shall be:
- | | \$ | ASNA | TOTAL |
|--|--------|--------|--------|
| (a) First year of experience | 481.40 | 143.00 | 624.40 |
| (b) Second year of experience - 105% of first year rate | 503.50 | 141.00 | 644.50 |
| (c) Third year of experience - 107.5% of first year rate | 514.50 | 141.00 | 655.50 |
| (d) Thereafter - 110% of first year rate | 525.50 | 141.00 | 666.50 |
- (2) Payment will be based on the percentage prescribed herein of the year of experience which the employee has attained:

		%		
(a)	At 20 years of age	92		
(b)	At 19 years of age	78		
(c)	At 18 years of age	65		
(d)	At 17 years of age	55		
(3)	Draughtsmen:			
	\$	ASNA	TOTAL	
	Detail Draughtsmen -	\$602.60	143.00	745.60
	Thereafter			

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04826

BREWING INDUSTRY AWARD 1993 NO. A 5 OF 1993

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE A. - WAGE RATES AND ALLOWANCES

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(1) Rates of Pay - the minimum weekly rate payable to employees covered by Part 1 of this award shall be as follows:-

Classifications:

(a) Transport:

		\$	ASNA	TOTAL per week
(i)	Leading Hand Driver	466.80	143.00	609.80
(ii)	Driver of a Semi-Trailer with a capacity of 15-25 tonnes	460.00	143.00	603.00
(iii)	Driver of a Tandem/Semi-Trailer with a capacity of 9-15 tonnes	455.30	143.00	598.30
(iv)	Driver of a vehicle with a carrying capacity of 5-9 tonnes	447.50	141.00	588.50
(v)	Driver of a vehicle other than cars with a carrying capacity up to 5 tonnes	438.60	141.00	579.60
(vi)	Car Driver other than Executive Driver	430.50	141.00	571.50
(vii)	Executive Driver	436.70	141.00	577.70
(viii)	Leading Hand Fork Lift Driver	450.90	141.00	591.90
(ix)	Fork Lift Driver	431.60	141.00	572.60
(x)	Front End Loader Driver	431.60	141.00	572.60
(xi)	Tractor Driver	430.00	141.00	571.00
(xii)	Shunter Tractor Driver	447.50	141.00	588.50

(b) Sales Service Department:

			\$	per week
(i)	Sales Service Technician Grade 1	445.70	141.00	586.70
(ii)	Sales Service Technician Grade 2	441.60	141.00	582.60

(c) Cellars and Brewhouse:

			\$	Per week
(i)	Cellars/Brewhouse Operator	433.20	141.00	574.20
(ii)	Auto Jet Filter Operator	437.20	141.00	578.20
(iii)	Plate Evaporative/Filter Operator	447.50	141.00	588.50

(d) Bottling and Kegging:

			\$	per week
(i)	Leading Hand	437.20	141.00	578.20
(ii)	Filler Operator	424.90	141.00	565.90
(iii)	Labeller Operator	412.60	141.00	553.60
(iv)	Packer Operator	412.60	141.00	553.60
(v)	Palletiser Operator	412.60	141.00	553.60
(vi)	Greaser	412.60	141.00	553.60
(vii)	Flash Pasteuriser Operator	424.90	141.00	565.90
(viii)	Depalletiser Operator	412.60	141.00	553.60
(ix)	Bottle Washer Operator Infeed	412.60	141.00	553.60
(x)	Bottle Washer Operator Discharge	412.60	141.00	553.60

- (e) Miscellaneous:
- | | | | | \$ |
|-------|--------------------------------------|--------|--------|----------|
| | | | | per week |
| (i) | Tallyperson at Rail | 408.80 | 141.00 | 549.80 |
| (ii) | Storeperson | 412.60 | 141.00 | 553.60 |
| (iii) | Waste Water Treatment Plant Operator | 424.90 | 141.00 | 565.90 |
- (f) All other adult employees employed in or about a Brewery, Bottling Works or Bottleyard:
- | | | | | \$ |
|------|--|--------|--------|----------|
| | | | | per week |
| (i) | | 395.70 | 141.00 | 536.70 |
| (ii) | | 400.80 | 141.00 | 541.80 |
- (2) Allowances:
- (a) The rates prescribed for workers in Cellars and Brewhouses in subclause (1)(c) of this clause include allowance for temperature.
 - (b) An employee who holds a current Certificate of First Aid, and is nominated by the employer to perform First Aid duties as required in addition to normal duties in any week, shall be paid an allowance of \$7.70 for that week in addition to the rates prescribed herein.
 - (c) Employees other than those paid under the provisions of subclause (1)(c) hereof who are required to work in areas where the temperature has by artificial means been decreased below 7° Celsius or increased above 43° Celsius shall be paid a rate of 30 cents per hour for any period in which they are so employed in these areas.
 - (d) Employees engaged on work which is considered by agreement between the parties to the award to be of a dirty or offensive nature shall be entitled to be paid at the rate of 30 cents per hour in addition to the rates prescribed herein for their ordinary classification for all time which they may be employed at this class of work.
 - (e) Employees required to work in areas defined by the parties to this award as confined spaces, shall be paid at a rate of 30 cents per hour in addition to the rates prescribed herein for their ordinary classification for all time which they may be employed at this class of work.
 - (f) Boiler Cleaning (which shall include scraping, cleaning and painting cylinders): For all time which they may be employed at this class of work, employees shall be entitled to be paid at the rate of 30 cents per hour in addition to the rates prescribed herein for their ordinary classification.
 - (g) An employee who holds a current Occupational First Aid Certificate as defined by the St John Ambulance Association or its equivalent and is nominated by the employer to perform duties within the scope of the certificate in addition to normal duties from time to time shall be paid an allowance of \$10.25 per week in addition to the rates prescribed in subclause (1) herein; with effect on and from 1 August 1991.

2006 WAIRC 04827

BRICK MANUFACTURING AWARD 1979 NO. R 19 OF 1979

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

11. - WAGES

The following shall be the minimum rates of wages payable to employees covered by this Award:

(1) (a) CLASSIFICATION:	Base Rate\$	Supplementary Payment \$	Total Rate \$
ADULT EMPLOYEES:			
Tunnel Kiln Operator	360.30	183.30	543.60
Machine Operator: Brick, Setting, Packing or Strapping	353.00	190.60	543.60
Kiln Car Decker in Charge	353.00	190.60	543.60
Refractory Moulder, Brick Cutter, Setter, Drawer, Off Bearer, Grinding Machine Operator, Brick Maker and Handler, Crucible Machine Operator	347.10	182.60	529.70
Burner	343.20	186.40	529.60
Powder Monkey	340.20	189.40	529.60
Hand Press Operator, Presser Fancy Bricks, Clay Hole Motor Loco Driver, Truck Loader, Loader Out to Trucks, Man Winding, Sorter, Packer, Strapper	339.10	182.00	521.10
Operator: Mixer, Weighbatcher Press, Sand Winning, Overhead Crane - After 2 months' service	350.60	179.00	529.60
Steam Curing Operator	335.40	194.20	529.60
Fork Lift Drivers	357.30	179.00	536.30
Front End Loaders:			
(i) 35 b.h.p.	336.60	184.30	520.90
(ii) 35 b.h.p. - 130 b.h.p.	347.10	182.50	529.60
(iii) Over 130 b.h.p.	349.80	186.40	536.20
All Others and Trainees during first two months' of service	324.10	180.30	504.40

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) JUNIOR EMPLOYEES:

	%
Under 17 years of age	60
17 to 18 years of age	70
18 to 19 years of age	90

(3) LEADING HANDS:

In charge of:	\$
(a) Not less than three and not more than ten employees	15.50
(b) More than ten but not more than twenty other employees	23.55
(c) More than twenty other employees	30.70

- (4) SPECIAL RATES
- (a) Machine and Pan Drivers oiling machinery outside ordinary working hours shall be paid an additional half hour's pay per day at ordinary rates for performing such work.
- (b) Employees required to handle Manganese Dioxide shall be paid an allowance of \$2.40 per day or part thereof whilst required to handle such substance.

2006 WAIRC 04828

BRUSHMAKERS' AWARD NO. 30 OF 1959**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - WAGES

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be the base rate plus the Arbitrated Safety Net Adjustment (ASNA) Payment expressed hereunder:

	Base Rate	Arbitrated Safety Net Adjustments Rate	Minimum Rate
(a) Woodworking machinists whose work includes both making cutters and setting machines	357.10	179.00	536.10
(b) Automatic boring and filling machinist Filing machinists (hand filing) Twisted-in wire lathe operator (gauge of wire 10g. or more and soft coppered oval wire) Bench Drawing Feather Duster Maker Paint Brush Maker Person employed on lacquering and ducoing			

	Base Rate	Arbitrated Safety Net Adjustments Rate	Minimum Rate
(b) Automatic boring and filling machinist— <i>continued</i>			
Hair Pan Hands			
Bass Pan Hands			
Bottle Brush Makers			
Finishers			
Millet Broom Makers			
Millet Broom Sewers			
Wood-working Machinists			
Ducoers and Lacquerers			
Sorters	345.40	179.00	524.40
(c) Semi-automatic Boring and Filling Machinist			
Boring Machinist (on) filling machines)			
Broom and Brush Press Operator			
Mop Press Operator			
Mixing Machine Operator			
Branding Machinist	341.50	179.00	520.50
(d) Trimming Machinist and all Others	332.00	179.00	511.00
(2) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.			
(3) (deleted)			
(4) (deleted)			
(5) Junior Workers: Percentage of the adult rate for the class of work on which they are engaged.			

	%
Under 16 years of age	50
16 to 17 years of age	60
17 to 18 years of age	70
18 to 19 years of age	80
19 to 20 years of age	90
20 to 21 years of age	Adult Rate

2006 WAIRC 04829

**BUILDING AND ENGINEERING TRADES (NICKEL MINING AND PROCESSING) AWARD, 1968
NO. 20 OF 1968**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.

- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

44. - RATES OF PAY AND CLASSIFICATION DEFINITIONS

- (1) Classification and Wage Rates - Kambalda and Leinster Nickel Operations
- (a) Engineering Employees -
 - (i) Engineering Employees Grade 1 (EEG1)
Not defined in Kambalda.
 - (ii) Engineering Employees Grade 2 (EEG2)
Semi-skilled employee comparable to former classifications of battery attendant, pipe fitter, etc.
 - (iii) Engineering Employees Grade 3 (EEG3)
Indentured tradespersons who satisfy all regulatory requirements or an EEG2 who has achieved a practical level of competency as approved by some regulatory control.
 - (iv) Engineering Employees Grade 4 (EEG4)
Indentured tradespersons who continually demonstrate superior knowledge and ability and are capable of handling difficult problems without immediate supervision, and have obtained training in, and can practically apply various skills as previously appropriate to other specific trade areas.
e.g. Boilermaker with basic fitting skills including basic hydraulic and pneumatic fitting and vice versa.
 - (v) Engineering Employees Grade 5 (EEG5)
Indentured tradespersons who continually demonstrate superior knowledge and ability, and have achieved successful completion in relevant post-trade studies or courses, which enables them to apply multi-disciplinary skills as required including primary skills, and can competently work largely unsupervised.
e.g. A Fitter/Turner who acquires qualifications and training to competently act as a Diesel Fitter.
A Boilermaker who becomes competent at more detailed fitting such as balancing, aligning, fault detecting, etc.
 - (vi) Engineering Employees Grade 6 (EEG6)
Indentured tradespersons who possess the same qualities as an EEG5, and are also capable of supervising a large work group. Generally fulfils the duties as Assistant/Acting Supervisor and are therefore by appointment only.

Award Wages	Rate \$	Arbitrated Safety Net Adjustments \$	Total Rate \$
EEG1	N/A		
EEG2	324.80	179.00	503.80
EEG3	372.40	179.00	551.40
EEG4	389.40	179.00	568.40
EEG5	404.10	179.00	583.10
EEG6	426.90	181.00	607.90

The above new rates include allowance for the withdrawal of the multi-skilled over award payment. The above new rates for EEG4, EEG5 and EEG6 also include allowance for the withdrawal of the award leading hand rates 1, 2 and 3 respectively.

(b) Electrical Employees:-

- (i) Electrical Employee Grade 1 (EEG1)
Not defined in Kambalda.
- (ii) Electrical Employee Grade 2 (EEG2)
Semi-skilled employee comparable to former classifications such as battery fitter, linesperson (three years experience) etc.
- (iii) Electrical Employee Grade 3 (EEG3)
A linesperson with more than three years experience or an indentured electrical fitter or installer.
- (iv) Electrical Employee Grade 4 (EEG4)
An EEG3 who continually demonstrates superior knowledge and ability and is capable of handling difficult problems without immediate supervision and has obtained training in, and can practically apply various skills appropriate to other trades, or an indentured instrument fitter.
- (v) Electrical Employee Grade 5 (EEG5)
An indentured electrical or instrumentation fitter/installer who has completed relevant post-trade courses conducting to cross-skilling of these disciplines, or an EEG4 who has obtained through experience and practice a high degree of competency in multi-disciplinary trade areas, and is capable of supervising work groups.
- (vi) Electrical Employee Grade 6 (EEG6)
An Electrical Employee Grade 5 who is capable of supervising a large work group. Generally fulfils the duties as Assistant/Acting Foreperson is therefore by appointment only.

Award Wages	Rate \$	Arbitrated Safety Net Adjustments \$	Total Rate \$
EEG1	N/A		
EEG2	341.90	179.00	520.90
EEG3	372.40	179.00	551.40
EEG4	389.40	179.00	568.40
EEG5	404.80	179.00	583.80
EEG6	426.90	181.00	607.90

The above new rates include allowance for the withdrawal of the multi-skilled over award payment. The above new rates for EEG4, EEG5 and EEG6 also include allowance for the withdrawal of the award leading hand rates 1, 2 and 3 respectively.

(c) Building Employees -

- (i) Building Employee Grade 1 (BEG1)
Not applicable at Kambalda Nickel Operations.
- (ii) Building Employee Grade 2 (BEG2)
Not applicable at Kambalda Nickel Operations.
- (iii) Building Employee Grade 3 (BEG3)
Indentured tradespersons who satisfy all regulatory requirements and who have achieved a practical level of competency as approved by some regulatory control.
- (iv) Building Employee Grade 4 (BEG4)
Indentured tradespersons who continually demonstrate superior knowledge and ability and are capable of handling difficult problems without immediate supervision, and have obtained training in, and can practically apply various skills as previously appropriate to other specific trade areas.
- (v) Building Employee Grade 5 (BEG5)
Indentured tradespersons who continually demonstrate superior knowledge and ability, and have achieved successful completion in relevant post-trade studies or courses, which enables them to apply multi-disciplinary skills as required including their primary skills, and can competently work largely unsupervised.
- (vi) Building Employee Grade 6 (BEG6)
Indentured tradespersons who possess the same qualities as a BEG5, and are also capable of supervising a large work group. Generally fulfils the duties as assistant/acting supervisor and is therefore by appointment only.

Award Wages	Rate \$	Arbitrated Safety Net Adjustments \$	Total Rate \$
BEG1	N/A		
BEG2	N/A		
BEG3	363.20	179.00	542.20
BEG4	376.70	179.00	555.70
BEG5	389.60	179.00	568.60
BEG6	413.80	179.00	592.80

The above new rates for BEG4, BEG5 and BEG6 also include allowance for the withdrawal of the award leading hand rates, 1, 2 and 3 respectively.

(2) Classification and Wage Rates - Windarra Nickel Project

(a) Engineering Employees -

(i) Engineering Employees Grade 1 (EEG1)

Newly appointed semi-skilled employees who have not yet shown the necessary site knowledge to be competent enough to move from area to area within the operation without assistance. An employee will not remain in this classification for more than three months. This is a new classification.

(ii) Engineering Employees Grade 2 (EEG2)

Semi-skilled employees who have been employed at the operation for more than three months and are comparable to the former classification of pipe fitter.

(iii) Engineering Employees Grade 3 (EEG3)

Indentured tradespersons who satisfy all regulatory requirements of Grade 2 employees and have who achieved practical levels of competency as approved by the regulatory authority.

(iv) Engineering Employees Grade 4 (EEG4)

Indentured tradespersons who continually demonstrate superior knowledge and ability and are capable of handling difficult problems without immediate supervision.

(v) Engineering Employees Grade 5 (EEG5)

Indentured tradespersons who continually demonstrate superior knowledge and ability, and have achieved successful completion in relevant post-trade studies or courses, which enables them to apply multi-disciplinary skills as required and can work largely unsupervised.

(vi) Engineering Employee Grade 6 (EEG6)

Indentured tradespersons who possess the same qualities as Grade 5 employees and are capable of organising and supervising a large work group. Generally fulfils the duties as Assistant/Acting Supervisor.

Award Wages	Rate \$	Arbitrated Safety Net Adjustment \$	Total Rate \$
EEG1	302.00	179.00	481.00
EEG2	327.60	179.00	506.60
EEG3	363.20	179.00	542.20
EEG4	377.10	179.00	556.10
EEG5	384.20	179.00	563.20
EEG6	390.40	179.00	569.40

The above new rates include allowance for the withdrawal of the award leading hand rates 1, 2 and 3 respectively.

(b) Electrical Employee -

(i) Electrical Employee Grade 1 (EEG1)

Newly appointed semi-skilled employees who have not yet shown the necessary site knowledge to be competent enough to move from area to area within the operation without assistance. An employee will not remain in this classification for more than three months. This is a new classification.

(ii) Electrical Employee Grade 2 (EEG2)

Semi-skilled employees who have been employed at the operation for more than three months and are comparable to the former classification of battery fitter.

(iii) Electrical Employee Grade 3 (EEG3)

A linesperson with more than three years experience or an indentured electrical fitter or installer.

(iv) Electrical Employee Grade 4 (EEG4)

A Grade 3 employee who continually demonstrates superior knowledge and ability and is capable of handling difficult problems without immediate supervision or an indentured instrument fitter.

(v) Electrical Employee Grade 5 (EEG5)

An indentured electrical or instrument fitter/installer who has completed relevant post-trade courses conducive to cross-skilling of these disciplines, or a Grade 4 employee who has obtained through experience and practice a high degree of competency in multi-disciplinary trade areas.

(vi) Electrical Employee Grade 6 (EEG6)

A Grade 5 employee who is capable of supervising a large work group and generally fulfils the duties as assistant/acting foreman.

Award Wages	Rate \$	Arbitrated Safety Net Adjustments \$	Total Rate \$
EEG1	302.00	179.00	481.00
EEG2	327.60	179.00	506.60
EEG3	363.20	179.00	542.20
EEG4	391.70	179.00	570.70
EEG5	404.80	179.00	583.80
EEG6	411.00	179.00	590.00

The above new rates include allowance for the withdrawal of the award leading hand rates.

(c) Building Employees -

- (i) Building Employee Grade 1 (BEG1)
Not applicable at Windarra Nickel Project.
- (ii) Building Employee Grade 2 (BEG2)
Not applicable at Windarra Nickel Project.
- (iii) Building Employee Grade 3 (BEG3)
Indentured tradespersons who satisfy all regulatory requirements and who have achieved a practical level of competency as approved by some regulatory control.
- (iv) Building Employee Grade 4 (BEG4)
Indentured tradespersons who continually demonstrate superior knowledge and ability and are capable of handling difficult problems without immediate supervision, and have obtained training in, and can practically apply various skills as previously appropriate to other specific trade areas.

Award Wages	Rate \$	Arbitrated Safety Net Adjustments \$	Total Rate \$
BEG3	363.20	179.00	542.20
BEG4	376.70	179.00	555.70

The above new rate for BEG4 also include allowance for the withdrawal of the award leading hand rates 1, 2 and 3 respectively.

- (3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(4) Apprentices:

Apprentices shall be paid the following percentage of tradespersons (EEG3) rate per week:-

Four year term -	%
First year	42
Second year	55
Third year	75
Fourth year	88
Three and a half year term -	
First Six Months	42
Next year	55
Following year	75
Final year	88
Third year term -	\$
First year	55
Second year	75
Third year	88

Apprentices shall also receive the above percentage rates of the District Allowance, Disability Allowance, Tool Allowance and Industry Allowance available to Tradespersons under this award.

(5) Tool Allowance

- (a) Bricklayers, Carpenters and Joiners, Plumbers or Painters shall be paid the following tool allowance:

	\$
Bricklayers	1.68
Carpenter and Joiners	3.13
Plumbers	2.33
Painters	0.71

This allowance includes an amount of **five cents** for the purpose of enabling employees to insure their tools against loss or damage by theft or fire and shall not be paid where the employer supplies employees with all necessary tools.

An employee in receipt of a tool allowance shall provide all necessary tools kept in suitable condition for the performances of the work.

An employee who fails to provide all such tools when required shall be guilty of a breach of this award and shall not be entitled to the tool allowance prescribed above until they comply with this provision.

- (b) Metal Trades Employees:

Notwithstanding the previous provisions of this clause, a metal tradesperson, including an apprentice, to whom the employer does not supply all necessary tools, shall be paid an allowance of **\$11.70** per week.

A "tradesperson", for the purpose of this clause, shall be deemed to be an employee who is paid an equal rate of wage or higher than for the classification "Boilermaker".

(6) Leading Hands

In addition to the appropriate wage prescribed in this clause, a Leading Hand shall be paid –

	\$
(a) If placed in charge of not less than 3 and not more than 10 other employees	21.10
(b) If place in charge of more than 10 and not more than 20 other employees	31.70
(c) If place in charge of more than 20 other employees	41.10

(7) Disabilities Allowance:

An employee employed outside of their shop on construction work shall for the time so employed be paid a disabilities allowance at the rate of **\$1.40** per week in addition to the prescribed rate.

(8) Industry Allowance:

- (a) Each employee shall be paid an allowance of **\$93.20** per week.
- (b) The allowance recognises, and is in payment for, all aspects of work in the industry, including the location and nature of individual operations within it.
- (c) The allowance shall be paid in addition to the rate of wage set out in this clause and shall be paid for all purposes of the award.

(9) Casual Employees:

A casual employee shall be paid 20% in addition to the ordinary rate prescribed herein.

- (10) Notwithstanding the provisions of this award, no employee (including an apprentice), 21 years of age or over, shall be paid less than \$332.00 per week as the ordinary rate of pay in respect of the ordinary hours of work prescribed by this award, but that minimum rate of pay will not apply where the ordinary rate of pay is more than \$332.00 per week.

Where the said minimum rate of pay is applicable the same rate shall be payable on holidays, during annual leave, sick leave, long service leave and any other leave prescribed by this award.

Notwithstanding the foregoing, where in this award an additional rate is prescribed for any work, it shall be calculated upon the rate prescribed by this award for the classification in which the employee is employed.

2006 WAIRC 04830

BUILDING MATERIALS MANUFACTURE (CSR LIMITED - WELSHPOOL WORKS) 1982

NO. A 10 OF 1982

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

9. - WAGES

- (1) (a) **Employees (Total wage per Week)**
- | Wage Group | Total |
|------------|--------|
| 1 | 592.80 |
| 2 | 583.80 |
| 3 | 574.90 |
| 4 | 570.20 |
| 5 | 563.60 |
| 6 | 561.00 |
| 7 | 554.20 |
| 8 | 550.30 |
- (b) Provided that an employee qualified Senior Hand Gyprock or Warehouse appointed as Shift Boss shall be paid an all purpose allowance of \$116.79 per week.
- (c) Provided further that a Shift Boss may appoint on a day to day basis and subject to work requirements, a Deputy Shift Boss who shall be paid a flat allowance of \$7.08 per shift.
- (2) For the purposes of subclause (1) of this clause, each group shall be comprised of the following classifications:

Wage Group	Bradford Insulation Factory	Gyprock Factory
1	Senior Line Operator	Senior Hand, Warehouse; or Senior Hand, Gyprock
2		Senior Hand(Cornice Plant)
3	Pot Operator	Plaster Mill Operator
4		Forming Area Operator
5	Shift Tester	
	Relief Pot Operator (controls input materials)	
	Senior Conveyor Attendant	

- | | | |
|------------|---|--|
| Wage Group | Bradford Insulation Factory | Gyprock Factory |
| 6 | | Cornice Plant Operator
Joint Cements/Special Plaster Mixer |
| 7 | | Forklift Driver Grader (Forklift Duties)
Unloader and Grader (Testing Duties) |
| 8 | Conveyor Attendant
Product Handler
Process Worker | Product Handler
Process Worker
Bagger |
- (3) Junior Employees:
Junior employees shall be paid the prescribed percentage of the adult wage per week for the class of work on which they are engaged.
- | | |
|--------------------------|-----|
| | % |
| Under 18 years of age | 80 |
| 18 years of age and over | 100 |
- (4) Casual Employment:
A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour 1/38th of the weekly rate prescribed by this award for the work performed, plus 20 per cent.
- (5) First Aid Allowance:
An employee qualified to act as a first aid attendant and appointed to act as a first aid attendant in association with other work under this award shall be paid an allowance of \$13.92 per week.
- (6) Extra Rates:
- (a) Employees who are required to clean the forming machine drain and pit shall be paid a flat allowance of \$3.42 for each day when this work needs to be performed.
- (b) In addition to the rates set out in subclauses (1) and (2) of this clause any Products Handler who is appointed a leading hand shall receive a weekly allowance as follows:
- | | |
|----------------------------|---------|
| not more than 10 employees | \$26.29 |
| more than 10 employees | \$39.27 |
- (7) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (8) Deleted
- (9) Deleted

2006 WAIRC 04831**BUILDING TRADES (CONSTRUCTION) AWARD 1987 NO. R 14 OF 1978****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - RATES OF PAY

(1) Except as elsewhere provided in this Award the rates of pay payable to an employee (other than an apprentice) shall be that prescribed herein calculated as an hourly rate in accordance with subclause (4) of this clause.

(2) Weekly Rate: The following amounts shall be applied for the purpose of the calculation in subclause (4) of this clause of the hourly rate to apply under this Award.

		Base Rate\$	Supple- mentary Payment\$	Arbitrated Safety Net Adjustment\$	Weekly Rate\$	
(a)	(i)	Bricklayers, stoneworkers, stonemasons, carpenters, joiners, painters, signwriters, glaziers, and plasterers roof tile fixers	365.20	52.10	181.00	598.30
	(ii)	Plumber and/or gasfitter	368.00	52.10	181.00	601.10
	(iii)	Plumber holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act:Base Rate	368.00			
		Reg. Allowance \$ 17.30	385.30	52.10	181.00	618.40
	(iv)	Marker/Setter Out	378.60	52.10	181.00	611.70
	(v)	Special Class Tradesman	385.00	52.10	181.00	618.10
(b)	(i)	Group 1				
		Rigger	362.30	52.10	179.00	593.40
		Drainer	362.30	52.10	179.00	593.40
		Dogman	362.30	52.10	179.00	593.40
	(ii)	Group 2				
		Scaffolder	346.70	52.10	179.00	577.80
		Powder Monkey	346.70	52.10	179.00	577.80
		Hoist or Winch Driver	346.70	52.10	179.00	577.80
		Concrete Finisher	346.70	52.10	179.00	577.80
		Steel Fixer including Tack Welder	346.70	52.10	179.00	577.80
		Concrete Pump Operator	346.70	52.10	179.00	577.80
	(iii)	Group 3				
		Bricklayer's Labourer	335.10	52.10	179.00	566.20
		Plasterer's Labourer	335.10	52.10	179.00	566.20
		Assistant Powder Monkey	335.10	52.10	179.00	566.20
		Assistant Rigger	335.10	52.10	179.00	566.20
		Demolition Worker (after three months' experience)	335.10	52.10	179.00	566.20
		Gear Hand	335.10	52.10	179.00	566.20
		Cement Gun Operator	335.10	52.10	179.00	566.20
		Concrete Cutting or Drilling Machine Operator	335.10	52.10	179.00	566.20
		Pile Driver	335.10	52.10	179.00	566.20
		Tackle Hand	335.10	52.10	179.00	566.20
		Jackhammer Hand	335.10	52.10	179.00	566.20

	Base Rate\$	Supple- mentary Payment\$	Arbitrated Safety Net Adjustment\$	Weekly Rate\$
Mixer Driver (Concrete)	335.10	52.10	179.00	566.20
Steel Erector	335.10	52.10	179.00	566.20
Aluminium Alloy Structural Erector	335.10	52.10	179.00	566.20
Gantry Hand or Crane Hand	335.10	52.10	179.00	566.20
Concrete Gang Including Concrete Floater	335.10	52.10	179.00	566.20
Steel or Bar Bender to Pattern or Plan	335.10	52.10	179.00	566.20
Concrete Formwork Stripper	335.10	52.10	179.00	566.20
Concrete Pump Hose Hand	335.10	52.10	179.00	566.20
Trades Labourer	335.10	52.10	179.00	566.20
Brick Paver Labourer	335.10	52.10	179.00	566.20
Brick Cleaner/Labourer	335.10	52.10	179.00	566.20
(iv) Group 4				
Builders' Labourers Employed on Work Other Than Specified in Classifications (i) to (iii)	306.60	52.10	179.00	537.70

(c) Supplementary Payments

Supplementary payments set out in this clause represent payments in lieu of equivalent overaward payments.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments shall be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award. For these purposes over award rates of pay in any industrial agreement affecting employees whose terms of employment are also regulated by the award shall likewise be liable to absorption unless contrary to the terms of the industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(3) Industry Allowance

The industry allowance at the rate of \$21.10 per week to be paid to each employee is to compensate for the following disabilities associated with construction work:-

- (a) Climate conditions when working in the open on all types of work.
- (b) The physical disadvantage of having to climb stairs or ladders.
- (c) The disability of dust blowing in the wind, brick dust and drippings from concrete.
- (d) Sloppy and muddy conditions associated with the initial stages of the erection of a building.
- (e) The disability of working on all types of scaffolding or ladders other than a swing scaffold, suspended scaffold, or a bosun's chair.
- (f) The lack of the usual amenities associated with factory work (e.g. meal rooms, change rooms, lockers).

(4) Hourly Rate Calculation - Follow the Job Loading

(a) The hourly rate of pay to be paid to an adult employee (other than an apprentice) shall be calculated to the nearest cent (less than half a cent to be disregarded) by multiplying the sum of the amounts prescribed in subclause (2) and the amount prescribed in subclause (3) and where applicable in subclauses (6), (7), (8) and (9) of this clause by 52 and dividing the result by 50.4 by adding to that the amount prescribed in subclause (5) of this clause and by dividing the total by 38.

(b) The aforementioned calculation shall take into account a factor of eight days in respect of the incidence of loss of wages for periods of unemployment between jobs.

(5) Special Allowance

The special allowance at the rate of \$7.70 per week to be paid to each employee is to compensate for the following:-

- (a) Excess travelling time incurred by employees in the building industry;
- (b) The removal of loadings from the various building awards consequent upon the introduction of this paid rates award in the industry.

(6) Tool Allowance

Tool allowances shall be paid to tradesmen as prescribed hereunder:-

	Per Week
	\$
Carpenters, Joiners, Plumbers, Stonemasons, Stoneworkers	22.70
Plasterers, Fixers	18.70
Bricklayers	16.00
Roof Tile Fixers	11.80
Signwriters, Painters, Glaziers	5.50
(7) <u>Location Allowance</u>	
Where applicable location allowances in accordance with Appendix A will be paid.	
(8) <u>Underground Allowance</u>	
(a) (i)	Subject to paragraph (b) hereof, an employee required to work underground shall be paid an allowance of \$10.32 per week in addition to the allowance prescribed in subclause (3) of this clause and any other amount prescribed for such employee elsewhere in this award.
(ii)	Where a shaft is to be sunk to a depth greater than six metres the payment of the underground allowance shall commence from the surface.
(iii)	This allowance shall not be payable to an employee engaged upon "pot and drive" work at a depth of 3.5 metres or less.
(b)	Where an employee is required to work underground for no more than four days or shifts in any ordinary week he/she shall be paid an underground allowance in accordance with the provisions of paragraph (t) of subclause (1) of Clause 9. - Special Rates and Provisions in lieu of the allowance prescribed in paragraph (a) hereof.
(9) <u>Plumbing Trade Allowance</u>	
Plumbers shall be paid an allowance at the rate of \$16.80 per week to compensate for the following classes of work and in lieu of the relevant amounts in Clause 9. - Special Rates and Provisions whether or not such work is performed in any one week. When working outside the categories listed hereunder, a plumber shall receive the appropriate rates provided for in the said Clause 9. - Special Rates and Provisions.	
(a) General Plumber	
(i)	Clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing and putting same in proper order;
(ii)	Work in wet places;
(iii)	Work requiring a swing scaffold, swing seat or rope;
(iv)	Dirty or offensive work;
(v)	Work in any confined space;
(vi)	Work on a ladder exceeding eight metres in height.
(b) Mechanical Services Plumber	
(i)	Handling charcoal, pumice, granulated cork, silicate of cotton, insulwool, slag wool, or other recognised insulation material of a like nature or working in the immediate vicinity so as to be affected by the use thereof;
(ii)	Work in a place where the temperature has been raised by artificial means to between 46 and 54 degrees celsius or exceeding 54 degrees celsius;
(iii)	Work in a place where fumes of sulphur or other acid or other offensive fumes are present;
(iv)	Dirty or offensive work;
(v)	Work in any confined space;
(vi)	Work on a ladder exceeding eight metres in height.
(c) Roof Plumber	
(i)	Work on the fixing of aluminium foil insulation on roofs or walls prior to the sheeting thereof;
(ii)	Use of explosive powered tools;
(iii)	Work requiring use of materials containing asbestos or to work in close proximity to employees using such materials shall be provided with and shall use all necessary safeguards as required by the appropriate occupational health authority including the mandatory wearing of protective equipment (i.e. combination overalls and breathing equipment or similar apparatus);
(iv)	Dirty or offensive work;
(v)	Work requiring a swing scaffold, swing seat or rope;
(vi)	Work on a ladder exceeding eight metres in height.
(10) <u>Leading Hands</u>	
(a)	A person specifically appointed to be a leading hand shall be paid at the rate of the undermentioned additional amounts above the rate of the highest classification supervised, or his/her own rate, whichever is the highest, in accordance with the number of persons in his/her charge:-

- | | Weekly Base
Only\$ | Rate Per Hour\$ |
|--|-----------------------|-----------------|
| (i) In charge of not more than one person | 17.70 | 0.48 |
| (ii) In charge of two and not more than five persons | 29.70 | 0.81 |
| (iii) In charge of six and not more than ten persons | 37.90 | 1.02 |
| (iv) In charge of more than ten persons | 50.50 | 1.37 |
- (b) The hourly rate prescribed in paragraph (a) hereof is calculated to the nearest cent (less than half a cent to be disregarded) by multiplying the weekly base amount by 52 and dividing the result by 50.4 and by dividing the amount by 38.
- (11) Licensed Plumbers Accepting Responsibility
Any licensed plumber called upon by his/her employer to use the licence issued to him/her by the Metropolitan Water Supply, Sewerage and Drainage Board for a period in any week - \$32.79 for that week.
- (12) Plumber Acting on Welding Certificate
A plumber who is requested by his/her employer to hold the relevant qualifications and has obtained a certificate of competency pursuant to procedures as set out by the Standards Association of Australia or other relevant recognised codes, or, who may have to carry out work which is subject to other special tests but not a normal trade test, and is required by his/her employer to act on such qualifications, shall be paid an additional 43 cents per hour for oxyacetylene welding and 43 cents per hour for electric welding for every hour of his/her employment whether or not he/she has in any hour performed work relevant to those qualifications held.
- (13) Lead Work
A plumber engaged in leadburning or lead work in connection therewith shall be paid an additional \$1.48 per hour.
- (14) Ship's Plumbing
A plumber engaged on plumbing work in connection with ships shall be paid an additional \$1.04 cents per hour.
- (15) Casual Hands
In addition to the rate appropriate for the type of work, a casual hand shall be paid an additional 20 per cent of the rate per hour with a minimum payment as for three hours employment. The penalty rate herein prescribed shall be deemed to include, inter alia, compensation for annual leave.
- (16) Site Allowances
The Union on behalf of its members may request an employer to consider a site allowance to compensate for all special factors and/or disabilities on a project.
Where the parties have considered the merit of the claim and have agreed on a proposed rate, it shall be referred to the Commission for ratification.
Where agreement cannot be reached, the parties shall refer the matter to the Commission which shall determine an appropriate rate, if any, to compensate for such special factors and/or disabilities: Provided, however, that the Commission may determine that such site allowance shall be paid in lieu of any of the special rates related to conditions on the site as prescribed in Clause 9 subclause (1).
The Commission shall ratify or determine such matters on the criteria outlined in the Full Bench Decision of the Conciliation and Arbitration Commission dated February 25, 1983 (Print F1957).
Where the procedure prescribed by this subclause is being followed, work shall continue normally.
A site allowance determined in accordance with this subclause shall be deemed to be prescribed by this Award.

2006 WAIRC 04832

BUILDING TRADES (GOLDMINING INDUSTRY) AWARD
NOS. 29 & 32 OF 1965 & 4 OF 1966
9. - WAGES

(1) Rate per 38 hour week	Base Rate	Supplementary Payment	Arbitrated Safety Net Adjustment	Total Rate
(a) Bricklayer	365.20	52.10	181.00	598.30
(b) Carpenter and Joiner	365.20	52.10	181.00	598.30
(c) Painter	365.20	52.10	181.00	598.30
(d) Plumber	365.20	52.10	181.00	598.30

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Tool Allowance (per week)
- | | |
|---------------|-------|
| (a) Carpenter | 22.10 |
| (b) Painter | 5.40 |

The tool allowance for carpenter and joiner includes an amount of five cents for the purpose of enabling the employees to insure their tools against loss or damage by theft or fire.

(3) Structural Efficiency:

- (a) An employer may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training consistent with the classification structure of this award provided that such duties are not designed to promote de-skilling.
- (b) Arising out of the decision on 8 September 1989 in the State Wage Case the parties to this Award are committed to implementing a new wage and classification structure. In making this commitment, the parties -
 - (i) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature.
 - (ii) Undertake that upon variation of the Award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the Award variation relating to a new classification structure.
 - (iii) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
 - (iv) Are committed to modernising the terms of the Award and addressing issues associated with training in an endeavour to finalise matters.
- (c) In the event that there is a claim for reclassification by an employee to higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply:
 - (i) Agreed competency standards shall be established by the parties in conjunction with T.A.F.E. and S.E.S.D.A. (when operative) for all levels in any new classification structure before any claims for reclassification are processed;
 - (ii) An agreed authority such as T.A.F.E. or S.E.S.D.A. or agreed accreditation authority (when operative) shall test the validity of an employee's claim for classification.
- (d) The parties are committed to modernising the terms of the Award and to addressing the issues associated with training in an endeavour to finalise these matters.

(4) Award Modernisation:

- (a) In accordance with sub-paragraph (iv) in paragraph (b) of subclause (5) hereof, the parties are committed to modernising terms of the award.
- (b) The parties will discuss all matters raised which may lead to increased flexibility and the removal of the obsolete conditions to better reflect the realities of modern industry practices and assist the restructuring process. Any such discussion with the Unions shall be on the premise that -
 - (i) The majority of employees at the enterprise must genuinely agree;
 - (ii) No employee will lost income as a result of the change;
 - (iii) The Union must be party to the agreement, particularly where enterprise level discussions are considering matters requiring variations to the Award;
 - (iv) Agreements will be ratified by the Commission.
- (c) Should an agreement be reached pursuant to subclause (b) hereof and that agreement requires an award variation, the parties will not oppose that award variation for that particular provision for that particular enterprise.
- (d) There shall not be limitations on any award matter being raised for discussion.
- (e) The parties agree that working parties will continue to meet with the aim of modernising the Award.

9A. - MINIMUM WAGE - ADULT MALES AND FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04833

BUILDING TRADES (GOVERNMENT) AWARD 1968 NO. 31A OF 1966

4.1 – MINIMUM ADULT AWARD WAGE

- 4.1.1 No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
 - 4.1.2 The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
 - 4.1.3 The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
 - 4.1.4 Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
 - 4.1.5 Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
 - 4.1.6
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
 - 4.1.7 Subject to this clause the minimum adult award wage shall –
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
 - 4.1.8 **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
 - 4.1.9 **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.
- 4.2 – WAGES
- 4.2.1 The minimum weekly rate of wage payable to employees covered by this award shall be as per the provisions comprising:
 - (a) Part A – Wages Adjusted by Arbitrated Safety Net Adjustments; or
 - (b) Part B – Expired Industrial Agreement Wages;

whichever is the greater.

4.2.2 The wage rates to apply for the purpose of the no-disadvantage test under the Industrial Relations Act 1979 shall be as per the provisions comprising:

- (a) Part A – Wages Adjusted by Arbitrated Safety Net Adjustments; or
- (b) Part B – Expired Industrial Agreement Wages;

whichever is the greater.

4.2.3 Part A: Wages Adjusted by Arbitrated Safety Net Adjustments

- (a) It is a term of this award that the union undertakes for the duration of the Principles determined by the Commission Court Session in Application No. 985 of 1995 not to pursue any extra claims, award or over award except when consistent with the State Wage Principles.

PART A: WAGES ADJUSTED BY ARBITRATED SAFETY NET ADJUSTMENTS

	On Engage- ment	Arbitrated Safety Net Adjustment	Total Rate	After 1 year of service (Per Week)	Arbitrated Safety Net Adjustment	Total Rate	After 2 years of service	Arbitrated Safety Net Adjustment	Total Rate
	\$	\$	\$	\$	\$	\$	\$	\$	\$
(1) (a) Tradespersons: Bricklayers Stoneworkers, Carpenters, Joiners, Painters, Signwriters, Glaziers, Plasterers and Stone-masons as defined in Clause 6 of this Award	429.60	181.00	610.60	434.50	171.00	598.50	595.00	181.00	620.00
(b) Special Class Tradesperson (as defined)	447.80	181.00	628.80	452.95	181.00	633.95	457.65	181.00	638.65
(c) Plumbers holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act	444.85	181.00	625.85	449.80	181.00	630.80	454.30	181.00	635.30
(d) Builders Labourers:									
(i) Rigger, Drainer, Dogman	407.25	181.00	586.25	414.10	179.00	593.10	418.80	179.00	597.80
(ii) Scaffolder, Powder Monkey, Hoist or Winch Driver, Concrete Finisher, Steelfixer, including Tack Welder, Concrete Pump Operator	395.25	181.00	574.25	398.40	179.00	577.40	403.05	179.00	582.05
(iii) Bricklayer's Labourer, Plasterer's Labourer, Assistant Rigger, Demolition Workers (after 3 months' experience), Gear Hand, Pile Driver, Tackle Hand, Jackhammer Hand, Mixer Driver (concrete), Steel Erector, Aluminium Alloy Structural Erector, Gantry Hand or Crane Hand, Crane Chaser, Concrete Gang including Concrete Floater, Steel or Bar Bender to Pattern or Plan, Concrete Formwork Stripper, Concrete Pump, Hose hand	386.85	179.00	565.85	391.15	179.00	570.15	396.25	179.00	575.25

	On Engage- ment	Arbitrated Safety Net Adjustment	Total Rate	After 1 year of service (Per Week)	Arbitrated Safety Net Adjust- ment	Total Rate	After 2 years of service	Arbitrated Safety Net Adjust- ment	Total Rate
	\$	\$	\$	\$	\$	\$	\$	\$	\$
(iv) Builder's Labourer employed on work other than specified in classifications (i)- (iii)	356.80	179.00	535.80	357.80	179.00	536.80	362.05	179.00	541.05

- 4.2.4 The Wages in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- 4.2.5 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- 4.2.6 Increases in Wages otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

	Tool Allowance	(Per Week)
	(a) Bricklayers and Stoneworkers	15.60
	(b) Plasterers	18.20
	(c) Carpenters and Joiners	22.10
	(d) Plumbers	22.10
	(e) Painters and Sign-writers	5.40
	(f) Glaziers	5.40
	(g) Stonemasons: The employer shall supply all necessary tools for the use of stonemasons, except when engaged on building construction, when the worker, if required to supply his/her own tools, shall receive a tool allowance at the rate of \$1.70 per week.	

NOTE 1: The tool allowance prescribed in paragraphs (a), (b), (c) and (d) of this Clause each include an amount of six cents for the purpose of enabling the employees to insure their tools against loss or damage by theft or fire.

NOTE 2: The abovenamed allowances shall not be paid where the employer supplies an employee with all necessary tools.

- 4.2.7 Allowance for Lost Time: Thirteen days' sick leave and follow the job (per week):
An employee whose employment is terminated through no fault of his/her own and who has not completed nine months' continuous service with his/her employer shall, for each week of continuous employment with that employer, immediately prior to his/her termination of employment be paid the lost time allowance prescribed hereunder less any payments made to him/her in respect of sick leave during that employment -

		\$
(a)	Bricklayers, stoneworkers, carpenters, joiners, painters, glaziers, signwriters, plasterers, plumbers and stonemasons	47.84
(b)	Special Class Tradesperson (as defined)	50.24
(c)	Registered Plumbers	49.69
(d)	Builders Labourers	
	(i) Classifications (i) to (iii) inclusive	46.90
	(ii) Classifications (iv) to (ix)	44.09
	(iii) Classification (x)	42.62
	(iv) Classification (xi)	39.72

NOTE: In the event of any increase or decrease in the wages and other allowances prescribed in this clause, except the tool allowances, the amounts prescribed in this Clause shall be increased or decreased by an amount equal to 9.7% of that increase or decrease.

4.2.8 Disabilities Allowance (Per Week): \$20.91

- (a) Subject to the provisions of paragraph (b), of this Clause an allowance of \$20.91 shall be paid to all employees excepting employees who are employed for the major portion of any week in or about a permanent maintenance depot or who are usually employed in or about the employer's business when an employee coming within the exception is engaged on the erection or demolition of a building exceeding 250 square feet in floor area.
- (b) Employees who are directed to work temporarily in or about a permanent maintenance depot and who immediately prior to being so directed were in receipt of the allowance for a period of not less than three months shall be paid two-thirds of the allowance prescribed herein.

4.2.9 Casual Employees

A casual employee shall be paid a loading of 20 per cent in addition to the rates prescribed by this clause.

4.2.10 The rates prescribed in this clause shall be increased or decreased, as the case may be, to give effect to any decision of the Australian Conciliation and Arbitration Commission to alter wage rates uniformly in awards under its jurisdiction

4.2.11 Plumbers shall be paid an allowance at the rate of \$16.14 per week to compensate for the following classes of work and in lieu of the relevant amounts in Clause 4.1. - Special Rates and Provisions of this award whether or not such work is performed in any one week. When working outside the categories listed hereunder, a plumber shall receive the appropriate rates provided for in the said Clause 4.5. - Special Rates and Provisions.

(a) General Plumber:

- (i) clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing and putting same in proper order;
- (ii) work in wet places;
- (iii) work requiring a swing scaffold, swing seat or rope;
- (iv) dirty or offensive work;
- (v) work in any confined space;
- (vi) work on a ladder exceeding eight metres in height;
- (vii) work in and around abattoirs.

(b) Mechanical Services Plumber:

- (i) handling charcoal, pumice, granulated cork, silicate of cotton, insulwool, slag wool, or other recognised insulation material of a like nature or working in the immediate vicinity so as to be affected by the use thereof;
- (ii) work in a place where the temperature has been raised by artificial means to between 46° and 54° Celsius or exceeding 54° Celsius;
- (iii) work in a place where fumes of sulphur or other acid or other offensive fumes are present;
- (iv) dirty or offensive work;
- (v) work in any confined space;
- (vi) work on a ladder exceeding eight metres in height;
- (vii) work in and around abattoirs.

(c) Roof Plumber:

- (i) work in the fixing of aluminium foil insulation on roofs or walls prior to the sheeting thereof;
- (ii) use of explosive powered tools;
- (iii) work requiring use of materials containing asbestos or to work in close proximity to employees using such materials shall be provided with, and shall use, all necessary safeguards as required by the appropriate occupational health authority including the mandatory wearing of protective equipment (i.e. combination overalls and breathing equipment or similar apparatus);
- (iv) dirty or offensive work;
- (v) work requiring a swing scaffold, swing seat or rope;
- (vi) work on a ladder exceeding eight metres in height;
- (vii) work in and around abattoirs.

PART B – EXPIRED INDUSTRIAL AGREEMENT RATES

Level	1 January 2003
	C
New Entrant	\$454.30
1	\$476.70
2	\$506.70
3	\$534.60
4	\$576.70
5	\$604.60
6	\$632.40

Level— <i>continued</i>	1 January 2003
	C
7	\$660.10
8	\$687.90
9	\$715.70

Classification Rate

		3% Increase 1 January 2003 C
(1) (a) Tradesperson; Bricklayers, Stoneworkers, Carpenters, Joiners, Painters, Signwriters, Glaziers, Plasterers and Stone-masons as defined in Clause 6 of the Award	On Engagement	\$576.70
	After 1 year of service (per week)	\$583.10
	After 2 years of service	\$589.00
(b) Special Class Tradesperson (as defined)	On Engagement	\$600.30
	After 1 year of Service (per week)	\$607.00
	After 2 years of service	\$613.10
(c) Plumbers holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act	On Engagement	\$596.50
	After 1 year of service (per week)	\$602.90
	After 2 years of service	\$608.70
(d) Builders Labourers		
(i) Rigger, Drainer, Dogman	On Engagement	\$547.90
	After 1 year of service (per week)	\$556.60
	After 2 years of service	\$562.80
(ii) Scaffolder, Powder Monkey, Hoist or Winch Driver, Concrete Finisher, Steelfixer, including Tack Welder, Concrete Pump Operator	On Engagement	\$532.30
	After 1 year of service (per week)	\$536.40
	After 2 years of service	\$542.30
(iii) Bricklayer's Labourers, Plaster's Labourer, Assistant Rigger, Demolition Workers (after 3 month's experience), Gear Hand, Pile Driver, Tackle Hand, Jackhammer Hand, Mixer Driver (concrete), Steel Erector, Aluminium Alloy Structural Erector, Gantry Hand or Crane Hand, Crane Chaser, Concrete gang including Concrete Floater, Steel or Bar Bender to Pattern or Plan, Concrete Formwork Stripper, Concrete Pump, Hose hand	On Engagement	\$521.40
	After 1 year of service (per week)	\$526.90
	After 2 years of service	\$533.50
(iv) Builders Labourer employed on work other than specified in classifications (i)-(ii)	On Engagement	\$482.50
	After 1 year of service (per week)	\$483.80
	After 2 years of service	\$489.30

2006 WAIRC 04834

BUILDING TRADES AWARD 1968 NO. 31 OF 1966

10. - WAGES

The rates of wages payable to the employees covered by the award (other than duly registered apprentices) shall be as follows:

(1) Base Rate and Supplementary Payment (per week)

	Base RatePer Week\$	Safety NetAdjustment\$	Total RatePer Week\$
(a)			
(i) Bricklayers, stoneworkers, carpenters, joiners, painters, signwriters, glaziers, plasterers and plumbers as defined in Clause 6 of this award	376.20	181.00	557.20
(ii) Plumber holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act	385.40	181.00	566.40
(iii) Joiner - Assembler A (as defined in Clause 6 of this award)	344.60	179.00	523.60
(iv) Joiner - Assembler B (as defined in Clause 6 of this award)	330.70	179.00	509.70
(b) Builders Labourers:-			
(i) Rigger	360.30	179.00	539.30
(ii) Drainer	360.30	179.00	539.30
(iii) Dogman	360.30	179.00	539.30
(iv) Scaffolder	345.00	179.00	524.00
(v) Powder Monkey	345.00	179.00	524.00
(vi) Hoist or Winch Driver	345.00	179.00	524.00
(vi) Concrete Finisher	345.00	179.00	524.00
(vi) Steel Fixer including tack welder	345.00	179.00	524.00
(xi) Operator Concrete Pump	345.00	179.00	524.00
(x) Bricklayer's Labourer	333.60	179.00	512.60
Plasterer's Labourer	333.60	179.00	512.60
Assistant Powder Monkey	333.60	179.00	512.60
Assistant Rigger	333.60	179.00	512.60
Demolition Worker			
(after three months' experience)	333.60	179.00	512.60
Gear Hand	333.60	179.00	512.60
Pile Driver	333.60	179.00	512.60
Tackle Hand	333.60	179.00	512.60
Jackhammer Hand	333.60	179.00	512.60
Mixer Driver (concrete)	333.60	179.00	512.60
Steel Erector	333.60	179.00	512.60
Aluminium Alloy Structural Erector	333.60	179.00	512.60
Gantry Hand or Crane Hand	333.60	179.00	512.60
Crane Chaser	333.60	179.00	512.60
Concrete Gang including Concrete Floater	333.60	179.00	512.60
Steel or Bar Bender to pattern or plan	333.60	179.00	512.60
Concrete Formwork Stripper	333.60	179.00	512.60
Concrete Pump Hose Hand	333.60	179.00	512.60
(xi) Builder's Labourers employed on work other than specified in classifications (i) to (x)	307.70	179.00	486.70

(2) Special Payment:

- (a) A special payment of \$40.78 per week shall be paid to all employees covered by this award and shall be regarded as part of the "total rate" for all purposes.
- (b) For the purpose of calculating the rate of wage payable to an apprentice the special payment prescribed in paragraph (a) hereof shall be deemed to be part of the tradesman's total rate.

(3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(4)	Tool Allowance: (Per Week)	\$
	(a) Bricklayers and Stoneworkers	15.60
	(b) Plasterers	18.20
	(c) Carpenters and Joiners	22.10
	(d) Joiners - Assembler A or B	11.10
	(e) Plumbers	22.10
	(f) Painters	5.40
	(g) Signwriters	5.40
	(h) Glaziers	5.40

Note 1: The tool allowance prescribed in paragraphs (a) to (h) inclusive of this subclause, each include an amount of 5 cents for the purpose of enabling the employees to insure their tools against loss or damage by theft or fire.

Note 2: The abovenamed allowances shall not be paid where the employer supplied the employee with all necessary tools.

- (5) Construction Allowance: (per week) \$21.02. An employee shall not be entitled to this construction allowance except when required to work "on site" on any work in connection with the erection or demolition of a building or to carry out work which the employer and the union agree is construction work or in default of agreement, that is so declared by the Board of Reference.

- (6) Casual Employees:

A casual employee as defined in Clause 6. - Definitions of this award, shall be paid a loading of 20 per cent in addition to the rates to which he/she is otherwise entitled pursuant to this clause.

- (7) (a) Junior employees may be employed in the classification of Joiner - Assembler A but in no other classification and shall be paid the following percentages of the base rate and special payment applicable to that classification:

	%
Up to 16 years	38
16 - 17	46
17 - 18	53
18 - 19	73
19 - 20	88
20 +	100

- (b) In addition to the above rates a junior employee shall be paid the tool allowance specified in subclause (3) hereof if required by the employer to supply tools.
- (c) This subclause shall not operate to reduce the wages of any employee who is paid more than the rate prescribed herein for such employee nor shall the same permit the reduction of any such wages.
- (d) Junior employees employed in the classification of Joiner - Assembler A may perform any of the duties of a Joiner - Assembler A and/or Joiner - Assembler B as defined in Clause 6. - Definitions and shall not perform work ordinarily carried out by any other classification of employee covered by this award.
- (e) Junior employees shall be employed at a ratio of one junior employee to each five adult employees or part thereof.

10A. - MINIMUM WAGE - ADULT MALES AND FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of

employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04835

BURSWOOD HOTEL (MAINTENANCE EMPLOYEES') AWARD, NO. A6 OF 1989(R)

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

14. - WAGE RATES

- (1) (a) The adult weekly wage rates payable to employees covered by this award shall be as follows:

Classification	Rate Per Week\$	A.S.N.A.\$	Total Rate Per Week\$
Electrical Fitter	485.40	179.00	664.40
Electrical Mechanic	485.40	179.00	664.40

Classification	Rate Per Week\$	A.S.N.A.\$	Total Rate Per Week\$
Refrigeration Fitter	485.40	179.00	664.40
Building Tradesperson	485.40	179.00	664.40
General Trades Assistant	420.70	181.00	601.70

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Nominee

A Licensed Electrical Mechanic or Fitter who acts as nominee for an Electrical Contractor shall be paid an allowance of \$52.90 per week.

- (3) In addition to the weekly wage rate provided by subclause (1) of this clause an adult employee shall be paid:

	\$
(a) After the completion of one year's continuous service	15.70
(b) After the completion of two years' service	31.70

Such payment shall be deemed part of the weekly wage rate for all purposes of the Award.

- (4) In addition to the weekly wage rate provided by subclause (1) of this Clause a leading hand shall be paid:

	\$
(a) If placed in charge of not less than three and not more than ten other employees	22.00
(b) If placed in charge of more than ten and not more than 20 other employees	33.70
(c) If placed in charge of more than 20 other employees	43.40

- (5) Apprentices shall be paid the following percentage of the appropriate Tradespersons wage rate in subclause (1) of this clause:

FIVE YEAR TERM -	%
First Year	40
Second Year	48
Third Year	55
Fourth Year	75
Fifth Year	88
FOUR YEAR TERM -	
First Year	42
Second Year	55
Third Year	75
Fourth Year	88
THREE AND A HALF YEAR TERM -	
First Six Months	42
Next Year	55
Next Year	75
Final Year	88
THREE YEAR TERM -	
First Year	55
Second Year	75
Third Year	88

- (6) Casual employees shall be paid 20 percent of the ordinary rate in addition to the ordinary rate for the calling in which they are employed.
- (7) An employee holding either a Third Year First Aid Medallion of the St. John Ambulance Association or a "C" Standard Senior First Aid Certificate of the Australian Red Cross Society, appointed by the Company to perform first aid duties, shall be paid \$8.50 per week in addition to their ordinary rate.
- (8) An employee who holds, and in the course of their employment is required to use, a current "A" Grade or "B" Grade, or "L" Grade or "R" Grade license issued pursuant to the relevant regulation in force on the 28th day of February 1978 under the Electricity Act 1945 shall be paid an allowance of \$17.60 per week.
- (9) An employee, who is in possession of, and is requested by the Company to use, a plumber's license issued by the Metropolitan Water Supply, Sewerage and Drainage Board, shall, in each week so requested, be paid an allowance of \$32.50 per week.

- (10) A plumber holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act shall be paid \$22.40 per week in addition to their ordinary rate.
- (11) Structural Efficiency
- (a) Arising out of the decision of 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. A6 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions and not designed to promote deskillings within the employee's classification structure.
- (b) The parties to the award are committed to implementing a new wage and classification structure. In making this commitment the parties:
- (i) Shall determine the appropriate range of skills applicable to each classification contained in Clause 14. - Wage Rates of this award.
- (ii) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature.
- (iii) Intend to substitute the existing provisions of Clause 14. - Wage Rates with a new wage and classification structure and to make any consequential amendments not later than 30 September 1991, or earlier if agreed between the parties and approved by the W.A. Industrial Relations Commission.
- (iv) Undertake that upon variation of the award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the award variation relating to a new classification structure;
- (v) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
- (vi) Will create a genuine career path for employees which allows advancement based on industry accreditation and access to training.
- (vii) Will take into account in the development of the new classification structure national relativities and established skill levels relevant to the existing classification in the award.
- (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses the agreed equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply:
- (i) The parties agree that the existing award disputes avoidance procedure shall be followed.
- (ii) Agreed competency standards shall be established by the parties in conjunction with TAFE and the SESDA, (when operative) or any other agreed Authority for all levels in any new classification structure before any claims for reclassification are processed.
- (iii) An agreed authority (such as TAFE or SESDA) or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification.
- (iv) Reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the Company.
- (d) The parties are committed to modernising the terms of the award with an endeavour to finalise this matter by 30 September 1991.
- (12) Award Modernisation
- (a) In accordance with paragraph (d) of subclause (11) hereof, the parties are committed to modernising the terms of the award.
- (b) The parties will discuss all matters raised which may lead to increased flexibility and the removal of obsolete conditions to better reflect the realities of modern industry practices and assist the restructuring process. Any such discussion with the Unions shall be on the premise that: -
- (i) The majority of employees affected by the change at the enterprise must genuinely agree;
- (ii) No employee shall lose income as a result of the change;
- (iii) The Union must be a party to the Agreement particularly where enterprise level discussions are considering matters requiring variation to the award; and
- (iv) Agreements shall be ratified by the W.A. Industrial Relations Commission.
- (c) Should an agreement be reached pursuant to subclause (b) hereof and that agreement required variation of the award, the parties shall support such award variation.
- (d) There shall not be limitations on any award matter being raised for discussion.
- (e) The parties agree that working parties will continue to meet with the aim of modernising the award.

2006 WAIRC 04836

BURSWOOD ISLAND RESORT (MAINTENANCE EMPLOYEES') AWARD NO. A 22 OF 1986

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) **Adult Apprentices**

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

13. - WAGE RATES

- (1) (a) All work performed on a rostered shift, when the major portion of such shift fall on a Saturday, Sunday or a holiday, shall be paid for as follows -

Classification	Rate Per Week\$	Arbitrated Safety Net Adjustments\$	Total Rate Per Week\$
Video Department			
Electronic Serviceperson (Grade I)	485.30	179.00	664.30
Electronic Serviceperson (Grade II)	513.40	179.00	692.40
Electronic Serviceperson (Grade III)	541.90	179.00	720.90
Engineering Department:			
Tradesperson	485.30	179.00	664.30
Plant Attendant	485.30	179.00	664.30
General Trades Assistant	420.70	181.00	601.70

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) In addition to the weekly wage rate provided by subclause (1) hereof an adult employee shall be paid:

	Per Week \$
(a) After the completion of one year's continuous service	15.70
(b) After the completion of two years' continuous service	31.70

Such payments shall be deemed part of the weekly wage rate for all purposes of the award.

- (3) **Leading Hand:** In addition to the appropriate total wage prescribed in this Clause a Leading Hand shall be paid:

- | | | |
|-----|--|-------|
| | | \$ |
| (a) | If placed in charge of not less than three and not more than ten other employees | 22.00 |
| (b) | If placed in charge of more than ten and not more than twenty other employees | 33.70 |
| (c) | If placed in charge of more than twenty other employees | 43.40 |
- (4) A casual employee shall be paid 20 per cent of the ordinary rate in addition to the ordinary rate for the calling in which they are employed.
- (5) Nominee
A licensed electrical mechanic or fitter who acts as nominee for the Company shall be paid an allowance of \$52.90 per week.
- (6) An employee holding either a Third Year First Aid Medallion of the St. John Ambulance Association or a "C" Standard Senior First Aid Certificate of the Australian Red Cross Society, appointed by the Company to perform first aid duties, shall be paid \$8.20 per week in addition to their ordinary rate.
- (7) An employee who holds, and in the course of their employment is required to use, a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force on the 28th day of February, 1978 under the Electricity Act 1945 shall be paid an allowance of \$17.60 per week.
- (8) An employee who is in possession of, and is requested by the Company to use, a plumber's licence issued by the Metropolitan Water Supply, Sewerage and Drainage Board, shall, in each week so requested, be paid an allowance of \$30.40 per week.
- (9) A plumber holding registration in accordance with the Metropolitan Water Supply, Sewerage and Drainage Act shall be paid \$12.60 per week in addition to their ordinary rate.
- (10) Structural Efficiency:
- (a) Arising out of the decision of 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1730 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions and not designed to promote deskilling within the employee's classification structure.
- (b) The parties to the Award are committed to implementing a new wage and classification structure. In making this commitment the parties -
- (i) Shall determine the appropriate range of skills applicable to each classification contained in Clause 13. - Wage Rates, of this Award;
- (ii) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature;
- (iii) Intend to substitute the existing provisions of Clause 13. - Wage Rates, of this award, with a new wage and classification structure and to make any consequential amendments not later than 21 May 1991, or earlier if agreed between the parties and approved by the Western Australian Industrial Relations Commission;
- (iv) Undertake that upon variation of the Award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the award variation relating to a new classification structure;
- (v) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
- (vi) Will create a genuine career path for employees which allows advancement based on industry accreditation and access to training.
- (vii) Will take into account in the development of the new classification structure national relativities and established skill levels relevant to the existing classifications in the Award.
- (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses the agreed equivalent skill and knowledge gained through on-the-job experience or on any other ground the following principles apply:
- (i) The parties agree that the existing award disputes avoidance procedure shall be followed;
- (ii) Agreed competency standards shall be established by the parties in conjunction with TAFE and the SESDA (when operative) or any other agreed authority for all levels in any new classification structure before any claims for reclassification are processed.
- (iii) An agreed authority (such as TAFE or SESDA) or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification.
- (iv) Reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the Company.
- (d) The parties are committed to modernising the terms of the Award with an endeavour to finalise this matter by 21 May 1991.
- (11) Award Modernisation:
- (a) In accordance with paragraph (d) of subclause (10) hereof, the parties are committed to modernising the terms of the Award.
- (b) The parties will discuss all matters raised which may lead to increased flexibility and the removal of obsolete conditions to better reflect the realities of modern industry practices and assist the restructuring process. Any such discussion with the Unions shall be on the premise that -
- (i) The majority of employees affected by the change at the enterprise must genuinely agree;

- (ii) No employee shall lose income as a result of the change;
- (iii) The Unions must be party to the agreement, particularly where enterprise level discussions are considering matters requiring variation to the Award;
- (iv) Agreements will be ratified by the Western Australian Industrial Relations Commission;
- (v) The disputes procedure prescribed in Clause 22. - Resolution of Disputes, of this award, shall apply if agreement cannot be reached in the implementation process of a particular issue.
- (c) Should an agreement be reached pursuant to paragraph (b) hereof and that agreement requires variation to the Award, the parties shall support such award variation.
- (d) There shall not be limitations on any Award matter being raised for discussion.
- (e) The parties agree that working parties will continue to meet with the aim of modernising the Award.

2006 WAIRC 04837

BURSWOOD RESORT CASINO (THEATRICAL EMPLOYEES) AWARD

NO. A 10 OF 1991

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - RATES OF PAY

The minimum fortnightly rate of pay to be paid to an employee shall be as set out hereunder for the relevant classification.

(a)	Classification	Award rate
(1)	STAGE MANAGEMENT DEPARTMENT	
	(a) Stage Manager	1237.10
	(b) Assistant Stage Manager	1077.60

(a)	Classification—continued	Award rate
(2)	MECHANICAL DEPARTMENT	
	(a) WORKSHOP	
	(i) Carpenter	1117.30
	(ii) Carpenter's assistant	1028.00
	(b) STAGE	
	(i) Head Mechanist	1215.30
	(ii) Mechanist/Head Flyman	1117.30
	(iii) Stage hand/Flyman	1028.00
(3)	ELECTRICAL/LIGHTING DEPARTMENT	
	(a) Head Electrician	1215.30
	(b) Electrician/Mains Switchboard Operator	1117.30
	(c) Electrical Hand	1028.00
(4)	AUDIO VISUAL DEPARTMENT	
	(a) Head Audio Technician	1215.30
	(b) Audio Operator	1117.30
	(c) Audio Hand	1028.00
(5)	WARDROBE DEPARTMENT	
	Wardrobe/Hand/Dresser/Valet	1028.00
(6)	PROPERTY DEPARTMENT	
	Property Hand	1028.00
(7)	FRONT OF HOUSE	
	(a) Head Booking Clerk	1142.80
	(b) Booking Clerk	1117.30
	(c) Ticket Seller	1025.10
	(d) Programme Sellers	1008.80
	(e) Ushers/Ticket Takers/Cloakroom Attendant	1011.60
(8)	SERVICES	
	(a) Receptionist	1011.60
	(b) Utility Person	1013.40
(9)	SKILLED THEATRE LABOUR NOT CLASSIFIED ELSEWHERE	1215.30
(10)	UNSKILLED THEATRE LABOUR NOT CLASSIFIED ELSEWHERE	1008.80

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04838

BURSWOOD CATERING AND ENTERTAINMENT PTY LTD EMPLOYEES AWARD 2001

NO. A 4 OF 2001

5. - WAGES

- (1) The following tables as listed hereunder shall specify the minimum fortnightly rate of wage payable to employees covered by this Award.

	\$ Per Fortnight
A. FOOD & BEVERAGE	
1. Bar Attendant (Grade 1)	1121.40
2. Bar Attendant (Grade 2)	1138.10
3. Head Bar Attendant	1196.30
4. Cellarperson	1142.90
5. Waiter/Waitress	1102.20
6. Steward/Stewardess	1102.20

	\$ Per Fortnight
7. Head Waiter/Waitress	1175.80
8. Head Steward/Stewardess	1175.80
9. Snack-Bar Attendant	1102.20
10. Bar Useful	1094.30
11. Host/Hostess	1175.80
B. KITCHEN	
1. Chef	1244.40
2. Qualified Cook	1175.80
3. Cook Employed Alone	1122.90
4. Breakfast and/or Other Cook	1113.80
5. Kitchen Hand	1094.30
6. Qualified Butcher	1175.80
7. Other Butcher	1144.60
C. MISCELLANEOUS	
1. Cafeteria Attendant (Grade 1)	1102.20
2. Cafeteria Attendant (Grade 2)	1113.80
3. Commissionaire	1094.30
4. Valet/Carparking Attendant	1094.30
5. Storeperson	1113.80
6. Cleaner	1094.30
7. General Hand	1094.30
8. Guest Services Officer	1175.80
9. Cashier	1121.40
10. Wardrobe Attendant	1094.30

(a) In-Charge Rates

An employee who is appointed and placed in charge of other employees shall be paid the following rates in addition to the employee's ordinary time rate of pay:

	\$ Per Fortnight
(i) if placed in charge of less than 6 employees	24.90
(ii) if placed in charge of 6-10 employees	33.60
(iii) if placed in charge of 11-20 employees	39.05
(iv) if placed in charge of more than 20 employees	65.15

Provided that these additional rates shall not be payable to any employee employed in the classifications of Chef, Head Waiter, Head Waitress, Head Steward, Head Stewardess and Head Bar Attendant.

(b) Service Payments

In addition to the wage rates prescribed in Sections A, B, and C of this sub-clause, all employees (other than Apprentices) employed on a full-time or part-time basis, shall be paid Service Payments at the following rates:

	\$ Per Fortnight
After 1 year of service	19.35
After 2 years of service	29.85
After 3 years and subsequent years of service	39.95
D. SECURITY	
1. Camera Surveillance Operator	
On commencement	1454.10
On completion 12 months service	1478.80
On completion 24 months service	1554.90
On completion 48 months service and thereafter	1580.30
2. Security Officer or	
On commencement	1200.40
On completion 3 months probation	1252.90
On completion 12 months service	1308.30
On completion 24 months service	1397.10
On completion 48 months service and thereafter	1421.50

Provided that an employee appointed as a Senior Security Office shall, in addition to the appropriate Security Officers' rate receive an additional payment of \$58.00 per fortnight.

Employees engaged in the classifications described below on a casual contract of service in accordance with the provisions of Clause 14. – Casual Employees of this Award shall:

- (a) in the case of employees engaged prior to the operation of this Award in the classifications of Security Officer, move from their "on commencement" wage increment to the next wage increment after performing 494 hours of work, but in any event not before three months of service, and not later than six months of service.
- (b) in the case of employees engaged subsequent to the operation of this Award in the following classifications, move successively from their "on commencement" wage increment to the next wage increment as follows:
 - (aa) Surveillance Operator
 - After 1976 hours, but in either event not before 12 months of service and not later than 24 months of service; and thereafter.
 - After 3952 hours but in either event not before 24 months of service and not later than 48 months of service; and thereafter.
 - After 7904 hours, but in either event not before 48 months of service and not later than 96 months of service.
 - (bb) Security Officer
 - After 464 hours, but in either event not before 3 months of service and not later than 6 months of service; and thereafter.
 - After 1976 hours but in either event not before 12 months of service and not later than 24 months service; and thereafter.
 - After 3952 hours, but in either event not before 24 months of service and not later than 48 months of service.
 - After 7904 hours, but in either event not before 48 months of service and not later than 96 months of service.

(2) Classifications.

- (a) "Bar Attendant - Grade 1" shall be an employee over the age of 18 years who serves liquor for sale from behind a bar counter, and shall include an employee employed in the sale of liquor from a bottle department.
- (b) "Bar Attendant - Grade 2" shall be an employee over the age of 18 years who, in addition to performing the normal duties of a "Bar Attendant - Grade 1" as defined in (a) hereof, shall be required by the Employer to have a knowledge of the preparation and/or mixing of drinks and where necessary carry out such duties.
- (c) "Qualified Butcher" shall be a butcher who has completed a trade test at a recognised school or college acceptable to the Employer.
- (d) "Cafeteria Attendant - Grade 1" shall be an employee serving and/or receiving money from employees for snacks or meals.
- (e) "Cafeteria Attendant - Grade 2" shall be an employee who, in addition to the duties of a "Cafeteria Attendant - Grade 1", assists in the preparation of snacks and meals served to employees.
- (f) "Cellarperson" shall be an employee employed in charge of, or responsible for, the contents of a cellar or liquor store.
- (g) "Cleaner" shall be an employee who does general cleaning duties in or about the Resort complex.
- (h) "Chef" shall be an employee appointed as such and shall be an employee who is a "Qualified Cook" (as defined in paragraph (i) of this subclause).
- (i) "Qualified Cook" shall be an employee who has completed and can produce appropriate documentary evidence to the Employer to the effect that he or she has successfully completed an apprenticeship in cooking at an approved or recognised school or college, or who can provide documentary evidence of having served at least 6 years in Her Majesty's Armed Forces in the classification of Cook.
- (j) "Breakfast Cook" shall be an employee (other than a Chef, Qualified Cook or Cook Employed Alone) who is responsible for the preparation of breakfasts.
- (k) "Other Cook" shall be an employee who assists in the cooking and preparing of meals.
- (l) "Cook Employed Alone" shall be an employee who is employed when no other cook is employed during their shift.
- (m) "General Hand" shall be an employee engaged to perform general duties in and around the Resort but not including cooking, waiting, dispensing of liquor or other specialised functions.
- (n) "Snack Bar Attendant" shall be an employee serving, and/or receiving money from the public for, snacks or meals.
- (o) "Head Waiter, Head Waitress, Head Steward or Head Stewardess" shall be an employee required by the Employer to be in charge of other Waiters, Waitresses, Stewards or Stewardesses.
- (p) "Head Bar Attendant" shall be a Grade 2 Bar Attendant required by the Employer to be in charge of other Bar Attendants.
- (q) "Wardrobe Attendant" shall be an employee who receives, distributes and maintains employee clothing, uniforms and equipment.
- (r) "Waiter or Waitress" shall be an employee who attends to the needs of other guests at a table and/or performs room service duties.
- (s) "Guest Services Officer" shall be a person who attends to the needs of patrons including providing information and conducting tours.
- (t) "Storeperson" shall be a person employed in charge of and/or responsible for the contents of a store, not being a place where alcoholic beverages or liquors are kept.

- (u) "Bar Useful" shall be an employee required to perform duties associated with bar and waiting work. Such duties include the wiping of tables or bar tops, collection of glasses or plates and the cleaning of bar mats or other general duties of a similar nature.
- (v) "Security Officer" shall be an employee engaged to enforce dress, behaviour and entry requirements at the Resort, and to carry out routine security functions throughout the Resort.
- (w) "Senior Security Officer" shall be an employee who is appointed as such and is responsible for the enforcement of such security measures throughout the Resort as may be directed from time to time.
 - (x) "Camera Surveillance Operator" shall be an employee who monitors the operations of the gaming tables by remote observation including the use of electronic equipment.
- (y) "Valet/Carparking Attendant" shall be an employee engaged in and around the Resort in the direction and/or parking of vehicles.

6. - MINIMUM WAGE – ADULT MALES AND FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04839

BURSWOOD INTERNATIONAL RESORT CASINO EMPLOYEES AWARD 2002, NO. 4 OF 2002

5. - WAGES

- (1) The following tables as listed hereunder shall specify the minimum fortnightly rate of wage payable to employees covered by this Award.

		\$ Per Fortnight
A.	<i>FOOD & BEVERAGE</i>	
1.	Bar Attendant (Grade 1)	1115.50
2.	Bar Attendant (Grade 2)	1132.70
3.	Head Bar Attendant	1192.80
4.	Cellarperson	1137.70
5.	Waiter/Waitress	1095.70

	\$ Per Fortnight
6. Steward/Stewardess	1095.70
7. Head Waiter/Waitress	1171.60
8. Head Steward/Stewardess	1171.60
9. Snack-Bar Attendant	1095.70
10. Bar Useful	1087.50
11. Host/Hostess	1171.60
<i>B. HOUSE</i>	
1. Housekeeper	1192.80
2. Porter	1087.50
3. Room Attendant	1087.50
4. Timekeeper	1115.50
<i>C. KITCHEN</i>	
1. Chef	1242.40
2. Qualified Cook	1171.60
3. Cook Employed Alone	1117.00
4. Breakfast and/or Other Cook	1107.60
5. Kitchen Hand	1087.50
6. Qualified Butcher	1171.60
7. Other Butcher	1139.40
<i>D. MISCELLANEOUS</i>	
1. Cafeteria Attendant (Grade 1)	1095.70
2. Cafeteria Attendant (Grade 2)	1107.60
3. Commissionaire	1087.50
4. Valet/Carparking Attendant	1087.50
5. Storeperson	1107.60
6. Laundry Attendant (Grade 1)	1087.50
7. Laundry Attendant (Grade 2)	1109.60
8. Cleaner	1087.50
9. Gardener	1087.50
10. Qualified Gardener	1274.90
11. Groundsperson	1087.50
12. General Hand	1087.50
13. Seamstress	1177.70
14. Wardrobe Attendant	1087.50
15. Guest Services Officer	1171.60
16. Cashier	1115.50

(a) In-Charge Rates

An employee who is appointed and placed in charge of other employees shall be paid the following rates in addition to the employee's ordinary time rate of pay:

	\$ Per Fortnight
(i) if placed in charge of less than 6 employees	24.83
(ii) if placed in charge of 6-10 employees	33.50
(iii) if placed in charge of 11-20 employees	38.85
(iv) if placed in charge of more than 20 employees	64.96

Provided that these additional rates shall not be payable to any employee employed in the classifications of Chef, Housekeeper, Head Waiter, Head Waitress, Head Steward, Head Stewardess, Head Bar Attendant and Casino Operations Employees.

(b) Service Payments

In addition to the wage rates prescribed in Sections A, B, C and D of this sub-clause, all employees (other than Apprentices) employed on a full-time or part-time basis, shall be paid Service Payments at the following rates:

	\$ Per Fortnight
After 1 year of service	19.37
After 2 years of service	29.75
After 3 years and subsequent years of service	39.81

<i>E. CASINO OPERATIONS</i>		\$ Per Fortnight
1.	Croupier/dealer	
	On commencement	1092.20
	On completion 3 months probation	1374.50
	On completion 12 months service	1400.00
	On completion 18 months service	1425.90
	On completion 24 months service and thereafter	1451.80
2.	Inspector	
	On commencement	1484.30
	On completion 12 months service	1510.40
	On completion 24 months service	1562.80
	On completion 48 months service and thereafter	1589.10
3.	Keno runner	1092.20
4.	Keno Operator	
	On commencement	1092.20
	On completion 3 months probation	1194.30
	On completion 12 months service	1241.70
	On completion 24 months service and thereafter	1286.30
5.	Video Attendant	
	On commencement	1092.20
	On completion 3 months probation	1194.30
	On completion 12 months service	1241.70
	On completion 24 months service and thereafter	1286.30
6.	Count Team	
	On commencement	1092.20
	On completion 3 months probation	1194.30
	On completion 12 months service	1241.70
	On completion 24 months service and thereafter	1286.30
7.	Change Booth Cashier	
	On commencement	1092.20
	On completion 3 months probation	1194.30
	On completion 12 months service	1241.70
	On completion 24 months service and thereafter	1286.30
8.	Main Cage Cashier	
	On commencement	1458.80
	On completion 12 months service	1484.30
	On completion 24 months service	1562.80
	On completion 48 months service and thereafter	1589.10
9.	Camera Surveillance Operator	
	On commencement	1458.80
	On completion 12 months service	1484.30
	On completion 24 months service	1562.80
	On completion 48 months service and thereafter	1589.10
10.	Security Officer	
	On commencement	1197.00
	On completion 3 months probation	1251.20
	On completion 12 months service	1308.30
	On completion 24 months service	1400.00
	On completion 48 months service and thereafter	1425.20

Provided that an employee appointed as a Senior Security Officer shall, in addition to the appropriate Security Officers' rate receive an additional payment of \$59.61 per fortnight.

Notwithstanding the provisions contained in Section E of this subclause, employees engaged as a security officer on a casual contract of service in accordance with the provisions of Clause 15. - Casual Employees of this Award shall move successively from their "on commencement" wage increment to the next wage increment as follows:

After 494 hours, but in either event not before three months of service and not later than six months of service; and thereafter

After 1976 hours, but in any event not before 12 months of service and not later than 24 months of service; and thereafter

After 3952 hours, but in either event not before 24 months of service and not later than 48 months of service; and thereafter

After 7904 hours, but in either event not before 48 months of service and not later than 96 months of service.

(2) Classifications

- (a) "Bar Attendant - Grade 1" shall be an employee over the age of 18 years who serves liquor for sale from behind a bar counter, and shall include an employee employed in the sale of liquor from a bottle department.
- (b) "Bar Attendant - Grade 2" shall be an employee over the age of 18 years who, in addition to performing the normal duties of a "Bar Attendant - Grade 1" as defined in (a) hereof, shall be required by the Employer to have a knowledge of the preparation and/or mixing of drinks and where necessary carry out such duties.
- (c) "Qualified Butcher" shall be a butcher who has completed a trade test at a recognised school or college acceptable to the Employer.
- (d) "Cafeteria Attendant - Grade 1" shall be an employee serving and/or receiving money from employees for snacks or meals.
- (e) "Cafeteria Attendant - Grade 2" shall be an employee who, in addition to the duties of a "Cafeteria Attendant - Grade 1", assists in the preparation of snacks and meals served to employees.
- (f) "Cellarperson" shall be an employee employed in charge of, or responsible for, the contents of a cellar or liquor store.
- (g) "Cleaner" shall be an employee who does general cleaning duties in or about the Resort complex.
- (h) "Chef" shall be an employee appointed as such and shall be an employee who is a "Qualified Cook" (as defined in paragraph (i) of this subclause).
- (i) "Qualified Cook" shall be an employee who has completed and can produce appropriate documentary evidence to the Employer to the effect that he or she has successfully completed an apprenticeship in cooking at an approved or recognised school or college, or who can provide documentary evidence of having served at least 6 years in Her Majesty's Armed Forces in the classification of Cook.
- (j) "Breakfast Cook" shall be an employee (other than a Chef, Qualified Cook or Cook Employed Alone) who is responsible for the preparation of breakfasts.
- (k) "Other Cook" shall be an employee who assists in the cooking and preparing of meals.
- (l) "Cook Employed Alone" shall be an employee who is employed when no other cook is employed during their shift.
- (m) "Gardener" shall be an employee required to carry out duties incidental to the maintenance of gardens and the surrounds at the Resort and who may be required to carry out other duties but shall not include greenkeeping staff or other persons who have completed a trade or recognised course in horticulture.
- (n) "Qualified Gardener" shall be a gardener who has completed a suitable course in horticulture at a recognised school or college acceptable to the Employer.
- (o) "General Hand" shall be an employee engaged to perform general duties in and around the Resort but not including cooking, waiting, dispensing of liquor or other specialised functions.
- (p) "Housekeeper" shall be an employee who is required by the Employer to be in charge of Room Attendants and/or other employees.
- (q) "Snack Bar Attendant" shall be an employee serving and/or receiving money from the public for snacks or meals.
- (r) "Head Waiter, Head Waitress, Head Steward or Head Stewardess" shall be an employee required by the Employer to be in charge of other Waiters, Waitresses, Stewards or Stewardesses.
- (s) "Head Bar Attendant" shall be a Grade 2 Bar Attendant required by the Employer to be in charge of other Bar Attendants.
- (t) "Laundry Attendant - Grade 1" shall be an employee required to launder, wash, clean, dry clean, and maintain Employer uniforms and other items.
- (u) "Laundry Attendant - Grade 2" shall be an employee required to operate specialised equipment in the process of maintaining and dry cleaning Employer uniforms and other items.
- (v) "Room Attendant" shall be an employee required to clean and service resort residential accommodation.
- (w) "Wardrobe Attendant" shall be an employee who receives, distributes and maintains employee clothing, uniforms and equipment.
- (x) "Waiter or Waitress" shall be an employee who attends to the needs of other guests at a table and/or performs room service duties.
- (y) "Guest Services Officer" shall be a person who attends to the needs of patrons including providing information and conducting tours.
- (z) "Storeperson" shall be a person employed in charge of and/or responsible for the contents of a store not being a place where alcoholic beverages or liquors are kept.
- (aa) "Bar Useful" shall be an employee required to perform duties associated with bar and waiting work. Such duties include the wiping of tables or bar tops, collection of glasses or plates and the cleaning of bar mats or other general duties of a similar nature.
- (ab) "Change Booth Cashier" shall be an employee responsible for the use of and accounting for change and/or being responsible for machine payouts.
- (ac) "Main Cage Cashier" shall be an employee responsible for the receiving, disbursing, reconciling and controlling receipt and issue of gaming chips to gaming tables from the Casino Cage and for exchanging chips for currency from players reconciling and controlling their own float and for recording all transactions therein.

- (ad) "Count Team" shall be employees responsible for the conduct of a full count of monies received via gaming table drop boxes and the recording of these monies.
- (ae) "Croupier/Dealer" shall be an employee required to deal one or more particular games to a required standard.
- (af) "Inspector" shall be an employee who is responsible for supervising a particular game or number of games so as to ensure that correct procedures and standards are observed by croupiers/dealers. Provided that the number of games supervised shall be at the absolute discretion of the Employer having full regard to requirements of the Casino Control Act 1984 as amended and regulations thereto. Such employee shall also be responsible for attempting to settle minor disputes and to guide or liaise with croupier/dealers in the performance of their duties.
- (ag) "Keno Operator" shall be an employee responsible for receiving keno tickets and fees from keno patrons and keno runners, and to conduct keno games.
- (ah) "Keno runner" shall be an employee responsible for collecting keno tickets and fees from patrons in various parts of the complex and deliver to the keno game.
- (ai) "Security Officer" shall be an employee engaged to enforce dress, behaviour and entry requirements at the Resort, and to carry out routine security functions throughout the Resort.
- (aj) "Senior Security Officer" shall be an employee who is appointed as such and is responsible for the enforcement of such security measures throughout the Resort as may be directed from time to time.
- (ak) "Video Attendant" shall be an employee responsible for explaining the workings of video machines to patrons and to assist with change for customers at machines
- (al) "Camera Surveillance Operator" shall be an employee who monitors the operations of the gaming tables by remote observation including the use of electronic equipment.
- (am) "Valet/Carparking Attendant" shall be an employee engaged in and around the Resort in the direction and/or parking of vehicles.

6. - MINIMUM WAGE – ADULT WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04840

**CAN MANUFACTURING (PRODUCTION AND MAINTENANCE – AMALGAMATED
INDUSTRIES PTY LTD) AWARD 1985 NO. 4 OF 1985**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

6. - RATES OF PAY

- (1) The ordinary weekly rate of wage shall be as set out hereunder and shall be inclusive of all special rates and allowances as specified in Clause 18. - Special Rates and Provisions in Part 1 - General of the Metal Trades (General) Award No. 13 of 1965 as amended and be paid as an "all purpose" rate.

(2)

(a) Classification	Rate Per Week	Arbitrated Safety Net Adjustment	Total Per Week	Hourly Rate
	\$	\$	\$	\$
Toolmaker	466.60	179.00	645.60	16.9895
Base Tradesperson (as defined)	447.50	181.00	628.50	16.5395
Intermediate Can Making Tradesperson (as defined)	466.50	179.00	645.50	16.9868
Special Class Can Making Tradesperson (as defined)	473.20	179.00	652.20	17.1632
Electrical Installer	447.50	181.00	628.50	16.5395
Electrical Fitter	447.50	181.00	628.50	16.5395
Electrician Special Class	473.20	179.00	652.20	17.1632
Electrical Tradesperson's Assistant	367.80	179.00	546.80	14.3895
Operator Grade 1 (as defined)	420.00	181.00	601.00	15.8158
Operator Grade 2 (as defined)	400.30	179.00	579.30	15.2447
Operator Grade 3 (as defined)	370.60	179.00	549.60	14.4632

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(3) Apprentices

- (a) The wage per week shall be expressed as a percentage of the Tradesman's rate and shall be those percentages contained in Part 1 General of the Metal Trades (General) Award No. 13 of 1965 as amended.
- (b) The Tradesman's rate for the purpose of subclause (a) hereof shall be the weekly rate prescribed for Tradesmen as set out in classification (b) of subclause (2) of this clause.
- (c) The apprentices weekly rates shall be rounded off to the nearest ten cents.

(4) Tool Allowance

- (a) Where the employer does not provide a tradesperson or an apprentice with the tools ordinarily required by that tradesperson or apprentice in the performance of work as a tradesperson or as an apprentice, the employer shall pay a tool allowance of -
- (i) \$12.60 per week to such tradesperson; or
- (ii) in the case of an apprentice a percentage of \$12.60, being the wage percentage which is appropriate to the year of apprenticeship pursuant to subclause (3) hereof,
for the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of work as a tradesperson or as an apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.
- (c) An employer shall provide for the use of tradesmen or apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A tradesman or apprentice shall replace or pay for any tools supplied by his employer if lost through his negligence.

(5) Electrician's Licence Allowance:

An electrical tradesperson who holds, and in the course of employment may be required to use, a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force on the 28th day of February 1978 under the Electricity Act 1945, shall be paid an allowance of \$18.00 per week.

(6) Laundry Allowance:

Employees shall receive a laundry allowance of \$10.60 per week as reimbursement of their personal outlay for maintenance and cleaning of work clothing issued by Westcan.

(7) Structural Efficiency:

- (a) Arising out of the decision on 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1657 of 1989 (R), employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
- (b) The parties to this award are committed to co-operating positively to increase the efficiency, productivity and international competitiveness of Westcan and the metal and engineering industry and to enhance career opportunities and job security of employees in the industry in general.
- (c) A consultative committee shall be established and will operate in accordance with the requirements of Clause 7. - Consultation of this award. Measures raised by the employer, employees or union or unions for consideration, consistent with the objectives of paragraph (a) hereof, shall be processed through that consultative mechanism and procedures.
- (d) Measures raised for consideration consistent with paragraph (c) hereof shall be related to implementation of the new classification structure, the facilitative provisions contained in this award and, subject to Clause 8. - Training of this award, matters concerning training and, subject to paragraph (e) hereof, any other measures consistent with the objectives of paragraph (b) of this subclause.
- (e) Without limiting the rights of either the employer or a union to arbitration, any other measure designed to increase flexibility at the plant or enterprise and sought by any party shall be notified to the Commission and by agreement of the parties involved shall be subject to the following requirements -
- (i) the changes sought shall not affect provisions reflecting national standards recognised by the Western Australian Industrial Relations Commission;
- (ii) the majority of employees affected by the change at the plant or enterprise must genuinely agree to the change;
- (iii) no employee shall lose income as a result of the change;
- (iv) the union must be a party to the agreement;
- (v) the union shall not unreasonably oppose any agreement; and
- (vi) any agreement shall be subject to the approval by the Western Australian Industrial Relations Commission and, if approved, shall operate as a schedule to this award and take precedence over any provision of this award to the extent of any inconsistency.
- (f) Any disputes arising in relation to the implementation of paragraphs (c) and (d) hereof shall be subject to the provisions of Clause 9. - Definitions of this award.

2006 WAIRC 04841

CARGILL AUSTRALIA LIMITED - SALT PRODUCTION AND PROCESSING

AWARD 1988, NO. A 34 OF 1988

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

23. - WAGES

- (1)
 - (a) The parties of this award are committed to co-operating positively to increase the efficiency, productivity and international competitiveness of the industry and to enhance the career opportunities and job security of employees in the industry.
 - (b) The employer may raise with unions and employees any award matter concerning increasing flexibility or efficiency.
 - (c) Without limiting the rights of either an employer or a union to arbitration, any measure designed to increase flexibility at the plant or enterprise and sought by any party shall be notified to the Commission and by agreement of the parties shall be implemented subject to the following requirements:
 - (i) The changes sought shall affect provisions reflection national standards.
 - (ii) The majority of employees affected by the change at the plant or enterprise must genuinely agree to the change.
 - (iii) No employee shall lose income as a result of the change.
 - (iv) The relevant union or unions must be party to the agreement.
 - (v) The relevant union or unions shall not unreasonably oppose any agreement.
 - (vi) Any agreement shall be subject to approval by the Western Australian Industrial Relations Commission and if approved shall operate as a schedule to this award and take precedence over any inconsistency.
- (2)
 - (a) The weekly rates of pay under the provisions of this award shall be:

	Base Trade %	Rate Per Week \$	Safety Net Adjustment \$	Total Wage \$
Level 1	90	436.10	149.00	585.10
Level 2	92.5	448.20	151.00	599.20
Level 3	95	460.30	151.00	611.30
Level 4	97.5	472.40	151.00	623.40
Level 5	100	484.50	151.00	635.50
Level 6	105	508.70	149.00	657.70
Level 7	110	533.00	149.00	682.00
Level 8	115	557.20	151.00	708.20

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) Leading Hand:

In addition to the wage prescribed in subclause (2) of this clause a leading hand shall be paid -

	\$
(a) if placed in charge of not less than 3 and no more than 10 other employees	16.60
(b) if placed in charge of more than 10 and no more than 20 other employees	25.40

- (4) A temporary employee shall be paid 5% of the ordinary rate in addition to the wage he/she is otherwise entitled to for the calling in which he/she is employed.

- (5) (a) All tradespersons shall be required to provide themselves with an adequate kit of tools. This kit of tools shall be as agreed upon between the Unions and the employer.
 (b) A tool allowance of \$11.10 flat per week shall be paid to compensate tradespersons for wear, tear, loss and damage of their kit of tools. Should tools be lost or damaged through no fault of the tradesperson concerned, the circumstances shall be reviewed and if the claim is justified, tools shall be replaced at the employer's expense.

- (6) A tradesperson with one year's job experience with the Company shall be paid an allowance of \$6.80 flat per week, which shall be increased to \$12.60 flat per week after 2 years' job experience with the Company.

- (7) The allowances prescribed in subclauses (5) and (6) of this clause are to be paid for five days worked in any week and shall be pro rated downwards if less than five days are worked.

- (8) On each occasion when the Western Australian Industrial Relations Commission makes a General Order with regard to the indexation of wages, the wages and allowances prescribed in this clause shall be increased in accordance with the indexation formula on which the General Order is based.

2006 WAIRC 04842

CASE AND BOXMAKERS' AWARD, 1952 NO. 48 OF 1951

6. - WAGES

- (1) The minimum rates of wages payable to employees employed in classifications contained in subclause (2) of this clause shall be as follows:

Broadbanded Groups	Base Rate \$	Arbitrated Safety Net Adjustment \$	Total Minimum Weekly Rate (38 Hours) \$
1	325.40	149.00	474.40
2	342.00	149.00	491.00
3	364.60	149.00	513.60
4	385.50	149.00	534.50
5	417.20	149.00	566.20
6	438.10	149.00	587.10

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) CLASSIFICATION:	GROUP
1 Sawyer planking out and flitching to size	5
2 Stub edger and/or No. 1 Bench	5
3 Other breaking down bench sawyers	4
4 Band re-sawyer	
(i) Large - using blade over 7.62cm	4
(ii) Small - using small blade not over 7.62cm	3
5. Tailer-out on breaking down benches	3
6. Tailer-out other benches	2
7. Case bench sawyer and/or docker	2
8. Wood and case machinist	2
9. Case & Box makers for repairers (Manual)	3
10. (i) Saw Doctor	5
(ii) Saw Doctor Special Skills	6
11. Saw Sharpener	4
12. Hoop iron and/or wiring bench band	3
13. Pallet maker	3
14. Cable drum and/or reel maker assembler and/or finisher	3
15. Woodmachining Section -	
(a) Two, three, or four sider planer, who is required to set up the machine and then only from such time as he/she is required so to act	5
(b) who is not required to set up the machine but is required to operate, and then only from such time as he/she is required so to act	3
(c) Buzzer - when required to do other than planing one face and squaring edge, and is required to set up the machine and then only from such time as he/she is required so to act	5
(d) who is required to set up the machine but is not required to do other than planing one face and edge, and then only from such time as he/she is required so to act	3
(e) who is not required to set up the machine and is only required to buzz one face and one edge, and then only from such time as he/she is required so to act	3
(f) <u>Thicknesser</u> who is required to set up the machine and do other than just planing timber all round, and then only from such time as he/she is required so to act	5
(g) <u>Thicknesser</u> who is required to set up the machine but is only required to plane timber all round and then only from such time as he/she is required so to act	3
(h) <u>Thicknesser</u> who is not required to set up the machine and only plane timber all round, and then only from such time as he/she is required so to act	3
CLASSIFICATION:	GROUP
(i) (i) Shaper	5
(ii) who is not required to set up the machine and is only required to operate the machine with automatic feed	3
(j) (i) Double End Tenoner who is required to set up the machine and then only from such time as he/she is required so to act	5
(ii) who is not required to set up the machine but is required to operate the machine and then only from such time as he/she is required so to act	3
(k) (i) Multiple boring machine who is required to set up the machine and then only from such time as he/she is required so to act	3
(ii) who is not required to set up the machine but is required to operate the machine and then only from such time as he/she is required so to act	3
16 (a) Watchperson	2
(b) Gatekeeper, who is required to do administrative duties	4
17. Stacker for seasoning by means of stripping or other recognised method	2
18. Mill or yard hand (as defined)	1
19. Other unclassified adults	1
20. Case and Box maker for repairer (manual) who is responsible for making up client's orders, also who is responsible for receiving client's goods, and then only from such time as he/she is required so to act	3
21 (a) Tallyperson who is responsible for making up of clients' orders for delivery	4
(b) Tallyperson other than (a)	3
22. Person who is responsible for setting up and operating the crate washing machine	3
23. Tailer out to crate washing machine.	2
24. Pendant crane operator whose duties also require to tally	3
25. Pendant crane operator	3

- (3) Junior Employees:
An employee who is less than 19 years of age and who is not an apprentice shall receive a percentage of the total minimum award rate prescribed for Group 1 in subclause (1) of this clause.
- | | |
|-----------------------|-----|
| Under 17 years of age | 45% |
| 17 years of age | 55% |
| 18 years of age | 70% |
- (4) Apprentices:
An apprentice will receive a percentage of the total minimum award rate prescribed for Group 5A in subclause (1) of this clause.
- | | |
|----------------|-----|
| Four year term | |
| First year | 50% |
| Second year | 60% |
| Third year | 75% |
| Fourth year | 90% |

6A. - MINIMUM WAGE - ADULT MALES AND FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04843

CATERING EMPLOYEES AND TEA ATTENDANTS (GOVERNMENT) AWARD 1982 NO. A 34 OF 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

22. - WAGES

It is a term of this Award that the Union undertakes for the duration of the Principles determined by the Commission in Court Session in Matter No. 1940 of 1989 not to pursue any extra claim, award or overaward except where consistent with the State Wage Principles.

The following shall be the minimum rates of wage payable to employees covered by this award:-

- (1)
- | (a) | Classifications: | Base Rate (per week) \$ | Arbitrated Safety Net Adjustments (per week) \$ | Total Award Rate (per week) \$ |
|------|---------------------|-------------------------|---|--------------------------------|
| (1) | Chef | 351.20 | 179.00 | 530.20 |
| (2) | Qualified Cook | 325.40 | 179.00 | 504.40 |
| (3) | Cook Employed Alone | 307.90 | 179.00 | 486.90 |
| (4) | Other Cooks | 304.60 | 179.00 | 483.60 |
| (5) | Bar Attendant | 307.40 | 179.00 | 486.40 |
| (6) | Waiter/Waitress | 300.20 | 179.00 | 479.20 |
| (7) | Steward/Stewardess | 300.20 | 179.00 | 479.20 |
| (8) | Cashier | 307.40 | 179.00 | 486.40 |
| (9) | Counterhand | 300.20 | 179.00 | 479.20 |
| (10) | Tea Attendant | 297.20 | 179.00 | 476.20 |
| (11) | Kitchenhand | 297.20 | 179.00 | 476.20 |
| (12) | General Hand | 297.20 | 179.00 | 476.20 |
- (b) Arbitrated Safety Net Adjustments
- (i) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) In addition to the above wage rates service pay will be paid for each year of service at the following rates per week:
- | | \$ |
|-----------------------|-------|
| Year 1 | 71.00 |
| Year 2 | 77.50 |
| Year 3 and thereafter | 83.20 |
- (3) Leading Hands -
An employee (other than a Chef) who is appointed and placed in charge of other employees by the employer shall be paid the following rates in addition to his or her normal wage per week:-
- | | \$ |
|--|-------|
| (a) If placed in charge of less than six employees | 11.90 |
| (b) If placed in charge of six to ten employees | 15.80 |
| (c) If placed in charge of 11 to 20 employees | 18.30 |
| (d) If placed in charge of more than 20 employees | 30.60 |

2006 WAIRC 04844
CEMENT TILE MANUFACTURING AWARD NO. 3 OF 1966
1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - WAGES

- (1)
- | (a) CLASSIFICATION: | Rate
PerWeek\$ | SupplementaryPayment\$ | TotalRate\$ |
|---------------------------------------|-------------------|------------------------|-------------|
| ADULT EMPLOYEES: | | | |
| Fork Lift Driver | 357.80 | 185.80 | 543.60 |
| Machine Operator | 352.90 | 190.50 | 543.40 |
| Hand Presser | 352.90 | 184.50 | 537.40 |
| Ridge Maker and Finisher and Stripper | 352.90 | 184.50 | 537.40 |
| Colour Operator | 347.30 | 186.30 | 533.60 |
| Stripper and Stacker Tiles | 337.30 | 181.20 | 518.50 |
| All Others | 337.30 | 181.20 | 518.50 |
- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) **JUNIOR EMPLOYEES:** Percentage of All Others of All Others
- | | |
|-----------------|-----|
| 16 years of age | 60 |
| 17 years of age | 70 |
| 18 years of age | 80 |
| 19 years of age | 90 |
| 20 years of age | 100 |
- (3) **LEADING HANDS:**
In addition to the rates herein prescribed a Leading Hand appointed as such shall be paid per week: -
In charge of:
- | | \$ |
|---|-------|
| (a) Not less than three and not more than ten other employees | 17.25 |
| (b) More than ten and not more than twenty other employees | 24.35 |
| (c) More than twenty other employees | 31.55 |

ADDENDUM

The provisions of this award shall apply to Geraldton Building Company Pty Limited except to the extent of Clause 10. - Wages whereby the following provisions shall be observed in lieu thereof:

Clause 10. - Wages: Insert in lieu

- (1) **ADULT:**
- | | A \$ | B \$ | C \$ |
|---------------------------------------|--------|--------|--------|
| Fork Lift Driver | 314.10 | 324.10 | 415.10 |
| Machine Operator | 309.30 | 319.30 | 410.30 |
| Hand Presser | 309.30 | 319.30 | 410.30 |
| Ridge Maker and Finisher and Stripper | 309.30 | 319.30 | 410.30 |
| Colour Operator | 303.80 | 313.80 | 404.80 |
| Stripper and Stacker | 299.10 | 309.10 | 400.10 |
| All Others | 299.10 | 309.10 | 400.10 |
- (2) **JUNIOR WORKERS** (% of Adult All Others Rate)
- | | |
|-----------------|-----|
| 16 years of age | 60 |
| 17 years of age | 70 |
| 18 years of age | 80 |
| 19 years of age | 90 |
| 20 years of age | 100 |
- (3) **LEADING HANDS**
In addition to the rates herein prescribed a Leading Hand appointed as such by his employer shall be paid (per week):
- | | \$ |
|---|-------|
| (a) If placed in charge of not less than 3 and not more than 10 other workers | 14.60 |
| (b) If placed in charge of more than 10 and not more than 20 other workers | 20.70 |
| (c) If placed in charge of more than 20 other workers | 26.80 |

The rates of wage prescribed in Column "A" shall operate from the beginning of the first pay period commencing on or after 31 March 1989.

The rates of wage prescribed in Column "B" shall operate from the beginning of the first pay period commencing on or after 1 May 1989.

The rates of wage prescribed in Column "C" include the 2003 Arbitrated Safety Net Adjustment of \$17, 2004 arbitrated Safety Net Adjustment of \$19.00, and the 2005 Arbitrated Safety Net Adjustment of \$17 and shall operate on and from the 7 July 2006.

2006 WAIRC 04845

CEMENT WORKERS' AWARD, 1975 NO. 10 OF 1967

11. - WAGES

The minimum rates of wage payable under this award shall be as follows:-

Classification:	Column A06/10/88\$	Column B06/04/89\$	ASNA	TOTAL
Kiln Burner (1 or more kilns)	250.90	260.90	141.00	401.90
X.R.F. Tester	250.90	260.90	141.00	401.90
Cement and Raw Miller	241.10	251.10	141.00	392.10
Lime Burner (1 or more kilns)	241.10	251.10	141.00	392.10
Machine Bag Filler	241.10	251.10	141.00	392.10
Physical Tester	241.10	251.10	141.00	392.10
Reclaimer Operator - Woodman Point	241.10	251.10	141.00	392.10
Relief Burner/Kiln Greaser	241.10	251.10	141.00	392.10
Utility Man	241.10	251.10	141.00	392.10
Cement and Slurry Tester	233.90	243.90	141.00	384.90
Coal Miller	233.90	243.90	141.00	384.90
Crusher Operator (Swan Portland Cement only)	233.90	243.90	141.00	384.90
Hydrator and/or Hydrator Miller	233.90	243.90	141.00	384.90
Loader	233.90	243.90	141.00	384.90
Process Attendant	233.90	243.90	141.00	384.90
Pumphouse Attendant Woodman Point	233.90	243.90	141.00	384.90
Plant Attendant, (covers Kiln Greaser, Crusher Attendant, Cooler Attendant, Pumphouse Attendant - Slurry etc.)	223.20	233.30	141.00	374.30
Road Sweeper Operator	223.20	233.30	141.00	374.30
Amenities Attendant	218.90	228.90	141.00	369.90
General Hand	218.90	228.90	141.00	369.90

Casual workers shall be paid on an hourly basis at the rate of twenty per cent in addition to the rates prescribed herein.

Any worker appointed as a Leading Hand by the employer shall be paid the following amounts in addition to his ordinary wages when placed in charge of:-

	\$ Per Week
(a) Not less than three and not more than ten other workers	12.60
(b) More than ten and not more than 20 other workers	19.80
(c) More than 20 other workers	25.10

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

11A. - MINIMUM WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

27. - WAGES COCKBURN CEMENT

- (1) Notwithstanding the provision of the Cement Workers Award No. 10 of 1967, employees of Cockburn Cement Limited in the classification contained in subclause (2) of this clause shall be paid the rates contained in this clause in lieu of the rates contained in subclause (1) of Clause 11. - Wages of the Award.

	\$	ASNA	TOTAL
Burner	287.40	141.00	428.40
X.R.F. Tester	287.30	141.00	428.30
Physical Tester	275.80	141.00	416.80
Relief Burner	275.80	141.00	416.80
Operator Fremantle Depot	275.80	141.00	416.80
Cement Tester	275.80	141.00	416.80
Miller (Cement Raw and Coal)	270.30	141.00	411.30
Machine Bag Filler	270.30	141.00	411.30
Reclaimer Operator - Woodman Point	270.30	141.00	411.30
Utility Man (Relief Miller).	270.30	141.00	411.30
Crusher Operator	262.10	141.00	403.10
Loader	262.10	141.00	403.10
Process Attendant	262.10	141.00	403.10
Pumphouse Attendant	262.10	141.00	403.10
Kiln Attendant	254.30	141.00	395.30
Plant Attendant	253.40	141.00	394.40
Road Sweeper Operator	253.40	141.00	394.40
Amenities Attendant	245.10	141.00	386.10
General Hand	245.10	141.00	386.10

- (3) In addition to those rates prescribed in subclause (2) of this clause Millers shall be paid \$7.05 per week for operating two control rooms and additional responsibilities.
- (4) In addition to those rates prescribed in subclause (2) of this clause the Reclaimer Operator - Woodman Point shall be paid \$3.50 per week for Security Duties and additional responsibilities.
- (5) In addition to the rates prescribed in subclause (2) of this clause X.R.F. Testers and Physical Testers who have been so employed for a period of at least three years shall be paid at the rate of \$11.70 per week.
- (6) In addition to the rates prescribed in subclause (2) of this clause, Kiln Burners shall be paid 95 cents per shift whilst engaged on burning.
- (7) Operative Date:
From the first pay period commencing on or after the 10th March, 1987.

(8) No Extra Claims

The Union agrees that it is a term of this award that changes in wages and conditions of employment are in full settlement of the union's claims and no further claims will be made by the union either -

- (i) to vary the terms of the award during the 12 months beginning on and from 19th February, 1982, or
- (ii) against Cockburn Cement Limited for increases in over-award payments or changes in any of the conditions of employment dealt with in this award.

Provided that, where prior to the date of operation of this term, an employer has agreed that a specific alteration to wage rates and/or conditions of employment will be made during the 12 months period of the term, such commitment shall stand.

Provided further that, where no specific commitment has been made to alter wage rates and/or conditions of employment but it was expected that a review of such matters would take place during the 12 months period of the term in the normal course of events or because an existing agreement expires, the union agrees that "no extra claims" will be made against the employer. Having regard to the spirit and intent of the agreement, the parties recognise that during the currency of the term a special, anomalous or extraordinary problem may be found to exist within a particular establishment.

The procedure for settling such a problem is as follows:

- (i) Consultation shall take place within the particular establishment concerned.
- (ii) If it is unable to be resolved at establishment level, the matter shall be referred to the Secretary of the Union concerned or his deputy, at which level a conference of the parties shall be convened without delay.
- (iii) In the absence of agreement either party may refer the matter to the Western Australian Industrial Commission.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04846**CEREAL PROCESSING, EXTRACTING AND MANUFACTURING AWARD NO. 26 OF 1970****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.

- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

30. - WAGES

PROVENDER MILLING SECTION:

(1) Shift Miller in charge of shift -	\$	ASNA	TOTAL
(a) Not exceeding 2 tonnes of provender per hour	371.65	141.00	512.65
(b) Exceeding 2 tonnes but not exceeding 6 tonnes of provender per hour	378.30	141.00	519.30
(c) Exceeding 6 tonnes but not exceeding 12 tonnes of provender per hour	385.30	141.00	526.30
(d) Exceeding 12 tonnes but not exceeding 18 tonnes of provender per hour	392.05	141.00	533.05
(e) Exceeding 18 tonnes but not exceeding 28 tonnes of provender per hour	400.25	141.00	541.25
(f) Exceeding 28 tonnes but not exceeding 40 tonnes of provender per hour	408.45	141.00	549.45
(g) Exceeding 40 tonnes but not exceeding 60 tonnes of provender per hour	417.00	141.00	558.00
Mill Operative- Grade 3	341.75	141.00	482.75
Grade 2	352.80	141.00	493.80
Grade 1	364.80	141.00	505.80
Premix Blender	359.70	141.00	500.70
Binsman	347.70	141.00	488.70
Packerman/Packer/Stacker	336.50	141.00	477.50
Storeman/Storehand/Siloman	328.40	141.00	469.40
Fork Lift truck driver and/or tractor driver	345.00	141.00	486.00
Millwright	388.50	141.00	529.50
Head Millwright	406.50	141.00	547.50

STARCH AND GLUTEN SECTION

Foreman Miller	390.30	141.00	531.30
Shift Miller	377.70	141.00	518.70
Top Floor Man	352.00	141.00	493.00
Corrugator	357.10	141.00	498.10
Batter Mixer	338.35	141.00	479.35
Process Attendant	336.70	141.00	477.70
Fork Lift truck driver and/or tractor driver	345.00	141.00	486.00
General Hand	328.40	141.00	469.40
Millwright	388.50	141.00	529.50
Head Millwright	406.50	141.00	547.50

OIL REFINING SECTION:

Plant Operator	356.90	141.00	497.90
General Hand	328.40	141.00	469.40
Millwright	388.50	141.00	529.50
Head Millwright	406.50	141.00	547.50

YEAST SECTION:

Plant Operator	356.90	141.00	497.90
General Hand	328.40	141.00	469.40
Millwright	388.50	141.00	529.50
Head Millwright	406.50	141.00	547.50

- (2) Foreman Miller shall be paid not less than \$22.80 per week above the relevant rate prescribed in classification (1) hereof.
- (3) Junior Employees (per cent of the General Hands rate per week):
- | | |
|-----------------------|-----|
| Under 17 years of age | 50% |
| 17 to 18 years of age | 60% |
| 18 to 19 years of age | 70% |
| 19 to 20 years of age | 80% |
| 20 to 21 years of age | 90% |
- (4) Leading Hands (per week extra)
- | | |
|--|-------|
| | \$ |
| (a) Less than three other employees | 7.05 |
| (b) Not less than three and not more than ten other employees | 14.85 |
| (c) Not less than ten and not more than twenty other employees | 22.05 |
| (d) More than twenty other employees | 28.40 |

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04847

CHILD CARE (LADY GOWRIE CHILD CENTRE) AWARD NO. A 3 OF 1984

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

23. - WAGES

The minimum weekly rate of wage payable to persons employed pursuant to this clause shall be:

	\$(Per Week)	A.S.N.A.\$	TOTALWAGES\$
(1) Child Care Support Employee Grade One - Cleaner	412.60	131.00	543.60
Child Care Support Employee Grade One Kitchen Hand	419.30	131.00	550.30
Child Care Support Employee - Grade Two			
Step I	423.50	131.00	554.50
Step II	431.80	131.00	562.80
Child Care/Trades Employee	465.20	133.00	598.20
Child Care Giver			
Step I	412.60	131.00	543.60
Step II	422.00	131.00	553.00
Step III	431.50	131.00	562.50
Step IV	441.00	131.00	572.00
Step V	451.10	131.00	582.10
Step VI	462.00	131.00	593.00
Qualified Child Care Giver			
Step 1A	488.00	133.00	621.00
Step 1B	506.00	133.00	639.00
Step II	520.40	131.00	651.40
Step III	534.60	131.00	665.60
Step IV	549.10	131.00	680.10
(2) Assistant Co-ordinator Grade One			
Step I	556.90	131.00	687.90
Step II	562.40	131.00	693.40
Step III	570.00	133.00	703.00
Assistant Co-ordinator Grade Two			
Step I	562.40	131.00	693.40
Step II	570.00	133.00	703.00
Step III	577.50	133.00	710.50
Assistant Co-ordinator Grade Three			
Step I	570.00	133.00	703.00
Step II	577.50	133.00	710.50
Step III	591.50	133.00	724.50

- (3) (a) Except as otherwise provided for in this subclause and subclause (3) of this clause, progression from step to step for Child Care Support Employees Grade One and Two, Child Care Giver, Qualified Child Care Giver, Assistant Co-ordinator Grades One, Two and Three, and Early Childhood Educator will be contingent upon:
- (i) 12 months' service at each step; and
 - (ii) satisfactory performance at each step.
- (b) An employee employed as a Child Care Giver on completion of an introductory child care course shall immediately progress by one additional step beyond that previously determined in accordance with paragraph (a) of this subclause. Additional steps shall be determined in accordance with paragraph (a) of this subclause.
- (c) An employee who has not attained the age of 20 years shall be paid a percentage of the rate applicable to an adult employee performing the same work, taking into account the provisions for progression specified in this clause and taking into account any relevant qualifications. The percentages of the adult rate shall be:

	% of adult rate
At or under 16 years of age	60
At 17 years of age	70
At 18 years of age	80
At 19 years of age	90
Thereafter the adult rate	

- (d) An employee at Step IA Qualified Child Care Giver shall be a 2 year trained person as per Clause 26. - Classification and Skill Descriptors of this award, with no previous experience in the industry. At the completion of 12 months satisfactory performance that person shall be paid the Step II rate.

- (e) An employee in their first year of employment shall be paid at Step IB Qualified Child Care Giver in accordance with Clause 23. - Wages of this award and shall be:
- (i) a person with a 2 year qualification as per Clause 26. - Classification and Skill Descriptors of this award, and previous experience in the industry; or
 - (ii) a 3 or 4 year qualification as per Clause 26. - Classification and Skill Descriptors of this award, with no previous experience in the industry.
- (f) An employee in their first year of employment as a Qualified Child Care Giver shall be paid at Step II Qualified Child Care Giver in accordance with Clause 23. - Wages of this award and shall be:
- (i) a person with a 3 or 4 year qualification; and
 - (ii) previous experience in the industry.
- (g) A person who is appointed Assistant Co-ordinator Grades One, Two or Three will be appointed in accordance with the definition outlined in Clause 26. - Classification Definitions and Skill Descriptors subclause (5) of this award, provided that an employer may appoint an Assistant Co-ordinator, to a higher grade according to their level of qualification.
- (h) Where an employee is appointed to act as the Co-ordinator of a Centre for more than four days, that person shall be paid for the whole of that period as Co-ordinator according to their level of qualification.

(4) Early Childhood Educators:

(a)	Salary Level	\$ Per Annum	A.S.N.A.	Total Annual	Per Week
	Step I	27105	6834	33939	650.60
	Step II	28644	6834	35478	680.10
	Step III	29974	6938	36912	707.60
	Step IV	31200	6938	38138	731.10
	Step V	32431	6938	39369	754.70
	Step VI	33970	6938	40908	784.20
	Step VII	35661	6833	42494	814.60
	Step VIII	37043	6833	43876	841.10
	Step IX	38170	6833	45003	862.70
	Step X	39709	6833	46542	892.20
	Step XI	41242	6833	48075	921.60

- (b) Three year trained educator holding a Diploma of Teaching, or equivalent, or an educator holding a University Degree (other than a Bachelor of Education):
Enter Step I
Exit Step VII
- (c) Early Childhood Educator holding:
- (i) University degree and Diploma of Education; or
 - (ii) University degree and Teacher's Certificate; or
 - (iii) Bachelor of Education degree
- Enter Step III
Exit Step XI
- (d) Early Childhood Educator holding the qualifications outlined in paragraph (c) of this subclause above plus a second degree or higher degree such as a graduate diploma or a degree at honours level:
Enter Step IV
Exit Step XI
- (e) A casual Early Childhood Educator shall be paid the appropriate salary for an Early Childhood Educator plus a salary loading of 27%.
- (f) Early Childhood Educators transferring between employers or changing employment shall retain their position on the incremental scale and continue to progress through the scale by annual increment.
- (g) On ceasing employment with an employer the employee shall be given written notice of his or her incremental increase date to be passed on to the next employer.

(5) Co-ordinator:

(a)	Step	\$ Per Week	A.S.N.A.	TOTAL WAGE
	Step I	591.50	133.00	724.50
	Step II	619.50	133.00	752.50
	Step III	642.10	133.00	775.10
	Step IV	672.60	131.00	803.60
	Step V	704.00	131.00	835.00
	Step VI	729.50	131.00	860.50
	Step VII	744.30	131.00	875.30
	Step VIII	782.60	131.00	913.60
	Step IX	811.00	131.00	942.00

- (b) A Co-ordinator will be graded in accordance with paragraphs (d) to (h) (inclusive) of this subclause.
Co-ordinator is as defined in Clause 26. - Classification Definition and Skill Descriptors of this award:
- (c) Within the grade of Co-ordinator the following categories of progression shall apply:
- (i) Co-ordinator Grade One is as defined in Clause 26 of this award:
- a Co-ordinator with two year or three year training, (as defined in paragraph (f) of this subclause):
Enter Step I
Exit Step IV
- a Co-ordinator with four year training, (as defined in paragraph (f) of this subclause):
Enter Step III
Exit Step VI
- (ii) Co-ordinator Grade Two is as defined in Clause 26 of this award:
- a Co-ordinator with two year or three year training, (as defined in paragraph (f) of this subclause):
Enter Step III
Exit Step VI
- a Co-ordinator with four year training (as defined in paragraph (f) of this subclause):
Enter Step V
Exit Step VIII
- (iii) Co-ordinator Grade Three is as defined in Clause 26 of this award:
- a Co-ordinator with two year or three year training, (as defined in paragraph (f) of this subclause):
Enter Step V
Exit Step VIII
- a Co-ordinator Director with four year training (as defined in paragraph (f) of this subclause):
Enter Step VII
Exit Step IX
- (d) In addition to the grading, level of training and experience relevant to determining the appropriate rate of pay for a Co-ordinator an employer may advance a Co-ordinator beyond the steps/increments provided for, taking into account such factors as:
- (i) number of sites supervised, size of centre(s) including number of places centre(s) licensed to cover and/or total number of children taken into care; and/or
- (ii) hours of operation of the centre; and/or
- (iii) other factors relevant to the exercise of increased skills and responsibilities by the Co-ordinator.
- (e) "Two year, three year and four year trained" refers to a tertiary or post secondary qualification which is relevant to the position of Co-ordinator. Where there is a dispute as to whether a qualification is relevant to the position of Co-ordinator it shall be determined by the Western Australian Industrial Relations Commission.
- (f) A Co-ordinator and the Committee or other managing body of the Centre shall be at liberty to negotiate and set a higher salary bearing in mind the duties and responsibilities of the Co-ordinator. Any agreement to select a higher rate shall be reduced to writing and shall entitle that Co-ordinator whilst employed at the Centre to the agreed salary level as if this award had expressly provided such an entitlement. Any such agreement may be rescinded only by mutual consent.
- (g) Nothing in this provision shall be deemed to prevent the negotiation of salary for an Administrator/Co-ordinator above the minimum standards prescribed in this award.
- (h) Except as provided hereunder, in paragraphs (b) and (d) of this subclause progression from step to step for Co-ordinator will be contingent upon:
- (i) 12 months' service at each step; and
- (ii) satisfactory performance at each step.
- (6) On ceasing employment with an employer, the employee shall be given a written statement of the current Level and Step if appropriate and the date of commencement at that Level and Step to be passed on to the next employer.
- (7) It is a condition that no employee shall suffer a reduction in wages by reasons of the coming into operation of any order of the Western Australian Industrial Relations Commission in the implementation of the minimum rates adjustments.
- (8) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (9) Wage relativities in the Award have been established in accordance with the September 1989 State Wage Case Decision ([1989] 69 WAIG 2917).
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2006 WAIRC 04848

CHILD CARE (OUT OF SCHOOL CARE - PLAYLEADERS) AWARD NO. A 13 OF 1984

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

22. - SALARIES

- (1) The minimum weekly rate of salary payable to persons employed pursuant to this subclause, operative on and from 7 July 2006 shall be:

	\$ (Per Week)	\$A.S.N.A.	TOTAL \$ WAGE
(a) Playleader			
Level One (Uncertificated Employee)			
Step I	412.60	131.00	543.60
Step II	422.00	131.00	553.00
Step III	431.50	131.00	562.50
Level Two (Completed Stage One)			
Step I	431.50	131.00	562.50
Step II	441.00	131.00	572.00
Level Three (Completed Stage Two)			
Step I	441.00	131.00	572.00
Step II	450.50	131.00	581.50
Level Four (Completed Stage Three or equivalent)			
Step I	450.50	131.00	581.50
Step II	460.00	131.00	591.00

		\$ (Per Week)	\$A.S.N.A.	TOTAL \$ WAGE
(a)	Playleader			
	Level Five (Completed Course or equivalent)			
	Step I	469.50	133.00	602.50
	Step II	482.50	133.00	615.50
	Step III	494.25	133.00	627.25
	Step IV	506.00	133.00	639.00
(b)	Supervisor Playleader			
	Level One (Uncertificated)			
	Step I	487.10	133.00	620.10
	Step II	498.10	133.00	631.10
	Step III	509.80	133.00	642.80
	Level Two (Completed Stage One)			
	Step I	509.80	133.00	642.80
	Step II	521.20	131.00	652.20
	Level Three (Completed Stage Two)			
	Step I	521.20	131.00	652.20
	Step II	532.60	131.00	663.60
	Level Four (Completed Stage Three or Equivalent)			
	Step I	532.60	131.00	663.60
	Step II	544.00	131.00	675.00
	Level Five (Completed Course or Equivalent)			
	Step I	555.40	131.00	686.40
	Step II	569.00	133.00	702.00
	Step III	583.10	133.00	716.10
	Step IV	591.50	133.00	724.50
(2)	(a)	"Completed Course" refers to a Playleader or Supervisor Playleader who has completed the Certificate in Human Services (Playleading) or, alternatively, has completed course equivalents as referred to in paragraphs (d) and (e) of this subclause.		
	(b)	"Level Two" refers to a Playleader or Supervisor Playleader who has completed Stage One of the Certificate in Human Services (Playleading).		
	(c)	"Level Three" refers to a Playleader or Supervisor Playleader who has completed Stage Two of the Certificate in Human Services (Playleading).		
	(d)	"Level Four" except as provided for in paragraph (e) of this subclause, refers to a Playleader or Supervisor Playleader who has completed Stage Three of the Certificate in Human Services (Playleading) or has completed the following courses:		
		(i) Associate Diploma of Social Science (Child Care); or		
		(ii) Child Care Certificate; or		
		(iii) Nursery Nurses Examination Board (NNEB); or		
		(iv) Mothercraft Nurse; or		
		(v) a teaching qualification; or		
		(vi) a degree in psychology which includes study in the area of child development.		
	(e)	"Level Five" refers to a Playleader or Supervisor Playleader who has completed the Certificate in Human Services (Playleading) or has completed one of the following courses:		
		(i) Bachelor of Arts (Recreation); or		
		(ii) Bachelor of Arts (Children's Studies)		
		or, alternatively, has the following combination of qualifications and experience:		
		(iii) a Playleader or Supervisor Playleader with any of the qualifications specified in subclause (2)(d)(i) to (2)(d)(vi) herein; and		
		(iv) 12 months experience in Out of School Hours Care.		
(3)	(a)	Except as provided hereunder, in paragraphs (c) and (d), of this subclause, progression from Step to Step for a Playleader and Supervisor Playleader will be contingent upon:		
		(i) 12 months service at each Step; and		
		(ii) satisfactory performance at each Step.		
	(b)	On completion of each stage of the Certificate in Human Services (Playleading) course the rate of pay for a Playleader and Supervisor Playleader shall move to the next highest rate of pay within the relevant Level, e.g. a Playleader or Supervisor Playleader at Level One, Step I who completes Stage One of the Playleader's course, shall, upon completion of that stage, move immediately to the Level Two, Step I		

rate, whereas a Playleader or Supervisor Playleader at the Level One, Step III rate who completes Stage One of the course shall, upon completion of that stage move to Level Two, Step II rate.

- (c) For a Playleader or Supervisor Playleader on rates of pay between Level One, Step III and Level Five, Step I, the rate of progression shall be dependent on the Stage of the course completed and the period of time since the employee's last increase. Where the employee has already received an increase in the 12 month period prior to their anniversary date through completion of a stage of the course then he/she will not receive an annual increment within that Level until such time as 12 months has lapsed since receiving the last increase.
- (d) Except as provided for in subclause (2)(e) of this clause, where a Playleader or Supervisor Playleader has not received an increment in the 12 month period prior to their anniversary date and there is a remaining increment in that Level then he/she will receive that increment on their anniversary date subject to paragraph (a) of this subclause.

(4)

	\$E12 Jun 96.	\$F22 Aug 96	A.S.N.A.	TOTAL WAGES
Co-ordinator - Level One				
Step I	591.50	591.50	133.00	724.50
Step II	619.60	619.60	133.00	752.60
Step III	642.10	642.10	133.00	775.10
Step IV	659.55	672.60	131.00	803.60
Step V	684.70	704.00	131.00	835.00
Co-ordinator - Level Two				
Step I	659.60	672.60	131.00	803.60
Step II	687.85	704.00	131.00	835.00
Step III	709.85	729.50	131.00	860.50
Step IV	719.70	744.30	131.00	875.30

- (a) Co-ordinator Level One with two or three years training or relevant experience enters Step I and exits Step IV.
- (b) Co-ordinator Level One with four years training enters Step II and exits Step IV.
- (c) Co-ordinator Level Two with two or three years training or relevant experience enters Step I and exits Step III.
- (d) Co-ordinator Level Two with two or three years training or relevant experience enters Step II and exits Step IV.
- (e) "Training" in terms of a Coordinator Level One and Level Two shall be considered to be in line with training as specified for Playleader and Supervisor Playleader.
- (f) "Relevant Experience" in terms of a Coordinator Level One and Level Two shall be considered to be in line with that specified for Playleader and Supervisor Playleader, subject to paragraph (g) of this subclause.
- (g) In addition to the grading, level of training and/or experience relevant to determining the appropriate level of pay for a Coordinator Level One and Coordinator Level Two in accordance with this clause, an employer may advance a Coordinator Level One or Coordinator Level Two beyond the steps or increments provided for taking into account any factor relevant to the exercise of increased skill and responsibility.
- (h) Progression from Step to Step for a Coordinator Level One and Coordinator Level Two will be contingent upon:
- (i) 12 months service at each Step; and
 - (ii) satisfactory performance at each Step.
- (5) (a) The rates payable to persons pursuant to Column E of subclause (4) shall be operative from the beginning of the first pay period commencing on or after 12 June 1996.
- (b) The rates payable to persons pursuant to Column F of subclause (4) shall be operative from the beginning of the first pay period commencing on or after 22 August 1996.

(6) Junior Rates

An employee, under the age of 21 years, employed pursuant to this award shall be paid a percentage of the rate applicable to an adult employee in an equivalent classification according to the relevant experience and qualification:

	%
At 17 years of age	60
At 18 years of age	75
At 19 years of age	85
At 20 years of age	95

Thereafter the adult rate

- (7) A casual employee, as defined in Clause 4. - Definitions of this award, shall, in addition to the ordinary hourly rate of wage prescribed for the classification of work performed, receive a loading of 20%.
- (8) An employee who has had previous experience relevant to employment covered by this award may have that experience taken into account in determining the year of employment at which the employee is appointed and paid.

- (9) It is a condition that no employee shall suffer a reduction in wages by reasons of the coming into operation of any Order of the Western Australian Industrial Relations Commission in the implementation of the minimum rates adjustment on or after the 22nd August, 1994.
- (10) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (11) Wage relativities in the Award have been established in accordance with the September 1989 State Wage Case Decision ([1989] 69 WAIG 2917) and the establishment of a Key Minimum Classification Rate for the Qualified Child Care Giver (73 WAIG 101 and 74 WAIG 2161).

2006 WAIRC 04849

CHILD CARE (SUBSIDISED CENTRES) AWARD NO. A 26 OF 1985

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

11. - WAGES

The total minimum weekly rate of wage payable to persons employed pursuant to this award shall be:

			\$ (Per Week)	A.S.N.A. \$	TOTAL WAGE
(1)	(a)	Child Care Support Employee - Grade One - Cleaner	412.60	131.00	543.60
		Child Care Support Employee - Grade One - Kitchen Hand	419.30	131.00	550.30
		Child Care Support Employee - Grade Two			
		Step I	423.50	131.00	554.50
		Step II	431.80	131.00	562.80
		Child Care Giver			
		Step I	412.60	131.00	543.60
		Step II	422.00	131.00	553.00
		Step III	431.50	131.00	562.50
		Step IV	441.00	131.00	572.00
		E Worker			
		Step I			588.20
		Step II			596.20
		Qualified Child Care Giver			
		Step 1A	488.00	133.00	621.00
		Step 1B	506.00	133.00	639.00
		Step II	520.40	131.00	651.40
		Step III	534.60	131.00	665.60
		Step IV	549.10	131.00	680.10
	(b)	Assistant Director - Grade One			
		Step I	556.90	131.00	687.90
		Step II	562.40	131.00	693.40
		Step III	570.00	133.00	703.00
		Assistant Director - Grade Two			
		Step I	562.40	131.00	693.40
		Step II	570.00	133.00	703.00
		Step III	577.50	133.00	710.50
		Assistant Director - Grade Three			
		Step I	570.00	133.00	703.00
		Step II	577.50	133.00	710.50
		Step III	591.50	133.00	724.50
	(c)	Childrens Programme - Co-ordinator (Family Centre)			
		Step I	506.00	133.00	639.00
		Step II	519.60	131.00	650.60
		Step III	549.10	131.00	680.10
		Step IV	572.60	133.00	705.60
		Step V	598.10	133.00	731.10
		Step VI	621.70	133.00	754.70
		Step VII	651.20	133.00	784.20
		Step VIII	683.60	131.00	814.60
	(d)	Qualified Occasional Care/Limited Time (State Government)			
		Step 1A	15.62	3.54	19.16
		Step 1B	16.19	3.54	19.73
		Step II	16.65	3.54	20.19
		Step III	17.11	3.54	20.65
		Step IV	17.57	3.54	21.11

(EDIT NOTE: The calculation of the A.S.N.A. hourly amount in (d) is (\$ increase)/37.5 hours) rounded to the nearest cent.)

- (2) (a) Except as provided hereunder, in paragraphs (b) and (d) of this subclause progression from step to step for Child Care Support Employees Grade One and Two, Child Care Giver, Qualified Child Care Giver, Qualified Occasional Care/Limited Time (State Govt), Childrens Programme Co-Ordinator (Family Centre), Assistant Director Grade One, Assistant Director Grade Two, Assistant Director Grade Three and Pre-School Teacher will be contingent upon:

- (i) 12 months' service at each step; and
- (ii) satisfactory performance at each step.
- (b) An employee employed as a Child Care Giver on completion of an introductory child care course shall immediately progress by one additional step beyond that previously determined in accordance with paragraph (a) of this subclause. Additional steps shall be determined in accordance with paragraph (a) of this subclause.
- (c) An employee under the age of 21 years who is employed as a Child Care Giver shall be paid a percentage of the rate applicable to an adult employee, taking into account the provisions for progression specified in paragraphs (a) and (b) of this subclause. The percentages of the adult rate shall be:

	% of adult rate
At or under 16 years of age	50
At 17 years of age	60
At 18 years of age	75
At 19 years of age	85
At 20 years of age	95
Thereafter the adult rate	

- (ca) An employee who is identified as an E Worker shall be a person who is required to exercise supervision of an infant or toddler area in accordance with the Community Services (Child Care) Regulations ("the Regulations") 1988. At the completion of twelve months satisfactory service that person shall be paid the Step II rate.
- (d) An employee at Step IA Qualified Child Care Giver and Step IA Qualified Occasional Care/Limited Time (State Govt.) shall be a person with no previous experience in the industry. At the completion of twelve months satisfactory performance that person shall be paid the Step II rate.
- (e) An employee at Step IB Qualified Child Care Giver and Step IB Qualified Occasional Care/Limited Time (State Govt.) shall be a person with previous experience in the industry. At the completion of twelve months satisfactory performance that person shall be paid the Step II rate.
- (f) A person who is appointed Assistant Director Grade One, Assistant Director Grade Two or Assistant Director Grade Three will be appointed in accordance with the relevant grades outlined in Clause 27. - Classification Definitions and Skill Descriptors subclause (4) of this award, provided that an employer may appoint an Assistant Director to a higher grade.
- (g) Where an employee is appointed to act as the Director of a Centre for more than four days, they shall be paid for the whole of that period as Director according to their level of qualification.

(3) Pre-School Teachers:

(a) Salary Level	\$ (per annum)	A.S.N.A.\$	\$ (TOTAL WAGE)	\$ (per week)
Step I	27105	6834	33939	650.60
Step II	28644	6834	35478	680.10
Step III	29975	6938	36913	707.60
Step IV	31201	6938	38139	731.10
Step V	32432	6938	39370	754.70
Step VI	33971	6938	40909	784.20
Step VII	35661	6833	42494	814.60
Step VIII	37044	6833	43877	841.10
Step IX	38171	6833	45004	862.70
Step X	39710	6833	46543	892.20
Step XI	41243	6833	48076	921.60

- (b) Three year trained teacher holding a Diploma of Teaching, or equivalent, or a teacher holding a University Degree (other than a Bachelor of Education):
Enter Step I
Exit Step VII
- (c) Teacher holding:
 - (i) University degree and Diploma of Education; or
 - (ii) University degree and Teacher's Certificate; or
 - (iii) Bachelor of Education degree
 Enter Step III
Exit Step XI
- (d) Teacher holding the qualifications outlined in (c) above plus a second degree or higher degree such as a graduate diploma or a degree at honours level:
Enter Step IV
Exit Step XI

(4) (a) The minimum weekly rate of wage payable to persons employed as Director, shall be:

	\$ (per week)	\$ (A.S.N.A.)	\$(TOTAL WAGE)
Step I	591.50	133.00	724.50
Step II	619.50	133.00	752.50
Step III	642.10	133.00	775.10
Step IV	672.60	131.00	803.60
Step V	704.00	131.00	835.00
Step VI	729.50	131.00	860.50
Step VII	744.30	131.00	875.30
Step VIII	782.60	131.00	913.60
Step IX	811.00	131.00	942.00

- (b) A Director will be graded in accordance with paragraphs (c) and (d) of this subclause.
- (c) Within the grades of Director the following categories of progression shall apply:
- (i) Director Grade One (as defined in Clause 27 of this award):
 - a Director with two year or three year training, (as defined in paragraph (e) of this subclause):
 Enter Step I
 Exit Step IV
 - a Director with four year training (as defined in paragraph (e) of this subclause):
 Enter Step III
 Exit Step VI
- (ii) Director Grade Two (as defined in Clause 27 of this award):
 - a Director with two year or three year training, (as defined in paragraph (e) of this subclause):
 Enter Step III
 Exit Step VI
 - a Director with four year training (as defined in paragraph (e) of this subclause):
 Enter Step V
 Exit Step VIII
- (iii) Director Grade Three (as defined in Clause 27 of this award):
 - a Director with two year or three year training, (as defined in paragraph (e) of this subclause):
 Enter Step V
 Exit Step VIII
 - a Director with four year training (as defined in paragraph (e) of this subclause):
 Enter Step VII
 Exit Step IX
- (d) In addition to the grading, level of training and experience relevant to determining the appropriate rate of pay for a Director an employer may advance a Director beyond the steps/increments provided for, taking into account such factors as:
- (i) number of sites supervised, size of centre(s) including number of places centre(s) licensed to cover and/or total number of children taken into care; and/or
- (ii) hours of operation of the centre; and/or
- (iii) other factors relevant to the exercise of increased skills and responsibilities by the Director.
- (e) "Two year, three year and four year trained" refers to a tertiary or post secondary qualification which is relevant to the position of Director. Where there is a dispute as to whether a qualification is relevant to the position of Director it shall be determined by the Western Australian Industrial Relations Commission.
- (f) Except as provided hereunder, in paragraph (d) of this subclause progression from step to step for Director will be contingent upon:
- (i) 12 months' service at each step; and
- (ii) satisfactory performance at each step.

- (5) On ceasing employment with an employer, the employee shall be given a written statement of the current Level and Step if appropriate and the date of commencement at that Level and Step to be passed on to the next employer.

It is a condition that no employee shall suffer a reduction in wages by reasons of the coming into operation of any order of the Western Australian Industrial Relations Commission in the implementation of the minimum rates adjustments.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

Wage relativities in the Award have been established in accordance with the September 1989 State Wage Case Decision ([1989] 69 WAIG 2917) and the establishment of a Key Minimum Classification Rate for the Qualified Child Care Giver (73 WAIG 101).

2006 WAIRC 04850

CHILD CARE WORKERS (EDUCATION DEPARTMENT) AWARD NO. A 20 OF 1984

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

14. - SALARIES

- (1) (a) The total minimum award wage payable includes the base rate and arbitrated safety net adjustments payable on and from 7 July 2006:
- | | Base Rate \$ | Arbitrated
Safety Net
Adjustments \$ | Minimum
Award Wage
\$ |
|------------------------|--------------|--|-----------------------------|
| 1st year of employment | 19045 | 9336 | 28381 |
| 2nd year of employment | 21002 | 9336 | 30338 |
| 3rd year of employment | 22084 | 9441 | 31525 |
| 4th year of employment | 23163 | 9441 | 32604 |
| 5th year of employment | 24233 | 9337 | 33570 |
- (b) Consistent with the requirements of the December 1993 State Wage Decision, the Arbitrated Safety Net Adjustment is absorbable to the extent of any equivalent amount in rates of pay (whether award, or overaward or enterprise agreement) in excess of the relevant minimum rates (classification rate and supplementary payment) established through the Minimum Rates Adjustment process.
- (c) "Overaward Payment" is defined as the amount (whether it be termed "over award payment", "attendance bonus" or any term whatsoever), which an employee would receive in excess of the "Minimum Award Wage". Provided that such payment shall exclude overtime, shift allowance, penalty rates, disability allowances, fares and travelling time allowances and any other ancillary payments of a like nature prescribed by the award".
- (2) For the purpose of adjustment and payment the weekly salary shall be calculated as 1/52nd and 1/6th of the annual salary, the fortnightly salary as 1/26th and 1/12th of the annual salary and the monthly salary as 1/12th of the annual salary.

- (3) An employee left in charge of pupils for a full session or more shall be paid no less than the rate applicable to a Child Care Worker in her 5th year of employment for the whole period she is in charge.
- (4) An employee who has had previous experience relevant to employment covered by this award may have that experience taken into account in determining the 'year of employment' at which an employee is appointed and paid.
- (5) An employee may be employed as a casual if that employment is for a period of less than four weeks, in which case the employee shall be paid a loading of 27 percent in addition to her base rate in lieu of the provisions of Clauses 7. - Holidays, 8. - Annual Leave Loading, 9. - Sick Leave and 12. - Long Service Leave of this award.
- (6) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments

2006 WAIRC 04851

CHILDREN'S SERVICES (GOVERNMENT) AWARD 1989 NO. A29 OF 1985 & PSA A 29A OF 1985

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

16. - SALARIES AND WAGES

- (1) Column B will apply to employees of a College who are not ordinarily required to work during term or semester vacations. Such employees will be eligible for payment pursuant to Clause 17. - College Vacations Periods of this Award. Column A will apply to all other employees.
- (2) The weekly rate of wage payable to persons employed pursuant to this award, shall be:
- (a) Qualified Child Care Giver

	Column A\$(Per Week)	Column B\$(Per Week)
Step IA	621.00	594.64
Step IB	639.00	611.78
Step II	651.40	623.58
Step III	665.40	636.91
Step IV	680.10	650.90

(b) Senior Qualified Child Care Giver
Column A*

Base Rate\$	Arbitrated Safety Net Adjustments\$	Total Rate\$
545.50	179.00	724.50

(* Interim adjustment pending further hearings and adjustments)

(c) Senior Qualified Child Care Giver
Column B*

Base Rate\$	Arbitrated Safety Net Adjustments\$	Total Rate\$
519.26	174.24	693.50

(* Interim adjustment pending further hearings and adjustments)

(d) Child Care Giver

	Column A	Column B
	\$	\$
Step I	555.55	532.34
Step II	563.55	539.95
Step III	571.15	547.19
Step IV	581.80	557.33

(f) Child Care Support Employee

	Column A	Column B
	\$	\$
1st year of experience	558.90	535.53
2nd year of experience	566.70	542.95
3rd year of experience	574.40	550.28
4th year of experience	584.60	559.99

(g) The minimum weekly rate of wage shown in paragraphs (a), (d) and (f) of this subclause are inclusive of a base rate and supplementary payment reflecting relativities established as a result of a Minimum Rates Adjustment (76 WAIG 159).

(3) Except as provided hereunder, progression from step to step for Qualified Child Care Giver and Child Care Giver will be contingent upon:

- (a) 12 months' service at each step; and
- (b) satisfactory performance at each step.

(4) An employee may be employed as a casual if that employment is for a period of less than four weeks, in which case the employee shall be paid a loading of 20 percent in addition to his/her base rate in lieu of the provisions of Clauses 11. - Public Holidays, 12. - Annual Leave and 13. - Sick Leave of this award.

(5) (a) An employee at Step IA Qualified Child Care Giver shall be a person with no previous experience in the industry. At the completion of twelve months satisfactory performance that person shall be paid the Step II rate.

(b) An employee at Step IB Qualified Child Care Giver shall be a person in their first year of experience as a Qualified Child Care Giver, who has previous experience in the industry. At the completion of 12 months' satisfactory performance that person shall be paid at the Step II rate.

(6) On ceasing employment with an employer, the employee shall be given a written statement of the current Level and Step if appropriate and the date of commencement at that Level and Step to be passed on to the next employer.

(7) On commencing employment with an employer a Qualified Child Care Giver, Child Care Aide, Cook or Senior Qualified Child Care Giver shall, within the appropriate classification be paid at the step or year of experience within the appropriate classification whichever is relevant, recognising their previous experience in the children's services industry.

(8) The weekly salary shall be divided by 38 per week for Child Care Givers and Child Care Support Employees and for other employees by 37.5 for the purposes of adjustment of payment of a hourly rate. For the purposes of adjustment to an annual salary the weekly rate shall be multiplied by 52.167.

(9) It is a condition that no employee shall suffer a reduction in wages by reasons of the coming into operation of any order of the Western Australian Industrial Relations Commission in the implementation of the Minimum Rates Adjustments.

- (10) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (11) Deleted

- (12) The wage relativities in the Award have been established in accordance with the State Wage Case Decision of 1989 [1989] 69 WAIG 2917).

- (13) DEFINITIONS AND SKILL DESCRIPTORS

- (a) **Child Care Support Employee**

Definition: An untrained ancillary employee who is employed to undertake cooking duties.

Skill Descriptor: Such an employee may:

- work under routine supervision either individually or in a team environment;
- be responsible for assuring the quality of the employee's own working subject to routine supervision;
- be required to exercise discretion during the course of their own work.

- (b) **Child Care Giver**

Definition: An **employee** at this level shall be an unqualified employee working under routine supervision, engaged to assist in the supervision and care of children and generally to assist in the functioning of the centre.

Skill Descriptor:Responsibilities of a Child Care Giver may include the following:

- Is able to perform routine duties requiring the exercise of knowledge and skills at a primary level.
- Maintain a clean, hygienic environment
- Maintain and attend to personal hygiene of children
- Attend to nutritional needs of children
- Respond to child's apparent ill -health
- Respond to accident, emergency or threat
- Implement routines which enhance well being
- Interact positively and appropriately with children
- Participate in the planning and preparation of programmes
- Assist to prepare an environment based on programme requirements
- Assist in the implementation of programmes
- Contribute to team approach
- Seek to further professional development
- Liaise appropriately with parents
- Uphold the Centre's philosophy
- Participate in appropriate administrative process
- Contribute to maintenance and care of buildings and equipment
- Implement Centre policies and procedures.
- Assisting in the facilitation of programmes suited to the needs of individual children and groups
- Provide input to trained staff by observations of individuals children and groups
- Work under direction with individual children with special needs.

- (c) Qualified **Child Care Giver:**

Definition: shall mean an employee who holds the qualification of Associate Diploma Social Science (Child Care) or an **approved** equivalent qualification which is recognised and approved by the Child Care Services Board authorising the employee to be in charge of children 0-6 years and who is so appointed.

Qualified Child Care Giver shall also include persons who do not hold approved qualifications but who have obtained an exemption from the Child Care Services Board to work at this level and who are so appointed.

Skill Descriptor: The **responsibilities** of a Qualified Child Care Giver may include the following

- Ensure the Centre or Service's policies are adhered to
- Ensure the maintenance of a safe working environment
- Display various methods and techniques of child management and where appropriate guide the Child Care Giver in the same
- Direct other staff members as required
- In conjunction with the Coordinator or Senior Qualified Child Care Giver or Medical staff develop, implement, monitor and review developmental programmes
- Display an ability to relate to people from various multicultural backgrounds

- Assist the Coordinator or Senior Qualified Child Care Giver with the assessment of students on placement
- Where appointed work as the person in charge of a group of children in the age range 0-6 years
- Possesses observational skills in excess of an experience Child Care Giver and the ability to programme for a child's development based on these observations. Where appropriate undertake developmental assessments.
- Participate in a team approach to deliver of the programme and if appropriate advise Child Care Givers on reasons for the programme
- Possesses the ability to formulate and implement a child's special needs programme
- Liaise with parents
- Initiate changes to the children's programmes including special needs programmes
- Develop, implement, evaluate and maintain daily routines independently
- Provide advice to Coordinator, Senior Qualified Child Care Giver or Medical staff on the needs of the service.
- Demonstrate the ability to impart knowledge and skills where appropriate to parents, students, and/or other members of the health care team and referral agencies.
- Where appropriate provide support to the family, the support network, and other health professionals.
- Where appropriate, conduct visits to clients home to undertake developmental assessments

(d) Senior Qualified Child Care Giver

Definition: a Senior Qualified Child Care Giver shall mean a Qualified Child Care Giver appointed to carry out administrative duties in addition to the normal duties of a Qualified Child Care Giver. An employee at this level shall hold qualifications as defined for Qualified Child Care Giver and shall be responsible for the overall implementation and coordination of programme(s).

Skill Descriptor: A Senior Qualified Child Care Giver shall be competent to perform work above and beyond the level of a Qualified Child Care Giver. In addition to the normal duties of a Senior Qualified Child Care Giver the responsibilities of a Senior Qualified Child Care Giver may include the following:

- To co-ordinate the developmental programme(s) or therapeutic milieu
- To take referrals from professional health agencies.
- To explain the function and role of the service to other agencies and professional individuals.
- To supervise in-service training of staff.
- Where appropriate initiate programmes for parent/child activity groups.
- Where appropriate liaise with specialist staff (internal and external) on appropriate programmes for children with special needs.
- Participate in In-service education.
- Identification budgetary expenses for service including fund-raising where required.
- Ensure the daily operation of the centre complies with Licensing Regulations where appropriate.
- Handle child care enrolment enquiries and allocate places in accordance with Policy where appropriate.
- Act as a positive role model and care giver for staff, parents, students and children.
- Direct and supervises the duties of support staff, volunteers and students, and ensures that appropriate standards in care are maintained at all times.
- Arrange the placement and/or maintenance of the centres equipment, furnishing, toys and consumable materials as required.
- Where appropriate collect fees, issue receipts and forward monies to appropriate officer.
- Select short-term relief staff as required and assist with appointment and orientation of child care staff.
- To conduct staff meetings and attends other relevant meetings.
- To encourage team-work amongst staff.
- Operate within the requirements of Government Legislation, Regulations and relevant Industrial Awards.
- To provide leadership and direction for other staff.

2006 WAIRC 04852

CHILDREN'S SERVICES (PRIVATE) AWARD 2006 NO. A 10 OF 1990

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

22. - WAGES

- (1) The total minimum weekly rate of wage payable to persons employed pursuant to this award shall be:

	Classification	Pay Level	Relativity to C10	Per week \$
(a)	Children Services Employee Level 1 Grade One			
	Cleaner	1.1	90.6%	543.60
	Kitchen Hand	1.2	91.7%	550.30
	Grade Two (Cook/Gardener)			
	On commencement	1.3	92.5%	554.50
	after 1 year in the industry	1.4	93.9%	562.80
(b)	Children Services Employee Level 2			
	on commencement	2.1	90.6%	543.60
	after 1 year in the industry	2.2	92.2%	553.00
	after 2 years in the industry	2.3	93.9%	562.50
	after 3 years in the industry	2.4	95.5%	572.00
	E worker			
	on commencement	2.5	98.3%	588.20
	after 1 year in the industry	2.6	99.6%	596.20
(c)	Children Services Employee Level 3			
	on commencement	3.1	100.0%	598.20
	after 1 year in the industry	3.2	105.0%	621.20
	after 2 years in the industry	3.3	110.0%	642.70
	CSE Level 3 holding AQF Certificate IV	3.4	115.0%	660.80
	CSE Level 3 holding AQF Diploma in Children's Services or CSE Level 3 who is an E Worker	3.5	Note 1	682.05

Note 1: Pay Level 3.5 is fixed at the mid-point between the Level 3.3 rate and the Level 4.1 rate

	Classification—continued	Pay Level	Relativity to C5	Per week \$
(d)	Children Services Employee Level 4			
	on commencement	4.1	100.0%	721.40
	after 1 year in the industry	4.2	102%	733.20
	after 2 years in the industry	4.3	104%	744.90
(e)	Children Services Employee Level 5			
	on commencement	5.1	106.1%	757.30
	after 1 year in the industry	5.2	108.1%	769.10
	after 2 years in the industry	5.3	110.1%	780.80
	Note: An Assistant Director who holds an Advanced Diploma (AQF 6) must be paid no less than	5.4	Note 2	783.90
	Note 2: Pay Level 5.4 has a 145% relativity to the pay level 3.1 [C10] rate.			
(f)	Children Services Employee Level 6			
	Grade 1			
	on commencement	6.1	128.6%	887.70
	after 1 year in the industry	6.2	130.6%	899.45
	after 2 years in the industry	6.3	132.6%	911.20
	Grade 2			
	on commencement	6.4	138.7%	947.10
	after 1 year in the industry	6.5	140.3%	956.50
	after 2 years in the industry	6.6	142.3%	968.30
	Grade 3			
	on commencement	6.7	144.4%	980.60
	after 1 year in the industry	6.8	146.4%	992.40
	after 2 years in the industry	6.9	148.4%	1004.20
	Note 3: A Director or Assistant Director who holds a Graduate Certificate in Child Care Management or equivalent will be paid an all-purpose allowance, calculated at 5% of the weekly rate for Assistant Director (Pay Level 5.3) ie			38.00
(g)	Pre-School Teachers			
	Step I	7.1	94.1%	689.50
	Step II	7.2	100.0%	721.40
	Step III	7.3	105.5%	753.20
	Step IV	7.4	110.2%	778.60
	Step V	7.5	114.9%	802.20
	Step VI	7.6	120.8%	834.10
	Step VII	7.7	127.2%	869.20
	Step VIII	7.8	132.5%	897.80
	Step IX	7.9	137.2%	923.40
	Step X	7.10	143.1%	955.30
	Step XI	7.11	149.0%	987.10

(2) Acting Positions

Where an employee is appointed to act as the Director of a Centre or Supervising Officer pursuant to the relevant child care regulations, he/she shall be paid for the whole of that period as Director or Supervising Officer.

(3) Incremental Progression

(a) Progression from one level to the next within a classification is subject to a children's services employee meeting the following criteria:

- competency at the existing level;
- 12 months experience at that level (or in the case of employees employed for 19 hours or less per week, 24 months' experience) and in-service training as required;
- demonstrated ability to acquire the skills which are necessary for advancement to the next pay point level.

(b) Where an employee is deemed not to have met the requisite competency at their existing level at the time of appraisal, his/her incremental progression may be deferred for periods of three months at a time provided that:

- the employee is notified in writing as to the reasons for the deferral;
- the employee has, in the twelve months leading to the appraisal, been provided with in-service training required to attain a higher pay point;
- following any deferral, the employee is provided with the necessary training in order to advance to the next level.

- (c) Where an appraisal has been deferred for operational reasons beyond the control of either party, and the appraisal subsequently deems the employee to have met the requirements under this clause, any increase in wage rates will be back paid to the 12 month (or 24 month) anniversary date of the previous incremental progression.
- (d) An employee whose incremental advancement has been refused or deferred may seek to have the decision reviewed by lodging a written request through the dispute resolution procedure in Appendix – Resolution of Disputes Requirement of this award. If the review is successful, then the incremental advancement will be backdated to the original due date. The review process must be completed within two months of the request for the review being made.
- (e) An employee employed as a CSE Level 2 on completion of an accredited introductory child care course shall immediately progress by one additional level beyond that previously determined in accordance with subclause (3)(a) of this clause. Additional steps shall be determined in accordance with subclause (3)(a) of this clause.
- (f) On ceasing employment, the employee shall be given a written statement of the current level and step and the date of commencement at that level and step.

(4) Junior Rates

An employee under the age of 21 years who is employed as a Children Services Employee Level 2 shall be paid a percentage of the rate applicable to an adult employee, taking into account the provisions for progression specified in subclauses (3)(a) and (3)(b) of this clause. The percentages of the adult rate shall be:

Percentage of adult rate	%
At or under 16 years of age	50
At 17 years of age	60
At 18 years of age	75
At 19 years of age	85
At 20 years of age	95

Thereafter the adult rate

(5) Arbitrated Safety Net Adjustments

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(6) Translation arrangements and Savings provision

(a) Savings

No employee shall suffer a reduction in wages and/or allowances as a result of the insertion of the new classification structure into this award on 23 March 2006.

(b) Commencement

Subject to Principle 12 of the Commission's *Statement of Principles*, the provisions of this clause and the provisions of Schedule C, the rates of pay set out in this award will apply from the first full pay period to commence on or after 23 March 2006.

(c) Translation

(i) An employee whose duties fall within the classification structure set out in this award should confer with his or her employer and seek to reach agreement on the translation of the employee to the terms of this award.

(ii) Employees will translate to the new classification structure on the basis of the following principles:

- Except where otherwise provided in this clause, where an existing employee is appointed to a higher classification than they currently enjoy, they will translate to the "on commencement" rate for that classification;
- Where an existing employee retains their existing classification, they will retain their current incremental position in that classification based on their years of experience in the industry;
- New employees, or current employees who are subsequently reclassified to a higher grade, will be paid at the "on commencement" rate for the classification to which they are appointed and will progress through the scale according to the factors listed in subclause (3) of this clause.

(iii) Despite subclause (6)(c)(ii) of this clause:

- Existing Child Care Giver employees will be classified according to their duties and their years of experience in the industry. Thus an existing Child Care Giver employee with more than two years experience will be classified at the new CSE Level 2.3. A Child Care Giver employee with more than one year but less than two years experience will be classified at the new CSE Level 2.2.

- Existing Child Care Giver employees will be classified as either CSE Level 2 or CSE Level 3 employees depending on their qualifications and/or duties and their experience in the industry. A Child Care Giver Employee without Certificate III will normally be classified at CSE Level 2, unless they have been previously recognised by the employer as having the knowledge or experience to perform CSE Level 3 duties, in which case they will be classified as CSE Level 3. Both will be entitled to immediate recognition of their years of experience in the industry (ie. a Certificate III employee with more than two years of experience will be classified at the new CSE Level 3.3).
 - Existing E Worker employees will be classified at the new CSE Level 3.5.
 - Existing Qualified Child Care Giver employees will, depending on their qualifications and/or duties and their experience in the industry, be classified as either CSE Level 4.1, 4.2 or 4.3. Each will be entitled to immediate recognition of their years of experience in the industry at this level.
 - Existing Assistant Director employees will, depending on their qualifications and/or experience in the industry, be classified as either Assistant Director pay level 5.1, 5.2, 5.3 or 5.4. Each will be entitled to immediate recognition of their years of experience in the industry
 - Existing Director employees will, depending on the number of children the service is licensed for be classified as either Director Grade 1, Director Grade 2 or Director Grade 3. Each will be entitled to immediate recognition of their years of experience in the industry. No director shall suffer a loss of pay as a result of the transition to the new classification structure. Any employee who would suffer a loss of pay as a result of the transition to the new classification structure shall maintain their rate of pay as immediately prior to 23 March 2006.
- (d) Where the employee's current rate of pay is below the rate of pay specified in this Award for the classification appropriate to the employee, the following provisions will apply:
- (i) From the first full pay period to commence on or after 23 March 2006, the employee must be paid (in addition to the employee's current rate of pay) \$20 per week extra or the appropriate classification rate for the employee ("the first instalment", which incorporates the *State Wage Case – 4 July 2005* decision adjustment).
 - (ii) From the first full pay period to commence on or after 23 September 2006, the employee must be paid (in addition to the employee's current rate of pay), a further \$20 a week extra or the appropriate classification rate for the employee ("the second instalment").
 - (iii) From the first full pay period to commence on or after 23 March 2007, the employee must be paid a further \$20 a week extra or the appropriate classification rate for the employee ("the third instalment").
 - (iv) From the first full pay period to commence on or after 23 September 2007, the employee must be paid the balance of any increase required to achieve the appropriate classification rate ("the final instalment").
- (e) The employer and employee can agree to earlier implementation dates for wage increases than those set out in subclause (6)(d) of this clause.
- (f) In the event that the employer and the employee cannot reach agreement as envisaged by subclause (6)(c) of this clause, or in the event that a dispute arises as to the transitional arrangements referred to in this clause, the procedures specified in Appendix – Resolution of Disputes Requirement, must be followed.
- (g) Despite subclause (6)(f) of this clause and Appendix – Resolution of Disputes Requirement of this award:
- (i) An award respondent or group of respondents may apply to the Commission pursuant to Principle 12 of the Commission's *Statement of Principles* to seek variation to the phase-in period for the new minimum rates of pay provided for in this award;
 - (ii) A Board of Reference shall be established from time to time for the purpose of resolving any dispute or difficulty or likely dispute or difficulty in the application of subclause (6)(c)(ii) of this clause. The Board shall be constituted by a Chairperson who shall be a member of the Western Australian Industrial Relations Commission and at least two other members, one of whom is nominated by the Liquor, Hospitality and Miscellaneous Union and the other nominated by the employer respondent to the award affected by the dispute or difficulty or likely dispute or difficulty. Before proceedings commence, the Chairperson shall seek undertakings from the parties appearing before the Board that any decision, subject to the terms of the Act, shall be final. Any decisions of a Board of Reference made pursuant to this clause shall be reduced to writing and published by the Chairperson.
- (h) A translation table appears as Schedule C to this award.

SCHEDULE C. - TRANSLATION TO NEW WAGES AND CLASSIFICATION STRUCTURE

Current Award Level	Current rate	New level	Total New end rate	Total Increase	Rate at 23/03/06	Rate at 07/07/06	Rate at 23/09/06	Rate at 23/03/07	Rate at 23/09/07
Child Care Support Employee – Grade One									
Cleaner	523.60	1.1	523.60	0.00	523.60	543.60			
Kitchen Hand	530.30	1.2	530.30	0.00	530.30	550.30			

Current Award Level	Current rate	New level	Total New end rate	Total Increase	Rate at 23/03/06	Rate at 07/07/06	Rate at 23/09/06	Rate at 23/03/07	Rate at 23/09/07
Child Care Support Employee – Grade Two									
Step I	534.50	1.3	534.50	0.00	534.50	554.50			
Step II	542.80	1.4	542.80	0.00	542.80	562.80			
Child Care Giver									
Step I	523.60	2.1	523.60	0.00	523.60	543.60			
Step II	533.00	2.2	533.00	0.00	533.00	553.00			
Step III	542.50	2.3	542.50	0.00	542.50	562.50			
Step IV	552.00	2.4	552.00	0.00	552.00	572.00			
E Worker (Not Cert III)									
Step I	568.20	2.5	568.20	0.00	568.20	588.20			
Step II	576.20	2.6	576.20	0.00	576.20	596.20			
E Worker (Cert III)									
Step I	568.20	3.5	662.05	93.85	588.20	608.20	628.20	648.20	682.05
Step II	576.20	3.5	662.05	85.85	596.20	616.20	636.20	656.20	682.05
Child Care Giver (Cert III)									
Step I	523.60	3.1	578.20	54.60	543.60	563.60	583.60	598.20	
Step II	533.00	3.2	601.20	68.20	553.00	573.00	593.00	633.00	621.20
Step III	542.50	3.3	622.70	80.20	562.50	582.50	602.50	622.50	642.70
Step IV	552.00	3.3	622.70	70.70	572.00	592.00	612.00	632.00	642.70
Child Care Giver (Cert IV)									
Step I	523.60	3.4	640.80	117.20	543.60	563.60	583.60	603.60	660.80
Step II	533.00	3.4	640.80	107.80	553.00	573.00	593.00	613.00	660.80
Step III	542.50	3.4	640.80	98.30	562.50	582.50	602.50	622.50	660.80
Step IV	552.00	3.4	640.80	88.80	572.00	592.00	612.00	632.00	660.80
Child Care Giver (Diploma)									
Step I	523.60	3.5	662.05	138.05	543.60	563.60	583.60	603.60	682.05
Step II	533.00	3.5	662.05	129.05	553.00	573.00	593.00	613.00	682.05
Step III	542.50	3.5	662.05	119.55	562.50	582.50	602.50	622.50	682.05
Step IV	552.00	3.5	662.05	110.05	572.00	592.00	612.00	632.00	682.05
Qualified Child Care Giver									
Step IA	601.00	4.1	701.40	100.40	621.00	641.00	661.00	681.00	721.40
Step IB	619.00	4.2	713.20	94.20	639.00	659.00	679.00	699.00	733.20
Step II	631.40	4.3	724.90	93.50	651.40	671.40	691.40	711.40	744.90
Step III	645.60	4.3	724.90	79.30	665.60	685.60	705.60	725.60	744.90
Step IV	660.10	4.3	724.90	64.80	680.10	700.10	720.10	740.10	744.90
Assistant Director – Grade One									
Step I	667.90	5.1	737.30	69.40	687.90	707.90	727.90	747.90	757.30
Step II	673.40	5.2	749.10	75.70	693.40	713.40	733.40	753.40	769.10
Step III	683.00	5.3	760.80	77.80	703.00	723.00	743.00	763.00	780.80
Assistant Director – Grade Two									
Step I	673.40	5.1	737.30	63.90	693.40	713.40	733.40	753.40	757.30
Step II	683.00	5.2	749.10	66.10	703.00	723.00	743.00	763.00	769.10
Step III	690.50	5.3	760.80	70.30	710.50	730.50	750.50	770.50	780.80
Assistant Director – Grade Three									
Step I	683.00	5.1	737.30	54.30	703.00	723.00	743.00	757.30	
Step II	690.50	5.2	749.10	58.60	710.50	730.50	750.50	769.10	
Step III	704.50	5.3	760.80	56.30	724.50	744.50	764.50	780.80	
Director									
Step I	704.50	6.1	867.70	163.20	724.50	744.50	764.50	784.50	887.70
Step II	732.50	6.2	879.45	146.95	752.50	772.50	792.50	812.50	899.45
Step III	755.10	6.3	891.20	136.10	775.10	795.10	815.10	835.10	911.20
Step IV	783.60	6.4	927.10	143.50	803.60	823.60	843.60	863.60	937.10

Current Award Level	Current rate	New level	Total New end rate	Total Increase	Rate at 23/03/06	Rate at 07/07/06	Rate at 23/09/06	Rate at 23/03/07	Rate at 23/09/07
Director— continued									
Step V	815.00	6.5	936.50	121.50	835.00	855.00	875.00	895.00	956.50
Step VI	840.50	6.6	948.30	107.80	860.50	880.50	900.50	920.50	968.30
Step VII	855.30	6.7	960.60	105.30	875.30	895.30	915.30	935.30	980.60
Step VIII	893.60	6.8	972.40	78.80	913.60	933.60	953.60	973.60	992.40
Step IX	922.00	6.9	984.20	62.20	942.00	962.00	982.00	1002.00	1004.20
Pre-School Teachers									
Step I	630.60	7.1	669.50	38.90	650.60	670.60	689.50		
Step II	660.10	7.2	701.40	41.30	680.10	700.10	720.10	721.40	
Step III	687.60	7.3	733.20	45.60	707.60	727.60	747.60	753.20	
Step IV	711.10	7.4	758.60	47.50	731.10	751.10	771.10	778.60	
Step V	734.70	7.5	782.20	47.50	754.70	774.70	794.70	802.20	
Step VI	764.20	7.6	814.10	49.90	784.20	804.20	824.20	834.10	
Step VII	794.60	7.7	849.20	54.60	814.60	834.60	854.60	869.20	
Step VIII	821.10	7.8	877.80	56.70	841.10	861.10	881.10	897.80	
Step IX	842.70	7.9	903.40	60.70	862.70	882.70	902.70	922.70	923.40
Step X	872.20	7.10	935.30	63.10	892.20	912.20	932.20	952.20	955.30
Step XI	901.60	7.11	967.10	65.50	921.60	941.60	961.60	981.60	987.10

NOTE: New Rates to be phased-in commencing 23 March 2006:

- 23 March 2006 – up to \$20.00 per week
- 23 September 2006 – up to a further \$20.00 per week
- 23 March 2007 – up to a further \$20.00 per week
- 23 September 2007 – the full balance of any increase to achieve the total rate

2006 WAIRC 04853

CHILDREN'S SERVICES CONSENT AWARD 1984 NO. A 1 OF 1985

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

22. - WAGES

The minimum weekly rate of wage payable to persons employed pursuant to this award shall be:

	\$(Per Week)	A.S.N.A.\$	TOTAL WAGES
(1) Child Care Support Employee - Grade One - Cleaner	412.60	131.00	542.60
Child Care Support Employee - Grade One - Kitchen Hand	419.30	131.00	550.30
Child Care Support Employee - Grade Two			
Step I	423.50	131.00	554.50
Step II	431.80	131.00	562.80
Child Care Support Employee - Grade Three			
Step I	443.40	131.00	574.40
Step II	482.90	133.00	615.90
Step III	503.00	133.00	636.00
Step IV	522.30	131.00	653.30
Step V	549.10	131.00	680.10
Child Care Giver			
Step I	412.60	131.00	543.60
Step II	422.00	131.00	553.00
Step III	431.50	131.00	562.50
Step IV	441.00	131.00	572.00
E Worker			
Step I			588.20
Step II			596.20
Qualified Child Care Giver			
Step IA	488.00	133.00	621.00
Step IB	506.00	133.00	639.00
Step II	520.40	131.00	651.40
Step III	534.60	131.00	665.60
Step IV	549.10	131.00	680.10
Assistant Director Grade One			
Step I	556.90	131.00	687.90
Step II	562.40	131.00	693.40
Step III	570.00	133.00	703.00
Assistant Director Grade Two			
Step I	562.40	131.00	693.40
Step II	570.00	133.00	703.00
Step III	577.50	133.00	710.50
Assistant Director Grade Three			
Step I	570.00	133.00	703.00
Step II	577.50	133.00	710.50
Step III	591.50	133.00	724.50

- (2) (a) Except as provided hereunder, in paragraphs (b) and (d) of this subclause progression from step to step for Child Care Support Employees Grade One, Two and Three, Child Care Giver, Qualified Child Care Giver, Assistant Director Grade One, Assistant Director Grade Two, Assistant Director Grade Three and Pre-School Teacher will be contingent upon:
- (i) 12 months' service at each step; and
- (ii) satisfactory performance at each step.

- (b) An employee employed as a Child Care Giver on completion of an introductory child care course shall immediately progress by one additional step beyond that previously determined in accordance with paragraph (a) of this subclause. Additional steps shall be determined in accordance with paragraph (a) of this subclause.
- (c) An employee under the age of 21 years who is employed as a child care giver shall be paid a percentage of the rate applicable to an adult employee, taking into account the provisions for progression specified in paragraphs (a) and (b) of this subclause. The percentages of the adult rate shall be:

	% of adult rate
At or under 16 years of age	50
At 17 years of age	60
At 18 years of age	75
At 19 years of age	85
At 20 years of age	95
Thereafter the adult rate	

- (ca) An employee who is identified as an E Worker shall be a person who is required to exercise supervision of an infant or toddler area in accordance with the Community Services (Child Care) Regulations ("the Regulations") 1988. At the completion of twelve months satisfactory service that person shall be paid the Step II rate.
- (d) An employee at Step IA Qualified Child Care Giver shall be a person with no previous experience in the industry. At the completion of twelve months satisfactory performance that person shall be paid the Step II rate.
- (e) An employee at Step IB Qualified Child Care Giver shall be a person with previous experience in the industry. At the completion of twelve months satisfactory performance that person shall be paid the Step II rate.
- (f) A person who is appointed Assistant Director Grade One, Assistant Director Grade Two or Assistant Director Grade Three will be appointed in accordance with the relevant grades outlined in subclause (4) of Clause 27. - Classification Definitions and Skill Descriptors of this award, provided that an employer may appoint an Assistant Director to a higher grade.
- (g) Where an employee is appointed to act as the Director of a Centre for more than four days, they shall be paid for the whole of that period as Director according to their level of qualification.

(3) Pre-School Teachers:

(a)	Salary Level	\$(Per Annum)	\$A.S.N.A.	\$TOTAL WAGE	\$(Per Week)
	Step I	27105	6834	33939	650.60
	Step II	28644	6834	35478	680.10
	Step III	29975	6938	36913	707.60
	Step IV	31201	6938	38139	731.10
	Step V	32432	6938	39370	754.70
	Step VI	33971	6938	40909	784.20
	Step VII	35661	6833	42494	814.60
	Step VIII	37044	6833	43877	841.10
	Step IX	38171	6833	45004	862.70
	Step X	39710	6833	46543	892.20
	Step XI	41243	6833	48076	921.60

(4) Director: The definitions and gradings of this classification are contained in Clause 27. - Classification Definitions and Skill Descriptors of this award.

(a)		\$(Per Week)	\$A.S.N.A.	\$TOTAL WAGE
	Step I	591.50	133.00	724.50
	Step II	619.50	133.00	752.50
	Step III	642.10	133.00	775.10
	Step IV	672.60	131.00	803.60
	Step V	704.00	131.00	835.00
	Step VI	729.50	131.00	860.50
	Step VII	744.30	131.00	875.30
	Step VIII	782.60	131.00	913.60
	Step IX	811.00	131.00	942.00

- (b) A Director will be graded in accordance with paragraph (c) and (d) of this subclause.
- (c) Within the grades of Director the following categories of progression shall apply:
 - (i) Director Grade One (as defined in Clause 27 of this award):
 - a Director with two year or three year training, (as defined in paragraph (e) of this subclause): Enters Step I

- Exits Step IV
- a Director with four year training (as defined in paragraph (e) of this subclause):
Enters Step III
Exits Step VI
- (ii) Director Grade Two (as defined in Clause 27 of this award):
- a Director with two year or three year training, (as defined in paragraph (e) of this subclause):
Enters Step III
Exits Step VI
- a Director with four year training (as defined in paragraph (e) of this subclause):
Enters Step V
Exits Step VIII
- (iii) Director Grade Three (as defined in Clause 27 of this award):
- a Director with two year or three year training (as defined in paragraph (e) of this subclause):
Enters Step V
Exits Step VIII
- a Director with four year training (as defined in paragraph (e) of this subclause):
Enters Step VII
Exits Step IX
- (d) In addition to the grading, level of training and experience relevant to determining the appropriate rate of pay for a Director an employer may advance a Director beyond the steps/increments provided for, taking into account such factors as:
- (i) number of sites supervised, size of centre(s), including number of places centre(s) licensed to cover and/or total number of children taken into care; and/or
 - (ii) hours of operation of the centre; and/or
 - (iii) other factors relevant to the exercise of increased skills and responsibilities by the Director.
- (e) "Two year, three year and four year trained" refers to a tertiary or post secondary qualification which is relevant to the position of Director. Where there is a dispute as to whether a qualification is relevant to the position of Director it shall be determined by the Western Australian Industrial Relations Commission.
- (f) Except as provided in paragraph (d) of this subclause progression from step to step for Director will be contingent upon:
- (i) 12 months' service at each step; and
 - (ii) satisfactory performance at each step.
- (5) On ceasing employment with an employer, the employee shall be given a written statement of their current Level or Grade and Step if appropriate and the date of commencement at that Level or Grade and Step to be passed on to the next employer.
- (6) It is a condition that no employee shall suffer a reduction in wages by reasons of the coming into operation of any order of the Western Australian Industrial Relations Commission in the implementation of the minimum rates adjustments.
- (7) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments
- (8) Wage relativities in the Award have been established in accordance with the September 1989 State Wage Case Decision ([1989] 69 WAIG 2917) and the establishment of a Key Minimum Classification Rate for the Qualified Child Care Giver (73 WAIG 101).

2006 WAIRC 04854

CLEANERS AND CARETAKERS (CAR AND CARAVAN PARKS) AWARD 1975 NO. 5 OF 1975

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

24. - WAGES

The minimum rate of wage payable under this award shall be as follows:

		Base Rate	Arbitrated Safety Net Adjustments	Award Rate
		\$	\$	\$
(1)	(a)	Adult Employees		
		357.20	179.00	536.20
		340.60	179.00	519.60
		338.30	179.00	517.30
		336.10	179.00	515.10
	(b)	The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.		
(2)	Junior Workers: Junior workers shall be paid the prescribed percentage of the adult rate for the class of work on which they are engaged:			
		%		
		Under 17 years of age		
		50		
		At 17 years and under 18 years of age		
		60		
		At 18 years and under 19 years of age		
		70		
		At 19 years and under 20 years of age		
		80		
		At 20 years and under 21 years of age		
		90		
(3)	Casual Workers: A casual worker shall be paid 20 per cent of the ordinary rate in addition to the ordinary rate for the calling in which he or she is employed.			
(4)	Leading Hands: Any employee in charge of other employees shall be paid in addition to the appropriate wage prescribed, the following:			
				Per Week\$
	(a)	if placed in charge of not less than three and not more than six other employees		12.05
	(b)	if placed in charge of more than six and not more than ten other employees		21.45

	Per Week\$
(c) if placed in charge of more than 10 and not more than 15 other employees	26.80
(d) if placed in charge of more than 15 and not more than 20 other employees	32.55
(e) if placed in charge of more than 20 other employees	41.80

2006 WAIRC 04855**CLEANERS AND CARETAKERS (GOVERNMENT) AWARD, 1975 NO. 32 OF 1975****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

17. - WAGES**PART A ALL EMPLOYEES EXCEPT THOSE EMPLOYED BY THE MINISTRY OF EDUCATION**

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be as follows:

	BaseRate\$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage\$
Level One			
Comprehends the following classes of work			
Kitchen Hand (Agricola College)			
1st year of employment	356.90	179.00	535.90
2nd year of employment	361.30	179.00	540.30

	BaseRate\$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage\$
Level One— <i>continued</i>			
Comprehends the following classes of work			
3rd year of employment	365.10	179.00	544.10
Attendant			
Cleaner			
Gatekeeper (Robbs Jetty)			
1st year of employment	370.10	179.00	549.10
2nd year of employment	374.10	179.00	553.10
3rd year of employment and thereafter	378.30	179.00	557.30
Level Two			
Comprehends the following classes of work			
Home Economic Assistant			
Car Park Attendant			
Window Cleaner			
1st year of employment	377.30	179.00	556.30
2nd year of employment	381.30	179.00	560.30
3rd year of employment and thereafter	385.10	179.00	564.10
Level Three			
Comprehends the following classes of work			
Caretaker			
Estate Attendant (Homeswest) Grade 1			
1st year of employment	388.10	179.00	567.10
2nd year of employment	391.90	179.00	570.90
3rd year of employment and thereafter	395.80	179.00	574.80
Level Four			
Comprehends the following classes of work			
Estate Attendant (Homeswest) Grade 2			
1st year of employment	399.60	179.00	578.60
2nd year of employment	403.40	179.00	582.40
3rd year of employment and thereafter	407.30	179.00	586.30
Level Five			
Comprehends the following classes of work			
Janitor			
Security Officer			
1st year of employment	404.10	179.00	583.10
2nd year of employment	408.10	179.00	587.10
3rd year of employment and thereafter	412.10	179.00	591.10
Office Attendant (Homeswest)			
1st year of employment	395.70	179.00	574.70
2nd year of employment	403.50	179.00	582.50
3rd year of employment and thereafter	413.70	179.00	592.70
Level Six			
Comprehends the following classes of work			
Court Usher			
Second Cook (Agricola College)			
1st year of employment	417.80	181.00	598.80
2nd year of employment	423.00	181.00	604.00
3rd year of employment and thereafter	427.20	181.00	608.20
Level Seven			
Comprehends the following classes of work			
Estate Attendant (Homeswest) Grade 3			
Foreperson (BMA)			
1st year of employment	430.40	181.00	611.40
2nd year of employment	434.30	181.00	615.30
3rd year of employment and thereafter	438.40	181.00	619.40

	BaseRate\$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage\$
Level Seven— <i>continued</i>			
Comprehends the following classes of work			
First Cook (Agricola College)			
1st year of employment	439.90	181.00	620.90
2nd year of employment	444.70	181.00	625.70
3rd year of employment and thereafter	448.30	181.00	629.30
(2) Supervision Allowance			
Employees other than Forepersons and Estate Attendants Homeswest (Grade 2 and 3) placed in charge of others shall be paid the following weekly allowance in addition to the rate prescribed for his/her class of work:			
	\$		
1 to 5 employees	7.11		
6 to 10 employees	12.65		
11 to 15 employees	15.81		
16 to 20 employees	21.82		
Over 20 (for each additional employee)	0.24		

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) Casual employees shall be paid 20% in addition to the rates payable under this award.

PART B - ALL EMPLOYEES EMPLOYED

BY THE MINISTRY OF EDUCATION

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be as follows:

	BaseRate\$	ArbitratedSafety NetAdjustments \$	MinimumAward Wage\$
Level One			
Comprehends the following classes of work			
Cleaner for initial 12 months of employment	370.10	179.00	549.10
Level Two			
Comprehends the following classes of work			
Cleaner			
1st year of employment	374.10	179.00	553.10
2nd year of employment	377.40	179.00	556.40
3rd year of employment and thereafter	380.60	179.00	559.60
Level Three			
Comprehends the following classes of work			
Cleaner in Charge (of one to six employees inclusive)			
Home Economics Assistant			
1st year of employment	381.00	179.00	560.00
2nd year of employment	385.00	179.00	564.00
3rd year of employment and thereafter	389.20	179.00	568.20
Level Four			
Comprehends the following classes of work			
Cleaner in Charge (of seven to ten employees inclusive)			
Caretaker of Schools (employing seven to ten employees inclusive)			
1st year of employment	390.20	179.00	569.20
2nd year of employment	393.80	179.00	572.80
3rd year of employment and thereafter	398.00	179.00	577.00

	BaseRate\$	ArbitratedSafety NetAdjustments \$	MinimumAward Wage\$
Level Five			
Comprehends the following classes of work			
Cleaner in charge (of eleven or more employees)			
Caretaker of Schools (employing eleven or more employees)			
1st year of employment	402.20	179.00	581.20
2nd year of employment	406.00	179.00	585.00
3rd year of employment and thereafter	409.90	179.00	588.90

Level Six

Comprehends the following classes of work

Cleaner in Charge of TAFE Campuses:

- Balga;
- Bentley Day;
- Bentley Night;
- Carlisle;
- Fremantle;
- Grosvenor Street Day;
- Geraldton;
- Great Southern;
- Leederville;
- Midland;
- Mount Lawley;
- Perth Aberdeen Street Day;
- Perth Aberdeen Street Night;
- Main Art Department Aberdeen Street;
- South West;
- Wembley

Foreperson (Cleaning)

1st year of employment	433.30	181.00	614.30
2nd year of employment	438.60	181.00	619.60
3rd year of employment and thereafter	442.90	181.00	623.90

- (2) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) A casual employee shall receive 20% of the ordinary rate in addition to the ordinary rates prescribed herein for their class of work.

2006 WAIRC 04856**CLEANERS AND CARETAKERS AWARD, 1969 NO. 12 OF 1969****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6) (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.

- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

22. - WAGES

- (1) The minimum total rate of wage payable under this award shall be as follows:

	BaseRate\$	ArbitratedSafety NetAdjustments\$	AwardRate\$
(a) Adult Employees:			
Cleaner	340.60	179.00	519.60
Caretaker	357.20	179.00	536.20
Watchman	338.30	179.00	517.30
Watchman (Mobile)	354.20	179.00	533.20
Watchman/Cleaner	339.40	179.00	518.40
Window Cleaner	346.10	179.00	525.10
Lift Attendant	336.10	179.00	515.10
Attendant	331.70	179.00	510.70
Female Lavatory Attendant	338.80	179.00	517.80

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
 Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (c) **Junior Employees:**
 Junior employees shall be paid the prescribed percentage of the adult rates for the class of work on which they are engaged.
- | | % |
|-----------------------|----|
| Under 16 years of age | 40 |
| 16 to 17 years of age | 50 |
| 17 to 18 years of age | 60 |
| 18 to 19 years of age | 70 |
| 19 to 20 years of age | 80 |
| 20 to 21 years of age | 90 |
- (2) **Casual Workers:** A casual worker shall be paid 20 percent of the ordinary rate in addition to the ordinary rate for the calling in which he or she is employed with a minimum engagement of two hours to be worked in a continuous shift.
- (3) **Leading Hands:** Any employee in charge of other employees shall be paid in addition to the appropriate wage prescribed, the following:

- | | | |
|-----|--|-------|
| | | \$ |
| (a) | if placed in charge of not less than three and not more than six other employees | 12.05 |
| (b) | if placed in charge of not less than six and not more than ten other employees | 21.45 |
| (c) | if placed in charge of not less than ten and not more than 15 other employees | 26.80 |
| (d) | if placed in charge of not less than 15 and not more than 20 other employees | 32.55 |
| (e) | if placed in charge of more than 20 other employees | 41.95 |
- (4) The hourly rate shall be calculated by dividing the weekly rate herein expressed by 38.

2006 WAIRC 04857

CLERKS (UNIONS AND LABOR MOVEMENT) AWARD 2004 NO. A 10 OF 1996

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

13. - CLASSIFICATIONS AND WAGE RATES

- (1) **Grading structure**
- (a) **Advising employees of grading**
- (i) All employees covered by this award shall be graded according to the grading structure set out in this clause. Employers shall advise in writing their employees on engagement of their grading and of any changes to their grading.
- (ii) Employees shall be graded at this level where the principal functions of their employment, as determined by the employer, require the exercise of any one or more of the skill levels set out in the Grade descriptors.
- (iii) This classification structure will not be used to assess the award wage rate of any person who is a proprietor, director, or manager of a company, business or undertaking, or any person to whom has been delegated the right to engage and terminate the employment of other employees.

- (iv) Employees may be required to train other employees in the skills of their own grade, or grades below their own, by means of personal instruction and demonstration.
- (b) Employees disputing grading
- (i) An employee can dispute any grading or new grading made in accordance with subclause (1) hereof by advising the employer in writing.
- (ii) If this dispute cannot be resolved by the employer and employee in a reasonable time it will be dealt with in accordance with the dispute resolution procedure in this award.
- (2) Classifications and wage rates
- (a) Grade 1 clerical assistant
Adults Weekly award rate
- | | |
|--|----------|
| First year of experience at this grade | \$537.80 |
| Second year of experience at this grade | \$551.60 |
| Third year of such experience and thereafter | \$563.20 |
- (i) Employees in this grade perform and are accountable for clerical and office tasks as directed within the skill levels set out. They work within established routines, methods and procedures. Supervision is routine or direct.
- (ii) Machine operation - skill level 1
Operate telephone/intercom systems (eg Commander type), telephone answering machines, facsimile machines, photocopiers, franking machines, guillotines, calculator and adding machines, paging system, typewriter and telex machines.
- (iii) Computer - Skill Level 1
Use knowledge of keyboard and basic menu-driven options and function keys to enter, retrieve and print data; use printer. Use of safe and correct opening and closing down procedures.
- (iv) Information handling skills - skill level 1
Receive, sort, open, distribute incoming mail, process outgoing mail, receive incoming and dispatch outgoing courier mail, deliver messages and documents to appropriate persons/locations; Work with established filing/records system in accordance with set procedures including creating and indexing new files, distributing files/publications within the organisation as requested; monitoring file locations. Prepare and collate documents, take telephone messages; Transcribe information into records, sort and file documents/records accurately in correct locations/sequence using an established filing system.
- (v) Enterprise/industry, specialist skills - skill level 1
Acquire and apply a limited knowledge of office procedures and requirements. Relay internal information.
- (vi) Business/Financial - skills level 1
Sort, process and record original source financial documents (e.g. invoices, cheques, correspondence) on a daily basis.
- (b) Grade 2 clerical officer
Adults Weekly award rates
- | | |
|---|----------|
| First year of experience at this grade | \$573.70 |
| Second year of experience at this grade | \$577.80 |
| Third year of experience at this grade and thereafter | \$583.70 |
- (i) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 1. They are responsible and accountable for their own work, which is performed within established routines, methods and procedures. Supervision is general.
- (ii) Technical Skills
Machine Operation - skill level 2
Operate switchboard (PABX system).
Keyboard Typing - skill level 1
Produce documents using standard formats at 25 wpm with 98% accuracy.
Computer - skill level 2
Manipulate previously created data bases, spreadsheets/worksheets; calculate alphanumerical and related information to perform routine tasks and generate simple reports.
Word Processing - skill level 1
Produce simple and routine documents using keyboard skills within designated timeframes.
- (iii) Information handling skills - skill level 2
Maintain mail register and records. Use and maintain established filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested, monitoring file locations.
- (iv) Enterprise/industry, specialist skills - skill level 2
Acquire and apply a working knowledge of office or sectional operating procedures and requirements. Interpret and action information supplied. Acquire and apply a working knowledge of the organisation's structure and personnel in order to deal with inquiries at first

instance, locate appropriate staff in different sections, relay internal information, respond to or redirect inquiries, greet visitors.

(v) Business/financial skills - skill level 1

Assist in the maintenance of financial records and journals, including checks and authorisation. Maintain and record petty cash, prepare bank deposits and withdrawals banking; Check time and wage records.

(c) Grade 3 clerical officer

Adults Weekly award rates

First year of experience at this grade	\$591.20
Second year of experience at this grade	\$598.20

(i) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 2. They are responsible and accountable for their own work, which is performed within established guidelines, they exercise limited discretion within the range of their skill and knowledge. Supervision is limited. Employees holding a Certificate of Office & Secretarial Studies (TAFE) or accredited equivalent and who are required to use skills and perform tasks within the range of skills in Grade 3 shall be graded at Grade 3 or above.

(ii) Technical Skills

Machine Operation - skill level 3

Operate computerised radio telephone equipment, dictaphone equipment or other equipment of equal complexity.

Computer - skill level 3

Use one or more software application package(s) to operate and populate a database, spreadsheet/ worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities. Following standard procedures to template for the preceding functions using existing models/fields of information. Create, maintain and generate simple reports.

Keyboard Typing - skill level 2

Accurately produce documents and correspondence using knowledge of standard formats, touch type, audio type within established procedures. Copy type at 40 wpm with 98% accuracy.

Word Processing - skill level 2

Use one or more software packages to create format, edit, proof read, spell check, print and save text documents, e.g. standard correspondence and business documents. Apply additional functions such as search and replace, variable fonts, moving and merging across documents and simple maths.

(iii) Secretarial - skill level 1

Take shorthand notes at 80 wpm and transcribe with 98% accuracy. Arrange travel bookings and itineraries, make appointments.

(iv) Enterprise/industry, specialist skills - skill level 3

Apply a working knowledge of the organisation's products/services, functions, locations and clients. Respond to and act upon most internal/external inquiries in own function area.

(v) Information handling skills - skill level 3

Oversee record management systems including review and analysis.

(vi) Business/financial skills - skill level 2

Maintain financial records and journals, maintain payroll records; prepare accounts payable for payment.

(d) Grade 4 clerical officer

Adults Weekly award rate \$626.00

(i) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 3. They are responsible and accountable for their own work, and exercise discretion and initiative in the organisation of work within prescribed limits. Supervision is limited.

(ii) Keyboard typing - skill level 3

Format complex documents including technical data, technical language, tables, graphs, text design, indexing, variable type face; produce documents requiring specified form or to comply with regulations or standards.

(iii) Computer - skill level 3

Apply knowledge of intermediate functions to manipulate data, i.e. modify fields of information, develop new basic databases or spreadsheet models; spreadsheet, perform reconciliation.

(iv) Word processing - skill level 2

Use one or more software packages to apply advanced functions such as text columns, money columns, tables, e.g. to produce financial statements, printed forms, sorting, boxes, create displays of charts or graphs in report format, select style sheets appropriate to final presentation.

- (v) Secretarial - skill level 2
Take shorthand notes at 100 words per minute and transcribe at 95% accuracy; manage executive appointments; respond to invitations; organise internal meetings on behalf of executive; establish and maintain reference lists/personal contact systems for executives.
 - (vi) Enterprise/industry, specialist skills - skill level 4
Provide detailed advice and information on the organisation's products and services; respond to client/public/supplier and internal organisation inquiries, within own function area, using such techniques as personal interview and liaison; explain organisation's viewpoint to clients and appropriate persons; using knowledge of internal/external regulatory requirements related to own function area. Acquire and use specialist vocabulary, i.e. technical/medical/legal within the scope of this grade.
 - (vii) Information handling skills - skill level 4
Create new forms of files and records as required using computer-based records systems; e.g. customer/client/supplier and subscription lists. Access, identify, and extract information as required from external sources, e.g. databases, libraries, local authorities.
 - (viii) Business/financial skills - skill level 3
Prepare cash payment summaries and banking reports; apply purchasing and inventory control requirements; reconcile debtors, creditors and general ledger accounts to balance; follow-up unpaid accounts by telephone liaison/interview, prepare documentation on overdue accounts for senior officers or referral to debt recovery processes; calculate wage and salary requirements including tax, superannuation and other deductions and transfer payments for authorisation; calculate stock valuations; prepare bank reconciliation; calculate costing using established formulae for all inputs and margins.
 - (ix) Supervisory - skill level 1
Allocate work tasks to individuals, check work progress and correct errors.
- (e) Grade 5 administrative officer
Adult Weekly award rate \$659.00
- (i) Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 4. They are responsible and accountable for their own work, and may have limited responsibility for the work of others. They exercise initiative, discretion and judgment within the range of their skills and knowledge. Supervision is minimal.
 - (ii) Computer - skill level 4
Use a variety of application software packages within a micro/personal computer network including importing data from one package to another. Evaluate usefulness or applicability of software programs (using existing software programs) and recommend preferred solutions to meet new or different application requirements. Use advanced spreadsheet functions (e.g. Macro functions etc) to enhance operation of the spreadsheet. Use a central computer resource to an equivalent standard.
 - (iii) Word processing - skill level 3
Use all preceding word processing functions and integrate word processing software with other application software packages to produce complex text and data documents. Apply knowledge of desktop publishing to integrate complex documents. Apply advanced functions including Macros, moving columns for complex formatting of documents such as multi-column reports and presentations, including booklets. Apply complex maths functions.
 - (iv) Secretarial - skill level 3
Take shorthand notes at 120 words per minute and transcribe at 95% accuracy; attend executive/organisational meetings and take minutes; answer executive correspondence from verbal or rough hand-written instructions; organise teleconferences.
 - (v) Enterprise industry, specialist skills - skill level 5
Apply detailed knowledge of the industry in which the organisation operates to complex issues/arrangements in such areas as consumer/client services, special products/service knowledge, and respond within established internal/external regulatory parameters and policies. Indicative Specialist Skills Include; apply detailed knowledge of customs law and regulations to overseas sales and ordering. Apply detailed knowledge of inventory/stock requirements to obtain competitive quotations and initiate purchasing. Apply detailed knowledge of internal/external regulatory parameters and policies relating to industrial employment law, occupational health and safety, workers compensation claims procedures, superannuation requirements.
 - (vi) Information handling skills - skill level 5
Develop, plan and implement new paper based/manual filing records systems for the enterprise; assist in separate undertaking research (locate/solicit, summarise/extract and interpret information) related to function areas.
 - (vii) Business/financial skills - skill level 4
Post transactions to ledger and prepare a trial balance; prepare end of the period adjustments and transfers using general journal; prepare financial/tax schedules for periodic tax requirements such as payroll, sales and group tax returns; reconcile general ledger accounts; determine costing by calculating input costs and margins. Apply detailed knowledge of organisations credit terms to new accounts and to following up significant debtors, prepare periodic debtor statements.

- (viii) Supervisory - skill level 2
Resolve operational problems for staff in lower grades, co-ordinate work flow within a section or unit, and counsel and advise staff who are under routine supervision.
- (f) Grade 6 administrative officer
Adults Weekly award rates \$699.00
- (i) Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 5. They are responsible and accountable for their own work, and may have responsibility for the work of a section or unit. They exercise initiative, discretion and judgment within the range of their skills and knowledge. Supervision is by means of reporting to more senior staff as required.
- (ii) Computer - skill level 5
Operating/co-coordinating a group of computers such as a small multi-user system or a large group of personal computers which may include operating a help desk, running and monitoring batch jobs and performing regular back-ups and restores.
- (iii) Enterprise/industry, specialist skills - skill level 6
Apply knowledge of the organisation's objectives and performance, and apply specialist knowledge, in areas such as projected growth, product trends and general industry conditions, examples include: knowledge of competitors and major clients market structure in the performance of own responsibilities; import/export activities. Indicative Specialist Skills Include; Use knowledge of basic statistics to interpret data from spreadsheets, statistical tables, graphs and frequency tables in the performance of own responsibilities. Administration of workers compensation claims, insurance and disputed claims.
- (iv) Supervisory - skill level 3
Plan and organise work priorities of a unit or section; re-schedule workloads as necessary and resolve operational problems for unit or section; monitor work quality of those supervised; use observations, diagnosis and intervention skills to ensure unit/section meets objectives; organise and chair necessary work meetings/conferences; assist in planning future sectional/office organisational resources and equipment needs.
- (v) Business/financial skills - skill level 5
Administer individual salary packages, travel expenses, allowances and company transport. Administer specialist salary and payroll requirements, e.g. Eligible Termination Payments, Superannuation Trust Deed Requirements, Redundancy Calculations, Maintenance Support Schemes, etc.
- (vi) Secretarial - skill level 4
As well as having shorthand skills of Skill Level 3, arrange conferences and external meetings, including venues, agendas, documentation, audio-visual requirements, catering, transport and accommodation; originate executive correspondence; assist executive in preparing, attending and following up appointments, interviews, meetings, etc; assume responsibility for Designated areas of executive's work, on delegated authority.
- (3) Supervision
Employees are subject to five defined levels of supervision which can be generally categorised as follows:
Direct - the employee receives detailed instructions on work to be performed and is subject to frequent personal progress checks.
Routine - the employee receives broad instructions on work to be performed except when new or unusual features require more specific instructions. Work in progress is checked intermittently while all work is checked on completion.
General - the employee receives specific instructions only when new procedures or tasks are involved. Work is checked on completion.
Limited - the employee is subject to work checks which are generally confined to establishing that satisfactory progress is being made. Work is reviewed on completion.
Minimal - the employee is subject to final review/report back on work and may receive assistance with specific problems.
NB. Supervision is not a criterion for determining classification levels but should be used as a guide in determining the overall level of responsibility and autonomy expected of the principal functions of the job.

2006 WAIRC 04859

**CLERKS (COMMERCIAL RADIO AND TELEVISION BROADCASTERS) AWARD OF 1970
NO. 14C OF 1968**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this Award.
- (2) **Adult Employees (rate per week):**
- (a)
- | | Base RatePer
Week\$ | Arbitrated
SafetyNet
AdjustmentPer
Week\$ | Total Rate\$ Per
Week\$ |
|-----------------------------|------------------------|--|----------------------------|
| At 21 years of age | 361.10 | 179.00 | 540.10 |
| At 22 years of age | 365.30 | 179.00 | 544.30 |
| At 23 years of age | 369.10 | 179.00 | 548.10 |
| At 24 years of age | 373.00 | 179.00 | 552.00 |
| At 25 years of age and over | 377.40 | 179.00 | 556.40 |
- (b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$4.10 per week in addition to the rates set out in paragraph (a) of this subclause.
- (c)
- | | Base RatePer
Week\$ | Arbitrated
AdjustmentPer
Week\$ | SafetyNet
Per Week\$ | Total Rate\$
Per Week\$ |
|---|------------------------|---------------------------------------|-------------------------|----------------------------|
| Senior Clerks (Classified as such or in default of agreement by the Board of Reference) | 383.20 | 179.00 | | 562.20 |
- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (3) **Junior Employees:**
- (a) Percentage of the rate for an adult employee at 21 years of age per week -

	%
At 15 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
(b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -	
At 17 years of age	0.70
At 18 years of age	1.00
At 19 years of age	2.60
At 20 years of age	3.40

2006 WAIRC 04860**CLERKS (COMMERCIAL, SOCIAL AND PROFESSIONAL SERVICES) AWARD NO. 14 OF 1972****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

11. - CLASSIFICATIONS AND WAGE RATES11.1 Grading structure

11.1.1 Grading of Employees

- 11.1.1 (a) All employees covered by this award shall be graded according to the grading structure set out in this clause. Employers shall advise their employees in writing of their grading and of any changes to their grading.
- 11.1.1 (b) Employees shall be graded at this level where the principal functions of their employment, as determined by the employer, require the exercise of any one or more of the skill levels set out in the Grade descriptors.
- 11.1.1 (c) This classification structure will not be used to assess the award wage rate of any person who is a proprietor, director, or manager of a company, business or undertaking, or any person to whom has been delegated the right to engage and terminate the employment of other employees.
- 11.1.1 (d) Employees may be required to train other employees in the skills of their own grade, or grades below their own, by means of personal instruction and demonstration.
- 11.1.2 Employees disputing grading
- 11.1.2 (a) An employee can dispute any grading or new grading made in accordance with 11.1 hereof by advising the employer in writing.
- 11.1.2 (b) If this dispute cannot be resolve by the employer and employee in a reasonable time it will be dealt with in accordance with the dispute resolution procedure in this award.

11.2 Classifications and wage rates

11.2.1 Grade 1 clerical assistant

Adults	Weekly award rate
	\$
First year of experience at this grade	537.80
Second year of experience at this grade	551.60
Third year of such experience and thereafter	563.20

- 11.2.1 (a) Employees in this grade perform and are accountable for clerical and office tasks as directed within the skill levels set out. They work within established routines, methods and procedures. Supervision is routine or direct.
- 11.2.1 (b) Machine operation - skill level 1
Operate telephone/intercom systems (eg Commander type), telephone answering machines, facsimile machines, photocopiers, franking machines, guillotines, calculator and adding machines, paging system, typewriter and telex machines.
- 11.2.1 (c) Computer - Skill Level 1
Use knowledge of keyboard and basic menu-driven options and function keys to enter, retrieve and print data; use printer.
Use of safe and correct opening and closing down procedures.
- 11.2.1 (d) Information handling skills - skill level 1
Receive, sort, open, distribute incoming mail, process outgoing mail, receive incoming and despatch outgoing courier mail, deliver messages and documents to appropriate persons/locations;
Work with established filing/records system in accordance with set procedures including creating and indexing new files, distributing files/publications within the organisation as requested; monitoring file locations.
Prepare and collate documents, take telephone messages;
Transcribe information into records, sort and file documents/records accurately in correct locations/sequence using an established filing system.
- 11.2.1 (e) Enterprise/industry, specialist skills - skill level 1
Acquire and apply a limited knowledge of office procedures and requirements.
Relay internal information.
- 11.2.1 (f) Business/Financial - skills level 1
Sort, process and record original source financial documents (e.g. invoices, cheques, correspondence) on a daily basis.

11.2.2 Grade 2 clerical officer

Adults	Weekly award rates
	\$
First year of experience at this grade	573.70
Second year of experience at this grade	577.80
Third year of experience at this grade and thereafter	583.70

- 11.2.2 (a) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 1. They are responsible and accountable for their own work, which is performed within established routines, methods and procedures.
Supervision is general.

- 11.2.2 (b) **Technical Skills**
 Machine Operation - skill level 2
 Operate switchboard (PABX system)
 Keyboard Typing - skill level 1
 Produce documents using standard formats at 25 wpm with 98% accuracy.
 Computer- skill level 2
 Manipulate previously created data bases, spreadsheets/worksheets; calculate alpha-numerical and related information to perform routine tasks and generate simple reports.
 Word Processing - skill level 1
 Produce simple and routine documents using keyboard skills within designated timeframes.
- 11.2.2 (c) **Information handling skills - skill level 2**
 Maintain mail register and records. Use and maintain established filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested, monitoring file locations;
- 11.2.2 (d) **Enterprise/industry, specialist skills - skill level 2**
 Acquire and apply a working knowledge of office or sectional operating procedures and requirements.
 Interpret and action information supplied.
 Acquire and apply a working knowledge of the organisation's structure and personnel in order to deal with inquiries at first instance, locate appropriate staff in different sections, relay internal information, respond to or redirect inquiries, greet visitors.
- 11.2.2 (e) **Business/financial skills - skill level 1**
 Assist in the maintenance of financial records and journals, including checks and authorisation. Maintain and record petty cash, prepare bank deposits and withdrawals banking; Check time and wage records.

11.2.3 Grade 3 clerical officer

Adults

Weekly award rates

\$

First year of experience at this grade	591.20
Second year of experience at this grade	598.20

- 11.2.3 (a) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 2.
 They are responsible and accountable for their own work, which is performed within established guidelines, they exercise limited discretion within the range of their skill and knowledge. Supervision is limited.
 Employees holding a Certificate of Office & Secretarial Studies (TAFE) or accredited equivalent and who are required to use skills and perform tasks within the range of skills in Grade 3 shall be graded at Grade 3 or above.
- 11.2.3 (b) **Technical Skills**
 Machine Operation - skill level 3
 Operate computerised radio telephone equipment, dictaphone equipment or other equipment of equal complexity.
 Computer - skill level 3
 Use one or more software application package(s) to operate and populate a database, spreadsheet/ worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities.
 Following standard procedures to template for the preceding functions using existing models/fields of information.
 Create, maintain and generate simple reports.
 Keyboard Typing - skill level 2
 Accurately produce documents and correspondence using knowledge of standard formats, touch type, audio type within established procedures.
 Copy type at 40 wpm with 98% accuracy.
 Word Processing - skill level 2
 Use one or more software packages to create format, edit, proof read, spell check, print and save text documents, e.g. standard correspondence and business documents.
 Apply additional functions such as search and replace, variable fonts, moving and merging across documents and simple maths.
- 11.2.3 (c) **Secretarial - skill level 1**
 Take shorthand notes at 80 wpm and transcribe with 98% accuracy. Arrange travel bookings and itineraries, make appointments.
- 11.2.3 (d) **Enterprise/industry, specialist skills - skill level 3**
 Apply a working knowledge of the organisation's products/services, functions, locations and clients. Respond to and act upon most internal/external inquiries in own function area.
- 11.2.3 (e) **Information handling skills - skill level 3**
 Oversee record management systems including review and analysis.

11.2.3	(f)	Business/financial skills - skill level 2 Maintain financial records and journals, maintain payroll records; prepare accounts payable for payment.
11.2.4	<u>Grade 4 clerical officer</u>	
	Adults	Weekly award rate
		\$
		626.00
11.2.4	(a)	Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 3. They are responsible and accountable for their own work, and exercise discretion and initiative in the organisation of work within prescribed limits. Supervision is limited.
11.2.4	(b)	Keyboard typing - skill level 3 Format complex documents including technical data, technical language, tables, graphs, text design, indexing, variable type face; produce documents requiring specified form or to comply with regulations or standards.
11.2.4	(c)	Computer - skill level 3 Apply knowledge of intermediate functions to manipulate data, i.e. modify fields of information, develop new basic databases or spreadsheet models; spreadsheet, perform reconciliation.
11.2.4	(d)	Word processing - skill level 2 Use one or more software packages to apply advanced functions such as text columns, money columns, tables, e.g. to produce financial statements, printed forms, sorting, boxes, create displays of charts or graphs in report format, select style sheets appropriate to final presentation.
11.2.4	(e)	Secretarial - skill level 2 Take shorthand notes at 100 words per minute and transcribe at 95% accuracy; manage executive appointments; respond to invitations; organise internal meetings on behalf of executive; establish and maintain reference lists/personal contact systems for executives.
11.2.4	(f)	Enterprise/industry, specialist skills - skill level 4 Provide detailed advice and information on the organisation's products and services; respond to client/public/supplier and internal organisation inquiries, within own function area, using such techniques as personal interview and liaison; explain organisation's viewpoint to clients and appropriate persons; using knowledge of internal/external regulatory requirements related to own function area. Acquire and use specialist vocabulary, i.e. technical/medical/legal within the scope of this grade.
11.2.4	(g)	Information handling skills - skill level 4 Create new forms of files and records as required using computer-based records systems; e.g. customer/client/supplier and subscription lists. Access, identify, and extract information as required from external sources, e.g. databases, libraries, local authorities.
11.2.4	(h)	Business/financial skills - skill level 3 Prepare cash payment summaries and banking reports; apply purchasing and inventory control requirements; reconcile debtors, creditors and general ledger accounts to balance; follow-up unpaid accounts by telephone liaison/interview, prepare documentation on overdue accounts for senior officers or referral to debt recovery processes; calculate wage and salary requirements including tax, superannuation and other deductions and transfer payments for authorisation; calculate stock valuations; prepare bank reconciliation; calculate costing using established formulae for all inputs and margins.
11.2.4	(i)	Supervisory - skill level 1 Allocate work tasks to individuals, check work progress and correct errors.
11.2.5	<u>Grade 5 administrative officer</u>	
	Adult	Weekly award rate
		\$
		659.00
11.2.5	(a)	Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 4. They are responsible and accountable for their own work, and may have limited responsibility for the work of others. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is minimal.
11.2.5	(b)	Computer - skill level 4 Use a variety of application software packages within a micro/personal computer network including importing data from one package to another. Evaluate usefulness or applicability of software programs (using existing software programs) and recommend preferred solutions to meet new or different application requirements. Use advanced spreadsheet functions (e.g. Macro functions etc) to enhance operation of the spreadsheet. Use a central computer resource to an equivalent standard.
11.2.5	(c)	Word processing - skill level 3 Use all preceding word processing functions and integrate word processing software with other application software packages to produce complex text and data documents. Apply knowledge of desktop publishing to integrate complex documents. Apply advanced functions including Macros, moving columns for complex formatting of documents such as multi-column reports and presentations, including booklets. Apply complex maths functions.

- 11.2.5 (d) Secretarial - skill level 3
Take shorthand notes at 120 words per minute and transcribe at 95% accuracy; attend executive/organisational meetings and take minutes; answer executive correspondence from verbal or rough hand-written instructions; organise teleconferences.
- 11.2.5 (e) Enterprise industry, specialist skills - skill level 5
Apply detailed knowledge of the industry in which the organisation operates to complex issues/arrangements in such areas as consumer/client services, special products/service knowledge, and respond within established internal/external regulatory parameters and policies. Indicative Specialist Skills Include; apply detailed knowledge of customs law and regulations to overseas sales and ordering. Apply detailed knowledge of inventory/stock requirements to obtain competitive quotations and initiate purchasing. Apply detailed knowledge of internal/external regulatory parameters and policies relating to industrial employment law, occupational health and safety, workers compensation claims procedures, superannuation requirements.
- 11.2.5 (f) Information handling skills - skill level 5
Develop, plan and implement new paper based/manual filing records systems for the enterprise; assist in separate undertaking research (locate/solicit, summarise/extract and interpret information) related to function areas.
- 11.2.5 (g) Business/financial skills - skill level 4
Post transactions to ledger and prepare a trial balance; prepare end of the period adjustments and transfers using general journal; prepare financial/tax schedules for periodic tax requirements such as payroll, sales and group tax returns; reconcile general ledger accounts; determine costing by calculating input costs and margins.
Apply detailed knowledge of organisations credit terms to new accounts and to following up significant debtors, prepare periodic debtor statements.
- 11.2.5 (h) Supervisory - skill level 2
Resolve operational problems for staff in lower grades, co-ordinate work flow within a section or unit, and counsel and advise staff who are under routine supervision.

11.2.6 Grade 6 administrative officer

Adults

Weekly award rates

\$

699.00

- 11.2.6 (a) Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 5. They are responsible and accountable for their own work, and may have responsibility for the work of a section or unit. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is by means of reporting to more senior staff as required.
- 11.2.6 (b) Computer - skill level 5
Operating/co-ordinating a group of computers such as a small multi-user system or a large group of personal computers which may include operating a help desk, running and monitoring batch jobs and performing regular back-ups and restores.
- 11.2.6 (c) Enterprise/industry, specialist skills - skill level 6
Apply knowledge of the organisation's objectives and performance, and apply specialist knowledge, in areas such as projected growth, product trends and general industry conditions, examples include: knowledge of competitors and major clients market structure in the performance of own responsibilities; import/export activities. Indicative Specialist Skills Include; Use knowledge of basic statistics to interpret data from spreadsheets, statistical tables, graphs and frequency tables in the performance of own responsibilities. Administration of workers compensation claims, insurance and disputed claims.
- 11.2.6 (d) Supervisory - skill level 3
Plan and organise work priorities of a unit or section; re-schedule workloads as necessary and resolve operational problems for unit or section; monitor work quality of those supervised; use observations, diagnosis and intervention skills to ensure unit/section meets objectives; organise and chair necessary work meetings/conferences; assist in planning future sectional/office organisational resources and equipment needs.
- 11.2.6 (e) Business/financial skills - skill level 5
Administer individual salary packages, travel expenses, allowances and company transport. Administer specialist salary and payroll requirements, e.g. Eligible Termination Payments, Superannuation Trust Deed Requirements, Redundancy Calculations, Maintenance Support Schemes, etc.
- 11.2.6 (f) Secretarial - skill level 4
As well as having shorthand skills of Skill Level 3, arrange conferences and external meetings, including venues, agendas, documentation, audio-visual requirements, catering, transport and accommodation; originate executive correspondence; assist executive in preparing, attending and following up appointments, interviews, meetings, etc; assume responsibility for Designated areas of executive's work, on delegated authority.

11.3 Junior Employees

Base Rate (per week) expressed as a percentage of the rate prescribed for the relevant year of experience at the Grade in paragraph 11.1 hereof appropriate to the work performed by the junior employee -

	%
At 15 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

11.4 Supervision:

Employees are subject to five defined levels of supervision which can be generally categorised as follows:

Direct - the employee receives detailed instructions on work to be performed and is subject to frequent personal progress checks.

Routine - the employee receives broad instructions on work to be performed except when new or unusual features require more specific instructions. Work in progress is checked intermittently while all work is checked on completion.

General - the employee receives specific instructions only when new procedures or tasks are involved. Work is checked on completion.

Limited - the employee is subject to work checks which are generally confined to establishing that satisfactory progress is being made. Work is reviewed on completion.

Minimal - the employee is subject to final review/report back on work and may receive assistance with specific problems.

NB. Supervision is not a criteria for determining classification levels but should be used as a guide in determining the overall level of responsibility and autonomy expected of the principal functions of the job.

11.5 Implementation:

An employer shall grade clerical employees according to this clause no later than the first pay period on or after the 1st October 2004 and, if such grading entitles an employee to an increased weekly wage in accordance with this clause, such increase shall be implemented and paid in the following manner -

where the increase to an employee is 3% or less, such increase is to be paid from the beginning of the first pay period commencing on or after the 1st October 2004:

where the increase to an employee is more than 3%, but 6% or less, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005;

where the increase to an employee is more than 6%, but 9% or less, one third of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004, two thirds of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005, and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st April 2005;

where the increase due to an employee is greater than 9%, one quarter of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005, three quarters of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st April 2005 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1 July 2005.

SCHEDULE "D" – AUSTRALIAN RED CROSS BLOOD TRANSFUSION SERVICE, WESTERN AUSTRALIA AGREEMENT 1996

- (1) This Agreement shall operate from 1 April 1996 and remain in force for a period of 21 months to 31 December 1997.

1. – TITLE

This Agreement shall be known as the *Australian Red Cross Blood Transfusion Service, Western Australia Enterprise Agreement 1996* ("the Agreement").

2. – ARRANGEMENT

1. Title
2. Arrangement
3. Scope and Parties Bound to Agreement
4. Date and Term
5. Relationship to Award
6. Purpose of Agreement
7. Public Holidays
8. Compassionate Leave
9. Special Leave
10. Family Leave
11. Dispute Settlement Procedure
12. Wages

3. – SCOPE AND PARTIES BOUND TO AGREEMENT

This is an agreement between the Australian Red Cross Blood Transfusion Service, Western Australia ("BTS") and the Australian Municipal, Administrative, Clerical and Services Union of Employees, Western Australian Clerical and Administration Branch ("AMACSU") in relation to workers employed in clerical callings employed by the BTS covered by the Award detailed in Subclause (1) of Clause 5. – Relationship to Award, and eligible to be members of the AMACSU.

4. – DATE AND TERM

- (2) The parties undertake to commence negotiations to renew the terms of the Agreement three months prior to the expiration of the Agreement.

5. – RELATIONSHIP TO AWARD

- (1) This Agreement shall be read and interpreted in conjunction with the Clerks (Commercial, Social and Professional Services) Award No. 14 of 1972 (“the Award”) provided that where there is inconsistency between this Agreement and the Award, this Agreement shall take precedence to the extent of any inconsistency.

6. – PURPOSE OF AGREEMENT

- (1) The purpose of this Agreement is to enable the parties to develop and implement workplace arrangements that increase flexibility in the organisation and further improve productivity and efficiency at the enterprise through enhanced access to services and facilities by donors.
- (2) The Agreement provides salary increases that recognise and reward the contribution of staff in the achievement of past productivity improvements. It also provides for the adoption of different work practices as well as recognising future efficiencies to be delivered through the implementation of the Agreement.
- (3) The parties to this Agreement are committed to ensuring that the organisation and staff are best placed to meet present and future operational demands. This includes the requirements of the new Australian Red Cross Blood Transfusion Service planned to come into effect from 1 July 1997.

7. – PUBLIC HOLIDAYS

- (1) This clause operates in lieu of Subclause (1) of Clause 10. – Holidays, of the Award from 1 January 1997.
- (2) The following days or days observed in lieu thereof shall, subject to Clause 8. – Overtime of the Award and subject as hereinafter provided, be allowed as holidays without reduction from pay, namely New Year’s Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, State Foundation Day, Queen’s Birthday, Christmas Day and Boxing Day.

8. – COMPASSIONATE LEAVE

- (1) This clause operates in conjunction with Clause 31. – Compassionate Leave, of the Award.
- (2) Employees may access entitlements under this Clause upon the death of a spouse or defacto spouse, child or step-child, parent or parent in-law, brother, sister, grandparent or any other person who immediately before that person’s death lived with the employee as a member of the employee’s immediate family as defined in Clause 10. – Family Leave. The employee is entitled to bereavement leave of up to two days for each occasion required.
- (3) Employees may access annual leave and accrued long service leave for the purpose of bereavement in addition to the entitlement under Subclause (2) above.

9. – SPECIAL LEAVE

Leave without pay and/or single days of annual leave may be granted by the employer where an employee requests such special leave for urgent personal business.

10. – FAMILY LEAVE

- (1) This clause operates in conjunction with Clause 13. – Sick Leave, of the Award.
- (2) Use of Sick Leave
- (a) An employee with responsibilities in relation to either members of their immediate family or members of their household who need their care and support shall be entitled to use, in accordance with this subclause, any sick leave entitlement which accrues after the date of this order for absences to provide care and support for such persons when they are ill.
- (b) The employee shall, if required, establish by production of a medical certificate, statutory declaration, the illness of the person concerned.
- (c) The entitlement to use sick leave in accordance with this subclause is subject to:
- (i) the employee being responsible for the care of the person concerned; and
- (ii) the person concerned being either:
- (aa) a member of the employee’s immediate family; or
- (bb) a member of the employee’s household.
- (iii) the term “immediate family” includes:
- (aa) a spouse (including a former spouse, a de facto spouse and a former de facto spouse) of the employee. A de facto spouse, in relation to an employee, means a person of the opposite sex to the employee who lives with the employee as the husband or wife of that person on a bona fide domestic basis although not legally married to that employee; and
- (bb) a child or an adult child (including an adopted child, a step child or an ex nuptial child), parent, grandparent, grandchild or sibling of an employee or the spouse of the employee.
- (d) The 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 their relationship to the employee, the reasons to 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 by telephone of such absence at the first opportunity on the day of absence.
- (3) Unpaid Leave for Family Purpose
- An employee may elect, with the consent of the employer, to take unpaid leave for the purpose of providing care to a family member who is ill.
- (4) Annual Leave
- (a) Notwithstanding the provision of this clause, an employee may elect, with the consent of the employer, to take annual leave in single day periods proceeding five days in any calendar year at a time or times agreed between them.
- (b) An employer may agree to defer payment of the annual leave loading in respect of such leave, until at least 5 consecutive annual leave days are taken.

- (5) Make-up Time
An employee may elect, with the consent of their employer, to work "make-up time" under which the employee takes time off during ordinary hours, and works those hours at a later time, during the spread of ordinary hours provided in the Award.
- (6) Grievance Procedures
In the event of a dispute arising in connection with any part of this clause, such a dispute shall be processed in accordance with the dispute settling provisions of this agreement.

11. – DISPUTE SETTLEMENT PROCEDURE

Where a dispute concerning the operation of this Agreement arises, the following steps shall be taken:

- (1) **Step 1**
As soon as practicable after the issue or claim has arisen, it shall be considered jointly by the appropriate supervisor, the employee or employees concerned and where the employee(s) so request(s), the Australian Municipal, Administrative, Clerical and Services Union of Employees, WA Clerical and Administrative Branch workplace representative.
- (2) **Step 2**
If the dispute is not resolved the issue or claim shall be considered jointly by the appropriate senior representative of the employer, the employee or employees concerned and where the employee(s) so request(s), the union workplace representative who shall attempt to settle the dispute.
- (3) **Step 3**
If the dispute is not resolved the issue or claim shall be considered jointly by the employer, the employee or employees concerned and where the employee(s) so request(s), an official of the union who shall attempt to settle the dispute.
- (4) **Step 4**
If the dispute is not resolved it may then be referred to the Western Australian Industrial Relations Commission for assistance in resolving the dispute.

12. – WAGES

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this award who, for the purposes of this clause, shall be graded pursuant to the provisions of Clause 11A. – Classification Structure – Skill Descriptors of the Award.
- (2) **ADULT EMPLOYEES:** Total Rate Per Week
- | a) | \$ |
|--|--------|
| Grade 1 | |
| 1 st year of experience at this grade | 478.80 |
| 2 nd year of experience at this grade | 493.70 |
| 3 rd year of such experience and thereafter | 506.20 |
| Grade 2 | |
| 1 st year of experience at this grade | 517.60 |
| 2 nd year of experience at this grade | 522.00 |
| 3 rd year of such experience and thereafter | 528.40 |
| Grade 3 | |
| 1 st year of experience at this grade | 536.50 |
| 2 nd year of such experience and thereafter | 541.90 |
- (3) A further targeted minimum increase of 2% is available from October 1996, subject to successful conclusion of negotiations on further productivity and efficiency improvements. These negotiations may include but not be limited to:
- (a) provision of a 10 hour working day; and
- (b) provision of a 38 hours per week averaged over 28 days.
- Any agreement covered under this sub-clause will be processed through the Western Australian Industrial Relations Commission as an enterprise agreement pursuant to Clause 35. – Award Modernisation (Enterprise Agreements) of the Award.
- (4) The third \$8.00 Safety Net Adjustment shall be absorbed into the above wage rates.
- (5) The wage rates prescribed in this clause have resulted from enterprise bargaining and may be used to offset future award safety net adjustments in accordance with the relevant State Wage Principles.

2006 WAIRC 04861

CLERKS (TIMBER) AWARD NO. 61 OF 1947

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this award who, shall for the purposes of this clause, shall be graded pursuant to the provisions of Clause 10A. - Classification Structure - Skill Descriptor of this award.
- (2) **Base Rate (per week): \$**
 - (a) **Adult Employees**

Grade 1	
1st year of experience at this grade	314.10
2nd year of experience at this grade	326.10
3rd year of such experience and thereafter	336.30
Grade 2	
1st year of experience at this grade	345.50
2nd year of experience at this grade	349.10
3rd year of such experience and thereafter	354.20
Grade 3	
1st year of experience at this grade	360.80
2nd year of such experience and thereafter	365.20
 - (b) **Junior Employees**
 Base Rate (per week) expressed as a percentage of the base rate prescribed for the relevant year of experience at the Grade in paragraph (a) hereof appropriate to the work performed by the junior employee -

	%
At 15 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

(3) Supplementary Payments (per week):

(a) (i) Adult Employees

In addition to the Base Rate payable pursuant to the provisions of subclause (2) of this clause, an adult employee employed in a grade listed hereunder shall be paid per week the supplementary payment prescribed in this subparagraph.

	\$
Grade 1 1st year of experience at this grade	223.70
2nd year of experience at this grade	225.50
3rd year of such experience and thereafter	226.90
Grade 2 1st year of experience at this grade	228.20
2nd year of experience at this grade	228.70
3rd year of such experience and thereafter	229.50
Grade 3 1st year of experience at this grade	230.40
2nd year of experience at this grade	233.00

(ii) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(b) Junior Employees

A junior employee shall be paid per week a percentage of the supplementary payment prescribed for the relevant year of experience at the Grade appropriate to the work performed by the junior employee, being the percentage applicable to the age of the junior employee according to the percentage scale prescribed in subclause (2) of this clause.

(c) The amount payable to any employee pursuant to the provisions of this subclause -

(i) shall be for all purposes of this award;

(ii) shall be reduced by the amount of any payment being made to that employee in addition to the said rates otherwise than pursuant to the provisions of this clause, whether or not such payment is being made by virtue of any order, industrial agreement or other agreement or arrangement.

(d) The rate prescribed in this award for any grade of employee is not amended by this subclause and shall not, for the purpose of any other award, order, industrial agreement or other agreement, be deemed to have been so amended.

(4) Casual Employees

A casual clerk may be employed at an hourly rate for a lesser period than four weeks and shall be paid while so employed, twenty-five percent in addition to the Base Rate and Supplementary Payment prescribed by this award with a minimum engagement of four hours: Provided that, notwithstanding anything contained in this subclause, the basis and terms of employment of a casual clerk may be varied by agreement in writing between the employer and the Union.

(5) Part-time Employees

(a) A part-time employee shall be an employee engaged at an hourly rate for a lesser period per week than the hours usually worked in each establishment.

(b) Progression through the incremental levels of the appropriate grade in subclause (2) of this clause shall be strictly related proportionally in accordance with the number of hours worked, to the conditions prescribed in each establishment for full-time employees.

(c) Payment of annual leave and sick pay for part-time employees shall be strictly related proportionately in accordance with the number of hours worked, to the conditions prescribed in each establishment for full-time employees.

(6) Implementation

An employer shall grade clerical employees according to this clause and the provisions of Clause 10A. - Classification Structure - Skill Descriptors of this award no later than 19th September, 1993 and, if such grading entitles an employee to an increased weekly wage in accordance with this clause, such increase (i.e. being the amount due under this clause in excess of the actual rate which was paid immediately prior to the pay period commencing on or after 1st June, 1993) shall be implemented and paid in the following manner -

(a) where the increase to an employee is 3% or less, such increase is to be paid from the beginning of the first pay period commencing on or after the 1st day of June, 1993;

(b) where the increase to an employee is more than 3%, but 6% or less, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of June, 1993 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of September, 1993;

- (c) where the increase to an employee is more than 6%, but 9% or less, one third of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of June, 1993, two thirds of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of September, 1993, and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of December, 1993;
- (d) where the increase due to an employee is greater than 9%, one quarter of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of June, 1993, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of September, 1993, three quarters of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of December, 1993 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st day of March, 1994.

2006 WAIRC 04862

CLERKS' (ACCOUNTANTS' EMPLOYEES) AWARD 1984 NO. A 8 OF 1982

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

11. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this Award.
- (2) Adult Employees (rate per week):

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate \$ Per Week \$
At 21 years of age	361.40	179.00	540.40
At 22 years of age	365.60	179.00	544.60
At 23 years of age	369.30	179.00	548.30
At 24 years of age	373.30	179.00	552.30
At 25 years of age and over	377.70	179.00	556.70

- (b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$5.60 per week in addition to the rates set out in paragraph (a) of this subclause.
- (c)
- | | Base Rate
Per Week
\$ | Arbitrated Safety
Net Adjustment
Per Week \$ | Total Rate
\$ Per
Week \$ |
|---|-----------------------------|--|---------------------------------|
| Senior Clerks (Classified as such or in default of agreement by the Board of Reference) | 383.70 | 179.00 | 562.70 |
- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (3) Junior Employees:
- (a) Percentage of the rate for an adult employee at 21 years of age per week -
- | | % |
|--------------------|----|
| At 15 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 |
- (b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -
- | | \$ |
|--------------------|------|
| At 17 years of age | 0.70 |
| At 18 years of age | 1.00 |
| At 19 years of age | 2.60 |
| At 20 years of age | 3.40 |
- (4) Casual clerks may be employed at an hourly rate and shall be paid whilst so employed twenty-five percent, in addition to the rates prescribed above, with a minimum engagement of four hours.

2006 WAIRC 04863

CLERKS (BAILIFFS' EMPLOYEES) AWARD 1978 NO. R 19 OF 1976

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

12. - RATES OF PAY

(1) The following shall be the minimum rates of wages per week payable to employees covered by this Award.

(2) Adult Employees (rate per week):

(a)

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate \$ Per Week \$
At 21 years of age	361.10	179.00	540.10
At 22 years of age	365.30	179.00	544.30
At 23 years of age	369.10	179.00	548.10
At 24 years of age	373.00	179.00	552.00
At 25 years of age and over	377.40	179.00	556.40

(b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$5.60 per week in addition to the rates set out in paragraph (a) of this subclause.

(3) Junior Employees:

(a) Percentage of the rate for an adult employee at 21 years of age per week -

	%
At 15 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

(b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -

	\$
At 17 years of age	0.70
At 18 years of age	1.00
At 19 years of age	2.60
At 20 years of age	3.40

(4) Employees classified in accordance with subclauses (2) and (3) of this clause who are gazetted as Assistant Bailiffs in order to facilitate office procedures shall not be paid in accordance with subclause (5) of this clause, unless they are required by the Bailiff to perform those additional duties beyond the immediate precincts of the office.

(5) Assistant Bailiffs (wage per week):

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate \$ Per Week \$
On appointment	364.00	179.00	543.00
After six months' service	407.30	179.00	586.30
After two years' service	431.70	181.00	612.70

(6) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04864

CLERKS' (CONTROL ROOM OPERATORS) AWARD 1984 NO. A 14 OF 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

14. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this award.
- (2) Control Room Operators (wages per week):

	Base Rate Per Week\$	Arbitrated Safety Net Adjustment Per Week\$	Total Rate Per Week\$
During the first six months experience	361.40	179.00	540.40
Thereafter	395.50	179.00	574.50

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) (a) Casual employees may be employed at an hourly rate for a lesser period than thirteen weeks and shall be paid while so employed 20 per cent in addition to the rates prescribed above, with a minimum engagement of four hours.
- (b) Subject to any agreement between the employer and the employee to the contrary subclause (4) of Clause 7. - Hours shall not apply to casual employees.
- (c) Notwithstanding anything contained in this subclause the basis and terms of employment of casual clerks may be varied in any particular case by agreement in writing between the employer and the Union.
- (4) (a) Part-time employees may be employed at an hourly rate for a lesser period per week than the hours usually worked in each establishment.
- (b) Payment for annual leave and sick pay, for part-time employees, shall be strictly related proportionately in accordance with the number of hours worked, to the conditions prescribed in each establishment for full-time employees.
- (c) For the purpose of this clause part-time employees weekly hours shall not exceed thirty-two except by written agreement with the Union.
- (d) In the event of any dispute concerning the employment of any part-time employee the matter may be referred to a Board of Reference.
- (e) Subject to any agreement between the employer and the employee to the contrary subclause (4) of Clause 7. - Hours shall not apply to part-time employees.

SCHEDULE "B" - ENTERPRISE AGREEMENT -

- (1) Application:
Wormald Security Australia Pty Ltd
The provisions of this schedule shall be read in conjunction with the provisions of the Award and, where these provisions are inconsistent with, or different from, the provisions of the Award, the provisions of this schedule shall prevail.
- (2) Rates of Pay:
Notwithstanding the provisions of subclause (2) of Clause 14. - Rates of Pay the following minimum weekly rates of wages shall be paid to employees covered by this agreement -
- | | |
|---|--------|
| Control Room Operators | \$ |
| During the first six months' experience | 455.00 |
| Thereafter | 489.10 |
- (3) Casual Employees:
Notwithstanding the provisions of Clause 14 subclause (3) paragraph (a) of the Award, casual employees may be employed for periods exceeding 4 weeks provided -
- (a) A maximum of 3 persons may be employed on a casual basis at any one time.
- (b) Only 1 casual employee may be rostered for work on any 1 shift - i.e. the casual employee must be rostered on a shift simultaneously with a full-time Control Room Operator.
However, if due to unforeseen circumstances in one off situations and provided no permanent staff member is able to cover for these instances, two casual employees may be rostered on the one shift.
- (c) Should there be a need for a reduction in hours to be worked or in the number of staff employed in the Control Room then the number of hours worked by casual employees or the number of casual employees employed shall be reduced first.
- (d) Casual employees shall not be employed at the expense of permanent staff members.
- (4) Hours:
Notwithstanding any other provisions of the Award:
- (a) The employer and an employee may agree to an alternative method for taking off "Accrued Days Off" which accrue to an employee pursuant to the provisions of the Award; or
- (b) (i) The employer may discharge his obligation to provide "Accrued Days Off" upon receipt, in writing, of a request from an employee that payment be made in lieu thereof.
(ii) Such payment, if agreed by the employer and the employee, shall be for the number of "Accrued Days Off" specified in the written request, and shall be paid at the employee's ordinary rate of pay.
- (5) Flexible Working Hours:
The parties undertake to formulate suitable provisions that would enable the employer to introduce more flexible working hours arrangements.

2006 WAIRC 04865

CLERKS' (CREDIT AND FINANCE ESTABLISHMENTS) AWARD NO. 16 OF 1952

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.

- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this Award.
- (2) Adult Employees (rate per week):

(a)

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate Per Week \$
At 21 years of age	361.10	179.00	540.10
At 22 years of age	365.30	179.00	544.30
At 23 years of age	369.10	179.00	548.10
At 24 years of age	373.00	179.00	552.00
At 25 years of age and over	377.40	179.00	556.40

- (b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$5.60 per week in addition to the rates set out in paragraph (a) of this subclause.
- (c)

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate Per Week \$
Senior Clerks (Classified as such or in default of agreement by the Board of Reference)	383.20	179.00	562.20

- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
 Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (3) **Junior Employees:**
- (a) Percentage of the rate for an adult employee at 21 years of age per week -

	%
At 15 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

- (b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -

	\$
At 17 years of age	0.70
At 18 years of age	1.00
At 19 years of age	2.60
At 20 years of age	3.40

2006 WAIRC 04866

CLERKS' (CUSTOMS AND/OR SHIPPING AND/OR FORWARDING AGENTS) AWARD NO. 47 OF 1948

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - RATES OF PAY

The following shall be the minimum rates of wages per week payable to employees covered by this Award.

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this Award.
- (2) Adult Employees (rate per week):

- (a)
- | | Base Rate Per
Week \$ | Arbitrated Safety
Net Adjustment Per
Week \$ | Total Rate Per
Week \$ |
|-----------------------------|--------------------------|--|---------------------------|
| At 21 years of age | 361.10 | 179.00 | 540.10 |
| At 22 years of age | 365.30 | 179.00 | 544.30 |
| At 23 years of age | 369.10 | 179.00 | 548.10 |
| At 24 years of age | 373.00 | 179.00 | 552.00 |
| At 25 years of age and over | 377.40 | 179.00 | 556.40 |
- (b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$4.10 per week in addition to the rates set out in paragraph (a) of this subclause.
- (c)
- | | Base Rate Per
Week\$ | Arbitrated Safety
Net Adjustment
Per Week \$ | Total Rate \$ Per
Week\$ |
|---|-------------------------|--|-----------------------------|
| Senior Clerks (Classified as such or in default of agreement by the Board of Reference) | 383.20 | 179.00 | 562.20 |
- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (3) Junior Employees:
- (a) Percentage of the rate for an adult employee at 21 years of age per week -
- | | % |
|--------------------|----|
| At 15 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 |
- (b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -
- | | \$ |
|--------------------|------|
| At 17 years of age | 0.70 |
| At 18 years of age | 1.00 |
| At 19 years of age | 2.60 |
| At 20 years of age | 3.40 |

2006 WAIRC 04867

CLERKS' (GRAIN HANDLING) AWARD, 1977 NO. R 34 OF 1977

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.

(b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.

(b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.

(c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

(d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - WAGES

(1) The rates of pay of adult employees shall be as prescribed by this clause and the rates of pay of junior employees shall be the following percentages of the prescribed adult rate for the work upon which the junior employee is engaged:

Under 18 years of age	60%
At 18 years of age	70%
At 19 years of age	80%
At 20 years of age	90%

(2) The weekly rate of pay for adult employees shall be as follows:

	\$	Arbitrated Safety Net\$	Total\$
Level 7:			
Base	519.90	179.00	698.90
Increment 1	532.20	179.00	711.20
Increment 2	544.50	179.00	723.50
Increment 3	556.80	179.00	735.80
Increment 4	569.10	179.00	748.10
Level 6:			
Base	479.10	179.00	658.10
Increment 1	487.20	179.00	666.20
Increment 2	495.30	179.00	674.30
Increment 3	503.50	179.00	682.50
Increment 4	511.70	179.00	690.70
Level 5:			
Base	422.90	181.00	603.90
Increment 1	434.10	181.00	615.10
Increment 2	445.30	181.00	626.30
Increment 3	456.50	181.00	637.50
Increment 4	467.80	179.00	646.80
Level 4:			
Base	392.00	179.00	571.00
Increment 1	402.30	179.00	581.30
Increment 2	412.60	179.00	591.60
Level 3:			
Base	369.50	179.00	548.50
Increment 1	377.00	179.00	556.00
Increment 2	384.50	179.00	563.50
Level 2:			
Base	359.50	179.00	538.50
Increment 1	364.50	179.00	543.50
Level 1			
Base	350.40	179.00	529.40

- (3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (4) No employee shall, as a result of the implementation of this classification structure, suffer any reduction in wages or conditions which the employee was receiving as at 11 October, 1991.
- (5) (a) Promotion to an employee's next and subsequent increments shall be based on a combination of performance, qualifications and experience.
- (b) Reclassification to another level shall be subject, but not limited to, the employee satisfying the relevant criteria, training requirements and competency standards for that level.
- (c) Application for progression to the employee's next increment or for reclassification may be made by the employee or by the employee's Section and/or Department Head.
- (6) The employer may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training.

2006 WAIRC 04868

CLERKS' (HOTELS, MOTELS AND CLUBS) AWARD 1979 NO. R 7 OF 1977

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6) (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

7. - WAGES

- (1) The minimum fortnightly rates of pay for employees covered by this Award shall be as set out in this clause.
- (2) **Adult Employees (rate per fortnight):**

	Base Rate per Fortnight \$	Arbitrated Safety Net Adjustment per Fortnight \$	Total Rate per Fortnight \$
(a) At 21 years of age	724.10	358.00	1082.10
At 22 years of age	732.40	358.00	1090.40
At 23 years of age	739.80	358.00	1097.80
At 24 years of age	747.70	358.00	1105.70
At 25 years of age and over	756.70	358.00	1114.70
(b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive in addition to the rates set out in paragraph (a) of this subclause, the following amount per fortnight. Provided that the allowance shall not be paid to an employee for using a calculator for the purpose of simple arithmetic calculation.			11.30
(c) Senior Clerks (classified as such or in default of agreement, by a Board of Reference)	768.60	358.00	1126.60
(d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.			
(3) Junior Employees:			
(a) Percentage of the rate for an adult employee at 21 years of age per fortnight -			
	%		
At 15 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		
(b) Junior stenographers, comptometer or calculating or ledger machine operators shall receive in addition to the rates set out in paragraph (a) of this subclause, the following amounts per fortnight -			
	\$		
At 17 years of age	1.50		
At 18 years of age	2.30		
At 19 years of age	5.00		
At 20 years of age	6.80		
Provided that the allowance shall not be paid to an employee for using a calculator for the purpose of simple arithmetic calculation.			

2006 WAIRC 04869**CLERKS' (R.A.C. CONTROL ROOM OFFICERS) AWARD OF 1988 NO. A 42 OF 1987****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.

- (7) Subject to this clause the minimum adult award wage shall:
- apply to all work in ordinary hours.
 - Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

31. - RATES OF PAY

The following shall be the base rates of wages per week payable to employees covered by this award.

	Base Rate \$	Supplementary Payment \$	Total Rate\$
(1) Grade 1: Service Operator			
Level 1	387.00	176.20	563.20
Level 2	387.00	179.00	566.00
(2) Grade 2: Service Operator			
Level 1	393.50	180.20	573.70
Level 2	398.90	179.00	577.90
(3) Grade 3: Service Operator			
Level 1	398.90	184.80	583.70
Level 2	398.90	199.30	598.20
(4) Grade 4: Service Operator			
Level 1	425.70	182.30	608.00
Level 2	425.70	197.50	623.20
(5) Definitions:			
(a) Grade 1: Service Operator - Main Job Function:			
To receive and make telephone calls from club members (and potential members) requesting assistance and providing service as required.			
Indicative Key Tasks:			
• Access database and enter bookings in relation to emergency breakdown service.			
• Receive, make and transfer telephone calls from Automatic Call Distribution system and freeway phone.			
• Retrieve and enter information into database.			
• Arrange vehicle inspection bookings.			
• Provide information to members and other callers by telephone on RAC products, services and procedures.			
Employees at Grade 1 are expected to work within established routines, methods and procedures and after 4 weeks of training, shall work without direct supervision. They perform and are accountable for clerical and service tasks as directed within the general tasks outlined above.			
(b) Grade 2: Service Operator - Main Job Function:			
In addition to the general duties of a Grade 1 Service Operator, a Grade 2 employee is required to perform tasks as generally indicated below.			
Indicative Key Tasks:			
• Use VDU terminal for data communication with mobiles and access data base.			
• Use voice radio for direct communication with mobiles.			
• Use telephone for direct communication with staff, members and contractors.			
• Operate manual job card system.			

- Access database and make bookings in relation to services over and above those in Grade 1.

Employees at Grade 2 perform tasks using a more extensive range of skills and knowledge than Grade 1 Service Operators. They are required to exercise frequent low level decision making skills within established procedures and may apply limited discretion within their range of skill, knowledge, experience subject to routine supervision.

A working knowledge and understanding of the overall RAC phone room operation is required.

(c) Grade 3: Service Operator

In addition to the general duties of Grade 2 Service Operator, a Grade 3 employee is required to perform tasks as generally indicated below.

Indicative Key Tasks:

- · Prioritise and dispatch jobs to individual mobiles, using data or radio transmission.
- · Evaluate metropolitan fringe jobs for possible allocation to contractors.
- · Operate manual job system.
- · Ensure that Patrols are given breaks at the correct times.
- · Use VDU terminal to dispatch to mobiles.
- · Use voice radio to dispatch and receive jobs from mobiles.
- · Discuss with members and arrange towing/battery service as required.
- · Assist Shift Supervisor with issue of Patrol stores.
- · Manning of VK1 phone.
- · Assist with tasks undertaken by all staff up to and including Grade 3.

Employees at this grade as part of their required duties perform clerical and service tasks at a higher level than Grade 2. They have greater responsibility and accountability for their work which requires them to act upon most internal and external enquiries.

(d) Grade 4: Service Co-ordinator - Main Job Function:

Employees at this grade are primarily engaged to assist the Shift Supervisor and in doing so are required to provide general supervision and support to Grade 1, 2 and 3 Service Operators; and perform tasks as generally indicated below.

Indicative Key Tasks

- · Dispatch work to Field Operators and Contractors.
- · Supervise and verify daily attendance and productivity records.
- · Relieve and assist control room staff as required.
- · Maintain control room stationery levels.
- · Receive and deal with telephone calls.
- · Issue stock to Patrols.

Employees at this grade are expected to supervise control room staff under guidance from the Shift Supervisor and generally perform tasks at a higher level than Grade 3 employees. A major focus of the position is customer relations.

Decision making and discretion is required within established procedures and overall the employee is responsible for his/her own work and the monitoring of others, reporting to the Shift Supervisor.

(6) Progression Within a Grade:

New employees shall be appointed at Level 1 of the relevant grade upon commencement.

Existing employees shall be graded according to the translation table at Appendix A of the Award and will be advised in writing of their classification. At twelve monthly intervals thereafter employees shall be subject to a performance appraisal and shall advance to the next level within their appointed grade upon completion of twelve months' satisfactory service.

Where an employee is denied an increment to the next level within a grade due to unsatisfactory performance, the Club shall further review the employee within three months from the expected date of progression. During the three months review period the employee shall be given adequate assistance by the employer and a reasonable opportunity to meet the performance requirements of the position.

(7) Progression From Grade to Grade:

An employee shall be graded according to the main job function for which they are employed. Movement to a higher grade shall be determined by the employer where the employee is required to and performs the duties of a higher classification and which is the employee's Main Job Function.

(8) Disputed Gradings:

Within 21 days of being graded, an employee dissatisfied with the grading determined by the employer may:

- in the first instance request in writing a review by the Human Resources Department stating the reasons for review and the Human Resources Department shall respond within 21 days.
- if the employee remains dissatisfied after considering the written reasons provided by the employer, the employee shall within 14 days request that a Board of Reference be called to determine the appropriate grading.

Any amendment to the employee's grading shall apply from the date of the employee requesting in writing a review in accordance with paragraph (a) hereof.

(9) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(10) Wages:

Wages shall be paid fortnightly calculated on an average basis including an average of 38 hours per week. The method of payment will be by electronic funds transfer. The pay period commences on Sunday and ends on the Saturday.

2006 WAIRC 04870

CLERKS (RACING INDUSTRY - BETTING) AWARD 1978 NO. R 22 OF 1977

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - RATES OF PAY

- (1) The minimum rates of pay per hour payable to the employees classified hereunder shall be:

	Base Rate Per Hour \$	Arbitrated Safety Net Adjustment Per Hour \$	Total Rate Per Hour \$
(a) Clerk	9.97	4.71	14.68
(b) Supervising Clerk and/or banker	10.41	4.71	15.12

- (c) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (d) Increases in rates of pay available under the State Wage Case Principles shall be applied and calculated in the following manner to determine the hourly rates in Clause 1(a) and (b) if the State Wage principle increase is expressed as a weekly amount.

Total Rate Per Hour Column

((Total Rate Per Hour x 38) + New Safety Net Increase) divided by 38 = New Total Rate Per Hour

Arbitrated Safety Net Adjustment per Hour Column

(Total Rate per Hour Amount) subtract (Base Rate Per Hour Amount) = Arbitrated Safety Net Adjustment Per Hour Amount

All Rates per hour are rounded to the nearest cent.

- (2) Employees under the age of 21 years who are not regularly operating or attending a computer terminal shall be paid 80% of the rate prescribed for a Clerk in subclause (1) hereof.
- (3) In addition to the rates prescribed in subclauses (1) and (2) hereof employees shall be paid a loading calculated in the following manner:

(a)	Employees employed by the W.A. Turf Club	62%
(b)	Employees employed by the W.A. Greyhound Racing Association	46%
(c)	Employees employed by the W.A. Trotting Association	27%
(d)	All others	31%

- (e) The loadings referred to in paragraphs (a), (b), (c) and (d) hereof include amounts in compensation for the fact that annual leave, annual leave loading and sick leave are not otherwise provided for in this award.

2006 WAIRC 04871

CLERKS' (SWAN BREWERY CO. LTD.) AWARD 1986 NO. A 5 OF 1986

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE "A"

Rates of Pay

(1) Graded Adults

	Base Rate Per Week \$	Arbitrated Safety Net Adjustment Per Week \$	Total Rate Per Week \$
Grade A 1	515.20	179.00	694.20
2	509.40	179.00	688.40
3	503.70	179.00	682.70
Grade B 1	494.60	179.00	673.60
2	488.90	179.00	667.90
3	483.70	179.00	662.70
Grade C 1	473.20	179.00	652.20
2	468.20	179.00	647.20
3	463.30	179.00	642.30

(2) Upgraded Adults

At 28 yrs of age and over	451.60	181.00	632.60
At 27 yrs of age and over	442.90	181.00	623.90
At 26 yrs of age and over	436.90	181.00	617.90
At 25 yrs of age and over	429.90	181.00	610.90
At 24 yrs of age and over	420.40	181.00	601.40
At 23 yrs of age and over	413.30	179.00	592.30
At 22 yrs of age and over	407.70	179.00	586.70
At 21 yrs of age and over	400.90	179.00	579.90

(3) Special Rates -

(a) Secretaries, stenographers, accounts typists, comptometer operators, ledger posting machine or punch card tabulator operators, teletypists, audio typists and switchboard operators:

At 27 yrs of age and over	455.60	181.00	636.60
At 26 yrs of age and over	440.80	181.00	621.80
At 25 yrs of age and over	433.50	181.00	614.50
At 24 yrs of age and over	425.00	181.00	606.00
At 23 yrs of age and over	417.20	181.00	598.20
At 22 yrs of age and over	411.30	179.00	590.30
At 21 yrs of age and over	405.00	179.00	584.00

(b) Senior secretaries

Secretary 1	472.00	179.00	651.00
Secretary 2	483.40	179.00	662.40

(c) Display Clerk

Display Clerk	484.10	179.00	663.10
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(d) Programmer

Programmer	495.70	179.00	674.70
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- (4) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (5) Junior (percent of minimum adult rate for classification in which employed).

	%
At 20 years of age	92
At 19 years of age	75

	%
At 18 years of age	65
At 17 years of age	55
At 16 years of age and over	50

2006 WAIRC 04872

CLERKS' (TAXI SERVICES) AWARD OF 1970 NO. 14B OF 1968

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - RATES OF PAY

- (1) The following shall be the minimum rates of wages per week payable to employees covered by this award.
- (2) Adult Employees (rate per week):

	Base Rate Per Week	Arbitrated Safety	Total Rate Per
	\$	Net Adjustment	Week \$
		Per Week \$	
At 21 years of age	361.10	179.00	540.10
At 22 years of age	365.30	179.00	544.30
At 23 years of age	369.10	179.00	548.10
At 24 years of age	373.00	179.00	552.00
At 25 years of age and over	377.40	179.00	556.40

- (b) Adult stenographers, comptometer or calculating or ledger machine operators shall receive \$4.10 per week in addition to the rates set out in paragraph (a) of this subclause.

- (c)
- | | Base Rate Per Week
\$ | Arbitrated Safety
Net Adjustment
Per Week \$ | Total Rate Per
Week \$ |
|---|--------------------------|--|---------------------------|
| Senior Clerks (Classified as such or in default of agreement by the Board of Reference) | 383.20 | 179.00 | 562.20 |
- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (3) Junior Employees:
- (a) Percentage of the rate for an adult employee at 21 years of age per week -
- | | % |
|--------------------|----|
| At 15 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 |
- (b) Junior stenographers, comptometer or calculating or ledger machine operators shall, in addition to the rates set out in paragraph (a) of this subclause, receive -
- | | \$ |
|--------------------|------|
| At 17 years of age | 0.70 |
| At 18 years of age | 1.00 |
| At 19 years of age | 2.60 |
| At 20 years of age | 3.40 |

2006 WAIRC 04873**CLERKS' (WHOLESALE & RETAIL ESTABLISHMENTS) AWARD NO. 38 OF 1947****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

11. - CLASSIFICATIONS AND WAGE RATES

11.1 Grading structure

11.1.1 Advising employees of grading

- 11.1.1 (a) All employees covered by this award shall be graded according to the grading structure set out in this clause. Employers shall advise their employees in writing of their grading and of any changes to their grading.
- 11.1.1 (b) Employees shall be graded at this level where the principal functions of their employment, as determined by the employer, require the exercise of any one or more of the skill levels set out in the Grade descriptors.
- 11.1.1 (c) This classification structure will not be used to assess the award wage rate of any person who is a proprietor, director, or manager of a company, business or undertaking, or any person to whom has been delegated the right to engage and terminate the employment of other employees.
- 11.1.1 (d) Employees may be required to train other employees in the skills of their own grade, or grades below their own, by means of personal instruction and demonstration.

11.1.2 Employees disputing grading

- 11.1.2 (a) An employee can dispute any grading or new grading made in accordance with 11.1 hereof by advising the employer in writing.
- 11.1.2 (b) If this dispute cannot be resolve by the employer and employee in a reasonable time it will be dealt with in accordance with the dispute resolution procedure in this award.

11.2 Classifications and wage rates

11.2.1 Grade 1 clerical assistant

Adult	Weekly award rate \$
First year of experience at this grade	537.80
Second year of experience at this grade	551.60
Third year of such experience and thereafter	563.20

- 11.2.1 (a) Employees in this grade perform and are accountable for clerical and office tasks as directed within the skill levels set out. They work within established routines, methods and procedures. Supervision is routine or direct.
- 11.2.1 (b) Machine operation - skill level 1
Operate telephone/intercom systems (eg Commander type), telephone answering machines, facsimile machines, photocopiers, franking machines, guillotines, calculator and adding machines, paging system, typewriter and telex machines.
- 11.2.1 (c) Computer - Skill Level 1
Use knowledge of keyboard and basic menu-driven options and function keys to enter, retrieve and print data; use printer.
Use of safe and correct opening and closing down procedures.
- 11.2.1 (d) Information handling skills - skill level 1
Receive, sort, open, distribute incoming mail, process outgoing mail, receive incoming and despatch outgoing courier mail, deliver messages and documents to appropriate persons/locations;
Work with established filing/records system in accordance with set procedures including creating and indexing new files, distributing files/publications within the organisation as requested; monitoring file locations.
Prepare and collate documents, take telephone messages;
Transcribe information into records, sort and file documents/records accurately in correct locations/sequence using an established filing system.
- 11.2.1 (e) Enterprise/industry, specialist skills - skill level 1
Acquire and apply a limited knowledge of office procedures and requirements.
Relay internal information.
- 11.2.1 (f) Business/Financial - skills level 1
Sort, process and record original source financial documents (e.g. invoices, cheques, correspondence) on a daily basis.

11.2.2 Grade 2 clerical officer

Adults	Weekly award rates \$
First year of experience at this grade	573.70
Second year of experience at this grade	577.80
Third year of experience at this grade and thereafter	583.70

- 11.2.2 (a) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 1. They are responsible and accountable for their own work, which is performed within established routines, methods and procedures. Supervision is general.
- 11.2.2 (b) **Technical Skills**
 Machine Operation - skill level 2
 Operate switchboard (PABX system)
 Keyboard Typing - skill level 1
 Produce documents using standard formats at 25 wpm with 98% accuracy.
 Computer- skill level 2
 Manipulate previously created data bases, spreadsheets/worksheets; calculate alpha-numerical and related information to perform routine tasks and generate simple reports.
 Word Processing - skill level 1
 Produce simple and routine documents using keyboard skills within designated timeframes.
- 11.2.2 (c) **Information handling skills - skill level 2**
 Maintain mail register and records. Use and maintain established filing/records systems in accordance with set procedures including creating and indexing new files, distributing files within the organisation as requested, monitoring file locations;
- 11.2.2 (d) **Enterprise/industry, specialist skills - skill level 2**
 Acquire and apply a working knowledge of office or sectional operating procedures and requirements. Interpret and action information supplied.
 Acquire and apply a working knowledge of the organisation's structure and personnel in order to deal with inquiries at first instance, locate appropriate staff in different sections, relay internal information, respond to or redirect inquiries, greet visitors.
- 11.2.2 (e) **Business/financial skills - skill level 1**
 Assist in the maintenance of financial records and journals, including checks and authorisation. Maintain and record petty cash, prepare bank deposits and withdrawals banking; Check time and wage records.

11.2.3 Grade 3 clerical officer

Adults	Weekly award rates \$
First year of experience at this grade	591.20
Second year of experience at this grade	598.20

- 11.2.3 (a) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 2.
 They are responsible and accountable for their own work, which is performed within established guidelines, they exercise limited discretion within the range of their skill and knowledge. Supervision is limited.
- 11.2.3 (b) **Technical Skills**
 Machine Operation - skill level 3
 Operate computerised radio telephone equipment, dictaphone equipment or other equipment of equal complexity.
 Computer - skill level 3
 Use one or more software application package(s) to operate and populate a database, spreadsheet/worksheet to achieve a desired result; graph previously prepared spreadsheet; use simple menu utilities.
 Following standard procedures to template for the preceding functions using existing models/fields of information.
 Create, maintain and generate simple reports.
 Keyboard Typing - skill level 2
 Accurately produce documents and correspondence using knowledge of standard formats, touch type, audio type within established procedures.
 Copy type at 40 wpm with 98% accuracy.
 Word Processing - skill level 2
 Use one or more software packages to create format, edit, proof read, spell check, print and save text documents, e.g. standard correspondence and business documents.
 Apply additional functions such as search and replace, variable fonts, moving and

- 11.2.3 (c) Secretarial - skill level 1
Take shorthand notes at 80 wpm and transcribe with 98% accuracy. Arrange travel bookings and itineraries, make appointments.
- 11.2.3 (d) Enterprise/industry, specialist skills - skill level 3
Apply a working knowledge of the organisation's products/services, functions, locations and clients. Respond to and act upon most internal/external inquiries in own function area.
- 11.2.3 (e) Information handling skills - skill level 3
Oversee record management systems including review and analysis.
- 11.2.3 (f) Business/financial skills - skill level 2
Maintain financial records and journals, maintain payroll records; prepare accounts payable for payment.
- 11.2.4 Grade 4 clerical officer

Adults Weekly award rate \$

626.00

- 11.2.4 (a) Employees in this grade perform clerical and office tasks using a more extensive range of skills and knowledge at a level higher than required in Grade 3. They are responsible and accountable for their own work, and exercise discretion and initiative in the organisation of work within prescribed limits. Supervision is limited.
- 11.2.4 (b) Keyboard typing - skill level 3
Format complex documents including technical data, technical language, tables, graphs, text design, indexing, variable type face; produce documents requiring specified form or to comply with regulations or standards.
- 11.2.4 (c) Computer - skill level 3
Apply knowledge of intermediate functions to manipulate data, i.e. modify fields of information, develop new basic databases or spreadsheet models; spreadsheet, perform reconciliation.
- 11.2.4 (d) Word processing - skill level 2
Use one or more software packages to apply advanced functions such as text columns, money columns, tables, e.g. to produce financial statements, printed forms, sorting, boxes, create displays of charts or graphs in report format, select style sheets appropriate to final presentation.
- 11.2.4 (e) Secretarial - skill level 2
Take shorthand notes at 100 words per minute and transcribe at 95% accuracy; manage executive appointments; respond to invitations; organise internal meetings on behalf of executive; establish and maintain reference lists/personal contact systems for executives.
- 11.2.4 (f) Enterprise/industry, specialist skills - skill level 4
Provide detailed advice and information on the organisation's products and services; respond to client/public/supplier and internal organisation inquiries, within own function area, using such techniques as personal interview and liaison; explain organisation's viewpoint to clients and appropriate persons; using knowledge of internal/external regulatory requirements related to own function area. Acquire and use specialist vocabulary, i.e. technical/medical/legal within the scope of this grade.
- 11.2.4 (g) Information handling skills - skill level 4
Create new forms of files and records as required using computer-based records systems; e.g. customer/client/supplier and subscription lists. Access, identify, and extract information as required from external sources, e.g. databases, libraries, local authorities.
- 11.2.4 (h) Business/financial skills - skill level 3
Prepare cash payment summaries and banking reports; apply purchasing and inventory control requirements; reconcile debtors, creditors and general ledger accounts to balance; follow-up unpaid accounts by telephone liaison/interview, prepare documentation on overdue accounts for senior officers or referral to debt recovery processes; calculate wage and salary requirements including tax, superannuation and other deductions and transfer payments for authorisation; calculate stock valuations; prepare bank reconciliation; calculate costing using established formulae for all inputs and margins.
- 11.2.4 (i) Supervisory - skill level 1
Allocate work tasks to individuals, check work progress and correct errors.

11.2.5 Grade 5 administrative officer

Adult Weekly award rate \$

659.00

- 11.2.5 (a) Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 4. They are responsible and accountable for their own work, and may have limited responsibility for the work of others. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is minimal.
- 11.2.5 (b) Computer - skill level 4
Use a variety of application software packages within a micro/personal computer network including importing data from one package to another. Evaluate usefulness or applicability of software programs (using existing software programs) and recommend preferred solutions to meet new or different

- application requirements. Use advanced spreadsheet functions (e.g. Macro functions etc) to enhance operation of the spreadsheet. Use a central computer resource to an equivalent standard.
- 11.2.5 (c) Word processing - skill level 3
Use all preceding word processing functions and integrate word processing software with other application software packages to produce complex text and data documents. Apply knowledge of desktop publishing to integrate complex documents. Apply advanced functions including Macros, moving columns for complex formatting of documents such as multi-column reports and presentations, including booklets. Apply complex maths functions.
- 11.2.5 (d) Secretarial - skill level 3
Take shorthand notes at 120 words per minute and transcribe at 95% accuracy; attend executive/organisational meetings and take minutes; answer executive correspondence from verbal or rough hand-written instructions; organise teleconferences.
- 11.2.5 (e) Enterprise industry, specialist skills - skill level 5
Apply detailed knowledge of the industry in which the organisation operates to complex issues/arrangements in such areas as consumer/client services, special products/service knowledge, and respond within established internal/external regulatory parameters and policies. Indicative Specialist Skills Include; apply detailed knowledge of customs law and regulations to overseas sales and ordering. Apply detailed knowledge of inventory/stock requirements to obtain competitive quotations and initiate purchasing. Apply detailed knowledge of internal/external regulatory parameters and policies relating to industrial employment law, occupational health and safety, workers compensation claims procedures, superannuation requirements.
- 11.2.5 (f) Information handling skills - skill level 5
Develop, plan and implement new paper based/manual filing records systems for the enterprise; assist in separate undertaking research (locate/solicit, summarise/extract and interpret information) related to function areas.
- 11.2.5 (g) Business/financial skills - skill level 4
Post transactions to ledger and prepare a trial balance; prepare end of the period adjustments and transfers using general journal; prepare financial/tax schedules for periodic tax requirements such as payroll, sales and group tax returns; reconcile general ledger accounts; determine costing by calculating input costs and margins.
Apply detailed knowledge of organisations credit terms to new accounts and to following up significant debtors, prepare periodic debtor statements.
- 11.2.5 (h) Supervisory - skill level 2
Resolve operational problems for staff in lower grades, co-ordinate work flow within a section or unit, and counsel and advise staff who are under routine supervision.
- 11.2.6 Grade 6 administrative officer
- Adults Weekly award rates \$**
- 699.00
- 11.2.6 (a) Employees in this grade perform clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required in Grade 5. They are responsible and accountable for their own work, and may have responsibility for the work of a section or unit. They exercise initiative, discretion and judgement within the range of their skills and knowledge. Supervision is by means of reporting to more senior staff as required.
- 11.2.6 (b) Computer - skill level 5
Operating/co-ordinating a group of computers such as a small multi-user system or a large group of personal computers which may include operating a help desk, running and monitoring batch jobs and performing regular back-ups and restores.
- 11.2.6 (c) Enterprise/industry, specialist skills - skill level 6
Apply knowledge of the organisation's objectives and performance, and apply specialist knowledge, in areas such as projected growth, product trends and general industry conditions, examples include: knowledge of competitors and major clients market structure in the performance of own responsibilities; import/export activities. Indicative Specialist Skills Include; Use knowledge of basic statistics to interpret data from spreadsheets, statistical tables, graphs and frequency tables in the performance of own responsibilities. Administration of workers compensation claims, insurance and disputed claims.
- 11.2.6 (d) Supervisory - skill level 3
Plan and organise work priorities of a unit or section; re-schedule workloads as necessary and resolve operational problems for unit or section; monitor work quality of those supervised; use observations, diagnosis and intervention skills to ensure unit/section meets objectives; organise and chair necessary work meetings/conferences; assist in planning future sectional/office organisational resources and equipment needs.
- 11.2.6 (e) Business/financial skills - skill level 5
Administer individual salary packages, travel expenses, allowances and company transport. Administer specialist salary and payroll requirements, e.g. Eligible Termination Payments, Superannuation Trust Deed Requirements, Redundancy Calculations, Maintenance Support Schemes, etc.
- 11.2.6 (f) Secretarial - skill level 4
As well as having shorthand skills of Skill Level 3, arrange conferences and external meetings, including venues, agendas, documentation, audio-visual requirements, catering, transport and accommodation; originate executive correspondence; assist executive in preparing, attending and following up

appointments, interviews, meetings, etc; assume responsibility for Designated areas of executive's work, on delegated authority.

11.3 Supervision:

Employees are subject to five defined levels of supervision which can be generally categorised as follows:

Direct - the employee receives detailed instructions on work to be performed and is subject to frequent personal progress checks.

Routine - the employee receives broad instructions on work to be performed except when new or unusual features require more specific instructions. Work in progress is checked intermittently while all work is checked on completion.

General - the employee receives specific instructions only when new procedures or tasks are involved. Work is checked on completion.

Limited - the employee is subject to work checks which are generally confined to establishing that satisfactory progress is being made. Work is reviewed on completion.

Minimal - the employee is subject to final review/report back on work and may receive assistance with specific problems.

NB. Supervision is not a criteria for determining classification levels but should be used as a guide in determining the overall level of responsibility and autonomy expected of the principal functions of the job.

11.4 Junior Employees

Base Rate (per week) expressed as a percentage of the rate prescribed for the relevant year of experience at the Grade in paragraph 11.1 hereof appropriate to the work performed by the junior employee -

	%
At 15 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

11.5 Casual Employees

11.5.1 A casual clerk may be employed at an hourly rate for a lesser period than four weeks and shall be paid while so employed, twenty-five percent in addition to the Weekly award rate prescribed by this award with a minimum engagement of four hours: Provided that, notwithstanding anything contained in this subclause, the basis and terms of employment of a casual clerk may be varied by agreement in writing between the employer and the Union.

11.5.2 Subject to any agreement between the employer and the employee to the contrary, subclause (6) of Clause 7. - Hours of Duty, shall not apply to such casual employee.

11.6 Part-time Employees:

11.6.1 A part-time employee shall be an employee engaged at an hourly rate for a lesser period per week than the hours usually worked in each establishment.

11.6.2 Progression through the incremental levels of the appropriate grade in this clause shall be strictly related proportionally in accordance with the number of hours worked, to the conditions prescribed in each establishment for full-time employees.

11.6.3 Payment of annual leave and sick pay for part-time employees shall be strictly related proportionately in accordance with the number of hours worked, to the conditions prescribed in each establishment for full-time employees.

11.6.4 Subject to any agreement between the employee and the employer to the contrary, subclause (5) of Clause 7. - Hours of Duty, shall not apply to part-time employees.

11.7 Implementation:

An employer shall grade clerical employees according to this clause no later than the first pay period on or after the 1st October 2004 and, if such grading entitles an employee to an increased weekly wage in accordance with this clause, such increase shall be implemented and paid in the following manner -

where the increase to an employee is 3% or less, such increase is to be paid from the beginning of the first pay period commencing on or after the 1st October 2004:

where the increase to an employee is more than 3%, but 6% or less, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005;

where the increase to an employee is more than 6%, but 9% or less, one third of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004, two thirds of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005, and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1st April 2005;

where the increase due to an employee is greater than 9%, one quarter of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st October 2004, half the increase shall be paid from the beginning of the first pay period commencing on or after the 1st January 2005, three quarters of the increase shall be paid from the beginning of the first pay period commencing on or after the 1st April 2005 and the total increase shall be paid from the beginning of the first pay period commencing on or after the 1 July 2005.

2006 WAIRC 04858

CLOTHING TRADES AWARD 1973 NO. 16 OF 1972**18A. - RATES OF PAY POST TRANSITION PERIOD**

- (1) Subject to the provisions of Clause 26. - Aged, Infirm or Slow Employees of this award, employees in the skill levels set out in subclause (3) of this clause shall be paid the weekly award rate set out opposite those skill levels in subclause (2) of this clause.

(2) **Skill Based Classification Structure**

- (a) The following wage schedule will operate on and from the 7 July 2006.

Skill Level	Relativity to Skill Level 4	Base Rate	Supplementa ry Payment	Arbitrated Safety Net Adjustment	Total Minimum Award Rate
Trainee	78	299.50	25.90	179.00	504.40
1	82	314.30	27.80	179.00	521.10
2	87.4	334.00	30.60	179.00	543.60
3	92.4	345.70	39.80	179.00	564.50
4	100	358.30	58.90	181.00	598.20
5	Na	376.30	82.60	181.00	639.90

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(3) **Skill Levels**

Trainee

Employees at this level:

Shall be new entrants into the industry.

Shall for a period of up to three months undergo approved (including induction) training so as to enable them to achieve the level of competence required to be classified at skill level 1.

Shall work under the following conditions:

- Totally defined procedures and methods
- Constant direct supervision
- Constant direct training
- Progressive assessment and feedback

Training for new entrants will be determined in accordance with the needs of the enterprise, but shall involve instruction aimed at assisting trainees to achieve the range of competencies required at skill level 1, including:

The knowledge and skills required to apply relevant Occupational Health and Safety practices and procedures.

The knowledge and skills required to apply specified quality control standards to their own work.

The knowledge and skills required to apply specified operation practices and procedures and to meet efficiency requirements.

The knowledge and skills required to apply minor equipment/machine maintenance relevant to the equipment involved in the performance of their own work.

Skill Level 1

Employees at this level:

1. Shall work to defined procedures/methods either individually or in a team environment and
 2. Shall exercise skills to perform basic tasks and
 3. Shall be aware of and apply basic quality control skills in the receipt and completion of their own work to the specified quality standards.
- In addition, according to the needs and operational requirements of the enterprise, employees at this level:
4. May be required to exercise the skill necessary to assist in providing basic on-the-job instruction by way of demonstration and explanation.
 5. May be required to record basic information on production and/or quality indicators as required.
 6. May be required to work in a team environment.
 7. May be required to apply minor equipment/machine maintenance.
 8. May be required to exercise key pad skills.
 9. May be required to exercise the level of English literacy and numeracy skills to effectively perform their tasks.
 10. May commence training in additional skills required to advance to a higher skill level.

Skill Level 2

Employees at this level exercise the skills required to be graded at skill level 1, and

1. Shall work to defined procedures/methods, either individually or in a team environment, and

2. Shall exercise the skills to perform intermediate tasks, and
3. Shall understand and apply quality control skills in their own work and component parts (including understanding of the likely cause/s of deviations to specified quality standards in their own work).
In addition, according to the needs and operational requirements of the enterprise, employees at this level:
4. May be required to exercise the skill necessary to assist in providing on-the-job instruction to employees in skills required at skill level 2 and below by way of demonstration and explanation.
5. May be required to record detailed information on production and/or quality indicators as required.
6. May be required to exercise team work skills.
7. May be required to identify and rectify minor equipment/machine faults, and report problems that cannot be rectified to a mechanic or supervisor.
8. May be required to exercise basic computer skills.
9. May commence training in additional skills required to advance to a higher skill level.

Skill Level 3

Employees at this level exercise the skills required to be graded at skill level 2, and

1. Shall exercise discretion, initiative and judgement on the job in their own work, either individually or in a team environment, and
2. Shall exercise skills to:
 - (a) perform a complex task/s, or
 - (b) perform a series of different operations on a machine/s, or
 - (c) use a variety of machine types three of which require the exercise of level 2 skills, and
3. (a) Shall be responsible for quality assurance in their own work and assembly of component parts including having an understanding of how this work relates to subsequent production processes and its contribution to the final appearance of the garment.
In addition, according to the needs and operational requirements of the enterprise, employees at this level:
 - (b) May be required to investigate causes of quality deviations to specified standards and recommend preventative action.
4. May be required to exercise the skills necessary to assist in providing on-the-job instruction to employees in skills required at skill level 3 and below by way of demonstration and explanation.
5. May be required to record detailed information on, and recommend improvements to, production and/or quality.
6. May be required to take a co-ordinating role for a group of employees or in a team environment (which includes contributing to the identification and resolution of the problems of others and assisting in defining work group procedures and methods), where the members of the group or team are at skill level 3 and below.
7. May be required to exercise advanced equipment maintenance and problem solving skills (including identification of major equipment faults).
8. May commence training in additional skills required to advance to a higher skill level.

Skill Level 4

Employees at this level exercise the skills required to be graded at skill level 3 and have a comprehensive knowledge of product construction. Employees at this level shall also:

Apply skills and knowledge, equivalent to that of a qualified tradesperson, that have been acquired as a result of training or experience, or

Hold a relevant trade certificate, and

1. Shall work largely independently (including developing and carrying out of a work plan to specifications), and
2. Shall exercise a range of skills involving planning, investigation and resolution of problems, and/or training, and/or supervision, and/or specialised technical tasks, or
Shall make a whole garment to specifications, or exercise equivalent skills.
In addition, according to the needs and operational requirements of the enterprise, employees at this level:
3. May be required to apply quality control/assurance techniques to their work group or team.
4. May have designated responsibility for the training of other employees (and if so shall be trained trainers).
5. May be responsible for quality and production records relating to their own work group or team.
6. May be required to take a co-ordinating role for a group of workers or in a team environment (which includes contributing to the identification and resolution of the problems of others and assisting in defining work group procedures and methods), where the members of the group or team are at skill level 4 and below.
7. May be required to exercise advanced equipment maintenance and problem solving skills (including identification of major equipment faults and organisation or performance or necessary repair).
8. May commence training in additional skills required to advance to a higher skill level.

Explanation of terms

1. **Basic tasks**
Uncomplicated tasks which are easily learned and involve little decision making whether machine or non machine.
Basic machine tasks are those where the positioning of the work may be controlled by guidebars and sensor lights, or other such guiding devices or where there is uncomplicated feeding of the fabric.
2. **Intermediate tasks**
Tasks which are more difficult to learn, involve more decision making than skill level 1 tasks and which may require fabric knowledge, whether machine or non machine.
Intermediate machine tasks require skill in positioning, feeding and handling of work involving directional changes, contouring or critical stopping points, or require feeding and handling skills beyond those of a skill level 1 operator because of fabric variation.
Intermediate non machine tasks require skills to perform a sequence of related tasks.
3. **Complex tasks**
Tasks which are more difficult to learn and involve a higher level of decision making than skill level 2 tasks, whether machine or non machine.
Complex machine tasks require fabric manipulation skills and knowledge beyond those of a skill level 2 operator to perform more difficult tasks or to handle and align the sections while ensuring correct shaping of the end result because of the complexity of combining parts or because of frequent variation in fabrics.
4. **Series of different operations on a machine/s**
Performing a sequence of different operations on a machine/s to complete the majority of a complex garment.
5. **Machine**
Any piece of equipment which performs a significant part of an operation in:
 - designing/grading of patterns
 - marker spreading
 - spreading of fabric
 - cutting, sewing, finishing, pressing and packaging of products
and which is powered by an external source i.e. electricity, steam or compressed air or combinations of these.
Hand tools are not machines and refer to those items which are primarily powered by the operator e.g. scissors, shears, staplers, tagging guns and tape dispensers.
6. **Variety of machine types**
Three or more different types of machines which are sufficiently different in their operation to require the exercise of different skills (i.e. a button holer and a button sewer are the same machine type for this purpose whereas a button holer and an overlocker are different machine types).
7. **Whole garment machinist or equivalent skills**
A machinist who works largely independently in producing a complex garment from written specifications and patterns. Examples of "equivalent skills" include:
 - sample machinist
 - machinist who performs each of the operations required to complete a complex whole garment from specifications
 - a fully multi-skilled machinist who is required to perform any of the operations involved in the making of a complex whole garment to specification.
8. **Skill**
The application of a combination of abilities, knowledge and attributes to competently perform a given activity or activities.
9. **Competence**
The ability to perform a particular activity or activities to a prescribed standard (or standards) and under a prescribed set of circumstances.
10. **Component parts**
The parts of the product which the operator receives in order to perform their job.
11. **Key pad skills**
Ability to use a small panel of keys, either numerical or with symbols, to operate equipment.
12. **Basic computer skills**
Use of a computer to enter, retrieve and interpret data.
13. **Co-ordinating role**
A role which involves responsibility for organising and bringing together the work and resource requirements of a work group or team.
14. **Defined procedures /methods**
Specific instructions outlining how an operator is to do their job.

15. **Largely independently**
Where the employee is accountable for own results including:
 carrying out assigned task
 co-ordinating processes
 setting and working to deadlines.
16. **Designated responsibility**
Identified by management as a person with a specific role or responsibility.
17. **Minor equipment /machine maintenance**
Includes cleaning and minor adjustments to the equipment involved. In the case of sewing machines for example, it may include:
 changing needles
 cleaning
 lubrication
 tension and stitch adjustment.
18. **On-the-job instruction**
Demonstrating, showing, explaining and/or guiding other employees as to how to perform a particular task or operation to a competent standard.
19. **Quality assurance**
The overall system and plans used to provide confidence that goods and services will satisfy given requirements.
20. **Quality control**
The activities used to check that materials and products meet quality specifications; includes the grading of product into acceptable and unacceptable categories.
21. **Quality deviations**
Departures from a quality standard.
22. **Quality indicators**
Information used to determine whether a quality standard has been met.
23. **Specified quality standards**
Detailed standards against which quality is measured.
24. **Team environment**
An environment involving work arrangements in which a group of people work closely, flexibly and in co-operation with each other to ensure efficient and effective performance.

(4) **Supplementary Payments**

- (a) An adult weekly employee shall be paid not less than the award rate specified in subclause (2)(a) and (2)(b) hereof.
- (b) The supplementary payment specified in subclause (2)(a) and (2)(b) hereof is in substitution for any overaward payment received by an employee immediately prior to the beginning of the first pay period to commence on or after 1 November 1993 which shall be reduced by the amount of the supplementary payment or discontinued if the overaward payment was less than the supplementary payment.
"Overaward payment" is defined as the amount (whether it be termed "overaward payment", "attendance bonus", "service increment", or any term whatsoever) which an employee would receive in excess of the award rate specified in subclause (2)(a) and (2)(b) hereof but shall not include overtime, shift allowances, penalty rates, disability allowances, or any other ancillary payments of a like nature prescribed by this award.
- (c) Whenever a decision of the Western Australian Industrial Relations Commission provides that award wage rates are to be increased by a percentage, a flat amount, or a combination of both, the base rate and the award rate prescribed in subclause (2)(a) and (2)(b) hereof shall be increased by either the specified percentage or by adding the specified flat amount. The supplementary payment shall then be calculated by deducting the new base rate from the new award rate, and any increase in the supplementary payment shall not reduce the level of overaward payment defined in paragraph (b) hereof.
- (d) The award rate specified in subclause (2)(a) and (2)(b) hereof and which includes the supplementary payment specified in subclause (2)(a) and (2)(b) hereof shall be paid for all purposes of this award.

19. - MINIMUM WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

		\$ per Fortnight								
Level	Classification	1.7.01	1.8.01	1.1.02	1.7.02	1.8.02	5.6.03	4.6.04	7.7.05	7.7.06
Level 3	Food & Beverage Attendant Grade 3 Cook Grade 2 Kitchen Attendant Grade 3 Guest Services Grade 3 Storeperson Grade 2 Timekeeper/Security Officer Grade 2 Handyperson Forklift Driver	890.00	916.00	931.00	947.00	983.00	1017.00	1055.00	1089.00	1129.00
Level 4	Cook Grade 3 Storeperson Grade 3 Food & Beverage Attendant Grade 4 (Tradesperson) Guest Service Grade 4	945.00	971.00	991.00	1014.40	1050.40	1084.40	1122.40	1156.40	1196.40
Level 5	Cook Grade 4 Food & Beverage Supervisor Guest Services Supervisor	1010.00	1040.00	1065.00	1097.80	1133.80	1167.80	1205.80	1239.80	1279.80
Level 6	Cook Grade 5	1060.00	1090.00	1110.00	1135.60	1171.60	1205.60	1243.60	1277.60	1317.60

(All rates are effective from the beginning of the first pay period commencing on or after the date shown, except for the increases resulting from the 2003,2004 State Wage Case Decisions, which are payable on and from 5 June 2003, 4 June 2004, 7 July 2005 and 7 July 2006 respectively]

(2) Arbitrated Safety Net Adjustments

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

21A. - MINIMUM WAGE -ADULT MALES & FEMALES

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.

- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04875

COCKBURN CEMENT LIMITED AWARD 1991 NO. A 14 OF 1991

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
 - (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
 - (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
 - (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
 - (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
 - (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
 - (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
 - (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

5. - WAGES

(1) Rates of Pay:

- (a) The wage rates and classifications in this award are the result of a substantial restructuring of provisions in the awards which this award replaces. They represent one of the means for providing improved efficiency and performance in the production, maintenance and distribution operations of the company.
- (b) The objective of the classification and wages provisions of this award is to provide the basis for an equitable career path opportunity for all employees aimed at providing a flexible and productive workforce which can, with appropriate training, efficiently meet the operational and maintenance needs of the employer. An additional objective is to also provide work and a working environment which is satisfying for employees.
- (c) The total wage payable in this subclause shall be inclusive of all over award, site allowances, dirt and disability allowances, metal trades allowances or any other allowance or payment not provided for in Clause 34. - Special Rates and Provisions.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (d) The total wage payable fortnightly to all adult employees with more than two years service with the Company, except Woodman Point Dredging Operators, shall be:

Classification	Rate Per Fortnight \$	Relativity to Grade 4 %	ASNA Per Fortnight \$	Total Rate Per Fortnight \$
Grade 1	977.70	88	358.00	1335.70
Grade 2	1022.10	92	358.00	1380.10
Grade 3	1066.60	96	358.00	1424.60
Grade 4	1111.00	100	358.00	1469.00
Grade 5	1155.40	104	358.00	1513.40
Grade 6	1199.90	108	358.00	1557.90
Grade 7	1244.30	112	358.00	1602.30
Grade 8	1288.80	116	354.00	1642.80

- (e) The total wage payable fortnightly to all Woodman Point Dredging Operators with more than two years service with the Company shall be:

	Rate Per Fortnight \$	Relativity to DO Grade 4 %	ASNA Per Fortnight \$	Total Rate Per Fortnight \$
Dredging Operator Grade 1	1177.10	88	358.00	1535.10
Dredging Operator Grade 2	1230.60	92	358.00	1588.60
Dredging Operator Grade 3	1284.10	96	354.00	1638.10
Dredging Operator Grade 4	1337.60	100	354.00	1691.60

- (f) For the first two years of service with the Company an employee shall be paid 95% of their respective grade. Where an employee has previous experience with the Company in the two years prior to re-engagement, this may be taken into consideration as part of the first two years of service.

(2) Payment of Wages:

- (a) Wages shall be paid fortnightly by direct deposit to the employee's Bank, Building Society, Credit Union Account or any other Institution with a BSB number for electronic banking, for the actual time worked.
- (b) Each employee shall be provided in writing with details of the amount of wages to which the employee is entitled, the amount of deductions made thereupon, the net amount being paid and the number of hours worked.
- (c) The ordinary rate per hour shall be calculated by dividing the appropriate fortnightly rate by 72 to the fourth decimal place, ie \$00.0000 rounded off.
- (d) An employee who lawfully leaves the employment or is dismissed for any reason, shall be paid wages up to that time of termination of employment and all monies due will be paid by electronic transfer or cheque at the time of termination or within 24 hours of such termination.
- (e) All overtime, allowances and penalty rates as prescribed by this award may be paid if requested within 48 hours of the expiration of the pay period in which they occur.

(3) Leading Hand/Team Leader/Team Coordinator Rates:

- (a) In addition to the wages prescribed in this Award a Leading Hand/Team Leader/Team Coordinator shall be paid 5% of his basic 36 hour week wage.

(4) Apprentices:

- (a) The total wage payable fortnightly to all apprentices, expressed as a percentage of the Classification Grade 5 of paragraph (1)(d) of this clause shall be:

Four Year Term	Relativity to Classification Grade 5 %
First year	42
Second year	55
Third year	75
Fourth year	88

(b) Adult Apprenticeship

The total wage payable fortnightly to all first and second year adult apprentices shall be not less than the Grade 1 Classification rate, and for third year adult apprentices not less than 88% of the Grade 5 Classification rate expressed in paragraph (1)(d) of this clause.

(5) Junior Employees working in the chemical laboratory or clerical areas:

The total wage payable per fortnight, expressed as a percentage of the Classification Grade 1 Total Rate of paragraph (1)(d) of this clause.

	Relativity to Classification Grade 1 %
Under 16 years of age	40
16 years of age	50
17 years of age	60
18 years of age	70
19 years of age	80
20 years of age	90

2006 WAIRC 04876

COMMERCIAL TRAVELLERS AND SALES REPRESENTATIVES' AWARD 1978 NO. R 43 OF 1978**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

7. - WAGES

- (1) The following shall be the minimum weekly rates of wages payable to employees covered by this award with effect from the first pay period on and from the 7 July 2006.

(a)	Base Rate \$	Arbitrated Safety Net Adjustments \$	Award Rate \$
(i) Commercial Traveller/Sales Representative	417.20	181.00	598.20
(ii) Country Traveller/Sales Representative	451.60	181.00	632.60

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (b) During the first three months in the industry in which the employer is engaged, an employee classified in (i) or (ii) above, shall be paid 85% of the appropriate rate of pay rounded to the nearest ten cents.
- (c) (i) Probationary Commercial Traveller/Sales Representative 508.50
(ii) Probationary Country Traveller/ Sales Representative 537.70

The above "Probationary" rates are calculated by taking 85% of the appropriate rate in paragraph (a) above and rounding to the nearest ten cents.

- (2) Provided that a Commercial Traveller/Sales Representative, required by his/her employer to make periodic visits to country areas which necessitates him/her staying away from his/her normal place of residence for three or more nights in any one week, shall be paid as a country traveller/sales representative for that week.
- (3) Where a worker is engaged on a "commission only" basis or an a "commission and retainer" basis he/she shall be paid per week not less than the relevant minimum rate of pay prescribed in this award. Where a worker is employed on a "commission only" or "retainer and commission" basis the period in relation to which commission shall be calculated shall not be more than one month. The balance of commission outstanding after payment of the minimum remuneration as provided for by this clause shall be paid to the worker not later than one week following the last day of the said period.

At the time of payment of commission each worker shall be furnished with sufficient information to enable the worker to check the correctness of the amount of commission paid.

2006 WAIRC 04877

COMMUNITY COLLEGES (SALARIED OFFICERS) AWARD 1989 NO. A 14 OF 1983

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6) (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
(b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.

- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE B - SALARIES

(1) Level	Salary Per Annum \$	Arbitrated Safety Net \$	Total Salary Per Annum \$
Level 1			
Under 17 years	10445	3779	14224
17 years	12207	4416	16623
18 years	14238	5151	19389
19 years	16481	5962	22443
20 years	18507	6696	25203
1.1	20331	7356	27687
1.2	20983	7356	28339
1.3	21634	7356	28990
1.4	22281	7356	29637
1.5	22932	7356	30288
1.6	23583	7356	30939
1.7	24332	7461	31793
1.8	24850	7461	32311
1.9	25616	7461	33077
Level 2			
2.1	26533	7357	33890
2.2	27236	7357	34593
2.3	27975	7357	35332
2.4	28756	7357	36113
2.5	29573	7461	37034
Level 3			
3.1	30696	7461	38157
3.2	31571	7461	39032
3.3	32473	7461	39934
3.4	33399	7461	40860
Level 4			
4.1	34669	7356	42025
4.2	35664	7356	43020
4.3	36688	7356	44044

Level	Salary Per Annum \$	Arbitrated Safety Net \$	Total Salary Per Annum \$
Level 5			
5.1	38660	7356	46016
5.2	39993	7356	47349
5.3	41378	7356	48734
5.4	42815	7356	50171
Level 6			
6.1	45126	7356	52482
6.2	46697	7356	54053
6.3	48323	7356	55679
6.4	50059	7356	57415
Level 7			
7.1	52721	7356	60077
7.2	54563	7356	61919
7.3	56567	7356	63923
Level 8			
8.1	59824	7356	67180
8.2	62157	7356	69513
8.3	65050	7356	72406
Level 9			
9.1	68663	7356	76019
9.2	71104	7356	78460
9.3	73888	7356	81244
Class 1	78098	7356	85454
Class 2	82308	7356	89664
Class 3	86516	7356	93872
Class 4	90726	7356	98082

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Salary increases resulting from State Wage Case Decisions are calculated for those officers under the age of 21 years employed at Level 1 by dividing the current junior annual salary by the current Level 1.1 annual salary and multiplying the result by the new Level 1.1 annual salary which includes the State Wage Case increase. The following formula is to be applied:

$$\frac{\text{Current junior rate}}{\text{Level 1.1 rate}} \times \text{Current Level 1.1 rate} = \text{New junior rate}$$

SCHEDULE C - SALARIES SPECIFIED CALLINGS

Level	Salary Per Annum \$	Arbitrated Safety Net \$	Total Salary Per Annum \$
Level 2/4			
1st year	26533	7357	33890
2nd year	27975	7357	35332
3rd year	29573	7461	37034
4th year	31571	7461	39032
5th year	34669	7356	42025
6th year	36688	7356	44044

Level	Salary Per Annum \$	Arbitrated Safety Net \$	Total Salary Per Annum \$
Level 5			
1st year	38660	7356	46016
2nd year	39993	7356	47349
3rd year	41378	7356	48734
4th year	42815	7356	50171
Level 6			
1st year	45126	7356	52482
2nd year	46697	7356	54053
3rd year	48323	7356	55679
4th year	50059	7356	57415
Level 7			
1st year	52721	7356	60077
2nd year	54563	7356	61919
3rd year	56567	7356	63923
Level 8			
1st year	59824	7356	67180
2nd year	62157	7356	69513
3rd year	65050	7356	72406
Level 9			
1st year	68663	7356	76019
2nd year	71104	7356	78460
3rd year	73888	7356	81244
Class 1	78098	7356	85454
Class 2	82308	7356	89664
Class 3	86516	7356	93872
Class 4	90726	7356	98082

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04878

COMMUNITY COLLEGES AWARD, 1990 NO. A 19 OF 1988 (R)

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.

- (7) Subject to this clause the minimum adult award wage shall:
- apply to all work in ordinary hours.
 - Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE A - SALARIES

(1) LECTURER SCALE

	Minimum Salary annum \$	per Safety Adjustment per annum \$	Net Salary annum \$	Total Salary per annum \$
(a) 1. Normal minimum commencing point for lecturers possessing no relevant post secondary qualifications	21558	7772		29330
2.	23229	7877		31106
3.	24900	7877		32777
4.	26573	7773		34346
5. Minimum commencing point for graduate or equivalent qualification (UG2, UG1) without relevant experience	28265	7773		36038
6. Minimum commencing point for trades lecturer with at least 5 years relevant post apprenticeship experience	30037	7877		37914
7.	31811	7877		39688
8. Normal maximum point for lecturers possessing no relevant formal post secondary qualifications	33582	7877		41459
9.	35357	7772		43129
10. Normal maximum point for lecturers not possessing relevant graduate qualifications (UG2, UG1) or equivalent level	37131	7772		44903
11.	38903	7772		46675
12. Normal maximum point for lecturers with relevant graduate qualifications. Progression beyond this level requires a relevant four year UG1 graduate qualification or equivalent	40677	7772		48449
13.	42451	7772		50223
14.	44225	7772		51997
(b) A UG1 or UG2 qualification means an advanced education or university level award which meets the criteria for those qualifications laid down from time to time by the Australian Council for Tertiary Awards, or its predecessor.				
(c) For Level 5, an approved equivalent means the qualification should be of similar level requiring a minimum of three years full time study beyond the year 12 level of secondary education at an advanced education level.				
(d) Equivalent qualification for UG1 includes the following:				
• UG2 plus a relevant TAFE Diploma;				
• or a three year UG1 or UG2 plus one year post graduate award;				
• or any other equivalent level of qualification approved by the employer.				

- (e) The performance management process will in special circumstances and subject to the lecturer completing a year of service at the level of a bar enable a lecturer to proceed beyond that bar, provided that no lecturer shall move beyond Level 12 unless that person possesses a relevant graduate qualification.

(2) SENIOR LECTURER

	Minimum Salary per annum \$	Safety Net Adjustment per annum \$	Total Salary per annum \$
The salary of a Senior Lecturer shall be	47322	7772	55094

(3) HEAD OF DEPARTMENT

(a)	1.	48542	7772	56314
	2.	50263	7772	58035
	3.	51984	7772	59756

- (b) Salary progression for a Head of Department shall be determined by Clause 12. - Annual Increments of this award. In subclause (2) of Clause 12. - Annual Increments of this award, annual increment dates shall be determined with reference to the date of appointment as a Head of Department.

(4) ALLOWANCES

Administrative and Management allowances shall be payable to staff appointed to the Lecturer Scale in accordance with the following provisions:

- (a) the allowance shall be payable only in respect of special duties assigned from time to time by the Director;
- (b) an Administration allowance of \$1131 p.a. shall be payable for significant administrative responsibility involving the organisation and supervision of resources for programmes; and
- (c) a Management allowance of \$2262 p.a. shall be payable for significant programme management responsibilities including line responsibility for full time staff and budget control.

(5) FRACTION OF FULL TIME

Where the employment is on a fraction of full time basis the salary payable shall be a proportion of the appropriate full time salary prescribed by this clause for that employee, according to the fraction of full time being worked.

(6) ARBITRATED SAFETY NET ADJUSTMENT

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

SCHEDULE B - PART TIME PROVISIONS

Editor's note: The Safety Net increase for 2003 was calculated via the formula, 2003SWC increase (\$17)/Standard hours(22)+ASNA=X for weekly wages up to and including \$731.80 and 2003SWC increase (\$15)/Standard hours(22)+ASNA=X for weekly wages over \$731.80.

	Minimum Salary \$ per hour	Safety Net Adjustment \$ per hour	Total
Group A	50.00	7.16	57.16
Group B	41.24	6.71	47.95
Group C	38.43	6.56	44.99
Group D	34.27	6.34	40.61
Group E	25.85	5.94	31.79

(EDIT NOTE: the ASNA amounts were calculated by the percentage amounts for the \$8 increase in Order 125/95 (75 WAIG 927))

(Editor's Note: The \$15 ASNA adjustment was calculated by halving the adjustment for the previous 3 adjustments which totalled \$30, as this ANSA was for \$15)

- (1) This scale will be adjusted annually in accordance with any change in full time academic salaries.
- (2) Part time employees will be paid the hourly rates in this schedule or by such contract sum as may be agreed between the part time employee and the employer.
- (3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04879

COMMUNITY WELFARE DEPARTMENT HOSTELS AWARD 1983 NO. A 27 OF 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

21. - WAGES

- (1) (a) The minimum weekly rates of wage payable to employees covered by this award shall be as follows:

	Base Rate	Arbitrated Safety Net Adjustment	Minimum award wage
Cook			
1st year of employment	397.70	179.00	576.70
2nd year of employment	402.00	179.00	581.00
3rd year of employment and thereafter	406.10	179.00	585.10
Groundsperson and/or Gardener			
1st year of employment	383.60	179.00	562.60
2nd year of employment	385.10	179.00	564.10
3rd year of employment and thereafter	392.30	179.00	571.30
Domestic Employee			
1st year of employment	369.70	179.00	548.70
2nd year of employment	374.30	179.00	553.30
3rd year of employment and thereafter	378.40	179.00	557.40

The classification Domestic Employee includes the following designations:

Kitchen Attendant, Pantry Attendant, Domestic, Yard Assistant, Dining Room Attendant, Laundry Employee and Machinist.

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) Junior Employees
- Junior Workers shall receive the following percentage of the 1st year rate for the class of work on which they are engaged:
- | | % |
|-----------------------|----|
| Under 16 years of age | 60 |
| 16 to 17 years of age | 70 |
| 17 to 18 years of age | 80 |
- (3) General Conditions:
- (a) Junior employees may be employed in the proportion of one junior to every two or fraction of two not being less than one adult employee employed in the same occupation, provided that this ratio may be altered by written agreement between the Union and the employee concerned.
- (b) Senior employees appointed as such by the employer shall be paid \$20.40 per week in addition to the rates prescribed herein.
- (c) A leading hand placed in charge of not less than three other employees shall be paid \$20.40 per week in addition to the rates prescribed herein.
- (d) Employees who are required to work their ordinary hours each day in two shifts and where the break between the two shifts is not less than three hours shall be paid \$3.25 per day reimbursement for travelling expenses.

2006 WAIRC 04880

CONTRACT CLEANERS AWARD, 1986 NO. A 6 OF 1985**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.

- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

20. – WAGES

- (1) The minimum total rates of wages payable to employees covered by this award shall be

	Rate Per Week Award Wage\$	Arbitrated Safety Net\$	Total Wage\$
(a) Adult Employees:			
Cleaner	412.60	131.00	543.60
Window Cleaner	419.30	131.00	550.30
(b) Casual Employees:			
Cleaner		17.17	
Window Cleaner		17.38	

- (c) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Junior Employees:

The minimum rate of wage payable to junior employees engaged in a classification prescribed by subclause (1) of this clause shall be the percentage of the prescribed wage for an adult cleaner, as follows:

	%
Under 19 years of age	70
19 to 20 years of age	80
20 to 21 years of age	90

- (3) Leading Hands:

Any full-time employee placed in charge of other employees shall be paid, in addition to the appropriate wage prescribed, the following:

	Rate Per Hour\$
In charge of up to ten Cleaners	0.76
More than ten Cleaners	1.44

2006 WAIRC 04881

CONTRACT CLEANERS' (MINISTRY OF EDUCATION) AWARD, 1990 NO. A 5 OF 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

- (8) Minimum Adult Award Wage
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

20. - WAGES

- (1) (a) The minimum weekly rate of wage payable to cleaners covered by this award shall be:
- | | Base Rate | Arbitrated Safety Net Adjustments | Wages per week |
|----------|-----------|-----------------------------------|----------------|
| Cleaners | \$377.40 | 179.00 | \$556.40 |
- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) A casual employee shall receive 20% of the ordinary rate in addition to the ordinary rates prescribed herein for his/her class of work.
- (3) Leading Hands:
Any full-time employee placed in charge of other employees shall be paid, in addition to the appropriate wage prescribed, the following:
- | | |
|--------------------------------------|------------------|
| Cleaner In Charge of a High School | \$21.15 per week |
| Cleaner In Charge of a TAFE College: | |
| 35 hours or less | \$63.25 per week |
| 35 hours or more | \$84.45 per week |

2006 WAIRC 04882

COUNTRY HIGH SCHOOL HOSTELS AWARD, 1979 NO. R 7A OF 1979

1B. - MINIMUM ADULT AWARD WAGE

- No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- Subject to this clause the minimum adult award wage shall:
 - apply to all work in ordinary hours.
 - Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

24. - WAGES

- (1) (a) The minimum weekly rates of wage payable to employees covered by this award shall be as follows:

	Base Rate	Arbitrated Safety Net Adjustments	Minimum Total Rate
Cook			
1st year of employment	397.70	179.00	576.70
2nd year of employment	402.00	179.00	581.00
3rd year of employment and thereafter	406.10	179.00	585.10
Groundsperson and/or Gardener			
1st year of employment	383.60	179.00	562.60
2nd year of employment	385.10	179.00	564.10
3rd year of employment and thereafter	392.30	179.00	571.30
Domestic Employee			
1st year of employment	369.70	179.00	548.70
2nd year of employment	374.30	179.00	553.30
3rd year of employment and thereafter	378.40	179.00	557.40

The classification Domestic Employee includes the following designations:

Kitchen Attendant, Cleaner, Yard Assistant, Dining Room Attendant, and Laundry Attendant.

- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) General Conditions:

- (a) Senior employees appointed as such by the employer shall be paid \$19.75 per week in addition to the rates prescribed herein.
- (b) A leading hand placed in charge of not less than three other employees shall be paid \$19.75 per week extra.

2006 WAIRC 04883**COUNTRY HIGH SCHOOL HOSTELS AUTHORITY RESIDENTIAL COLLEGE SUPERVISORY STAFF
AWARD 2005 NO. PSA A 1 OF 2005**2. - MINIMUM ADULT WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE A - SALARIES

	Annual Base Salary – 1 January 2003	25% loading over 46 weeks
College Managers Grade A: 0 – 20		
1st year of service	35967	7929
Grade B: 21 – 80		
1st year of service	37647	8299
2nd year of service	38762	8545
3 rd year if service	39602	8730
4 th year of service or thereafter	40022	8823
Grade C: 81 – 130		
1st year of service	40870	9010
2nd year of service	41717	9196
3 rd year if service or thereafter	42558	9382
Grade D: 131 – 200		
1st year of service	42976	9474
2nd year of service	43818	9660
3 rd year if service or thereafter	44795	9875
Grade E: 201 – 300		
1st year of service	45868	10111
2nd year of service	46940	10348
3 rd year if service or thereafter	48013	10584
Senior Supervisors		
Grade A: 0 – 20		
1st year of service	29429	6488
Grade B: 21 – 80		
1st year of service	31016	6837
2nd year of service or thereafter	32183	7095

	Annual Base Salary – 1 January 2003	25% loading over 46 weeks
Grade C: - 81 – 130		
1st year of service	32787	7228
2nd year of service or thereafter	33277	7336
Grade D: 131 – 200		
1st year of service	33582	7403
2nd year of service or thereafter	33721	7434
Grade E: 201 – 300		
1st year of service	34001	7495
2nd year of service or thereafter	34374	7578
Supervisors		
1 st year of service	28776	6344
2 nd year of service	29103	6416
3 rd year of service or thereafter	29429	6488
Casual and Part-Time Supervisory Staff Hourly Rates of Pay (25% Loading Excluded)		

1 January 2003

Part-time Supervisory Staff	\$14.71 per hour
Casual Supervisory Staff (Includes 20% Casual Loading)	\$17.65 per hour

For the purposes of calculating part-time and casual hourly rates of pay (25% loading allowance excluded) the following formulae will apply:

Part-Time Supervisor

Annual base salary x 12 divided by 313 = fortnightly base salary
fortnightly base salary divided by 75 = hourly salary.

Casual Supervisor

Part-time hourly salary + 20% loading = casual hourly salary.

2006 WAIRC 04884**CSBP & FARMERS AWARD 1990 NO. A 19 OF 1989****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

9. - WAGES

- (1) (a) The wage rates and classifications in this award are the result of a substantial restructuring of provisions in former awards which this award replaces. These provisions represent one of the means for providing improved efficiency and performance in the production and distribution operations of the employer.
- (b) The objective of the classification and wages provisions of this award is to provide the basis for an equitable career path opportunity for all employees aimed at providing a flexible and productive workforce which can with appropriate training efficiently meet the operational and maintenance needs of the employer. In addition the objective is to provide work and a working environment which is satisfying for employees.
- (2) An employee in the classification and group specified shall be paid weekly as follows:

Production and Maintenance Worker	Rate	Arbitrated Safety Net Adjustment	Total
	\$	\$	\$
Group 1	429.60	141.00	570.60
Group 2	437.90	141.00	578.90
Group 3	446.20	141.00	587.20
Group 4	457.20	143.00	600.20
Group 5	468.00	143.00	611.00
Group 6	478.80	143.00	621.80
Group 7	491.80	143.00	634.80
Group 8	504.20	141.00	645.20
Maintenance Trades			
Group 1	491.80	141.00	632.80
Group 2	504.20	141.00	645.20
Group 3	515.50	141.00	656.50
Group 4	527.90	141.00	668.90
Group 5	565.10	143.00	708.10

- (3) An employee specifically appointed to be a leading hand or a leading operator in charge of four or more employees shall be paid the appropriate allowances as follows:

One to three employees (other than apprentices and employees performing the duties of trades assistant)	\$20.75 per week
Four to ten employees (including apprentices and employees performing the duties of trades assistant)	\$31.85 per week
Over ten employees (including apprentices and employees performing the duties of trades assistant)	\$41.00 per week

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (4) A Production and Maintenance Worker Group 4 who is competent to perform the duties of a leading operator and who performs such duties as required, shall be paid the appropriate leading operator rate of pay except for the allowance prescribed by clause 9(3).
- (5) A casual employee shall be paid at the classification and group specified plus a loading of twenty (20) per cent of the ordinary rate in lieu of the entitlements provided under clause 15 - Public Holidays, 16 - Annual Leave, 17 - Sick Leave, 28 - Maternity Leave, 29 - Bereavement Leave and 41 - Jury Service, provided that where a casual employee works on a public holiday the employee shall receive the rates provided in clause 15(3) in addition to the loading provided herein.

2006 WAIRC 04885

CULTURAL CENTRE AWARD 1987 NO. A28 OF 1988

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

16. - WAGES

- (1) (a) The minimum weekly rate of wage payable to employees covered by this award, shall be as follows:

	Base Rate	Arbitrated Safety Net Adjustment	Minimum Award Wage
Cleaner			
1st year of employment	370.10	179.00	549.10
2nd year of employment	374.10	179.00	553.10
3rd year of employment and thereafter	378.30	179.00	557.30
Groundskeeper			
1st year of employment	378.00	179.00	557.00
2nd year of employment	385.60	179.00	564.60
3rd year of employment and thereafter	393.70	179.00	572.70
Attendant or Receptionist			
Attendant			
1st year of employment	394.30	179.00	573.30
2nd year of employment	402.70	179.00	581.70
3rd year of employment and thereafter	411.10	179.00	590.10
Security Officer			
1st year of employment	394.30	179.00	573.30
2nd year of employment	402.70	179.00	581.70
3rd year of employment and thereafter	411.10	179.00	590.10

	Base Rate	Arbitrated Safety Net Adjustment	Minimum Award Wage
Assistant Supervisor			
1st year of employment	432.00	181.00	613.00
2nd year of employment	440.20	181.00	621.20
3rd year of employment and thereafter	448.40	181.00	629.40
Installation Assistant			
1st year of employment	461.30	181.00	642.30
2nd year of employment	468.40	179.00	647.40
3rd year of employment and thereafter	476.30	179.00	655.30
Attendant Supervisor			
1st year of employment	476.20	179.00	655.20
2nd year of employment and thereafter	491.50	179.00	670.50
Installation Supervisor			
1st year of employment	521.30	179.00	700.30
2nd year of employment and thereafter	535.40	179.00	714.40
Regional Attendant			
1st year of employment	432.00	161.00	613.00
2nd year of employment	440.20	181.00	621.20
3rd year of employment and thereafter	448.40	181.00	629.40
(b)	The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.		
	These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.		
	Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.		
(2)	Leading Hands: In addition to the appropriate total wage prescribed in this clause, a leading hand shall be paid:		
			\$
(a)	if placed in charge of not less than one and more than five other employees		20.80
(b)	if placed in charge of more than six and not more than ten other employees		32.00
(c)	if placed in charge of more than 11 other employees		41.10
(3)	A casual employee shall receive 20% of the ordinary rate in addition to the ordinary rate for their class of work.		

2006 WAIRC 04886

DAIRY FACTORY WORKERS' AWARD 1982 NO. A 15 OF 1982**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be

offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

29. - WAGES

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be as expressed hereunder as a base rate, supplementary payment and arbitrated safety net adjustments: -:

	Base rate	Supplementary Payment	Arbitrated Safety Net Adjustments	Minimum Rate
(a) <u>Dairy Production Worker - Grade I</u>				
A new employee with less than three months of employment in the industry who performs routine duties under supervision	284.70	40.70	179.00	504.40
(b) <u>Dairy Production Worker - Grade II</u>				
Shall mean an employee classified as such engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to perform duties under supervision beyond the skills of a Grade I employee and who, may be required to regularly carry out a range of the specific duties listed hereunder for which they have been suitably trained				
<u>Special Duties - Grade II</u>				
Recrater/Decrater	314.00	44.80	179.00	537.80
Cool Room Hand				
Wheeler				
Yard Person				
Auto Cutting, (Cheese Section)				
Spotter				
Hand Packer				
Machine Feeder				
Hand Conveyor Loader				
Box Maker				
Powdered Milk Bagger				
Cleaner (General)				
(c) <u>Dairy Production Worker - Grade III</u>				
Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to perform duties with routine supervision, beyond the skills of a Grade II employee and who, may, be required to regularly carry out a range of the specific duties listed hereunder for which they have been suitably trained				

		Base rate	Supplementary Payment	Arbitrated Safety Net Adjustments	Minimum Rate
	<u>Special Duties - Grade III</u>				
(i)	Mobile Electric Milk Crate Lifter	321.20	45.90	179.00	546.10
(ii)	Cheese Room Hand (Machine Operator)				
(iii)	Mill Attendant (Casein/Cheese Manuf. Plants)				
(iv)	Separator Operator				
(v)	Freezer Room Hand				
(vi)	Laboratory Assistant				
(vii)	Bulk Bag Operator (Milk Section)				
(viii)	Separator Operator (Cheese)				
(ix)	Pickers				
(x)	Despatch Hands				
(xi)	Cleaning/Machine Operator				
(xii)	Milk Receiver and Sampler				
(d)	<u>Dairy Production Worker - Grade IV</u>				
	Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to carry out duties beyond the skills of a Grade III employee and who, may be required to regularly carry out a range of the specific duties listed hereunder for which they have been suitably trained				
	<u>Special Duties - Grade IV</u>	328.60	46.90	179.00	554.50
	Pasteuriser (HTST)				
	Separator and/or Mix Maker				
	Machine Operator (Cup)				
	Tester and Grader				
	Cream Grader (Single)				
	Cream Tester (Single)				
	Assist. Cheese maker				
	Pasteuriser Operator (Cheese)				
	Butter Cutter (in charge of machine)				
	Vacreator Operator				
	Tester and Grader (Casein Certificated)				
	Casein Maker				
	Continuous Evaporator (Dryer Operator)				
	Machine Operator (Single)				
	Blow Moulder Operator				
	Reverse Osmosis and/or Ultra Filtration Operator				
	Blender/Mix Maker				
	Butter Maker				
	Despatch (Multiple Function)				
	Boiler Attendant				
(e)	<u>Dairy Production Worker - Grade V</u>				
	Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to perform duties beyond the skills of a Grade IV employee and who, may be required to regularly carry out a range of the specific duties listed hereunder for which they have been suitably trained				

		Base rate	Supplementary Payment	Arbitrated Safety Net Adjustments	Minimum Rate
	<u>Special Duties - Grade V</u>				
	Technical Assistant (Unqualified) Butter Maker with Certificate Machine Operator (Multiple) Auto Form – Fill Aspectic Machine Blow Moulder Operator (Advanced) Stores (Advanced) Process Controller (UHT, Ultra Clean, Pasteuriser)	343.20	49.00	179.00	571.20
(f)	<u>Dairy Production Worker - Grade VI</u>				
	Shall mean an employee classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to perform duties, beyond the skills of a Grade V employee, and who, may be required to regularly carry out at least one of the specific duties listed hereunder for which they have been suitably trained –				
	<u>Secial Duties - Grade VI</u>				
	(i) Technical Assistant (Qualified)	350.40	50.10	179.00	579.50
	(ii) Cheese Maker (Qualified - up to 2 varieties)				
	(iii) Process Controller (Advanced) Automated Batchmaking and Computerised Plant				
(g)	<u>Dairy Production Worker - Grade VII</u>				
	Shall mean an employee who is classified as such who is engaged on work in connection with or incidental to the production and distribution operations of the employer and who is able to perform duties beyond the skills required of a Dairy Production Worker - Grade VI and who, may be required to regularly carry out at least one of the specific duties listed hereunder for which they have been suitably trained –				
	<u>Special Duties - Grade VII</u>				
	(i) Laboratory Technician				
	(ii) Cheese Maker (Advanced - more than 2 varieties)	365.20	52.00	181.00	598.20
(h)	(i)	The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.			
(2)	Junior Employees: Junior employees shall receive the prescribed percentage of the adult rate for the class of work on which they are engaged.				
		%			
	Under 17 years of age	70			
	17 to 18 years of age	80			
	18 to 19 years of age	90			
	At 19 years of age	Adult Rates			
(3)	The ordinary rate per hour shall be calculated by dividing the appropriate weekly rate by 38.				

- (4) The parties agree that the above wage rates include a first stage structural efficiency increase of \$15.00 per week to all employees with any amount in excess of that determined by the Western Australian Industrial Relations Commission to be appropriate being absorbed in the second structural efficiency increase. The total structural efficiency increase will be that determined by the Commission in the State Wage Case Decision of 8 September 1989 (Application No. 1940 of 1989) namely -
- | | | |
|-----|----------------------------|---------|
| (a) | basic skills/trainee level | \$20.00 |
| (b) | semi skilled | \$25.00 |
| (c) | tradesperson or equivalent | \$30.00 |
- (5) Structural Efficiency
- (a) Arising out of the decision of the State Wage Case on 8 September 1989 and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1707 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
- (b) The parties to this Award are committed to implementing a new wage and classification structure. In making this commitment the parties -
- (i) accept in principle that the descriptions of job functions within a new structure will be broadly based and generic in nature;
 - (ii) state that wage increases arising from broadbanding and adjustment of minimum rates are subject to absorption into existing over award payments;
 - (iii) undertake that upon variation of the award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the Award variation relating to a new classification structure;
 - (iv) will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
- (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply -
- (i) the parties agree that the existing award disputes avoidance procedure shall be followed;
 - (ii) agreed competency standards shall be established by the parties in conjunction with TAFE and SESDA (when operative) for all levels in any new classification structure before any claims for reclassification are processed;
 - (iii) an agreed authority (such as TAFE or SESDA) or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification;
 - (iv) reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the employer.
- (6) The grade structure to be introduced on a trial basis without prejudice to the position of the parties to the award. The parties agree to review the operation of the grade structure at the end of the six months trial period with the aim of rectifying any problems which may have arisen with the grade structure.
- This review shall include a consideration of the basis upon which award rates are to be incorporated into the award in the form of base rates and supplementary payments as required by the State Wage Principles. This consideration will take into account relevant outcomes of the "paid rates review" conducted by the Australian Industrial Relations Commission.
- (7) Term
- The provisions of this clause will apply for a term of 24 months from the first pay period commencing on or after 14 August 1990 during which time the parties will report back to the Commission on the following matters -
- (a) The review referred to in subclause (6) of this clause.
 - (b) The conversion of the rates of pay contained in subclause (1) of this clause.
 - (c) The final form of the Definitions contained in subclause (1) of this clause.
 - (d) Training
 - (e) The progress of matters to be addressed under Clause 2B. - Award Modernisation of this award.

2006 WAIRC 04887

DAMPIER PORT AUTHORITY PORT OFFICERS AWARD 1989 NO. PSA A 2 OF 1988**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

8. - SALARY

- (1) A Port Control Officer shall be paid on an all inclusive basis the following:
- | | |
|-----------------------------------|----------|
| Operative on and from 7 July 2006 | \$ 59340 |
|-----------------------------------|----------|
- (2) The annual rate prescribed in subclause (1) above covers all payments for the performance of all duties performed by the officer, the disabilities associated with shift work and the periods of duty, and all circumstances relating to the working environment within the Port, and also includes compensation and penalty rates and payments related to all hours and overtime worked in accordance with the roster and work on Saturdays and Sundays, and public holidays.
- (3) Salaries shall be paid in fortnightly instalments directly into a bank or credit union account nominated by the officer at the rate of one twenty sixth (1/26th) of the annual rate in respect of each complete fortnight of fourteen (14) days, and with respect to days not comprising a complete fortnight, payment will be made for each day at the rate of one fourteenth (1/14th) of the abovementioned fortnightly rate, and with respect to hours not comprising a complete daily payment the hourly rate shall be one eighth (1/8th) of the daily rate.
- (4) Salaries shall be paid fortnightly on a day to be agreed between the officers and the Authority.
- (5) So far as is reasonably practicable the amount due to an officer shall be paid no later than 4.00 p.m. on the pay day and shall be paid together with a memorandum setting out salary particulars.
- The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
 Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04888

DAMPIER SALT AWARD 2004 APPLICATION 1568 OF 2001

2.5 - REMUNERATION

Full Time employees

Full time employees will be paid an annualised Total Salary that includes provision for all rostered hours, penalties, loadings and all other allowances or payments applicable to an employee's role, excluding housing subsidy if applicable and superannuation.

Part Time employees

Part time employees will receive a pro-rata annualised Total Salary and pro rata leave and other entitlements, based on the proportion of time they work compared to a full-time employee.

Total Salary

Total Salary is comprised of a -

- Base Salary - an employee's Base Salary shall be within the following ranges,
 - Operators and Stores persons and Servicepersons \$36,300 to \$51,500
 - Maintainers \$39,750 to \$53,500

Site Allowance — 25% of Base Salary up to a maximum of \$18,000.

Roster Allowance — Employees will be paid a Roster Allowance if they are required to work on weekends, nights, public holidays or additional mandatory rostered hours. Appendix 1 sets out the Roster Allowances for various examples of, but not limited to, the types of rosters that may be worked and the formula for determining future Roster Allowances. The first annual Roster Allowance increase will apply in March 2005.

The table below represents the minimum Base Salary for each classification.

Classification - Operators, Stores persons and Servicepersons

Level	Minimum Base Salary	Criteria
03	41574	2 years' experience in a similar role
02	40430	1 year's experience in a similar role
01	38230	Upon commencement at Dampier Salt with less than 12 months' experience in a similar role

Classification - Maintainers

Level	Minimum Base Salary	Criteria
M3	44330	2 years' experience in a similar role
M2	42430	1 year's experience in a similar role
M1	41680	Upon commencement at Dampier Salt with less than 12 months' experience in a similar role

An employee's Base Salary will be reviewed by Dampier Salt in March 2005 and in March of each subsequent year.

During the term of this award, an employee's Base Salary will not be reduced.

Total Salary will be paid monthly by electronic funds transfer into bank accounts of the employee's choice. Employees who are currently paid fortnightly may continue on this basis. If either an employee or Dampier Salt become aware of errors in payment, such errors will be notified to the other party as soon as practicable. Any under payments will be rectified as soon as possible. Should any over payments in respect to an employee's salary occur, discussions shall take place between the employee and Dampier Salt prior to any over payment being recouped. In the event of any dispute in relation to the overpayment the matter shall be dealt with in accordance with the award dispute settlement procedure. No money shall be recouped from the employee until this process is finalised.

Apprentices

An apprentice shall be paid a percentage of the Maintainer's Base Salary (M1) contained herein as per the following table. The appropriate Site and Roster Allowance shall be paid where applicable.

FOUR YEAR TERM	% of Maintainer's Base Salary
1st Year	50
2nd Year	65
3rd Year	85
4th Year	95

MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

2006 WAIRC 04889

DECKHANDS (PASSENGER FERRIES, LAUNCHES AND BARGES) AWARD NO. 15 OF 1972

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
 - (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
 - (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
 - (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
 - (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

4. - RATES OF PAY

The following shall be the minimum rates of wages payable to employees covered by this award.

(1)

	COLUMN A	COLUMN B + ASNA
Adult Deckhand	\$392.80	\$533.80

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) Junior Employees (percent of wage for an Adult Deckhand)

Under 16 years of age	45%
16 to 17 years of age	55%
17 to 18 years of age	65%
18 to 19 years of age	75%
19 to 20 years of age	85%
20 to 21 years of age	100%

- (3) An employee called upon to work at loading or unloading garbage and/or ashes or other like material shall be paid forty three cents per hour in addition to his rate prescribed herein.
- (4) A junior employee called to work on slipways, cleaning, scraping, painting or overhauling launches, barges, punts or any other floating plant shall be paid the appropriate rate set out in subclause (2) of this clause, plus a margin of forty eight cents per hour.
- (5) An employee required to work in the bilges shall be paid seventy cents per hour in addition to the rates prescribed herein.

2006 WAIRC 04890

DENTAL TECHNICIANS' AND ATTENDANT/RECEPTIONISTS' AWARD, 1982 NO. 29 OF 1982

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

7. - WAGES

The following shall be the minimum fortnightly rates of wage payable to employees covered by this award.

	CURRENT	ASNA	NEW
(1) Dental Technicians			
(a) Dental Technician	895.70	290.00	1185.70
(b) Senior Dental Technician	912.70	294.00	1206.70
(c) Advanced Dental Technician	974.30	294.00	1268.30
(d) Senior Advanced Dental Technician	991.30	294.00	1285.30
(2) Laboratory Assistants			
(a) Laboratory Assistants	720.80	290.00	1010.80
(b) Junior Laboratory Assistants - percent of adult rate			
Under 16 year of age	48%		
16 to 17 years of age	58%		
17 to 18 years of age	69%		
18 to 19 years of age	82%		
19 to 20 years of age	93%		
20 to 21 years of age	99%		
(3) Apprentices - percent of Dental Technicians ((1)(a)) rate			
(a) 4 year term -			
1st year	42%		
2nd year	55%		
3rd year	75%		
4th year	88%		
(b) 3.5 year term -			
1st six months	42%		
Next year	55%		
Next following year	75%		
Final year	88%		
(c) 3 year term -			
1st year	55%		
2nd year	75%		
3rd year	88%		

	CURRENT	ASNA	NEW
(4) Assistants Attendants and Attendant/Receptionists			
(a) Dental Attendants and/or Receptionist	720.80	290.00	1010.80
(b) Dental Assistants	735.20	290.00	1025.20
(c) Senior Dental Attendant and/or Receptionist	737.80	290.00	1027.80
(d) Senior Dental Assistant	752.20	290.00	1042.20

- (e) Junior Dental Assistants, Attendants and Attendant/Receptionist percent of relevant adult rate
- | | |
|-----------------------|-----|
| Under 16 years of age | 48% |
| 16 to 17 years of age | 58% |
| 17 to 18 years of age | 69% |
| 18 to 19 years of age | 82% |
| 19 to 20 years of age | 93% |
| 20 to 21 years of age | 99% |
- (5) Casual employees shall receive twenty percent in addition to the rates prescribed in this clause for the work performed.
- (6) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04891**DEPARTMENT FOR COMMUNITY DEVELOPMENT (FAMILY RESOURCE WORKERS, WELFARE ASSISTANTS AND PARENT HELPERS) AWARD 1990 NO. PSA A 1 OF 1989****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE A – SALARIES

- (1) Annual salaries applicable to employees covered by this Award:

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1			
Under 17 years	11355	3886	15241
17 years	13270	4541	17811
18 years	15480	5297	20777
19 years	17918	6132	24050
20 years	20122	6886	27008
21 years or 1 st year of adult service	22104	7564	29668
22 years or 2 nd year of adult service	22756	7564	30320
23 years or 3 rd year of adult service	23407	7564	30971
24 years or 4 th year of adult service	24054	7669	31723
25 years or 5 th year of adult service	24705	7669	32374
26 years or 6 th year of adult service	25356	7669	33022
27 years or 7 th year of adult service	26105	7565	33670
28 years or 8 th year of adult service	26623	7565	34188
29 years or 9 th year of adult service	27389	7565	34954
Level 2			
2.1	28306	7565	35871
2.2	29009	7565	36574
2.3	29748	7565	37313
2.4	30529	7565	38094
2.5	31346	7565	38911

- (2) Salary increases resulting from State Wage Case Decisions are calculated for those employees under the age of 21 years employed at Level 1 by dividing the current junior annual salary by the current 21 years or 1st year of adult service annual salary and multiplying the result by the new 21 years or 1st year of adult service annual salary which includes the State Wage Case increase. The following formula is to be applied:

Current junior rate

21 years or 1st year of adult service rate

x New 21 years or 1st year of adult service rate

= New junior rate.

2006 WAIRC 04892

DRAUGHTSMEN'S, TRACERS', PLANNERS' AND TECHNICAL OFFICERS' AWAR NO. R 11 OF 1979

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(8) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

(9) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

7. - WAGES

The following shall be the minimum rates of wages payable to employees covered by this Award -

- (1) Trainee Draughtsperson (expressed as a percentage of the "First Year of Experience" rate of wage provided in subclause (3)(a) of this clause, and calculated to the nearest ten cents)

	%
17 years of age and under	52
18 years of age	62
19 years of age	75
20 years of age	88

- (2) (a) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

	Wage Per Week	Arbitrated Safety Net Adjustment	Total Rate Per Week
Adult Tracers	\$	\$	\$
First year of experience	331.70	179.00	510.70
Thereafter	343.80	179.00	522.80

(3) Adult Employees

	WagePerWeek	Supple- mentary payment	Arbitrated Safety Net Adjustment	Total Rate Per Week
(a) Draughtsperson-Detail AssistantSurvey DraughtspersonPlanningAssistantTechnical AssistantAssistant Estimator				
First year of experience	363.60	34.10	179.00	576.70
Second year of experience	378.10	27.60	179.00	584.70
Third year of experience	399.60	18.80	181.00	599.40
Fourth year of experience	419.60	11.60	181.00	612.20
Thereafter	440.30	3.10	181.00	624.40

Provided that where an employee has been classified in a higher tradesperson classification such as toolmaker or patternmaker immediately prior to being classified as a draughtsperson - detail or assistant survey draughtsperson, he/she shall commence on the second year of the scale.

		Wage Per Week	Arbitrated Safety Net Adjustment	Total Rate Per Week
(b)	Draughtsperson-Senior Detail Survey DraughtspersonPlanning TechnicianTechnician Estimator			
	First year of experience	452.50	181.00	633.50
	Second year of experience	468.80	179.00	647.80
	Thereafter	485.40	179.00	664.40
(c)	Draughtsperson-Designing/SeniorSurvey DraughtspersonProduction PlannerTechnical OfficerSenior Estimator			
	First year of experience	497.90	179.00	676.90
	Second year of experience	518.60	177.00	695.60
	Thereafter	542.90	179.00	721.90
(4)	An employee subject to this award, who in addition to their ordinary duties, is required to supervise the work of three or more employees shall, in addition to the rate prescribed herein for their class of work performed, be paid per week the following allowances -			
(a)	In the case of a draughtsperson detail, assistant survey draughtsperson, planning assistant or technical assistant			32.20
(b)	In the case of a draughtsperson, senior detail, survey draughtsperson, planning technician or technician			36.90
(c)	In the case of a draughtsperson, designing, senior survey draughtsperson, production planner or technical officer			41.60
(d)	In the case of a tracer			16.40
	unless such an employee is required to supervise the work of 10 or more other employees when the allowance shall be -			
	(i)	for an employee classified in paragraph (a) above		41.60
	(ii)	for an employee classified in paragraph (b) above		45.80
	(iii)	for an employee classified in paragraph (c) above		50.30
	(iv)	for an employee classified in paragraph (d) above		28.20
(5)	(a)	The supplementary payment payable to adult employees in paragraph (a) of subclause (3) of this clause and to trainee draughtspersons in subclause (1) is pursuant to the provisions of this subclause:		
	(i)	Shall be for all purposes of the Award;		
	(ii)	Shall be reduced by the amount of any payment being made to that employee in addition to the said rates otherwise than pursuant to the provisions of this subclause, whether such payment is being made by virtue of any Order, Industrial Agreement or other agreement or arrangement.		
(6)	The rate prescribed for any classification in subclause (3) of this clause is not amended by subclause (5) of this clause and shall not, for the purpose of any other Award, Order, Industrial Agreement or other agreement or arrangement, be deemed to have been so amended.			
(7)	Structural Efficiency			
(a)	Arising out of the decision of 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1707 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.			
(b)	The parties to this Award are committed to developing a proposal for a new wage and classification structure. In making this commitment the parties -			
	(i)	accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature;		
	(ii)	state that wage increases arising from broadbanding and any adjustment of minimum rates which may occur, are subject to absorption into existing overaward payments;		
	(iii)	will make provisions of an exemption for employers from the requirement to pay any increases arising from the broadbanding and any minimum rates adjustments which may occur;		
	(iv)	intend to substitute the existing provisions of Clause 7 with a new wage classification structure and to make any consequential amendments no later than November 1990 or earlier if agreed between the parties and approved by the Western Australian Industrial Relations Commission;		
	(v)	undertake that upon any variation of the award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the award variation relating to a new classification structure;		

- (vi) will co-operate in any transition which may arise from the existing classification structure to a proposed new structure to ensure that any transition takes place in an orderly manner without creating false expectations or disputation.
- (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply -
 - (i) the parties agree that the existing award disputes avoidance procedure shall be followed;
 - (ii) agreed competency standards shall be established by the parties in conjunction with TAFE and SESDA (when operative) for all levels in any new classification structure before any claims for reclassification are processed;
 - (iii) an agreed authority such as TAFE and SESDA or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification;
 - (iv) reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the employer.

2006 WAIRC 04893

DRIED VINE FRUITS INDUSTRY AWARD, 1951, THE NO. 8 OF 195122. - WAGES

An employer on whom this award (or industrial agreement) is binding shall not increase the rate of wage payable to an employee on the 5th February, 1988 or otherwise vary the conditions of employment applicable to an employee on that date so as to increase that employer's labour costs except to the extent that any such increase has been authorised by the Commission after that date.

(1)	Adult Workers (per week) -	ASNA	\$
	All adults engaged in production	\$141.00	352.60
(2)	Junior workers (per cent of the adult rate per week)		
	Under 16 years of age		50
	16 to 17 years of age		60
	17 to 18 years of age		70
	18 to 19 years of age		80
	19 to 20 years of age		90
	20 years of age.		Adult rates

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) Minimum wage - Adult Males and Females:
 - (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
 - (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
 - (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
 - (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
 - (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
 - (f)
 - (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
 - (g) Subject to this clause the minimum adult award wage shall:
 - (i) apply to all work in ordinary hours.
 - (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
 - (h) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise

agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (i) Adult Apprentices
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
- (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

2006 WAIRC 04894

DRUM RECLAIMING AWARD NO. 21 OF 1961

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

25. - RATES OF PAY

- (1) The minimum weekly rates of wage payable to employees covered by this award shall be as follows:

	Base Rate	ASNA	Minimum Rate
	\$	\$	
Painting and incidental duties	348.30	179.00	527.30
Chiming, shaping, internal lacquering, rumbling, cleaning, classifying and drum inspecting, stencilling with a spray gun, spray painting	341.70	179.00	520.70
Yard Hands	331.50	179.00	510.50

- (2) Junior Employees: Junior employees shall be paid the prescribed percentage of the adult rate for the class of work on which they are engaged.

	%
Under 16 years of age	50
16 to 17 years of age	60
17 to 18 years of age	70
18 to 19 years of age	80
19 to 20 years of age	90
20 years of age and over	Adult Rates

- (3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04895

DRY CLEANING AND LAUNDRY AWARD 1979 NO. R35 OF 1978

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

30. - WAGES

- (1) The minimum weekly rate of wage payable to an adult employee covered by this award shall include the base rate plus the arbitrated safety net adjustment expressed hereunder:
- (a) Group Classification

	Minimum Rate \$	STRUCTURAL EFFICIENCY ADJUSTMENT \$
A Tradesperson Dry Cleaner/ in charge of machinery maintenance and/or boiler	598.20	15.00
B "Invisible" Mender Tailor or Tailoress	564.50	15.00
C Presser Receiver and Despatcher in Charge (namely a person in charge of a depot and responsible for the keeping of records and responsible for cash)	529.40	12.50
Cleaner (Operating Dry Cleaning Machine)		
D Repairer (other than Tailor or Tailoress) Spotter Presser (Off-set Press) Hand Ironer Receiver and/or Despatcher	529.40	12.50
E Wet Cleaner Steam Air Finisher Examiner of Garments Assembler of Garments Sorter of Garments	521.10	12.50
F All other Adult Employees	504.40	10.00

Provided that a person employed in any area of operation of this Award who is required to be solely accountable for all aspects of a self-contained dry cleaning establishment including the receiving of garments and articles, the cleaning, spotting, pressing, packaging and despatch of garments and articles, the handling of moneys, the keeping of records and the maintenance of the establishment shall be paid at a rate of not less than the rate prescribed in this table for the Tradesperson Dry Cleaner. Provided that in such a case all receivers and despatchers in that establishment shall be paid in accordance with the rates prescribed for Group D of such table.

(b) Laundering Industry:

Classification	Minimum Rate Per Week \$
Laundry Employee - Grade 1	512.75
Laundry Employee - Grade 2	519.45
Laundry Employee - Grade 3	546.00
Laundry Employee - Grade 4	554.30

(c) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) Junior Employees:

(a) Dry Cleaning and Dyeing Industry

(i) Wages: The minimum rates of wages to be paid to junior employees shall be as follows:

	Percentage of Minimum Rate for Classification E - Sorter of Garments
Under 16 years of age	50
16 years and under 17 years	55
17 years and under 18 years	65
18 years and under 19 years	75
19 years and under 20 years	85
20 years and under 21 years	93

- (ii) Proportion of Juniors:
- (aa) Juniors may be employed in the following proportion of not more than two for every employee receiving the adult rate.
- (bb) Calculation of Proportion: In the calculation of the proportion of the number of employees receiving the adult rate for the purposes of this clause, working proprietors shall be included, but each working proprietor shall be counted only once.
- (iii) No person under 18 years shall be employed on a manually operated steam press (other than an off-set silk press) or a manually operated dry cleaning machine.
- (iv) Junior employed in a Receiving Depot: Notwithstanding anything hereinbefore contained any junior working alone and responsible for cash transactions and/or in charge of depot shall be paid not less than the rate prescribed for a junior '19 years and under 20 years' plus an amount of \$5.93 per week.
- (b) Laundering Industry:
- (i) Wages: The minimum rates of wages to be paid to junior employees shall be as follows:

	Percentage of Minimum Rate for the Classification in which they are Employed
Under 16 years of age	55
16 to 17 years of age	65
17 to 18 years of age	75
18 to 19 years of age	85
19 to 20 years of age	90
20 to 21 years of age	95

(3) Structural Efficiency:

- (a) Arising out of the decision of the 1989 State Wage Case Decision (69 WAIG 2913) and in consideration of the wage increases resulting from the first structural efficiency adjustment payable from the first pay week commencing on or after 29 March 1990, employees are to perform a wider range of duties including work which is incidental to or peripheral to their main tasks or functions.
- (b) Any changes to the classification system in the award will be based on the results of federal skill audit and trialing. The Union is prepared for the purposes of the second phase and in good faith, to duly consider any specific concerns identified by respondents to the Award and any proposals for trialing specific arrangements aimed at achieving greater flexibility for WA employers.
- (c) In accordance with the Structural Efficiency Principle the parties are prepared to commit themselves to the:
- (i) acceptance of classification change and new job specifications;
- (ii) acceptance in principle that with due consultation between the relevant parties there will be no barriers to opportunity for advancement of employees within the award structure or through access to training;
- (iii) co-operation in the transition from the old structure to the new structure in an orderly manner.
- (d) In addition the Union gives the following commitments:
- (i) preparedness of employees to undertake training associated with wider range of duties;
- (ii) acceptance by the Union of the broad award framework and relationships established.

- (4) (a) The structural efficiency increases specified in (1)(a) and below shall be added to existing actual rate of pay/base rates of pay for time employees/payment by results employees respectively and shall not be absorbed into any over award bonus payment.

GROUP	STRUCTURAL EFFICIENCY ADJUSTMENT \$
F (all others)	10.00
E (rest of Group E)	12.50
D	12.50
C	12.50
B	15.00
A	15.00

2006 WAIRC 04896

EARTH MOVING AND CONSTRUCTION AWARD NO. 10 OF 1963

27. - WAGES

The minimum rate of wage to be paid to and received by all employees shall be as follows:

CLASSIFICATION	RATE PER WEEK\$	ARBITRATED SAFETY NET ADJUSTMENTS\$	TOTAL RATE PER WEEK\$
PART 1			
(a) Engine Driver operating winch from pile driving rig net on pile driving	384.60	131.00	515.60
(b) All stationary steam engine drivers whose work requires first or second class certificate	392.90	131.00	523.90
(c) All other stationary steam engine drivers whose work requires third class certificate	379.70	131.00	510.70
(d) Drivers of Internal Combustion Engines –			
(i) if under 250 b.h.p.	388.50	131.00	519.50
(ii) if 250 b.h.p. or over	395.70	131.00	526.70
(e) Locomotive fireman	379.20	131.00	510.20
(f) Boiler Attendant -			
(i) attending one boiler	371.30	131.00	502.30
(ii) attending two boilers	377.40	131.00	508.40
(g) Driver of steam crane	386.10	131.00	517.10
(h) Scotch Derrick power crane	405.30	131.00	536.30
(i) Compressor driver over 30 h.p.	373.70	131.00	504.70
(j) Driver of Wayne Road Sweeper	397.60	131.00	528.60
(k) Additions to margins, an Engine Driver engaged under this Part, as hereinafter specified shall have his/her marginal rate increased as follows:			
(i) Attending to electric generator or alternator exceeding 10 k.w. capacity			18.55
(ii) Attending to refrigerator compressor or compressors			18.55
(iii) Engine Driver in charge of plant			18.55
(iv) Engine Driver in charge of switchboard of 350 k.w. capacity or more			5.85
(v) Crane Drivers engaged on building construction or demolition			17.10

PART 2 - Mechanical Equipment

CLASSIFICATION	RATE PER WEEK Inclusive of \$15.90 Industry Allowance \$	Arbitrated Safety Net Adjustment\$	TOTAL RATE PER WEEK \$
Group 1			
(a) Operator lance type hand sprayer	403.10	131.00	534.10
(b) Operator aggregate dryer			
(c) Operator pre-mix drag spreader			
(d) Operator aggregate belt spreader			
(e) Operator of joint inserting machine			
(f) Operator concrete spray curing machine, self-propelled			
(g) Operator pneumatic tyre tractor without power operated attachments, up to and including 15 kW net engine power			
Group 2			
(a) Operator crawler tractor without power operated attachments up to and including Class M4	408.60	131.00	539.60

	CLASSIFICATION	RATE PER WEEK Inclusive of \$15.90 Industry Allowance \$	Arbitrated Safety Net Adjustment\$	TOTAL RATE PER WEEK \$
Group 2— <i>continued</i>		408.60	131.00	539.60
(b)	Operator crawler tractor with power operated attachments Class M2			
(c)	Operator pneumatic tyred tractor without power operated attachments above 15 kW up to and including 60kW net engine power. (This includes tilting or one man hitch trailer.)			
(d)	Operator pneumatic tyred tractor with power operated attachments, up to and including 15 kW net engine power			
(e)	Operator rear and bottom dump to and including 2 cubic metres struck capacity			
(f)	Operator back hoe self powered (not self propelled)			
(g)	Operator roller powered, under 8 tonnes			
(h)	Operator roller powered, vibrating, under 4 tonnes			
(i)	Operator trenching machine of the small Ditch Witch type			
(j)	Operator bitumen sprayer			
(k)	Screed operator, asphalt power			
(l)	Mixer operator, asphalt plant (capacity of less than 10 tonnes of hot mix per hour)			
(m)	Operator concrete spreader, powered, self propelled			
(n)	Operator concrete finisher, powered, self propelled			
(o)	Operator concrete finisher, powered, hand propelled			
(p)	Second-driver - navy and dragline or dredge type excavator			
Group 3		421.70	131.00	552.70
(a)	Operator crawler tractor without power operated attachments Class M5 up to and including Class M10			
(b)	Operator crawler tractor with power operated attachments Class M3 up to and including Class M5			
(c)	Operator pneumatic tyred tractor without power operated attachments above 60kW up to and including 150 kW net engine power			

CLASSIFICATION	RATE PER WEEK Inclusive of \$15.90 Industry Allowance \$	Arbitrated Safety Net Adjustment\$	TOTAL RATE PER WEEK \$
Group 3— <i>continued</i>	421.70	131.00	552.70
(d) Operator pneumatic tyred tractor with power operated attachments above 15kW up to and including 60kW net engine power (not including tilting or one person hitch trailer)			
(e) Operator drawn grader			
(f) Operator trenching machine, chain type up to and including 1.5 metre depth or up to and including 300 mm width			
(g) Operator pile driver (power operated winch)			
(h) Operator rear and bottom dump of capacity above 2 cubic metres struck capacity up to and including 15 cubic metres struck capacity			
(i) Driver of bitumen sprayer			
(j) Operator Aggregate Loader (Country Roads Board, Victoria Model)			
(k) Operator asphalt paver			
(l) Mixer operator, asphalt plant (capacity of more than 10 tonnes of hot mix per hour)			
(m) Operator roadroller, powered, 8 tonnes and up to 20 tonnes			
(n) Operator roadroller, powered, 8 tonnes and up to 25 tonnes			
(o) Operator roadroller, powered, vibrating, 4 tonnes and over			
(p) Locomotive driver - petrol, oil, pneumatic or electric driven (if carrying passengers an additional rate of 60¢)			
(q) Operator crawler loader up to and including 500 kg mass (See note 3)			
(r) Operator pneumatic tyred loader up to and including 30 kW net			
Group 4	430.70	131.00	561.70
(a) Operator crawler tractor without power operated attachments above Class M10 up to and including Class M30			
(b) Operator crawler tractor with power operated attachments above Class M5 up to and including Class M15			
(c) Operator grader power operated, below 35 kW net engine power			
(d) Operator excavator up to and including 0.5 cubic metres			

	CLASSIFICATION	RATE PER WEEK Inclusive of \$15.90 Industry Allowance \$	Arbitrated Safety Net Adjustment\$	TOTAL RATE PER WEEK \$
Group 4— <i>continued</i>		430.70	131.00	561.70
(e)	Operator trenching machine ladder type, depth greater than 1.5 metres up to 2.4 metres and width above 300 mm up to 450 mm and bucket wheel trencher with equivalent capacity in cubic metres per hour			
(f)	Operator pneumatic tyred tractor with power operated attachments above 60 kW up to and including 150 kW net engine power			
(g)	Operator self powered scraper up to and including 100 cubic metres struck capacity			
(h)	Operator rear and bottom dump above 15 cubic metres struck capacity up to and including 30 cubic metres struck capacity			
(i)	Operator pneumatic tyred tractor without power operated attachments above 150 kW up to and including 500 kW net engine power			
(j)	Operator crawler loader above 5 000 kg mass up to and including 15 000 kg mass (See note 3)			
(k)	Operator pneumatic tyred loader above 30 kW up to and including 105 kW net engine power			
(l)	Operator roadroller, powered, over 25 tonnes			
(m)	Operator special track laying, fixing or levelling machine (employed on railway construction in W.A.)			
Group 5		435.00	131.00	566.00
(a)	Operator crawler tractor with power operated attachments above Class M15 and up to and including Class M30			
(b)	Operator grader power operated 35 kW up to and including 70 kW net engine power			
(c)	Operator pneumatic tyred tractor with power operated attachments above 150 kW up to and including 500 kW net engine power			
(d)	Operator self powered scraper above 10 cubic metres struck capacity up to and including 20 cubic metres struck capacity			
(e)	Operator excavator above 0.5 cubic metres up to and including 2.2 cubic metres. (This group including Gradall.)			

CLASSIFICATION	RATE PER WEEK Inclusive of \$15.90 Industry Allowance \$	Arbitrated Safety Net Adjustment\$	TOTAL RATE PER WEEK \$
Group 5— <i>continued</i>	435.00	131.00	566.00
(f) Operator trenching machine ladder type, greater than 2.4 metres depth, and minimum 450 mm width and bucket wheel trench equivalent in cubic metres per hour			
(g) Operator rear and bottom dump above 30 cubic metres struck capacity up to and including 60 cubic metres struck capacity			
(h) Operator crawler loader above 15 000 kg mass and up to and including 30 000 kg mass (See note 3)			
(i) Operator pneumatic tyred loader over 105 kW up to and including 200 kW net engine power			
(j) Operator crawler tractor without power operated attachments above Class M30 up to and including 60 000 kg mass			
Group 6	441.90	131.00	572.90
(a) Operator excavator above 2.2 cubic metres struck bucket capacity up to and including 5.5 cubic metres struck bucket capacity			
(b) Operator grader power operated above 75 kW up to and including 190 kW net engine power			
(c) Operated pneumatic tyred loader above 200 kW up to and including 500 kW net engine power			
(d) Operator crawler tractor with power operated attachment, above Class M30 up to and including 60 000 kg mass			
(e) Operator crawler loader above 30 000 kg mass up to and including 60 000 kg mass (See note 3)			
(f) Operator rear and bottom dump above 60 cubic metres struck capacity up to and including 120 cubic metres struck capacity			
(g) Operator self power scraper above 20 cubic metres 50 cubic metres struck capacity struck capacity up to and including			

Special Work: A driver operating a tractor fitted with a blade and using such blade in breaking trail in heavy sidling country shall be paid an additional allowance of 8 cents per hour for each day or part of a day in which he/she is so occupied.

PART 2A - Mobile Crane Drivers

Operator of Mobile Crane with lifting capacity of:

CLASSIFICATION	TOTAL RATE PER WEEK Inclusive of \$15.60 Industry Allowance \$	Arbitrated Safety Net Adjustment \$	TOTAL RATE PER WEEK \$
(i) Up to 8 tonnes	426.70	131.00	557.70
(ii) In excess of 8 tonnes and not exceeding 15 tonnes	432.20	131.00	563.20
(iii) In excess of 15 tonnes and not exceeding 40 tonnes	438.20	131.00	569.20
(iv) In excess of 40 tonnes and not exceeding 80 tonnes	443.20	131.00	574.20
(v) In excess of 80 tonnes and not exceeding 100 tonnes	447.40	131.00	578.40
(vi) In excess of 100 tonnes and not exceeding 140 tonnes	453.40	131.00	584.40
(vii) In excess of 140 tonnes and not exceeding 180 tonnes	461.60	131.00	592.60
(viii) In excess of 180 tonnes and not exceeding 220 tonnes	471.40	133.00	604.40
(ix) In excess of 220 tonnes	485.30	133.00	618.30

Note: Mobile cranes are defined as those mounted on a specially designed chassis or a lorry and capable of load manipulation, slewing, and travelling under their own power. Mobile cranes constructed as an attachment to or modification of a tractor, fall into the appropriate group for the tractor with power operated attachment.

The rates prescribed in Parts 2 and 2A of this Clause include an industry allowance as specified to compensate for the disabilities usually associated with earth moving and construction work.

1. (a) Crawler Tractors are classified in accordance with the proposed Australian Standard - "Classification of Crawler Tractor by Mass" as follows:

Class	Shipping Mass - Kilograms
M2	over 1000 up to 2000
M3	over 2000 up to 3000
M4	over 3000 up to 4000
M5	over 4000 up to 5000
M10	over 7000 up to 10000
M15	over 10000 up to 15000
M30	over 25000 up to 30000
- (b) Crawler Tractors above 50 000 kg mass are classified as indicated in the wages table of this clause.
2. The classification of pneumatic tyred tractors and pneumatic tyred loaders is based on the proposed Australian Standard for Metric Tractor Classification.
3. Crawler Tractor front-end loaders are to be classified by using the mass of the tractor, including the loader attachment in lieu of the bare shipping mass.
4. Self propelled rollers are classified by mass complete, including maximum ballast.
5. Mobile cranes constructed as an attachment to or modification of a tractor, fall into the appropriate group for the tractor with power operated attachment.
6. Tractors without power operated attachment includes tractors:
 - (i) with power operated attachments not in use; and
 - (ii) with items which, although they have a power-unit of their own are not controlled by the operator of the tractor except for starting and stopping (for example - Drawn Vibrating Roller).
7. Back hoe when attached to a tractor shall be considered as a power operated attachment to the tractor.
8. Reference to bituminous surfacing equipment or Materials includes tar, sprayed work and hot mix work.

PART 3

Rates additional to and cumulative with any other rate specified for the employee:

	Total Rate per Week \$
(1) Employee operating side loader (truck mounted)	1.37
(2) Employee operating mechanical bucket type loader, truck or tractor mounted	1.37
(3) Employee in charge of plant (as defined)	21.94

Employee in charge of plant means

- (a) when two or more employees are employed at the plant at the one time, the employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility; or
- (b) an employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility over one or more other employees; or

- (c) when he/she is the only person of his/her class employed on the plant the employee who does the general repair work of the plant in addition to the work of operating, but not when he/she merely assists a fitter or engineer to do such work; or
- (d) where shifts are worked the employee who is directed to carry out the general repair work of the plant in addition to the work of operating, but not when he/she merely assists a fitter or engineer to do such work.

Minimum Wage - Adult Males and Females:

- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
 - (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
 - (i) apply to all work in ordinary hours.
 - (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(h) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (i) Adult Apprentices
 - (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
 - (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

APPENDIX I

- (1) This Appendix shall apply to employees who perform work within the scope of the award on:
 - (a) the construction, erection, repair, renovation, maintenance, ornamentation or demolition of a large industrial undertaking or any large civil engineering project, or
 - (b) the construction, erection, repair, renovation, maintenance, ornamentation or demolition of any multistorey building.

In the event of any disagreement arising concerning the application of this Appendix the matter shall be referred to a Board of Reference for determination.
- (2) In lieu of the rates of wage prescribed in Parts 2 and 2A of Clause 27. - Wages of this award the following rates shall apply:

Edit Note: Actual weekly amount utilises formula see subclause (6).

Columns added for administrative purposes and reflect amounts in sub-clauses 2-5.

	Supplementary Payment	Arbitrated Safety Net Adjustment	Industry Allowance	Actual Weekly Rate(x52/50.4)	Special Allowance	Total Wage
\$	\$	\$	\$	\$	\$	\$
Plant Operator Group 1						
341.90	52.10	181.00	20.85	614.80	7.70	622.50
Bitumen Sprayer						
Concrete Finisher, Powered						
Concrete Spreader, Powered						
Crawler Tractor With Power Operated Attachments (Up To And Including 2000kg Shipping Mass)						
Dumper, Rear And Bottom (Up To And Including 2 Cubic Metres Struck Capacity)						
Hand Sprayer, Lance Type Pneumatic Tyred Tractor With Power Operated Attachments (Up To And Including 15 Kw Net Engine Power)						
Roller (Under 8 Tonnes)						
Roller, Vibrating (Under 4 Tonnes)						
Second Driver, Navy And Dragline Or Dredge Type Excavator						
Trenching Machine (Small Ditch- Witch Type)						
Plant Operator Group 2						
367.20	52.10	181.00	20.85	640.90	7.70	648.60
Plant Sprayer (Driver)						
Concrete paver						
Crawler Loader (Up To And Including 15 000 Kg Mass)						
Crawler Tractor With Power Operated Attachments (Over 2000 Kg Up To And Including 15 000 Kg Shipping Mass)						
Dumper, Rear And Bottom, (Above 2 Cubic Metres, Up To And Including 30 Cubic Metres Struck Capacity)						
367.20	52.10	181.00	20.85	640.80	7.70	648.50
Excavator (Up To And Including 0.5 Cubic Metres Struck Capacity)						
Grader (below 35 kW net engine power)						

	Supplementary Payment	Arbitrated Safety Net Adjustment	Industry Allowance	Actual Weekly Rate(x52/50.4)	Special Allowance	Total Wage	
\$	\$	\$	\$	\$	\$	\$	
Plant Operator Group 2— continued							
Locomotive (not carrying passengers)							
Pile Driver							
Pneumatic Tyred Loader (Up To And Including 105 Kw Net Engine Power)							
Pneumatic Tyred Tractor With Power Operated Attachments (Above 15 Kw Up To And Including 150 Kw Net Engine Power)							
Roller (8 tonnes and above)							
Roller, Vibrating (4 Tonnes And Above)							
Scraper (up to and including 10 cubic metres struck capacity)							
Track Laying, Fixing Or Levelling Machine (Railway Construction)							
Trenching machine (depth up to 2.4 metres, and width up to 450mm) and bucket wheel trencher with equivalent capacity in cubic metres per hour.							
Plant Operator Group 3							
	381.00	52.10	179.00	20.85	653.00	7.70	660.70
Crawler Loader (Above 15 000 Kg Mass, Up To And Including 60 000 Kg Mass)							
Crawler Tractor With Power Operated Attachments (Above 15 000 Kg Up To And Including 60 000 Kg Mass)							
	381.00	52.10	179.00	20.85	653.00	7.70	660.70
Dumper, rear and bottom (above 30 cubic metres, up to and including 120 cubic metres struck capacity)							
Excavator (Above 0.5 Cubic Metres, Up To And Including 5.5 Cubic Metres Struck Capacity. (This Group Includes Gradall)							
.							
Grader. (35 Kw Up To And Including 190 Kw Net Engine Power)							
Locomotive (Carrying Passengers)							

	Supplementary Payment	Arbitrated Safety Net Adjustment	Industry Allowance	Actual Weekly Rate(x52/50.4)	Special Allowance	Total Wage
	\$	\$	\$	\$	\$	\$
Plant Operator Group 3— continued						
Pneumatic Tyred Loader (Over 105 Kw Up To And Including 500 Kw Net Engine Power)						
Pneumatic Tyred Tractor With Power Operated Attachments (Above 150 Kw Up To And Including 500 Kw Net Engine Power)						
Scraper (Above 10 Cubic Metres, Up To And Including 50 Cubic Metres Struck Capacity)						
Trenching Machine (Greater Than 2.4 Metres Depth And 450 Mm Width) And Bucket Wheel Trencher With Equivalent Capacity In Cubic Metres Per Hour.						

Special Work: A driver operating a tractor fitted with a blade and using such blade in breaking trail in heavy sidling country shall be paid an additional allowance of 8 cents per hour for each day or part of a day in which he is so occupied.

Mobile Crane Operators

Operator of mobile crane with lifting capacity of:

		Supplemen tary Payment	Arbitrated Safety Net Adjustment	Industry Allowance	Actual Weekly Rate(x52/50.4)	Special Allowance	Total Wage Rate	
		\$	\$	\$	\$	\$	\$	
(i)	up to 8 tonnes	358.40	52.10	181.00	20.85	631.80	7.70	639.50
(ii)	in excess of 8 tonnes and not exceeding 15 tonnes	368.40	52.10	181.00	20.85	642.10	7.70	649.80
(iii)	in excess of 15 tonnes and not exceeding 40 tonnes	376.90	52.10	179.00	20.85	648.80	7.70	656.50
(iv)	in excess of 40 tonnes and not exceeding 80 tonnes	383.60	52.10	179.00	20.85	655.70	7.70	663.40
(v)	in excess of 80 tonnes and not exceeding 100 tonnes	388.70	52.10	179.00	20.85	661.00	7.70	668.70
(vi)	In excess of 100 tonnes and not exceeding 140 tonnes	396.30	52.10	179.00	20.85	668.80	7.70	676.50
(vii)	In excess of 140 tonnes and not exceeding 180 tonnes	406.30	52.10	179.00	20.85	679.10	7.70	686.80
(viii)	In excess of 180 tonnes and not exceeding 220 tonnes	419.70	52.10	179.00	20.85	693.00	7.70	700.70
(ix)	In excess of 220 tonnes	437.10	52.10	181.00	20.85	713.00	7.70	720.70
(3)	(a)	Supplementary Payment						
		Employees shall be paid an additional payment of \$52.10 which shall be added to the base rate specified in subclause (2) hereof for the purpose of calculating the actual weekly rate.						

(b) Arbitrated Safety Net Payment

Employees shall be paid an arbitrated safety net payment of \$48.00 (various see above table) which shall be added to the base rate specified in subclause (2) hereof for the purpose of calculating the actual weekly rate.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(4) Special Allowance

In addition to the base rate specified in subclause (2) hereof employees shall be paid for all purpose of the award a special allowance of \$7.70 per week and such allowance shall not be altered as a consequence of wage indexation decisions.

(5) Industry Allowance

In addition to the rates specified in subclause (2) an industry allowance of \$20.85 per week should be paid to all employees under this award to compensate for the disabilities usually associated with building and steel construction work.

(6) Actual Weekly Rate

The actual weekly rate shall be calculated by multiplying the sum of the appropriate amounts prescribed in subclause (2), paragraphs (3)(a) and (3)(b) and subclause (5) hereof by 52 on 50.4. This subtotal shall be rounded to the nearest ten cents and then have added to it the special allowance prescribed in subclause (4) hereof.

(7) Overaward Payment

For the purposes of this clause, overaward payment is defined as amount in rates of pay which an employee would receive in excess of the minimum award wage (ie base rate, arbitrated safety net and supplementary payment) as prescribed in this award for the classification in which such employee is engaged. Provided that this definition shall exclude overtime, shift allowances, penalty rates, expense related allowances, industry allowances, disability allowances, location allowances, special rates or allowances, responsibility allowances and any other ancillary payments of a like nature prescribed by this award.

(8) Allowances and Special Provisions

(a) Dirt Money

A dirt allowance of \$0.49 per hour shall be payable in connection with work deemed to be more than ordinarily dirty; cases of dispute to be determined by the Board of Reference.

(b) Confined Space

Workers working in confined space shall be paid an allowance of \$0.59 per hour. "Confined space" means one of which the dimensions are such that the workperson must work in an unusually stooped or cramped position or without adequate ventilation or where confinement within a limited place is productive of unusual discomfort to him/her.

(c) Wet Work

(i) Any worker working in water or "wet places" shall be paid an extra allowance of \$3.84 per day or part of a day.

(ii) "Wet places" shall mean places where, in the performance of the work the splashing of water and mud saturate the worker's clothing or where protection is not provided to prevent splashing or dripping sufficient to saturate his/her clothing, and shall include wet material or wet ground in which it is impracticable for the worker wearing ordinary working boots to work without getting wet feet. Provided that this clause shall not apply to workers working on wet surfaces made wet by rain.

(iii) In exceptional cases where the work is excessively wet and which are not covered by paragraph (ii) hereof, an extra allowance may be agreed upon, or failing agreement, determined by the Board of Reference.

(iv) Subject to paragraph (iii), the engineer in charge or the foreperson shall decide whether any allowance is payable under this clause.

(v) Workers called upon to work overtime in water or in wet places shall receive an extra \$3.84 or the appropriate allowance fixed by the Board of Reference for each eight hours or portion thereof, of overtime worked and such allowance shall be treated as portion of the wage for the calculation of overtime. For all other purposes, the extra payment shall be deemed an allowance.

(d) A multi-storey allowance shall be paid to all employees to whom this Appendix applies engaged on site in the construction of a multi-storey building as defined in accordance with the following:-

From commencement of building to 15th floor level - 37 cents per hour extra.

From 16th floor level to 30th floor level - 47 cents per hour extra.

From 31st floor level to 45th floor level - 71 cents per hour extra.

From 46th floor level to 60th floor level - 91 cents per hour extra.

From 61st floor level onwards - \$1.16 per hour extra.

For the purposes of this subclause a multi-storey building means a building which will, when complete, consist of 5 or more storey levels and any other structure which does not have regular storey levels but which exceeds 15 metres in height.

2006 WAIRC 04897

**EDUCATION DEPARTMENT MINISTERIAL OFFICERS SALARIES ALLOWANCES AND CONDITIONS
AWARD 1983 NO. 5 OF 1983, THE**

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - SALARIES

- (1) The Employer shall allocate to officers such salaries and salary ranges taken from subclause (2) of this clause.
- (2) (a) Officer Level 1

	Arbitrated Safety Net Adjustment	75 Hours Total Salary Per Annum
Level 1	\$	\$
1st year (21 years)	7024	27741
2nd year	7024	28349
3rd year	7024	28957
4th year	7109	29658
5th year	7109	30265
6th year	7109	30872
7th year	7025	31474
8th year	7025	31957
9th year	7025	32672

(b) Officer Level 2

	Arbitrated Safety Net Adjustment	75 Hours Total Salary Per Annum
Level 2	\$	\$
1st year	7025	33527
2nd year	7025	34182
3rd year	7025	34872
4th year	7025	35600
5th year	7025	36362

(c) Officer Level 3

	Arbitrated Safety Net Adjustment	75 Hours Total Salary Per Annum
Level 3	\$	\$
1st year	7025	37410
2nd year	7025	38226
3rd year	7025	39067
4th year	7025	39833

(d) Officer Level 4

	Arbitrated Safety Net Adjustment	75 Hours Total Salary Per Annum
Level 4	\$	\$
1st year	7025	41017
2nd year	6941	41848
3rd year	6941	42803

(e) Officer (Junior)

Officers employed below the age of 21 years are to be paid to maintain current salary relativities as the corresponding salaries in the *Public Service Award 1992*, according to the following formula:

Education Department Ministerial Officer Salary:

$$\text{Public Service Award 1992 salary} \quad \times \quad \frac{48.5}{52}$$

	Arbitrated Safety Net Adjustment	75 Hours Total Salary Per Annum
Junior Level	\$	\$
Under 17 years	3,208	14,215
17 years	3,749	16,612
18 years	4,372	19,379
19 years	5,045	22,413
20 years	5,684	25,189

(3) Where an occupant of such office is employed for less than 37.5 hours per week, the salary paid shall be in accordance with the following formula:-

Hours worked per fortnight / 75 x Full-Time Fortnightly Salary.

(4) The fortnightly salary of officers shall be calculated as follows:

$$\text{Annual Salary} \quad \times \quad 313 \quad \text{OR} \quad \frac{\text{Annual Salary}}{12} \quad 26.0833$$

(5) The hourly rate shall be computed as one seventy-fifth of the fortnight's salary.

(6) The salary rates expressed herein shall be varied to reflect variations which are made from time to time to the salary scales of the *Public Service Award 1992* including amendments, replacements and variations. Such variations to this Award shall be in accordance with the method agreed between the parties to this Award.

(7) Payment Of Salaries

- (a) Salaries shall be paid fortnightly but, where the usual payday falls on a public holiday, payment shall be made on the previous working day.
- (b) Salaries shall be paid by direct funds transfer to the credit of an account nominated by the officer at a bank, building society or credit union approved by the Under Treasurer or an Accountable Officer.
- (c) Provided that where such form of payment is impracticable or where some exceptional circumstances exist, and by agreement between the employer and the Association, payment by cheque may be made.

(8) Arbitrated Safety Net Adjustments

- (a) The rates of pay in this Award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

- (b) These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by officers since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- (c) Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04898

EGG PROCESSING AWARD 1978 NO. R 42 OF 1978

1A. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

14. - WAGES

- (1) **Adult Employees**

The following rates shall apply from the first pay period commencing on or after the date of amendment.

	Relativity	Weekly Rate	ASNA	Total Weekly Rate
		\$	\$	\$
Level F5	100%	465.20	133.00	598.20
Level F4	92.4%	429.80	131.00	560.80
Level F3	87.4%	406.60	131.00	537.60
Level F2	82%	381.50	131.00	512.50
Level F1	78%	362.90	131.00	493.90

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) Part Time Employee shall mean a worker who works regularly from week to week, less than 38 hours each week.
 (3) Casual Employee shall mean a worker engaged as such.
 Casual Employees shall be paid 20 per cent in addition to the rate prescribed in this clause for the work performed.

2006 WAIRC 04899

ELECTORATE OFFICERS AWARD 1986 NO A 18 OF 1986

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
 (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
 (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
 (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
 (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
 (6)
 (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
 (7) Subject to this clause the minimum adult award wage shall:
 (a) apply to all work in ordinary hours.
 (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
 (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
 (9) **Adult Apprentices**
 (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

10. - SALARIES

- (1) The annual salaries applicable to employees covered by this award shall be as follows:

Year of Service	Salary Per Annum \$	Arbitrated Safety Net Adjustment \$	Total Salary Per Annum \$
First Year	32469	7565	40034
Second Year	33344	7565	40909
Third Year	34246	7565	41811
Fourth Year	35172	7460	42632
Fifth year	36442	7460	43902
Sixth Year	37437	7356	44793
Seventh Year	38461	7356	45817

- (2) Subject to the provisions of Clause 13. - Hours of Attendance, the salaries of employees as prescribed in this Award includes payment for all hours worked, including penalties for overtime and shift work.

- (3) Subject to good conduct, diligence and efficiency an employee shall proceed by annual increments to the maximum of the salary range.
- (4) Payment of Salaries
- (a) Salaries shall be paid fortnightly but, where the usual payday falls on a public holiday, payment shall be made on the previous working day.
- (b) A fortnight's salary shall be computed by dividing the annual salary by 313 and multiplying the result by 12.
- (c) The hourly rate shall be computed as one seventy-fifth of the fortnight's salary.
- (d) Salaries shall be paid by direct funds transfer to the credit of an account nominated by the employee at a bank, building society or credit union approved by the employer.
- (5) Arbitrated Safety Net Adjustment
- (a) The rates of pay in this Award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- (b) These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- (c) Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04900

ELECTRICAL CONTRACTING INDUSTRY AWARD NO. R 22 OF 1978

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

FIRST SCHEDULE - WAGES

- (1) The following shall be the rate of wages payable to employees covered by this award.

(2)

(a)	CLASSIFICATION	RatePer Week\$	ArbitratedSafety NetAdjustment\$	TotalRatePer Week\$
	(i) LEVEL 1			
	Electronics Tradesperson	549.90	179.00	728.90
	(ii) LEVEL 2			
	(aa) Electrician - Special Class	491.50	179.00	670.50
	(bb) Instrument Fitter/Electrical Grade 2	499.20	179.00	678.20
	(iii) LEVEL 3			
	(aa) Electrical Installer/Mechanic	467.30	179.00	646.30
	(bb) Electrical Fitter	467.30	179.00	646.30
	(cc) Instrument Fitter/Electrical Grade 1	484.90	179.00	663.90
	(dd) Linesperson - Grade 1 (i.e. with not less than 3 years experience as a Linesperson)	467.30	179.00	646.30
	(ee) Cable Jointer	467.30	179.00	646.30
	(iv) LEVEL 4			
	Linesperson - Grade 2 (i.e. with less than 3 years experience as a Linesperson)	449.30	181.00	630.30
	(v) LEVEL 5			
	Electrical Assistant	394.70	179.00	573.70

(b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increase in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used of offset arbitrated safety net adjustments.

(3) Leading Hands - In addition to the appropriate rates shown in subclause (2) hereof a leading hand shall be paid -

(a)	If placed in charge of not less than three and not more than ten other employees	\$22.20
(b)	If placed in charge of more than ten and not more than twenty other employees	\$33.80
(c)	If placed in charge of more than twenty other employees	\$43.60

(4) Apprentices:

(a) Wage per week expressed as a percentage of the Electrical Installer's rate per week and Safety Net Adjustment Payment:

	%
Four Year Term	
First Year	39
Second Year	51
Third Year	67
Fourth Year	79
Three and a Half Year Term	
First Six Months	39
Next Year	51
Next Year	67
Final Year	79
Three Year Term	
First Year	51
Second Year	67
Third Year	79

(b) Apprentices Over the Age of 21 Years

Wage per week expressed as a percentage of the Electrical Installer's rate per week and Safety Net Adjustment Payment

- | | | |
|--|----------------------------|----|
| | | % |
| | Four Year Term | |
| | First Year | 67 |
| | Second Year | 67 |
| | Third Year | 67 |
| | Fourth Year | 79 |
| | Three and a Half Year Term | |
| | First Six Months | 67 |
| | Next Year | 67 |
| | Next Year | 67 |
| | Final Year | 79 |
| | Three Year Term | |
| | First Year | 67 |
| | Second Year | 67 |
| | Third Year | 79 |
- (5) Tool Allowance:
- (a) In accordance with the provisions of subclause (20) of Clause 18. - Special Rates and Provisions of this Award the tool allowance to be paid is:
- (i) \$12.70 per week to such tradespersons, or
- (ii) In the case of an apprentice, a percentage of \$12.70 being the percentage which appears against the apprentice's year of apprenticeship set out in subclause (4) of this schedule.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this schedule.
- (6) Construction Allowance:
- (a) In addition to the appropriate rates of pay prescribed in this Clause an employee shall be paid:
- (i) \$39.30 per week if the employee is engaged on the construction of a large industrial undertaking or any large civil engineering project.
- (ii) \$35.50 per week if the employee is engaged on a multi-storeyed building but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employee between the ground floor and the floor upon which the employee is required to work. A multi-storeyed building is a building which, when completed, will consist of at least five storeys.
- (iii) \$20.80 per week if the employee is engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Definitions, of this Award.
- (b) Any dispute as to which of the aforesaid allowances applies to particular work shall be determined by the Board of Reference.
- (7) Casual Employees:
A casual employee shall be paid 20 per cent of the ordinary rate payment in addition to the ordinary rate assigned to their class of work.
- (8) Part-Time Employee
A part-time employee shall be paid pro-rata in accordance with the appropriate rate for the classification for the employee for the number of hours so worked.
Payments pursuant to the First Schedule Wages and Clause Nos. 21, 22, 23, 24, 25, 26 and 27 shall be strictly related proportionately in accordance with the number of ordinary hours worked, to the number of ordinary hours worked by a full time employee in accordance with Clause 11. - Hours.
- (9) Licence Allowance:
A tradesperson who holds and in the course of their employment may be required to use a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force at the date of this Award under the Electricity Act, 1945, shall be paid \$18.70 per week.
- (10) Commissioning Allowances:
An "Electrician Commissioning" as defined shall be paid at the rate of \$28.60 per week in addition to rates prescribed in this schedule.
- (11) New Classifications:
In reference to Clause 37. - Structural Efficiency of this Award -
- (a) The parties to this Award are committed to implementing a broadbanded wage and classification structure in accordance with the Grades set out in paragraph (f) hereunder, and
- (i) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature;
- (ii) Intend to substitute the existing provisions of subclause (2) of the First Schedule - Wages with a new wage and classification structure;

- (iii) To make any consequential amendments not later than October 1990, nor earlier if agreed between the parties and approved by the Western Australian Industrial Relations Commission.
- (b) Employees who are transferred to the new classification structure proposed under this subclause at a level which provides for a pay rate less than that being received at the date of transfer under their old classification, will have that rate of pay maintained by way of an allowance which shall be paid until -
 - (i) The contract of employment is terminated; or
 - (ii) The employee accepts appointment to a new classification.
- (c) In the event that there is a claim for reclassification to a higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on the job experience or on any other ground, the following principles shall apply:
 - (i) The parties agree that the matter shall be dealt with by the Industry Committee as provided by Clause 37(1)(e) of this Award.
 - (ii) Agreed competency standards shall be established by the parties for all levels in any new classification structure before any claims for reclassification are processed.
- (d) Reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the employer.
- (e) The parties will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
- (f) Broadbanded Grades
 - (i) Grade 1
 - (ii) Grade 2
 - (iii) Grade 3
 - (iv) Grade 4
 - (v) Grade 5
 - (vi) Grade 6
 - (vii) Grade 7
 - (viii) Grade 8
 - (ix) Grade 9
 - (x) Grade 10

2006 WAIRC 04901

ELECTRICAL TRADES (SECURITY ALARMS INDUSTRY) AWARD 1980 NO. R 27 OF 1979

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

28. - WAGES

- (1) (a) The ordinary weekly rate of wage payable to adult employees covered by this Award shall be as follows:

Classification	On Engagement	Supplementary Payment Per Week	Arbitrated Safety Net Adjustment	Total Payment Per Week
Group A Serviceperson (Special Class)	386.60	51.90	181.00	619.50
Group B Serviceperson	362.80	49.40	179.00	591.20
Group C Installer	362.80	49.40	179.00	591.20
Group D Trades Assistant	310.20	39.30	179.00	528.50

Classification	After 12 months experience with the employer	Supplementary Payment Per Week	Arbitrated Safety Net Adjustment	Total Payment Per Week
Group A Serviceperson (Special Class)	407.30	51.90	181.00	640.20
Group B Serviceperson	384.20	49.40	181.00	614.60
Group C Installer	384.20	49.40	181.00	614.60
Group D Trades Assistant	310.20	39.30	179.00	528.50

- (2) A casual employee shall be paid 20 per cent of the ordinary rate in addition to the ordinary rate for the calling in which he is employed.
- (3) (a) Where an employer does not provide a tradesperson with the tools ordinarily required by that tradesperson in the performance of his/her work as a tradesperson the employer shall pay a tool allowance of **\$12.80** per week to such tradesperson for the purpose of such tradesperson supplying and maintaining tools ordinarily required in the performance of his/her work as a tradesperson.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this Clause.
- (c) An employer shall provide for the use of tradespersons all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A tradesperson shall replace or pay for any tools supplied by his employer if lost through their negligence.
- (4) (a) In addition to the appropriate rates of pay prescribed in this Clause an employee shall be paid -
- (i) **\$41.10** per week if he/she is engaged on the construction of a large industrial undertaking or any large civil engineering project.
- (ii) **\$37.10** per week if he/she is engaged in a multi-storeyed building but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employee between the ground floor and the floor upon which they are required to work. A multi-storeyed building is a building which, when completed, will consist of at least five storeys.
- (iii) **\$21.40** per week if they are engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Definitions of this Award.
- (b) Any dispute as to which of the aforesaid allowances apply to particular work shall be determined by the Board of Reference.
- (c) An allowance paid under this subclause includes any allowance otherwise payable under Clause 15. - Special Rates and Provisions of this Award except the allowance for work at heights, the first aid allowance and the licence allowance.
- (5) **Leading Hand:** In addition to the appropriate total wage prescribed in subclause (1) of this Clause, a leading hand shall be paid -
- (a) If placed in charge of not less than three and not more than ten other employees **\$23.30**
- (b) If placed in charge of more than ten and not more than twenty other employees **\$35.60**
- (c) If placed in charge of more than twenty other employees **\$45.80**
- (6) Structural Efficiency
- (a) Arising out of the decision of the State Wage Case on 8 September 1989 and in consideration of the wage increases resulting from the first structural efficiency adjustment employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.

- (b) The parties to the Award are committed to implementing a new wage and classification structure. In making this commitment the parties -
- (i) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature;
 - (ii) Undertake that upon variation to the Award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the Award variation relating to a new classification structure;
 - (iii) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
- (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply -
- (i) The parties agree that the existing award disputes avoidance procedure shall be followed;
 - (ii) Agreed competency standards shall be established by the parties in conjunction with TAFE and SESDA (when operative) for all levels in any new classification structure before any claims for reclassification are processed;
 - (iii) An agreed authority (such as TAFE or SESDA) or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification;
- (d) Reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the employer.
- (e) The parties to the award are committed to co-operating positively to increase the efficiency, productivity and international competitiveness of the security alarms industry and to enhance the career opportunities and job security of employees in the industry.
- (f) At each plant or enterprise a consultative mechanism may be established by the employer, or shall be established upon request by the employees or their Union. The consultative mechanism and procedure shall be appropriate to the size, structure and needs of that plant or enterprise. Measures raised by the employer, employees or Union or Unions for consideration consistent with the objectives of paragraph (e) hereof shall be processed through that consultative mechanism and procedures.
- (g) Measures raised for consideration consistent with paragraph (f) hereof shall be related to implementation of the new classification structure, the facilitative provisions contained in the Award and, subject to Clause 34. - Training, matters concerning training and, subject to paragraph (h) hereof, any other measures consistent with the objectives of paragraph (e) of this subclause.
- (h) Without limiting the rights of either an employer or the Union to arbitration, any other measure designed to increase flexibility at the plant or enterprise and sought by any party shall be notified to the Commission and by agreement of the parties involved shall be subject to the following requirements:
- (i) The changes sought shall not affect provisions reflecting national standards recognised by the Western Australian Industrial Relations Commission;
 - (ii) The majority of employees affected by the change at the plant or enterprise must genuinely agree to the change;
 - (iii) No employee shall lose income as a result of the change;
 - (iv) The Union must be a party to the Agreement;
 - (v) The Union shall not unreasonably oppose any agreement;
 - (vi) Any agreement shall be subject to approval by the Western Australian Industrial Relations Commission and, if approved, shall operate as a Schedule to this Award and take precedence over any provision of this Award to the extent of any inconsistency.
- (i) Any disputes arising in relation to the implementation of paragraphs (f) and (g) hereof shall be subject to the provisions of Clause 31. - Avoidance of Industrial Dispute, of this Award.
- (j) The parties to this award agree to finalise outstanding matters relating to the classification structure and definitions and in respect of further flexibility provisions relating but not limited to hours of work and higher duties within six months of 20 February 1991.

2006 WAIRC 04902

**ELECTRICAL, ENGINEERING AND BUILDING TRADES (WEST AUSTRALIAN NEWSPAPERS LIMITED)
AWARD, 1988 NO. A 17 OF 1985**

FIRST SCHEDULE - WAGES

(1)	(a)	Classification	Base Rate	Supplementary Payment	Additional Payment	Arbitrated Safety Net Adjustment	Total Rate
			\$	\$	\$	\$	\$
C6		Industrial Electronic Tradesperson (with 2 or more years experience)	456.50	65.00	48.60	179.00	749.10
C6		Industrial Electronic Tradesperson (with less than 2 years experience)	456.50	65.00	30.30	179.00	730.80

- | (1) | (a) | Classification — <i>continued</i> | Base Rate | Supplementary Payment | Additional Payment | Arbitrated Safety Net Adjustment | Total Rate |
|-----|-----|---|-----------|-----------------------|--------------------|----------------------------------|------------|
| | | | \$ | \$ | \$ | \$ | \$ |
| | | C8 Electrical, Engineering and Building Tradesperson - Carpenter- Tradesperson - Special Class | 401.70 | 57.20 | 81.60 | 179.00 | 719.50 |
| | | C10 Electrical, Engineering Tradesperson and Building Tradesperson - Multi-skilled Carpenter (more than 2 years experience with the employer) | 365.20 | 52.00 | 99.10 | 177.00 | 693.30 |
| | | C10 Electrical, Engineering and Building Tradesperson (with less than 2 years continuous experience with the employer) | 365.20 | 52.00 | 82.60 | 179.00 | 678.80 |
| | | C12 Tool Storeperson | 319.20 | 45.40 | 40.30 | 179.00 | 583.90 |
| | | C12/13 Trades Assistant | 306.80 | 42.60 | 55.50 | 179.00 | 583.90 |
- (b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
- These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
- Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.
- (2) The weekly rate of wage for an apprentice shall be the following percentages of the tradesman's rate of wage as prescribed in paragraphs (a) and (c) of subclause (1) of this schedule. An apprentice, upon completing his indentures, shall be required to work two years before qualifying for the experience tradesman's rate as prescribed in paragraphs (b) and (d) of subclause (1) of this schedule.
- (a) Wage per week expressed as a percentage of the "Tradesman's rate" -
- | | |
|-----------------------------------|----|
| <u>Five Year Term</u> | % |
| First Year | 40 |
| Second Year | 48 |
| Third Year | 55 |
| Fourth Year | 75 |
| Fifth Year | 88 |
| <u>Four Year Term</u> | |
| First Year | 42 |
| Second Year | 55 |
| Third Year | 75 |
| Fourth Year | 88 |
| <u>Three and a Half Year Term</u> | |
| First Six Months | 42 |
| Next Year | 55 |
| Next Year | 75 |
| Final Year | 88 |
| <u>Three Year Term</u> | |
| First Year | 55 |
| Second Year | 75 |
| Third Year | 88 |
- (3) Responsibility Payment
- An Engineering or Electrical Tradesperson, Special Class Electrician or Electronic Tradesperson or Building Tradesperson required to work when supervisory staff are not on duty shall receive the additional flat payment per shift -

- (a) Saturday \$8.10
- (b) Sunday \$15.90
- (4) In addition to the appropriate total wage prescribed in this schedule, a leading hand in charge of not less than three or more other employees shall be paid **\$47.50** per week.
- (5) An Industrial Electronics Tradesperson, an Electrician - Special Class, an Electrical fitter and/or Armature Winder or an Electrical installer who holds, and in the course of this employment may be required to use, a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force on the 28th day of February, 1978 under the Electricity Act 1945 shall be paid an allowance of **\$18.10** per week.
- (6) Structural Efficiency
- (a) Arising out of the decision of the State Wage Case on 8 September 1989 and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1731 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
- (b) The parties to the Award are committed to co-operating positively to increase the efficiency, productivity and competitiveness of West Australian Newspapers Limited and to enhance the career opportunities and job security of employees in the metal and engineering industry as a whole.
- (c) At each plant or enterprise a consultative mechanism may be established by the employer, or shall be established upon request by the employees or their relevant union or unions. The consultative mechanism and procedure shall be appropriate to the size, structure and needs of that plant or enterprise. Measures raised by the employer, employees or union or unions for consideration consistent with the objectives of paragraph (b) hereof shall be processed through that consultative mechanism and procedures.
- (d) Measures raised for consideration consistent with paragraph (c) hereof shall be related to implementation of the new classification structure, the facilitative provisions contained in this Award and, subject to Clause 28. - Training, of this Award, matters concerning training and, subject to paragraph (e) hereof, any other measures consistent with the objectives of paragraph (b) of this subclause.
- (e) Without limiting the rights of either an employer or a union to arbitration, any other measure designed to increase flexibility at the plant or enterprise and sought by any party shall be notified to the Commission and by agreement of the parties involved shall be subject to the following requirements -
- (i) The changes sought shall not affect provisions reflecting national standards recognised by the Western Australian Industrial Relations Commission.
- (ii) The majority of employees affected by the change at the plant or enterprise must genuinely agree to the change.
- (iii) No employee shall lose income as a result of the change.
- (iv) The relevant union or unions must be a party to the Agreement
- (v) The relevant union or unions shall not unreasonably oppose any Agreement.
- (vi) Any Agreement shall be subject to approval by the Western Australian Industrial Relations Commission and, if approved, shall operate as a Schedule to this Award and take precedence over any provision of this Award to the extent of any inconsistency.
- (f) Any disputes arising in relation to the implementation of paragraphs (c) and (d) hereof shall be subject to the dispute settling procedures.
- (7) Award Modernisation
- (a) In accordance with paragraph (e) of subclause (6) hereof, the parties are committed to modernising the terms of the Award.
- (b) The parties will discuss all matters raised which may lead to increased flexibility and the removal of obsolete conditions to better reflect the realities of modern industry practices and assist in the restructuring process. Any such discussion with the Unions shall be on the premise that -
- (i) The majority of employees at the enterprise must genuinely agree.
- (ii) No employee will lose income as a result of the change.
- (iii) The Unions must be party to the agreement, particularly where enterprise level discussions relate to matters requiring variations to the Award.
- (iv) Agreements will be ratified by the Commission.
- (c) Should an agreement be reached pursuant to paragraph (b) hereof, and that agreement requires an award variation, the parties shall support such Award variation.
- (d) There shall be no limitations on any award matter being raised for discussion.
- (e) The parties agree that working parties will continue to meet with the aim of modernising the Award.
- (8) Minimum Wage
- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
- (i) apply to all work in ordinary hours.
- (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (i) **Adult Apprentices**
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
- (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

2006 WAIRC 04903

ELECTRONIC SERVICING EMPLOYEES (BUILDING MANAGEMENT AUTHORITY)

AWARD 1984, NO. A 40 OF 1982

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.

- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

FIRST SCHEDULE - WAGES

- (1) The total weekly wage payable to employees covered by this Award shall be as follows:

(a)	On Engagement \$	ASNA \$	Total Rate \$
Electronic Technician:			
Level 1	437.40	149.00	586.40
Level 2	467.90	151.00	618.90
Level 3	498.80	149.00	647.80
Level 4	531.20	149.00	680.20
Level 5	563.70	151.00	714.70
(b)	After One Year of Service \$	ASNA \$	Total Rate \$
Electronic Technician:			
Level 1	442.40	149.00	591.40
Level 2	472.90	151.00	623.90
Level 3	503.60	149.00	652.60
Level 4	536.30	149.00	685.30
Level 5	569.00	151.00	720.00
(c)	After two Years of Service \$	ASNA \$	Total Rate \$
Electronic Technician:			
Level 1	446.70	151.00	597.70
Level 2	477.30	151.00	628.30
Level 3	508.00	149.00	657.00
Level 4	540.50	149.00	689.50
Level 5	573.50	151.00	724.50

- (d) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (2) (a) In addition to the appropriate rate of pay prescribed elsewhere in this Schedule an employee shall be paid:
- (i) \$27.90 per week if he is engaged on the construction of a large industrial undertaking or any large civil engineering project;
 - (ii) \$24.10 per week if he is engaged on a multi-storeyed building but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employees between the ground floor and the floor upon which he is required to work. A multi-storeyed building is a building which, when completed will consist of at least five storeys.
 - (iii) \$14.80 per week if he is engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Definitions of this Award.
- (b) Any dispute as to which of the aforesaid allowances applies to particular work shall be determined by the Board of Reference.
- (c) An allowance paid under this subclause includes any allowance otherwise payable under Clause 13. - Special Rates and Provisions of this Award.
- (3) Casual Employees: An employee who is engaged to work for less than five consecutive days shall be paid twenty per cent of the ordinary rate in addition to the ordinary rate for his class of work.

- (4) Leading Hands: A technician placed in charge of three or more other workers shall, in addition to his ordinary rate, be paid:
- | | \$ |
|--|-------|
| (i) if placed in charge of not less than three and not more than ten other workers | 15.70 |
| (ii) if placed in charge of more than ten and not more than twenty other workers | 24.10 |
| (iii) if placed in charge of more than twenty other workers | 31.00 |
- (5) Tool Allowance
- (a) Where an employer does not provide a technician with the tools ordinarily required in the performance of his work as a technician the employer shall pay a tool allowance of \$8.70 per week to such technician for the purpose of such technician supplying and maintaining tools ordinarily required in the performance of his work.
 - (b) Any tool allowance paid pursuant to this clause shall be included in, and form part of, the ordinary weekly wage prescribed in this schedule.
 - (c) An employer shall provide for the use of technicians all necessary power tools, special purpose tools and precision measuring instruments.
 - (d) A technician shall replace or pay for any tools supplied by his employer if lost through his negligence.

2006 WAIRC 04904
ELECTRONICS INDUSTRY AWARD NO. A22 OF 1985
1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
 - (b) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.

33. - WAGES

The minimum rates of wages payable weekly to employees covered by this award shall be as follows -

(1)	(a)	Adults	RatePer Week	ArbitratedSafety NetAdjustment	Total RatePer Week
		Electronic Technician (Grade III)	537.50	179.00	716.50
		Electronic Technician (Grade II)	463.30	179.00	642.30
		Electronic Technician (Grade I)	442.20	181.00	623.20
		Electronic Serviceperson	418.90	181.00	599.90
		Installer	375.90	179.00	554.90
		Serviceperson's Assistant	357.90	179.00	536.90
		Assembler (1)	352.60	179.00	531.60
		Assembler	331.50	179.00	510.50
		Trainee Installer (90% of Installer)	338.30	161.10	499.40

(b) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
 These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
 Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(2) Leading Hands:

In addition to the appropriate rate of wage prescribed in subclause (1) of this clause a leading hand shall be paid:

(a)	If placed in charge of not less than three and not more than ten other employees	\$23.00
(b)	If placed in charge of more than ten but not more than twenty other employees	\$35.00
(c)	If placed in charge of more than twenty other employees	\$45.20

(3) Apprentices:

(Wage per week expressed as a percentage of the rate per week for an "Electronic Serviceperson" set out in subclause (1) of this clause).

(a)	Four Year Term -	%
	First Year	42
	Second Year	55
	Third Year	75
	Fourth Year	88
(b)	Three and A Half-Year Term -	%
	First Six Months	42
	Next Year	55
	Following Year	75
	Final Year	88
(c)	Three Year Term	%
	First Year	55
	Second Year	75
	Third Year	88

(4) (a) Junior Employees -

(Wage per week expressed as a percentage of the "Assembler" rate as shown in subclause (1) of this clause).

	%
Under 16 years of age.....	35
Between 16 and 17 years of age...	45
Between 17 and 18 years of age...	55
Between 18 and 19 years of age...	65
Between 19 and 20 years of age...	78.5
Between 20 and 21 years of age...	93

(b)	Junior Employees - Installers	
	(Wage per week expressed as a percentage of the "Installer" rate as shown in subclause (1) of this clause).	
		%
	Under 17 years of age.....	45
	Between 17 and 18 years of age...	55
	Between 18 and 19 years of age...	65
	Between 19 and 20 years of age...	75
	Between 20 and 21 years of age...	90

(5) **Tool Allowance**

- (a) Where an employer does not provide a technician, serviceperson, installer or an apprentice with the tools ordinarily required by that person in the performance of work as a technician, serviceperson, installer or an apprentice the employer shall pay a tool allowance of -
- (i) **\$12.80** per week to such technician, serviceperson, installer; or
 - (ii) In the case of an apprentice a percentage of **\$12.80** being the percentage which appears against their year of apprenticeship in subclause (3) of this clause for the purpose of such technician, serviceperson, installer or apprentice applying and maintaining tools ordinarily required in the performance of work as a technician, serviceperson, installer or apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.
- (c) An employer shall provide for the use of technicians, servicepeople, installers or apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A technician, serviceperson, installer or apprentice shall replace or pay for any tools supplied by the employer if lost through his negligence.

(6) **Casual Employees:**

A casual employee shall be paid twenty per cent of the ordinary rate in addition to the ordinary rate prescribed for the classification in which that employee is employed.

(7) **Structural Efficiency:**

- (a) Arising out of the decision of 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from the first structural efficiency adjustment in Application No. 1756 of 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
- (b) The parties to this award are committed to co-operating positively to increase the efficiency, productivity and competitiveness of the electronics and information technology industry and to enhance the career opportunities and job security of employees in the industry.
- (c) At each plant or enterprise a consultative mechanism may be established by the employer, or shall be established upon request by the employees or their relevant union or unions. The consultative mechanism and procedure shall be appropriate to the size, structure and needs of that plant or enterprise. Measures raised by the employer, employees, or union or unions for consideration consistent with the objectives of paragraph (b) hereof shall be processed through that consultative mechanism.
- (d) Measures raised for consideration consistent with paragraph (c) hereof shall be related to implementation of the new classification structure, the facilitative provisions contained in this Award and, subject to Clause 36. - Training, matters concerning training and, subject to paragraph (e) hereof, any other measures consistent with the objectives of paragraph (b) of this subclause.
- (e) Without limiting the rights of either an employer or a union to arbitration, any other measure designed to increase flexibility at the plant or enterprise and sought by either party shall be notified to the Western Australian Industrial Relations Commission and by agreement of the parties involved shall be subject to the following requirements -
- (i) The changes sought shall not affect provisions reflecting national standards recognised by the Western Australian Industrial Relations Commission.
 - (ii) The majority of employees affected by the change at the plant or enterprise must genuinely agree to such change.
 - (iii) No Employee shall lose income as a result of the change.
 - (iv) The relevant union or unions must be a party to the agreement.
 - (v) The relevant union or unions shall not unreasonably oppose any agreement.
 - (vi) Any agreement shall be subject to approval by the Western Australian Industrial Relations Commission and, if approved, shall operate as a schedule to this Award and take precedence over any provision of this award to the extent of any inconsistency.
- (f) Any disputes arising in relation to the implementation of paragraphs (c) and (d) hereof shall be subject to the provisions of Clause 30. - Avoidance of Industrial Dispute, of this award.
- (g) The parties to this award agree to finalise outstanding matters relating to the classification structure and definitions and in respect of further flexibility provisions relating but not limited to hours of work and higher duties within six months of 25th October, 1990.

10. - WAGES

- (1) Subject to Clause 5. - Special Rates and Provisions of Part II of the award the ordinary weekly rate of wage shall be as set out hereunder and shall be inclusive of all special rates and allowances and be paid as an "all purpose" rate.
- (2) The ordinary weekly wage of an employee engaged on construction work shall consist of the base rate and the special payment as set out in subclause (3) of this clause.

(3) (a) CLASSIFICATIONS

	RatePer Week	SpecialPayment	ArbitratedSafety NetAdjustment	Total RatePer Week
Electronic Technician (Grade III)	537.50	31.50	179.00	748.00
Electronic Technician (Grade II)	463.30	26.90	179.00	669.20
Electronic Technician (Grade I)	442.20	25.40	179.00	646.60
Electronic Serviceperson	418.90	24.00	181.00	623.90
Installer	375.90	18.10	179.00	573.00
Trainee Installer (90% of Installer)	338.30	16.30	161.10	515.70

(4) Apprentices:

The ordinary weekly wage of an apprentice shall be calculated by applying the percentage applicable under subclause (4) of Clause 33. - Wages of PART I - GENERAL of this award to the rate prescribed for a "Serviceperson" in subclause (3) of this clause for the construction work upon which the apprentice is engaged.

(5) Construction Allowances:

- (a) In addition to the appropriate rates of pay prescribed in this clause an employee shall be paid -
- (i) **\$40.60** per week if engaged on the construction of a large industrial undertaking or any large civil engineering projects.
 - (ii) **\$36.70** per week if engaged on a multi-storeyed building, but only until the exterior walls have been erected and the windows completed and a lift made available to carry the employee between the ground floor and the floor upon which the employee is required to work. A multi-storeyed building is a building which, when completed, will consist of at least five storeys.
 - (iii) **\$21.50** per week if engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Definitions of PART I - GENERAL of this award.
- (b) Any dispute as to which of the aforesaid allowances apply to particular work shall be determined by the Board of Reference.

(6) Leading Hand:

In addition to the appropriate rate of wage prescribed in subclause (1) of this clause a leading hand shall be paid:

- | | | |
|-----|--|---------|
| (a) | If placed in charge of not less than three and not more than ten other employees | \$23.00 |
| (b) | If placed in charge of more than ten but not more than twenty other employees | \$35.00 |
| (c) | If placed in charge of more than twenty other employees | \$45.20 |

- (7) (a) Where an employer does not provide a Technician, Serviceperson, Installer or Apprentice with the tools ordinarily required by that Serviceperson, Technician or Installer in the performance of work as a Technician, Installer or Apprentice the employer shall pay a tool allowance of -
- (i) \$12.80 per week to such Technician, Serviceperson or Installer, or
 - (ii) In the case of an apprentice a percentage of \$12.80 being the percentage referred to in subclause (3) of Clause 33. - Wages of PART I - GENERAL of this award,
- for the purpose of such Technician, Serviceperson, Installer or Apprentice supplying and maintaining tools ordinarily required in the performance of work as a Technician, Serviceperson, Installer or Apprentice.
- (b) Any tool allowance paid pursuant to paragraph (a) of this subclause shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.
- (c) An employer shall provide for the use of Technicians, Servicepersons, Installers and Apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (d) A Technician, Serviceperson, Installer or Apprentice shall replace or pay for any tools supplied by the employer if lost through that person's negligence.

- (8) A casual employee shall be paid twenty per cent of the ordinary rate in addition to the ordinary rate prescribed for the classification in which that employee is employed.

(9) Minimum Wage:

- (a) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (b) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7th July 2006.
- (c) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (d) Unless otherwise provided in this clause adults employed as casuals, part time employees or pieceworkers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

- (e) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (f)
- (i) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (ii) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (g) Subject to this clause the minimum adult award wage shall:
- (i) apply to all work in ordinary hours.
 - (ii) apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (h) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the minimum adult award wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (i) **Adult Apprentices**
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$426.70 per week.
 - (ii) The rate paid in (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (iii) Where in this award an additional rate is expressed as a percentage, fraction, or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (iv) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5th June 2003.
- (10) **Structural Efficiency:**
- (a) Arising out of the decision of the State Wage Case on 8th September 1989 and in consideration of the wage increases resulting from the first structural efficiency adjustment employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
 - (b) The parties to the Award are committed to implementing a new wage and classification structure. In making this commitment the parties:
 - (i) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature;
 - (ii) Undertake that upon variation of the Award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the award variation relating to a new classification structure;
 - (iii) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation.
 - (c) In the event that there is a claim for reclassification by an existing employee to a higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply:
 - (i) The parties agree that the existing award disputes avoidance procedure shall be followed;
 - (ii) Agreed competency standards shall be established by the parties in conjunction with TAFE and the State Employment Skills Development Authority (SESDA), (when operative) for all levels in any new classification structure before any claims for re-classification are processed.
 - (iii) An agreed authority (such as TAFE or SESDA) or agreed accreditation authority (when operative) shall test the validity of an employee's claim for reclassification.
 - (d) Reclassification to any higher level shall be contingent upon such additional work being available and required to be performed by the employer.
 - (e) The parties are committed to modernising the terms of the Award and to addressing the issues associated with training in an endeavour to finalise these matters by 1 August 1990.
 - (f) The commitments referred to in this subclause are supported by a Memorandum of Agreement between the parties attached to the Award as a Third Schedule.
 The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle. These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement. Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04905

ENGINE DRIVERS' (BUILDING AND STEEL CONSTRUCTION) AWARD

No. 20 of 1973

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

27. - WAGES

The weekly wage to be paid to all employees shall be as follows:-

- (1) When an employee is engaged on building or steel construction work on site in or in connection with -
- (a) the construction, erection, repair, renovation, maintenance, ornamentation, alteration or demolition of a large industrial undertaking or any large civil engineering project or any multi-storey building; or
- (b) the construction, erection, repair, renovation, maintenance, ornamentation, alteration or demolition of any structure or civil engineering project which the employer and the union agree, or in the event of disagreement, which the Board of Reference declares to be construction work,
- shall consist of the sum of the base rate reflected in Column "A" of subclause (2) and the amounts reflected in subclauses (3), (4) and (5) of this clause.
- For an employee engaged on other work than that specified above in (a) or (b) the weekly wage shall consist of the sum of the base rate reflected in Column "B" of subclause (2), and the amounts reflected in subclauses (3), (4) and (5) of this clause.

(2)

Edit Note: Actual weekly amount utilises formula see subclause (6).
Columns added for administrative purposes and reflect sub-clauses 3-5.

CLASSIFICATION	COLUMN A" BASE RATES	Supplementary Payment\$	Industry Allowance\$	Actual Weekly Rate amount	A.S.N.A.	Special Allowance	TOTAL WAGE \$
0 to 8 tonnes	358.40	52.10	20.57	444.80	181.00	7.70	633.50
8 to 15 tonnes	368.40	52.10	20.57	455.10	181.00	7.70	643.80
15 to 40 tonnes	376.90	52.10	20.57	463.80	179.00	7.70	650.50
40 to 80 tonnes	383.60	52.10	20.57	470.80	179.00	7.70	657.50
80 to 100 tonnes	388.70	52.10	20.57	476.00	179.00	7.70	662.70
100 to 140 tonnes	396.30	52.10	20.57	483.90	179.00	7.70	670.60
140 to 180 tonnes	406.30	52.10	20.57	494.20	179.00	7.70	680.90
180 to 220 tonnes	419.70	52.10	20.57	508.00	179.00	7.70	694.70
Over 220 tonnes	437.10	52.10	20.57	526.00	181.00	7.70	714.70
Tower Crane	400.10	52.10	20.57	487.80	179.00	7.70	674.50
0 to 8 tonnes	334.00	52.10	20.57	419.60	181.00	7.70	608.30
8 to 15 tonnes	340.60	52.10	20.57	426.40	181.00	7.70	615.10
15 to 40 tonnes	348.40	52.10	20.57	434.40	179.00	7.70	621.10
40 to 80 tonnes	354.40	52.10	20.57	440.60	179.00	7.70	627.30
80 to 100 tonnes	359.10	52.10	20.57	445.50	179.00	7.70	632.20
100 to 140 tonnes	366.00	52.10	20.57	452.60	179.00	7.70	639.30
140 to 180 tonnes	374.80	52.10	20.57	461.70	179.00	7.70	648.40
180 to 220 tonnes	386.90	52.10	20.57	474.20	179.00	7.70	660.90
Over 220 tonnes	403.10	52.10	20.57	490.90	179.00	7.70	677.60
Stiff Leg Crane	354.70	52.10	20.57	440.90	179.00	7.70	627.60

(3) (a) Supplementary Payment
Employees shall be paid an additional payment of \$52.10 which shall be added to the base rate specified in subclause (2) hereof for the purpose of calculating the actual weekly rate.
The supplementary payment set out in this clause represents a payment in lieu of equivalent overaward payments

(b) Arbitrated Safety Net Payment
Employees shall be paid an arbitrated safety net payment of \$181.00 or \$179.00 which shall be added to the base rate specified in subclause (2) hereof for the purpose of calculating the actual weekly rate.
The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.
These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.
Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(4) Special Allowance
In addition to the base rate specified in subclause (2) hereof employees shall be paid for all purposes of the award a special allowance \$7.70 per week and such allowance shall not be altered as a consequence of wage indexation decisions.

(5) Industry Allowance
In addition to the rates specified in subclause (2) an industry allowance of \$20.57 per week should be paid to all employees under this award to compensate for the disabilities usually associated with building and steel construction work.

(6) Actual Weekly Rate
The actual weekly rate shall be calculated by multiplying the sum of the appropriate amounts prescribed in subclause (2), subclause (3) (a) and subclause (5) hereof by 52 on 50.4. This subtotal shall be rounded to the nearest ten cents and then have added to it the Arbitrated Safety Net Payment prescribed in subclause (3) (b) and the Special Allowance prescribed in subclause (4) hereof.

(7) Overaward Payment
For the purposes of this clause, overaward payment is defined as the amount in rates of pay which an employee would receive in excess of the minimum award wage (ie base rate, arbitrated safety net and supplementary payment) as prescribed in this award for the classification in which such employee is engaged. Provided that this definition shall exclude overtime, shift allowances, penalty rates, expense related allowances, industry allowances, disability allowances, location allowances, special rates or allowances, responsibility allowances and any other ancillary payments of a like nature prescribed by this award.

2006 WAIRC 04906

ENGINE DRIVERS' (GENERAL) AWARD NO. R 21A OF 1977

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

19. - WAGES

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(1) Classification:	Wage Per Week\$	Supplementary Payments Per Week\$	Safety Net\$	Total Per Week Adjustments\$
(a) Turbine Driver	345.30	16.80	179.00	541.10
(b) Steam Engine Drivers:				
(i) whose work requires 1st or 2nd class certificate	341.30	16.80	179.00	537.10
(ii) whose work requires a 3rd class certificate	333.10	10.80	179.00	522.90
(c) Internal Combustion Engine Drivers:				
(i) 180 kW brake power or over	344.20	16.80	179.00	540.00
(ii) 35 kW brake power or over but under 180 kW brake power	337.90	15.40	179.00	532.30
(iii) under 35 kW brake power	330.80	10.80	179.00	520.60
(d) Electric Motor Attendant:				

(1)	Classification:— <i>continued</i>	Wage Per Week\$	Supplementary Payments Per Week\$	Safety Net\$	Total Per Week Adjustments\$
	(i) on motors over 180 kW power	339.60	16.80	179.00	535.40
	(ii) on motors 70 kW power to 180 kW power inclusive	329.10	9.30	179.00	517.40
	(iii) on motors under 70 kW power	318.40	6.40	179.00	503.80
	Where an employee attends two or more motors he/she shall be paid at a rate calculated on the aggregate kW power of such motors.				
	Note: kW power shall be that shown on the maker's nameplate.				
	(e) Greaser or Oiler	318.40	6.40	179.00	503.80
	(f) Fireperson:				
	(i) Attending one boiler	327.40	7.60	179.00	514.00
	(ii) attending two or more boilers	333.20	10.80	179.00	523.00
	(g) Trimmer	306.90	4.40	179.00	490.30
	(h) Scotch Derrick Crane Driver	347.40	16.80	179.00	543.20
	(i) Overhead electric crane driver who requires a certificate under the Inspection of Machinery Act	334.40	12.30	179.00	525.70
	(j) Mobile Crane Driver				
	(i) lifting capacity up to and including 5 tonnes	339.60	13.80	179.00	532.40
	(ii) lifting capacity over 5 tonnes but not exceeding 10 tonnes	344.10	16.80	179.00	539.90
	(iii) lifting capacity over 10 tonnes but not exceeding 20 tonnes	349.90	19.90	179.00	548.80
	(iv) lifting capacity over 20 tonnes but not exceeding 40 tonnes	360.20	23.10	179.00	562.30
	(v) lifting capacity over 40 tonnes but not exceeding 80 tonnes	366.30	26.00	179.00	571.30
	(vi) lifting capacity in excess of 80 tonnes	373.90	28.00	179.00	580.90
	(k) Excavator Driver:				
	(i) up to .5m ³	350.00	19.90	179.00	548.90
	(ii) over .5 m ³ and up to and including 2.25m ³	353.30	21.50	179.00	553.80
	(iii) over 2.25 m ³	364.00	24.80	179.00	567.80
	(l) Tractors - while using power operated attachments:				
	(i) up to 35 kW brake power	337.70	12.20	179.00	528.90
	(ii) over 35 kW brake power to 70 kW brake power	344.20	16.80	179.00	540.00
	(iii) over 70 kW brake power to 110 kW brake power	350.00	19.90	179.00	548.90
	(iv) over 110 kW brake power	353.30	21.50	179.00	553.80
	(m) Loader, front end or overhead - Appropriate Tractor Margin				
	(n) Grader self propelled				
	(i) over 70 kW brake power	364.00	24.80	179.00	567.80
	(ii) 35 to 70 kW brake power inclusive	353.30	21.50	179.00	553.80
	(iii) under 35 kW brake power	350.00	19.90	179.00	548.90
(2)	Additions to Weekly Wage Rates				
	(a) An Engine Driver, Electric Motor Attendant or Fireperson engaged as hereinafter specified shall have his/her wage increase as follows:				
	(i)	Attending to refrigerating and/or air compressor or compressors			Per Week\$ \$24.44
	(ii)	Attending to an electric generator or dynamo exceeding 10 kw capacity			\$24.44
	(iii)	Attending to switchboard where the generating capacity is 350 kw or over			\$7.78
	(iv)	An Engine Driver who attends a boiler or boilers			\$24.44

- (b) Employees employed on boiler cleaning inside the boiler of flues of combustion chamber shall be paid an additional rate of \$1.20 per hour whilst so engaged.
- (3) Industry Allowance
- (a) In addition to the rates prescribed in this clause an amount of \$21.28 per week shall be paid to employees engaged under this award in rock quarries, limestone quarries and sand pits to compensate for dust and climatic conditions when working in the open and for deficiencies in general amenities and facilities. Provided that employees in the limestone quarries of Cockburn Cement Ltd shall be paid an amount of (a) In addition to the rates prescribed in this clause an amount of \$21.28 per week shall be paid to employees engaged under this award in rock quarries, limestone quarries and sand pits to compensate for dust and climatic conditions when working in the open and for deficiencies in general amenities and facilities. Provided that employees in the limestone quarries of Cockburn Cement Ltd shall be paid an amount of (a) In addition to the rates prescribed in this clause an amount of \$21.28 per week shall be paid to employees engaged under this award in rock quarries, limestone quarries and sand pits to compensate for dust and climatic conditions when working in the open and for deficiencies in general amenities and facilities. Provided that employees in the limestone quarries of Cockburn Cement Ltd shall be paid an amount of \$0.52 per hour in lieu of the \$21.28 referred to in this subclause..52 per hour in lieu of the \$21.28 referred to in this subclause..52 per hour in lieu of the \$21.28 referred to in this subclause.
- (b) (i) In addition to the rates prescribed in this clause a driver of an overhead electric crane, mobile crane, front end loader or tractor, employed by Cockburn Cement Limited shall, subject to as hereinafter provided, be paid an allowance of (b) (i) In addition to the rates prescribed in this clause a driver of an overhead electric crane, mobile crane, front end loader or tractor, employed by Cockburn Cement Limited shall, subject to as hereinafter provided, be paid an allowance of \$0.21 per hour..21 per hour.
- (ii) The allowance prescribed in this paragraph is to compensate for the extra duties, including servicing and re-fuelling of machines, associated with the work practices of Cockburn Cement Limited and shall be paid for each hour worked in a quarry, or for each hour worked elsewhere on shifts other than day shift Monday to Friday.

2006 WAIRC 04907

ENGINE DRIVERS' (GOLD MINING) CONSOLIDATED AWARD, 1979

NO. 37 OF 1947

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
- (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
- (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
- (a) apply to all work in ordinary hours.
- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
- Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.

- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE 1. - WAGES

- (1) The minimum rate of wages payable to workers covered by this award shall be:-

Classification:	Award Base Rate \$	ASNA \$	Total \$
(a) Winding Engine Driver	356.70	149.00	505.70
(b) Locomotive Engine Drivers on Mines	327.10	149.00	476.10
(c) Excavators driven by electricity or internal combustion -			
(i) up to 3/4 cubic yards	330.40	149.00	479.40
(ii) over 3/4 cubic yards	335.20	149.00	484.20
(d) Drivers of suction gas and other internal combustion engines -			
(i) if under 50 bhp	320.60	149.00	469.60
(ii) if 50 bhp or over	329.20	149.00	478.20
(e) Drivers of suction gas and other internal combustion engines in power houses including electric generating engines and/or air compressors -			
(i) Exceeding 500 bhp -			
(aa) Shift Engine Driver in charge	334.10	149.00	483.10
(bb) Other Engine Drivers on shift	332.30	149.00	481.30
(ii) Exceeding 2000 bhp -			
(aa) Shift Engine Driver in charge	338.30	149.00	487.30
(bb) Other Engine Drivers on shift	332.30	149.00	481.30
Exceeding 5000 bhp -			
(aa) Shift Engine Driver in charge	340.30	149.00	489.30
(bb) Other Engine Drivers on shift	332.30	149.00	481.30
(iv) Exceeding 8000 bhp -			
(aa) Shift Engine Driver in charge	342.70	149.00	491.70
(bb) Other Engine Drivers on shift	332.30	149.00	481.30
(v) Exceeding 14000 bhp -			
(aa) Shift Engine Driver in charge	344.80	149.00	493.80
(bb) Other Engine Drivers on shift	332.30	149.00	481.30
(f) If an engine driver also attends to an electric generator or dynamo exceeding 10 kilowatt capacity he/she shall be paid an additional sum of \$14.20 per week.			
(g) If an engine driver also attends to a switchboard he/she shall be paid an additional sum of \$4.10 per week.			
(h) If an engine driver also attends to a refrigerating and/or air compressor or compressors, he/she shall be paid an additional \$14.20 per week.			
(i) Engine Greasers or Cleaners (Powerhouse)	310.80	149.00	459.80
(j) Lube Oil - Fuel Oil Attendant	310.80	149.00	459.80
(k) Electric Air Compressor Drivers	315.90	149.00	464.90
(l) Electric Locomotive or Tractor Drivers	318.70	149.00	467.70
(m) Drivers of Mobile Cranes -			
Lifting capacity up to and including five tons	327.00	149.00	476.00
Lifting capacity over five tons	331.00	149.00	480.00

The above wages are payable under a contract of weekly service.

- (2) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (3) Structural Efficiency:

- (a) An employer may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training consistent with the classification structure of this award provided that such duties are not designed to promote de-skilling.

- (b) Arising out of the decision on 8 September 1989 in the State Wage Case the parties to this Award are committed to implementing a new wage and classification structure. In making this commitment, the parties -
- (i) Accept in principle that the descriptions of job functions within a new structure will be more broadly based and generic in nature.
 - (ii) Undertake that upon variation of the Award to implement a new wage and classification structure, employees may undertake training for a wider range of duties and/or access to higher levels in accordance with the definitions and training standards laid down in the Award variation relating to a new classification structure.
 - (iii) Will co-operate in the transition from the existing classification structure to the proposed new structure to ensure that the transition takes place in an orderly manner without creating false expectations or disputation
 - (iv) Are committed to modernising the terms of the Award and addressing issues associated with training in an endeavour to finalise matters.
- (c) In the event that there is a claim for reclassification by an employee to higher level under any new structure on the ground that the employee possesses equivalent skill and knowledge gained through on-the-job experience or on any other ground, the following principles apply:
- (i) Agreed competency standards shall be established by the parties in conjunction with T.A.F.E. and S.E.S.D.A. (when operative) for all levels in any new classification structure before any claims for reclassification are processed;
 - (ii) An agreed authority such as T.A.F.E. or S.E.S.D.A. or agreed accreditation authority (when operative) shall test the validity of an employee's claim for classification.
- (d) The parties are committed to modernising the terms of the Award and to addressing the issues associated with training in an endeavour to finalise these matters.
- (4) Award Modernisation:
- (a) In accordance with sub-paragraph (iv) in paragraph (b) of subclause (5) hereof, the parties are committed to modernising terms of the award.
 - (b) The parties will discuss all matters raised which may lead to increased flexibility and the removal of the obsolete conditions to better reflect the realities of modern industry practices and assist the restructuring process. Any such discussion with the Unions shall be on the premise that -
 - (i) The majority of employees at the enterprise must genuinely agree;
 - (ii) No employee will lose income as a result of the change;
 - (iii) The Union must be party to the agreement, particularly where enterprise level discussions are considering matters requiring variations to the Award;
 - (iv) Agreements will be ratified by the Commission.
 - (c) Should an agreement be reached pursuant to subclause (b) hereof and that agreement requires an award variation, the parties will not oppose that award variation for that particular provision for that particular enterprise.
 - (d) There shall not be limitations on any award matter being raised for discussion.
 - (e) The parties agree that working parties will continue to meet with the aim of modernising the Award.

2006 WAIRC 04908

ENGINE DRIVERS' (NICKEL MINING) AWARD 1968 NO. 37 OF 1968

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.

- (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE 1 - WAGES

The minimum rate of wages payable to employees covered by this award shall be:

(1) **KAMBALDA NICKEL OPERATIONS**

	Base Rate	Arbitrated Safety Net Adjustment	Total
	\$	\$	\$
Plant Controller Grade 1			
Semi skilled employee comparable to former classification of Engine Greaser.	318.50	149.00	467.50
Plant Controller Grade 2			
Semi skilled employee comparable to former classification of Mobile or Electrical Air Compressor Driver and Locomotive Engine Driver (Surface).	335.30	149.00	484.30
Plant Controller Grade 3			
An employee who has acquired a Mobile Crane Drivers ticket and operates a crane with the capacity of less than 20 tonnes.	343.10	149.00	492.10
Plant Controller Grade 4			
An employee who has acquired a Mobile Crane Drivers ticket and operates a crane with the capacity of more than 20 tonnes.	362.15	149.00	511.15
OR			
An employee who is a certificated Winding Engine Driver and is conversant and competent to operate all types of winders on the lease. In addition the duties will include the cleaning of the Winder cabin including the window.	368.30	149.00	517.30
Plant Controller Grade 5			
An employee who is the holder of an Engine Drivers ticket relevant to drive internal combustion engines in Power Houses including Electric Generating and for Air Compressors and attending a Switchboard.	386.55	149.00	535.55

- (2) **Industry Allowance**
- (a) Each employee shall be paid an allowance of \$66.30 per week.
- (b) The allowance recognises, and is in payment for, all aspects of work in the industry, including the location and nature of individual operations within it.
- (c) The allowance shall be paid in addition to the rate of wage set out in this clause and shall be paid for all purposes of the award.
- (3) The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

2006 WAIRC 04909

ENGINE DRIVERS' MINERALS PRODUCTION (SALT) INDUSTRY AWARD, 1970

NO. 43 OF 1968

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.
 Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
 - (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
 - (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
 - (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

26. - WAGES

An employer on whom this award (or industrial agreement) is binding shall not increase the rate of wage payable to an employee on the 5th February, 1988 or otherwise vary the conditions of employment applicable to an employee on that date so as to increase that employer's labour costs except to the extent that any such increase has been authorised by the Commission after that date.

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

- (1) The minimum rates of wages payable to workers covered by this award shall be:

Classification:	Base Rate \$	ASNA \$	Total Wage Rate \$
(a) Turbine Driver	290.30	151.00	441.30
(b) Steam Engine Drivers -			
(i) whose work requires 1st or 2nd class certificate	286.50	151.00	437.50
(ii) whose work requires a 3rd class certificate	278.80	151.00	429.80
(c) Internal Combustion Engine Drivers -			
(i) 180 kw brake power or over	289.20	151.00	440.20
(ii) 35 kw brake power or over but under 180 kw brake power	283.40	151.00	434.40
(iii) under 35 kw brake power	276.70	151.00	427.70
(d) Electric Motor Attendant -			
(i) on motors over 180 kw power	284.90	151.00	435.90
(ii) on motors 70 kw power to 180 kw power incl	275.10	151.00	426.10
(iii) on motors under 70 kw power	265.00	151.00	416.00
Where a worker attends to two or more motors he shall be paid at a rate calculated on the aggregate kw power of such motors NOTE: Kw power shall be that shown on the maker's name plate			
(e) Greaser or Oiler	265.00	151.00	416.00
(f) Firemen			
(i) attending one boiler	273.50	151.00	424.50
(ii) attending two or more boilers	278.90	151.00	429.90
Where two or more firemen are employed on one shift, one fireman shall be paid ten cents per shift extra.			
(g) Trimmer	259.00	151.00	410.00
(h) Scotch Derrick Crane Driver	292.20	151.00	443.20
(i) Overhead electric crane driver who requires a certificate under the Inspection of Machinery Act	280.00	151.00	431.00
(j) Mobile Crane Driver -			
(i) lifting capacity up to and including 5 t	284.90	151.00	435.90
(ii) lifting capacity over 5 t but not exceeding 10 t	289.10	151.00	440.10
(iii) lifting capacity over 10 t but not exceeding 20 t	294.60	151.00	445.60
(iv) lifting capacity over 20 t but not exceeding 40 t	299.40	151.00	450.40
(v) lifting capacity over 40 t but not exceeding 80 t	305.20	151.00	456.20
(vi) lifting capacity in excess of 80 t	312.30	151.00	463.30
(k) Excavator Driver -			
(i) up to .5m ³	294.70	151.00	445.70
(ii) over .5m ³ and up to and including 2.25m ³	297.80	151.00	448.80
(iii) over 2.5m ³	303.00	151.00	454.00
(2) Additions to wage rates prescribed in subclause (1) of this clause.			
(a) An Engine Driver, Electric Motor Attendant or Fireman engaged as hereinafter specified shall have his wage increased as follows:-			
(i) attending to refrigerating and/or air compressor or compressors			15.90
(ii) attending to an electric generator or dynamo exceeding 10 kw capacity			15.90
(iii) attending to switchboard where the generating capacity is 350 kw or over			4.90
(iv) an Engine Driver who attends a boiler or boilers			15.90
(b) Workers employed on boiler cleaning inside the boiler or flues or combustion chamber shall be paid an additional rate of \$0.81 cents per hour whilst so engaged.			