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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

"Clauses of Awards as varied by the General Order of the Commission in Court Session in Application 2 of 2010 dated 16th June 2010. Reasons for Decision and General Order was published in the July WAIG, Vol. 90—Part 2, Subpart 1 at pages 568 – 591."

VARIATION SCHEDULES—*continued*

2010 WAIRC 00571

Engine Drivers' (General) Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

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	261.80	623.90
(b) Steam Engine Drivers:				
(i) whose work requires 1st or 2nd class certificate	341.30	16.80	261.80	619.90
(ii) whose work requires a 3rd class certificate				615.20
I Internal Combustion Engine Drivers:				
(i) 180 kW brake power or over	344.20	16.80	261.80	622.80
(ii) 35 kW brake power or over but under 180 kW brake power				615.20
(iii) under 35 kW brake power				615.20
(d) Electric Motor Attendant:				
(i) on motors over 180 kW power	339.60	16.80	261.80	618.20
(ii) on motors 70 kW power to 180 kW power inclusive				615.20
(iii) on motors under 70 kW power				615.20
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				615.20
(f) Fireperson:				
(i) Attending one boiler				615.20
(ii) attending two or more boilers				615.20
(g) Trimmer				615.20
(h) Scotch Derrick Crane Driver	347.40	16.80	261.80	626.00
(i) Overhead electric crane driver who requires a certificate under the Inspection of Machinery Act				615.20
(j) Mobile Crane Driver				
(i) lifting capacity up to and including 5 tonnes	339.60	13.80	261.80	615.20
(ii) lifting capacity over 5 tonnes but not exceeding 10 tonnes	344.10	16.80	261.80	622.70
(iii) lifting capacity over 10 tonnes but not exceeding 20 tonnes	349.90	19.90	261.80	631.60
(iv) lifting capacity over 20 tonnes but not exceeding 40 tonnes	360.20	23.10	261.80	645.10

(1)– <i>continued</i>	Classification:	Wage Per Week\$	Supplementary Payments Per Week\$	Safety Net\$	Total Per Week Adjustments\$
	(v) lifting capacity over 40 tonnes but not exceeding 80 tonnes	366.30	26.00	261.80	654.10
	(vi) lifting capacity in excess of 80 tonnes	373.90	28.00	261.80	663.70
	(k) Excavator Driver:				
	(i) up to .5m ³	350.00	19.90	261.80	631.70
	(ii) over .5 m ³ and up to and including 2.25m ³	353.30	21.50	261.80	636.60
	(iii) over 2.25 m ³	364.00	24.80	261.80	650.60
	(l) Tractors - while using power operated attachments:				
	(i) up to 35 kW brake power				615.20
	(ii) over 35 kW brake power to 70 kW brake power	344.20	16.80	261.80	622.80
	(iii) over 70 kW brake power to 110 kW brake power	350.00	19.90	261.80	631.70
	(iv) over 110 kW brake power	353.30	21.50	261.80	636.60
	(m) Loader, front end or overhead - Appropriate Tractor Margin				
	(n) Grader self propelled				
	(i) over 70 kW brake power	364.00	24.80	261.80	650.60
	(ii) 35 to 70 kW brake power inclusive	353.30	21.50	261.80	636.60
	(iii) under 35 kW brake power	350.00	19.90	261.80	631.70

(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:

	Per Week\$
(i) Attending to refrigerating and/or air compressor or compressors	\$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.

2010 WAIRC 00572

Engine Drivers' (Gold Mining) Consolidated Award, 1979

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

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 | 231.80 | 588.50 |
| (b) Locomotive Engine Drivers on Mines | 327.10 | 231.80 | 558.90 |
| (c) Excavators driven by electricity or internal combustion - | | | |
| (i) up to 3/4 cubic yards | 330.40 | 231.80 | 562.20 |
| (ii) over 3/4 cubic yards | 335.20 | 231.80 | 567.00 |
| (d) Drivers of suction gas and other internal combustion engines - | | | |
| (i) if under 50 bhp | 320.60 | 231.80 | 552.40 |
| (ii) if 50 bhp or over | 329.20 | 231.80 | 561.00 |

Classification:— <i>continued</i>		Award Base Rate \$	ASNA \$	Total \$
(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	231.80	565.90
	(bb) Other Engine Drivers on shift	332.30	231.80	564.10
	(ii) Exceeding 2000 bhp -			
	(aa) Shift Engine Driver in charge	338.30	231.80	570.10
	(bb) Other Engine Drivers on shift	332.30	231.80	564.10
	Exceeding 5000 bhp -			
	(aa) Shift Engine Driver in charge	340.30	231.80	572.10
	(bb) Other Engine Drivers on shift	332.30	231.80	564.10
	(iv) Exceeding 8000 bhp -			
	(aa) Shift Engine Driver in charge	342.70	231.80	574.50
	(bb) Other Engine Drivers on shift	332.30	231.80	564.10
	(v) Exceeding 14000 bhp -			
	(aa) Shift Engine Driver in charge	344.80	231.80	576.60
	(bb) Other Engine Drivers on shift	332.30	231.80	564.10
(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	231.80	542.60
(j)	Lube Oil - Fuel Oil Attendant	310.80	231.80	542.60
(k)	Electric Air Compressor Drivers	315.90	231.80	547.70
(l)	Electric Locomotive of Tractor Drivers	318.70	231.80	550.50
(m)	Drivers of Mobile Cranes -			
	Lifting capacity up to and including five tons	327.00	231.80	558.80
	Lifting capacity over five tons	331.00	231.80	562.80

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.

2010 WAIRC 00573

Engine Drivers' (Nickel Mining) Award 1968

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

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	231.80	550.30
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	231.80	567.10
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	231.80	574.90
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	231.80	593.95
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	231.80	600.10
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	231.80	618.35

(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.

2010 WAIRC 00574

Engine Drivers' Minerals Production (Salt) Industry Award, 1970

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

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 | 233.80 | 524.10 |
| (b) Steam Engine Drivers - | | | |
| (i) whose work requires 1st or 2nd class certificate | 286.50 | 233.80 | 520.30 |
| (ii) whose work requires a 3rd class certificate | 278.80 | 233.80 | 512.60 |
| (c) Internal Combustion Engine Drivers - | | | |
| (i) 180 kw brake power or over | 289.20 | 233.80 | 523.00 |

Classification:— <i>continued</i>	Base Rate \$	ASNA \$	Total Wage Rate \$
(ii) 35 kw brake power or over but under 180 kw brake power	283.40	233.80	517.20
(iii) under 35 kw brake power	276.70	233.80	510.50
(d) Electric Motor Attendant -			
(i) on motors over 180 kw power	284.90	233.80	518.70
(ii) on motors 70 kw power to 180 kw power incl	275.10	233.80	508.90
(iii) on motors under 70 kw power	265.00	233.80	498.80
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	233.80	498.80
(f) Firemen			
(i) attending one boiler	273.50	233.80	507.30
(ii) attending two or more boilers	278.90	233.80	512.70
Where two or more firemen are employed on one shift, one fireman shall be paid ten cents per shift extra.			
(g) Trimmer	259.00	233.80	492.80
(h) Scotch Derrick Crane Driver	292.20	233.80	526.00
(i) Overhead electric crane driver who requires a certificate under the Inspection of Machinery Act	280.00	233.80	513.80
(j) Mobile Crane Driver -			
(i) lifting capacity up to and including 5 t	284.90	233.80	518.70
(ii) lifting capacity over 5 t but not exceeding 10 t	289.10	233.80	522.90
(iii) lifting capacity over 10 t but not exceeding 20 t	294.60	233.80	528.40
(iv) lifting capacity over 20 t but not exceeding 40 t	299.40	233.80	533.20
(v) lifting capacity over 40 t but not exceeding 80 t	305.20	233.80	539.00
(vi) lifting capacity in excess of 80 t	312.30	233.80	546.10
(k) Excavator Driver -			
(i) up to.5m ³	294.70	233.80	528.50
(ii) over.5m ³ and up to and including 2.25m ³	297.80	233.80	531.60
(iii) over 2.5m ³	303.00	233.80	536.80
(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.			

2010 WAIRC 00575

Engineering Trades (Government) Award, 1967 Award Nos. 29, 30 and 31 of 1961 and 3 of 1962

FIRST SCHEDULE - WAGES

- (1) (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.
- (b) Subject to this Schedule, an adult employee in a classification specified in the table set out in subclause (2) hereof (other than an apprentice or an employee of the Building Management Authority) shall be paid at the respective award wage rate per week assigned to that class of work.
- The all-purpose hourly rate for this Award shall be 1/38th of the total rate prescribed herein.

(2)

Classification:	On Engagement \$	Safety Net Adjustment\$	Total Rate \$
C5 Advanced Engineering Tradesperson -Level II	566.80	261.80	828.60
C6 Advanced Engineering Tradesperson -Level I	545.00	261.80	806.80
C7 Engineering Tradesperson Special Class -Level II	501.40	261.80	763.20
C8 Engineering Tradesperson Special Class -Level I	479.60	261.80	741.40
C9 Engineering Tradesperson - Level II	457.80	263.80	721.60
C10 Engineering Tradesperson - Level I/Production Systems Employee	436.00	263.80	699.80
C11 Engineering Employee - Level IV	402.90	261.80	664.70
C12 Engineering Employee - Level III	381.10	261.80	642.90
C13 Engineering Employee - Level II	357.50	261.80	619.30
C14 Engineering Employee - Level I	340.10	261.80	601.90

- (3) Transitional Arrangements
- (a) Notwithstanding the wage rates contained in subclause (2) hereof, existing employees employed in the classifications designated as C13 and C11A who, prior to the commencement of the first pay period on or after the 27th August, 1992 received wages in excess of those contained in subclause (2) hereof shall, in addition to the rates specified therein, receive an additional all-purpose rate as follows:
- | | \$ |
|---------------------------------|------|
| C13 - | |
| Second year of service | 1.90 |
| Third year of service and above | 3.00 |
| C11A - | |
| Third year of service and above | 0.10 |
- These rates will not be increased for any reason and shall be absorbed when the rates in subclause (2) hereof are increased by an future wage movements.

(4) The classification prescribed in the relevant minimum rates award on which the rate prescribed for the key classification in this award is based, is the wage group C 10 in the Metal Trades (General) Award No. 13 of 1965.

- (5) (a) In addition to the rates contained in subclauses (2) and (3) hereof, employees designated in classifications C 14 to C 7 inclusive shall receive an all purpose industry allowance of \$16.20.
- (b) This allowance shall be paid in two instalments, as follows:
- (i) \$8.10 of the allowance shall be paid after the first 12 months of Government service; and
 - (ii) the remaining \$8.10 - totalling \$16.20 - shall be paid on completion of 24 months of Government service.
- (c) The industry allowance shall be adjusted in accordance with any movements to the wage prescribed in subclause (2) hereof, as follows:
- (i) The increase shall apply to the 'plus 24 months of service' rate;
 - (ii) The increase is to be rounded to the nearest ten cents;
 - (iii) The rate is to be divided by two to calculate instalments in accordance with subparagraphs (i) and (ii) of paragraph (b) hereof, provided that the instalment rates are not expressed in less than ten cents amounts; and
 - (iv) In the event of such an equal division of the industry allowance not resulting in the rates being expressed in less than ten cent amounts, as provided in subparagraph (iii) hereof, the division shall be unequal and weighted to the 12 months' service instalment.

(6) The classifications prescribed in subclause (3) hereof include persons previously engaged as follows:

C 6 Advanced Engineering Tradesperson Level I-

- Electronics Tradesperson - Groups A, B and C
- Instrumentation and Control Tradesperson - Groups A, B and C.

C 8 Engineering Tradesperson - Special Class Level I -

A	Electrician - Special Class
	Mechanical Tradesperson - Special Class
	Instrument Tradesperson - Complex Systems
B	Pattern Maker
	Tool Maker
	Scientific Instrument Maker and Repairer
	District Electrical Technician

C 9 Engineering Tradesperson - Level II -

- Tradesperson with marking off responsibilities
- Welder - Special Class

C10 Engineering Tradesperson - Level II -

Automotive Electrical Fitter
 Blacksmith
 Brass Finisher
 Driller using Asquith or Tullis radial drills
 Driller using borer or cutter bar
 Electrical Fitter and/or Armature Winder
 Electrical Installer
 First Class Machinist
 Fitter
 Installer - low voltage equipment
 Linesperson - Grade 1
 Motor Mechanic
 Moulder
 Plant Mechanic
 Radio and Television Serviceperson
 Refrigeration Fitter
 Turner and/or Iron Machinist
 Welder - First Class

C11 Engineering Employee - Level IV -

A	Certified Rigger and Splicer or Scaffolder on ships and buildings
	Linesperson - Grade 2
B	Rigger and Splicer or Scaffolder, other than certificated, on ships and buildings
	Tool and Material Storeperson (Education Department)
C.	Certified Electrical Overhead Crane Driver
	Cycle (Other than Motor) Mechanic
	Driller using Swift Machine
	Furnaceperson (Iron)
	Rigger and Splicer or Scaffolder (Other than on ships and buildings)
	Tool and Material Storeperson (Education Department)
D.	Furnaceperson (Brass)
	Tool Storeperson
	Tool and Material Storeperson (Education Department)

C12 Engineering Employee - Level III -

Annealing Stove Attendant
 Bolt Machinist
 Casting Dresser
 Crane Attendant
 Cycle (Other than Motor) Mechanic's Assistant
 Driller
 Screwer
 Shearer
 Welder - Second Class

C13 Engineering Employee - Level II -

Furnaceperson's Assistant
 Process Worker
 Shot Blast/Sand Dresser
 Trades Assistant
 Welder - Fourth Class

C14 Engineering Employee - Level I -

Labourer

(7) Casual Employees

An employee who is engaged to work for less than five consecutive days shall be paid 20% of the ordinary rate in addition to the ordinary rate for the class of work performed.

(8) (a) Leading Hands

A tradesperson placed in charge of three or more other employees shall, in addition to the ordinary rate, be paid per week:

	\$
If placed in charge of not less than three and not more than ten other employees	26.00
If placed in charge of more than ten and not more than twenty other employees	39.60
If placed in charge of more than twenty other employees	50.90

(b) Any tradesperson moulder employed in a foundry where no other jobbing moulder is employed shall be paid at the rate prescribed for leading hands in charge of not less than three and not more than ten other employees.

(c) A Certificated Rigger or Scaffolder on ships and buildings, other than a Leading Hand, who, in compliance with the provisions of the Occupational Health, Safety and Welfare Act and Regulations 1988, is responsible for the supervision of not less than three other employees, shall be deemed to be a Leading Hand and be paid at the rate prescribed for a Leading Hand in charge of not less than three and not more than ten other employees.

(d) In addition to any rates to which an employee may be entitled under this clause a Mechanic-in-Charge, employed by the Department of Conservation and Land Management in the following towns, shall be paid per week -

	\$
Manjimup, Collie	63.50
Harvey, Dwellingup, Mundaring, Yanchep	31.70
Ludlow, Nannup, Margaret River, Kirup, Walpole, Pemberton	16.00
Jarrahdale	16.00

(9) Apprentices

(a) The weekly wage rate shall be a percentage, as hereunder, 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
Next Following Year	75
Final Year	88
Three Year Term -	
First Year	55
Second Year	75
Third Year	88

(b) For the purposes of this subclause, "Tradesperson's Rate" means the rate of pay prescribed for an employee classified as Engineering Tradesperson Level 1 in subclause (2) hereof.

(10) Construction Allowance

- (a) In addition to the appropriate rate of pay prescribed in subclause (1) hereof, an employee shall be paid -
- (i) \$45.50 per week if engaged on the construction of a large industrial undertaking or any large civil engineering project;
 - (ii) \$41.00 per week if engaged on a multi-storeyed building but only until the exterior walls have been erected, 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-storeyed building" is a building which, when completed will consist of at least five storeys.

- (iii) \$24.20 per week if engaged otherwise on construction work falling within the definition of construction work in Clause 5. - Classification Structure and Definitions of this Award.
- (b) Any dispute as to which of the aforesaid allowances applies to particular work shall be determined by the Western Australian Industrial Relations Commission.
- (c) Any allowance paid under this subclause includes any allowance otherwise payable under Clause 17. - Special Rates and Provisions of this Award.
- (11) 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 work as a tradesperson or as an apprentice, the employer shall pay a tool allowance of -
- (i) \$14.40 per week to such tradesperson; or
- (ii) In the case of an apprentice a percentage which appears against the relevant year of apprenticeship in this Schedule,
- 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) hereof 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 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 the employer, if lost through the negligence of such employee.
- (12) Drilling Allowance
- A driller using a Herbert two-spindle sensitive machine to drill to a marked circumference shall be paid an additional \$2.38 per hour whilst so engaged.
- (13) An engineering employee who is not protected from flying shot and sand by a properly enclosed cabin shall receive a weekly allowance to increase his/her wage to an amount not less than that received by a C11 Engineering Employee - Level IV.
- (14) Minimum Wage:
- (a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
- (d) 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.
- (e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (g) 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.
- (h) 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.
- (i) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (j) Adult Apprentices
 - (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (ii) The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

FIFTH SCHEDULE - BUILDING MANAGEMENT AUTHORITY WAGES AND CONDITIONS

Where there is any inconsistency between this Schedule of the award and all other parts of the award, this Schedule shall apply to the extent of that inconsistency. Where a specific provision is not contained in this Schedule, the award shall apply.

- (1) Annual Leave:
The provisions of subclauses (15) and (17) in Clause 23. - Annual Leave of the award shall not apply to Building Management Authority employees.
- (2) Training Leave: The provisions of Clause 36. - Training Leave of the award shall not apply to Building Management Authority employees.
- (3) Structural Efficiency: The provisions of Clause 37. - Structural Efficiency of the award shall not apply to Building Management Authority employees.
- (4) Definitions: The provisions of subclause (2) in Clause 5. - Classification Structure and Definitions of the award shall not apply to Building Management Authority employees. Instead, the provisions contained in the Fourth Schedule - Definitions of Previous Classifications of this award will continue to apply.

- (5) Wages:
 - (a) The wages for Building Management Authority employees on and from the commencement of the first pay period on or after 1 July 2010 will be as follows:

Classification	On Engagement\$	Safety Net Adjustment \$	Total Rate Per Week \$
Engineering Tradesperson:			
Level 4 - Group A	492.60	261.80	754.40
Group B	502.30	261.80	764.10
Group closed	511.70	261.80	773.50
Level 3A	465.40	261.80	727.20
Level 3B	457.70	263.80	721.50
Level 2	442.00	263.80	705.80
Level 1	436.00	263.80	699.80
Engineering Employee			
Level 4 - Group A	406.20	261.80	668.00
Group B	392.70	261.80	654.50
Group C	384.20	261.80	646.00
Group D	381.70	261.80	643.50
Level 3	370.00	261.80	631.80
Level 2	363.00	261.80	624.80
Level 1	341.90	261.80	603.70
Classification	After One Year of Service\$	Safety Net Adjustment \$	Total Rate Per Week
Engineering Tradesperson:			
Level 4 - Group A	498.60	261.80	760.40
Group B	508.30	261.80	770.10
Group C	517.70	259.80	777.50
Level 3A	471.10	261.80	732.90
Level 3B	462.60	261.80	724.40
Level 2	447.30	263.80	711.10
Level 1	441.20	263.80	705.00
Engineering Employee:			
Level 4 - Group A	411.10	261.80	672.90
Group B	397.10	261.80	658.90
Group C	388.20	261.80	650.00
Group D	383.90	261.80	645.70
Level 3	374.50	261.80	636.30
Level 2	367.10	261.80	628.90
Level 1	346.00	261.80	607.80

Classification	After Two Years of Service \$	Safety Net Adjustment \$	Total Rate Per Week \$
Engineering Tradesperson:			
Level 4 - Group A	503.60	261.80	765.40
Group B	513.30	261.80	775.10
Group C	523.10	261.80	784.90
Level 3A	475.50	261.80	737.30
Level 3B	467.30	261.80	729.10
Level 2	451.50	263.80	715.30
Level 1	445.60	263.80	709.40
Engineering Employee			
Level 4 - Group A	415.00	261.80	676.80
Group B	401.10	261.80	662.90
Group C	391.90	261.80	653.70
Group D	386.90	261.80	648.70
Level 3	378.00	261.80	639.80
Level 2	370.80	261.80	632.60
Level 1	349.10	261.80	610.90

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.

(b) Level Classifications:

- (i) **"Engineering Tradesperson - Level 4"** includes the classifications of:
 - Electronics Tradesperson Groups A, B and C
 - Instrumentation and Controls Tradesperson Groups A, B and C
- (ii) **"Engineering Tradesperson - Level 3"** includes the classifications of:
 - Electrician - Special Class
 - Mechanical Tradesperson - Special Class
 - Instrument Tradesperson - Complex Systems
- (iii) **"Engineering Tradesperson - Level 2"** includes the classifications of:
 - Tradesperson with marking off responsibilities
 - Welder - Special Class
 - Electrician Tradesperson (Building Management Authority) - Licensed and required to person electrical installing and electrical fitting work
- (iv) **"Engineering Tradesperson - Level 1"** includes the classifications of:
 - Electrical Fitter and/or Armature Winder
 - Electrical Installer
 - First Class Machinist
 - Fitter
 - Installer - low voltage equipment
 - Motor Mechanic
 - Refrigeration Fitter
 - Welder - First Class
- (v) **"Engineering Employee - Level 4"** includes the classifications of:
 - Certified Rigger and Splicer or Scaffolder on ships and buildings
 - Tool Storeperson
- (vi) **"Engineering Employee - Level 3"** includes the classifications of:
 - Welder - Second Class
- (vii) **"Engineering Employee - Level 2"** includes the classifications of:
 - Trades Assistant
 - Welder - Fourth Class

(viii) "Engineering **Tradesperson - Level 1**" includes the classifications of:

Labourer

- (c) In addition to the wage rates provided in paragraph (a) hereof, electricians employed by the Building Management Authority will receive an all purpose payment of \$27.20 per week.
- (d) In addition to the wage rates prescribed in paragraph (a) hereof, by agreement between the employer, the employee and the Union, evidenced in writing, a Mechanical Fitter and a Refrigeration Mechanic may receive 25% loading in lieu of overtime payments.
- (e) Leading hand electricians who are required to perform duties over and above those normally required of leading hands shall be paid an all purpose allowance of \$36.60 per week in addition to the relevant leading hand rate prescribed in subclause (8) of the First Schedule - Wages of this Award.

(6) Conditions:

All other conditions will be in accordance with the award, with the following exceptions arising from Order No. A3 of 1990 -

(a) Spread of Hours

The ordinary working hours shall be in accordance with the following provisions.

- (i) Subject to the provisions of this paragraph, the ordinary working hours of employees shall be an average of 38 per week, to be worked as 76 hours over nine days of equal duration per fortnight, exclusive of Saturdays and Sundays, between the hours of 6.00 a.m. and 6.00 p.m..
- (ii) Starting or finishing times outside the limit prescribed in sub-paragraph (a) hereof may, in any particular case, be fixed by agreement between the employer and the union or unions concerned.

(b) Rostered Day Off

The 10th day of each work cycle shall be an unpaid day off, which shall be the first or last day of the week and the employer is responsible for the preparation of the roster which will allow one day off in each ten day working cycle. The rosters shall be maintained by the employer and alterations may be made to meet the needs of the employer by agreement between the parties.

- (i) By agreement, rosters may be arranged to ensure that workplaces are not subject to a general close-down on any day and, on rostered days off, workplaces are sufficiently staffed to maximise productivity.
- (ii) By agreement, during peak periods of work a maximum of three rostered days off may be postponed and accumulated, to be taken during periods of reduced work load, provided that the period of postponement may not exceed three months. The accrued rostered days off will be taken by agreement between the employer and the employee and the employer's consent will not be unreasonably withheld.
- (iii) Where an apprentice's unpaid day off falls within a period of block release, an alternative paid day off will be arranged at a time mutually convenient to the employer and the apprentice.
- (iv) Higher duties allowance will not be paid on the rostered day off duty.

(c) Re-scheduling of Rostered Days Off

By agreement between the employer and employees concerned, the scheduled unpaid rostered day off falling within a particular work cycle may be altered, in which case -

- (i) The original scheduled rostered day off shall be treated as an ordinary working day.
- (ii) The re-scheduled rostered day off shall be so arranged to occur within ten working days of the original, in lieu of overtime rates, provided that, in special circumstances, longer periods may be agreed.
- (iii) The re-scheduled rostered day off shall be taken on a Monday or Friday, unless another day is agreed in writing between the employer and the employee concerned.

(d) Meal Breaks

- (i) There shall be a cessation of work and of working time each day for the purpose of a meal break. Such meal break shall not be less than 30 minutes nor more than one hour and taken as agreed between the employees directly concerned and the appropriate manager.
- (ii) Provided that an employee may not be compelled to work beyond five hours without a meal break.
- (iii) The normal meal break prescribed by this subclause shall occur between 12.00 noon and 2.00 p.m..

(e) Rest Periods

Subject to the provisions of this paragraph, a rest period of ten minutes, from the time of ceasing to the time of resumption of work, shall be allowed each morning.

- (i) The rest period shall be counted as time off duty, without deduction of pay and shall be arranged at a time and in a manner to suit the convenience of the employer.

- (ii) Refreshments may be taken by employees during the rest period, but the period of ten minutes shall not be exceeded under any circumstances. The rest period in this paragraph shall be taken between 9.00 a.m. and 11.00 a.m..
- (iii) The rest period prescribed herein shall be taken concurrently and not in addition to rest periods contained in any Special Rates provision which may become due at the same time.
- (f) Pay Day and Methods
 - (i) Wages shall be paid fortnightly, by not later than Thursday, into an approved bank, building society account or other approved savings organisation, by electronic funds transfer.
 - (ii) There will be a holding period for three days, with a commitment to work towards a two day holding period if possible.
 - (iii) In the event of a public holiday following a pay day, arrangements will be made to have the pay available at the banking institution on Wednesday. The other provisions of this clause shall be adjusted accordingly.
 - (iv) Arrangements for any employee to leave work early on a pay day to check or access funds will not be available.
- (7) Computing Quantities:
An employee, other than a leading hand, who is required to compute or estimate quantities of materials in respect of work performed by others, shall be paid \$3.85 per day, or part thereof, in addition to the rates otherwise prescribed in this award.
- (8) Travelling Time:
Electricians who operate mobile workshop vans or other such vehicles and are required to take the said vehicle home to facilitate starting and finishing on the job, shall be paid a daily allowance equivalent to 15 minutes additional work, at ordinary time rates, in lieu of the provisions under Clause 19. - Fares and Travelling Allowances of the award.

2010 WAIRC 00576

Enrolled Nurses and Nursing Assistants (Government) Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

26. - WAGES

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Weekly Rate \$
(1) Enrolled Nurse Level One			
1st year of employment	418.80	263.80	682.60
2nd year of employment	423.80	263.80	687.60
3rd year of employment and thereafter	434.70	263.80	698.50
(2) Enrolled Nurse Level Two			
1st year of employment	427.60	263.80	691.40
2nd year of employment	432.70	263.80	696.50
3rd year of employment and thereafter	443.50	263.80	707.30
(3) Enrolled Nurse Level Three	456.10	263.80	719.90
(4) Nursing Assistant (at 19 years of age and over)			
1st year of employment	377.40	261.80	639.20
2nd year of employment	387.80	261.80	649.60
3rd year of employment and thereafter	398.30	261.80	660.10

- (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.

- (5) Nursing Assistant (under 19 years of age)
The rate shall be a percentage of the total wage prescribed for a Nursing Assistant in his/her first year of employment in subclause (6) of this clause per week, as follows:-

Under 17 years of age	73%
Under 18 years of age	81%
Under 19 years of age	87%

- (6) A Nursing Assistant who has completed her first year of service and who is accepted for training as a Enrolled Nurse, shall be paid not less than she would have received had she continued as a Nursing Assistant.

- (7)
 - (a) Any employee who has passed the examination for registration prescribed by the Nurses' Board of W.A. shall for the purposes of this clause be deemed to be an Enrolled Nurse.
 - (b) An Enrolled Nurse undergoing training in a post basic course approved by the Nurses' Board of W.A., will be paid the "first year of employment" rate of wage for his/her appropriate classification level during the training period.
 - (c) The ordinary rate of wage prescribed for an Enrolled Nurse in this clause shall be increased by \$12.50 per week when a Registered Enrolled Nurse has obtained a second post basic certificate approved by the Nurses' Board of W.A., and he/she is required to use the knowledge gained in that certificate as part of his/her employment.
 - (d) Provided that the provisions of paragraph (c) hereof shall not apply to enrolled community nurses or enrolled community school nurses.

- (8) When the term "year of employment" is used in this clause it shall mean all service whether full time or part time in any of the classifications contained in this award with any hospital covered by this award and shall be calculated in periods of completed months from the date of commencement of work covered by this award. Provided that:-

- (a) "Service" in this context shall have the same meaning as it does in the Long Service Leave conditions appropriate to the employee concerned, but confined to respondents to this award; except where the employer or the Western Australian Industrial Relations Commission deems it appropriate to include service with hospitals not respondent to this award.

- (b) Employees shall be paid the rates shown in this clause according to their year of employment calculated in accordance with the provisions of this subclause. Proof of previous service, if required by the employer, shall rest on the employee; provided that production of the certificate of certificates referred to in subclause (12) of this clause, shall be sufficient proof for the purpose of this paragraph.
- (c) Notwithstanding the provisions of paragraph (b) of this subclause, an Enrolled Nurse who successfully completes a re-registration course following a break in service shall commence employment on the rate prescribed as follows:
- (i) Five year break in service - at third year of employment rate provided that the 1st and 2nd year of service rates have previously been attained.
 - (ii) Six year but less than eight year break in service - at second year of employment rate.
 - (iii) Greater than eight year break in service - at the first year of employment rate.
- (9) Each employee whose service terminates shall at the time of termination be given a certificate signed by the employer in which shall be stated the name of the employee, the period of service, whether the service was full time or part time and the classifications in this award in which work has been carried out.
- Provided that where an employee terminates without that employee having given the prescribed period of notice, the employer shall be under no obligation to provide the certificate at the time of termination. The employee shall, however, be entitled to request and receive the certificate at any time after the termination.
- (10) Minimum Wage: No employee employed under this award who is 21 years of age or over shall receive less than the minimum wage prescribed from time to time by the Western Australian Industrial Relations Commission.
- (11) Leading hands shall be paid the ordinary wage prescribed for the classification in which they are employed increased by:
- (a) \$20.05 per week when in charge of not less than three and not more than ten other employees;
 - (b) \$30.20 per week when in charge of more than 10 and not more than 20 other employees; and
 - (c) \$40.25 per week when in charge of more than 20 employees.
- The provisions of this subclause shall not apply to enrolled community nurses or enrolled community school nurses.
- (12) The rates herein prescribed shall be increased by the amount of any percentage increase in wages awarded by the Western Australian Industrial Relations Commission to employees covered by this award.
- Where any increase in wages is not a percentage increase, the rates of wage shown in this award as relating to afternoon and night shift, permanent shift or weekend work shall be adjusted to reflect the relationship which the additional payment bears to the amount of \$457.65 as at 1st January, 1990.
- (13) The wage rate for an enrolled community school nurse, where such a nurse is not required by the employer to present for duty on any day when the school is not open, shall be calculated as follows:
- Weekly wage = the normal rate for an enrolled nurse as prescribed in subclauses (1), (2) or (3) hereof multiplied by 48.5, and divided by 52.166.

2010 WAIRC 00577

Enrolled Nurses and Nursing Assistants (Private) Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

30. - WAGES

(1) The minimum rate of wage payable to employees covered by this award shall be as follows:

	Base Rate \$	Arbitrated Safety Net Adjustment \$	Minimum Weekly Rate \$
(a) Trainee Enrolled Nurse			
1st year of training			587.20
2nd year of training			587.20
(b) Enrolled Nurse Level One			
1st year of employment	419.10	263.80	682.90
2nd year of employment	424.10	263.80	687.90
3rd year of employment and thereafter	435.00	263.80	698.80
(c) Enrolled Nurse Level Two			
1st year of employment	428.20	263.80	692.00
2nd year of employment	433.30	263.80	697.10
3rd year of employment and thereafter	444.10	263.80	707.90
(d) Enrolled Nurse Level Three			
	456.30	263.80	720.10
(e) Nursing Assistant (at 19 years of age and over)			
1st year of employment	377.70	261.80	639.50
2nd year of employment	388.00	261.80	649.80
3rd year of employment and thereafter	398.50	261.80	660.30

(f) Nursing Assistant (under 19 years of age) shall be paid a percentage of the total weekly wage prescribed for a Nursing Assistant in their first year of employment in subclause (1)(e) hereof as follows:

Under 17 years of age	73%
Under 18 years of age	81%
Under 19 years of age	87%

- (g) Provided that an Enrolled Nurse undergoing training in a post basic course approved by the Nurses' Board of W A will be paid the '1st year of employment' rate of wage at the appropriate level during the training period.
- (h) Provided further that an Enrolled Nurse (Student) who is 21 years of age or over shall be paid at the rate applicable to a Nursing Assistant (at 19 years of age and over) at the 'first year of employment' rate.
- (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) (a) The rate of wage prescribed in subclause (1) of this clause for an enrolled nurse student shall be varied so as to maintain the relationship that exists as at the date of this order with the rates prescribed for a student nurse in his/her first and second years of experience as contained in the Nurses' (Private Hospitals) Award No. 1 of 1966.
- (b) No employee, who at the date of this order was in receipt of a rate of wage higher than that prescribed herein for his/her classification of work, shall have that rate reduced by the operation of this clause.
- (c) A nursing assistant who has completed his/her first year of employment and who is accepted for training as an enrolled nurse shall be paid not less than he/she would have received had he/she continued as a Nursing Assistant.
- (d) Any employee who has passed the examination for registration prescribed by the Nurses' Board of Western Australia shall, for the purpose of this clause, be deemed to be an enrolled nurse.
- (3) (a) When the term "year of employment" is used in this clause it shall mean all service whether full time or part time in any of the classifications contained in this award with any hospital covered by this award and shall be calculated in periods of completed months from the date of commencement of work covered by this award.
- (b) The service referred to in paragraph (a) hereof may be increased by any similar service with hospitals not covered by this award, and in the event of a dispute between an employer and the Union over the inclusion of such service for the purpose of determining the year of employment the dispute may be referred to the Industrial Relations Commission for determination.
- (c) Employees shall be paid the rates shown in this clause according to their year of employment calculated in accordance with the provisions of this subclause subject to satisfactory performance. Proof of previous service, if required by the employer, shall rest on the employee; provided that production of the certificate or certificates referred to in paragraph (d) hereof shall be sufficient proof for the purpose of this paragraph.
- (d) Each employee whose service terminates shall at the time of termination be given a certificate signed by the employer in which shall be stated the name of the employee, the period of service, whether the service was full time or part time and the classifications in this award in which work has been carried out.
- Provided that where an employee terminates without that employee having given the prescribed period of notice, the employer shall be under no obligation to provide the certificate at the time of termination. The employee shall however, be entitled to request and receive the certificate at any time after the termination.
- (4) Minimum Wage: No employee employed under this award who is 21 years of age or over shall receive less than the minimum wage prescribed from time to time by the Western Australian Industrial Relations Commission.
- (5) The hourly rate for an employee working an average of 38 hours per week shall be calculated by dividing the weekly rate herein expressed by 40.
- (6) The hourly rate for an employee actually working 38 hours shall be calculated by dividing the weekly rate herein expressed by 38.
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2010 WAIRC 00578

Family Day Care Co-Ordinators' and Assistants' Award, 1985

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

16. - SALARIES

- (1) (a) Resource Employee (Playgroup/Toy library)
- The minimum weekly rate payable to persons employed pursuant to this award shall be:
- | | |
|-----------|--------|
| | \$ |
| Step I | 654.80 |
| Step II | 674.30 |
| Step III | 697.30 |
| Step IV | 703.80 |
| Step V | 721.80 |
| Step VI | 734.20 |
| Step VII | 748.40 |
| Step VIII | 762.90 |
- (i) A Resource Employee who is unqualified shall enter the salary scale on Step I and exit at Step IV.

- (ii) A Resource Employee who is qualified and with no previous experience in the industry shall enter at Step IV. At the end of 12 months satisfactory performance, this person shall progress to Step VI and subject to subclause (2) exit the salary scale at Step VIII.
- (iii) A Resource Employee who is in their first year of experience as a qualified child care employee and has previous experience in the industry, as defined in placitum (iv) of this paragraph, shall enter the salary scale at Step V and exit at Step VIII.
- (iv) "Industry" for the purpose of recognising previous experience in placitum (iii) of this paragraph, shall be those sectors of the children's services industry that deals predominantly with the 0-6 year old age group.
- (v) For the purpose of this paragraph "previous experience" means one year full-time employment or equivalent.
- (b) Special Needs Support Employee
- | | \$ |
|----------|--------|
| Step I | 703.80 |
| Step II | 721.80 |
| Step III | 734.20 |
| Step IV | 748.40 |
| Step V | 762.90 |
- (i) A Special Needs Support Employee who is unqualified shall enter the salary scale at Step I and exit at Step IV.
- (ii) A Special Needs Support Employee who is qualified shall enter the salary scale at Step II and exit at Step V.
- (c) Support Employee
- | | \$ |
|----------|--------|
| Step I | 680.80 |
| Step II | 702.80 |
| Step III | 723.80 |
| Step IV | 742.80 |
| Step V | 748.80 |
| Step VI | 762.90 |
- (i) A Support Employee who is unqualified and undertakes the administration of Child Care Assistance and enrolments shall enter the salary scale at Step I and exit at Step IV.
- (ii) A Support Employee who is unqualified and undertakes the administration of Child Care Assistance, enrolments and/or bookkeeping, administration of finances/accounts, shall enter the salary scale at Step II and exit at Step V.
- (iii) A Support Employee who holds and is required to use the skills and/or knowledge acquired from an Associate Diploma in Accounting or an equivalent qualification shall enter the salary scale at Step III and exit at Step VI.
- (d) Assistant Co-ordinator (Field)
- | | \$ |
|-----------|--------|
| Step I | 734.20 |
| Step II | 756.10 |
| Step III | 777.05 |
| Step IV | 802.30 |
| Step V | 826.60 |
| Step VI | 850.95 |
| Step VII | 875.25 |
| Step VIII | 886.40 |
| Step IX | 917.80 |
- (i) An Assistant Co-ordinator who is unqualified shall enter the salary scale at Step I and exit at Step IV.
- (ii) An Assistant Co-ordinator who is two year trained, as defined in subclause (4) of this clause, shall enter the salary scale at Step II and exit at Step VI.
- (iii) An Assistant Co-ordinator who is three year trained, as defined in subclause (4) of this clause, shall enter the salary scale at Step III and exit at Step VII.

(iv) An Assistant Co-ordinator who is four year trained, as defined in subclause (4) of this clause, shall enter the salary scale at Step V and exit at Step IX.

(e) Scheme Co-ordinator

	\$
Step I	857.90
Step II	886.40
Step III	917.80
Step IV	943.30
Step V	958.10
Step VI	996.40
Step VII	1024.80

(i) A Scheme Co-ordinator shall be graded in accordance with subclause (5) (c) of clause 17. Classification Definitions and Skill Descriptors.

(ii) A Scheme Co-ordinator Grade One as defined in subclause (5) (c) (i) of clause 17. Classification Definitions and Skill Descriptors, shall progress through the salary scale as follows subject to subclause (2) of this clause:

a Scheme Co-ordinator with 2 or 3 year training, as defined in subclause (4) of this clause, shall enter at Step I and exit at Step IV.

a Scheme Co-ordinator with 4 year training, as defined in subclause (4) of this clause, shall enter at Step III and exit at Step VI.

(iii) A Scheme Co-ordinator Grade Two, as defined in subclause (5)(c)(ii) of clause 17. Classification Definitions and Skill Descriptors, shall progress through the salary scale as follows subject to subclause (2) of this clause:

a Scheme Co-ordinator with 2 or 3 year training, as defined in subclause (4) of this clause, shall enter at Step III and exit at Step VI.

a Scheme Co-ordinator with 4 year training, as defined in subclause (4) of this clause, shall enter at Step IV and exit at Step VII.

(2) Progression from Step to Step for all classifications will be contingent upon:

(a) 12 months service at each Step; and

(b) satisfactory performance at each Step.

(3) The employee and managing body of the Scheme shall be at liberty to negotiate and set a higher rate of salary, bearing in mind the duties and responsibilities or previous experience of the employee. Any agreement to select a higher rate shall be reduced in writing and shall entitle that employee, whilst employed at the Scheme, 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.

(4) "Two year, three year or four year trained status" refers to a tertiary or post secondary qualification in early childhood care or education, which is recognised by the Child Care Services Board, or the Australian Early Childhood Association, to be relevant and applicable for use as a family day care scheme employee.

(5) Where an employee is appointed to act as a Scheme Co-ordinator for more than four days, they shall be paid for the whole of that period as a Scheme Co-ordinator according to their level of qualification or a loading of 10% in addition to their normal salary whichever is greater.

(6) On ceasing employment with an employer, the employee shall be given a written statement of the current classification and Step if appropriate and the date of commencement at the classification 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 reason of the coming into operation of any order of the Western Australian Industrial Relations Commission in the implementation of the Minimum Rates Adjustment.

(8) Any employer who experiences financial hardship as a result of the implementation of the Minimum Rates Adjustments may apply to the Western Australian Industrial Relations Commission for orders regarding the timing of backpayments.

(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.

2010 WAIRC 00579

Farm Employees' Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

14. – WAGES

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

(1)	TOTAL \$
Adult Employees:	
Farm Hand	
(a) With less than twelve months experience in the industry	587.20
(b) With twelve months experience in the industry	587.20
(c) General Farm Hand	587.20
(d) Farm Tradesman (As defined)	587.20

"Farm Tradesman" shall mean a farm hand who has satisfactorily completed the approved apprenticeship in "farming" or who has been issued with an approved trade certificate and provides proof satisfactory to the employer of such qualification or who has by other means achieved a standard of knowledge deemed by his employer as equivalent thereto and is appointed as such in writing by his employer.

(2) Junior Employees - other than Apprentices:

	Percentage of the rate for a Farm Hand with less than twelve months experience
15 years of age	45%
16 years of age	50%
17 years of age	55%
18 years of age	65%
19 years of age	75%
20 years of age	90%

(3) Casual Employees:

A casual employee shall be paid 20 per centum in addition to the rates prescribed

(4) Apprentices:

	Percentage of weekly rate of wage for a Farm Tradesman
First year of service	47.5%
Second year of service	71.0%
Third year of service	90.3%

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.

2010 WAIRC 00580**Fast Food Outlets Award 1990****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

20. - WAGES

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

(1) Classifications (total wage per week):

	Effective on and from the commencement of the first pay period on or after 1 July 2010 \$
Qualified Cook	695.20
Cook Employed Alone	671.15
Other Cooks	666.95
Bar Attendant	670.50
Head Waiter/Waitress	692.05
Waiter/Waitress	661.45
Cashier	670.50
Counterhand	661.45
Cleaner	657.45
Kitchenhand	657.70
Laundress	657.70
Yardman	657.70
General Hand	657.70

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 -

An employee who is appointed and placed in charge of other employees by the employer shall be paid the following rates in addition to the employee's normal wage per week -

	\$
(a) If placed in charge of less than 6 employees	8.35
(b) If placed in charge of 6 to 10 employees	11.40
(c) If placed in charge of 11 to 20 employees	13.45
(d) If placed in charge of more than 20 employees	22.25

2010 WAIRC 00581

Fire Brigade Employees (Workshops) Award 1983

19. - WAGES

- (1) Subject to this clause, an adult employee in the classification specified in the table set out in subclause (2) hereof (other than an apprentice) shall be paid at the respective total wage rate per week assigned to that class of work.

An employee's total rate of pay is inclusive of the award rate, Arbitrated Safety Net Adjustment/s and additional payment, where applicable.

The all-purpose rate for this award shall be 1/38th of the total rate prescribed herein plus any allowances specified in this award as being all purpose.

- (2) (a)
- | Classification | Award Rate | Safety Net Adjustments | Additional Payment | Years of Service | Total Wage Per Week |
|-----------------------------------|------------|------------------------|--------------------|------------------|---------------------|
| | \$ | \$ | \$ | \$ | \$ |
| Engineering Tradesperson - | | | | | |
| C8 Level 3 | 458.89 | 263.80 | 118.70 | (1-2) | 841.39 |
| | | 263.80 | 139.30 | (3-8) | 861.99 |
| | | 261.80 | 166.80 | (over 8) | 887.49 |
| Engineering Tradesperson - | | | | | |
| C9 Level 2 | 437.98 | 263.80 | 77.30 | (1) | 779.08 |
| C10 Level 3 | 407.00 | 261.80 | 81.10 | (1) | 749.90 |
| Engineering Employee - | | | | | |
| C11 Level 4 | 385.40 | 261.80 | 57.70 | (1) | 704.90 |
| C12 Level 3 | 364.59 | 261.80 | 21.50 | (1) | 647.89 |
- (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.
- (3) Levels Classifications - For the purposes of this clause, existing classifications translate to the new classification structure in subclause (2) of this clause as follows:
- | | |
|-----------------------------|---------------------------------|
| Engineering Tradespersons - | |
| C8 Level 3 | Senior Technician |
| | Brigade Electrician |
| C9 Level 2 | Technician Grade I and II |
| C10 Level 1 | Technician Grade III |
| Engineering Employee - | |
| C11 Level 4 | Technician's Assistant Grade I |
| C12 Level 3 | Technician's Assistant Grade II |
- (4) A tradesperson placed in charge of three or more other employees, in addition to the ordinary rate, shall be paid per week:
- | | |
|---|---------|
| (a) If placed in charge of not less than three and not more than 10 other employees | \$22.50 |
| (b) If placed in charge of more than 10 and not more than 19 other employees | \$34.50 |
| (c) If placed in charge of more than 20 other employees | \$44.30 |
- (5) (a) The employer shall pay employees an allowance for service of:
- \$6.90 in the second year of service.
- \$13.80 in the third and subsequent years of service.
- (b) This allowance shall be paid as "all purpose".
- (6) (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) \$12.40 per week to such tradesperson; or |
| (ii) in the case of an apprentice a percentage of \$12.40, being the percentage which appears against the relevant year of apprenticeship; |
- 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) hereof will be included in, and form part of, the all purpose 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 an apprentice shall replace or pay for any tools supplied by the employer, if lost through the negligence of such employee.
- (7) Liberty to Apply
- Leave is reserved to Respondents to the award to apply to vary this clause consequent upon the outcome of the 1989/90 paid rates review conducted by the Australian Industrial Relations Commission.

- (8)
- (a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
- (d) 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.
- (e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (g) 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.
- (h) 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.
- (i) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (j) **Adult Apprentices**
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (ii) The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

2010 WAIRC 00582

Fire Brigade Employees' Award, 1990, No. A 28 of 1989

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.

(7) 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.

(8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

(b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

6. - WAGES

(1) The base rate per week for shiftwork staff will be as follows:

Classification	Base Rate per Week
Trainee Firefighter	639.00
3rd Class Firefighter	675.80
2nd Class Firefighter	687.00
1st Class Firefighter - Level 1	710.00
- Level 2	723.80
- Level 3	767.80
Senior Firefighter	790.80
Station Officer - Level 1	859.80
- Level 2	882.80
District Officer	994.24
Superintendent	1048.67
Communication Systems Officer – level 1	676.51
Communication Systems Officer – level 2	703.40
Communication Systems Officer – level 3	728.25
Communication Systems Officer – level 4	752.86

(2) The total weekly rate for employees specified in subclause (1) will be calculated by the sum of the base rate and 39.8% of that base rate of pay in lieu of all loadings and penalties accumulated as a consequence of working shift work as detailed in clauses 8 – Hours of Duty and 34 - Formula for Calculation of Penalties.

(3) The rate of pay per week for fire safety assistants will be:

Fire Safety Assistants

Grade 1	723.76
Grade 2	769.43
Grade 3	841.78
Grade 4	872.28

Fire Safety Assistant (O'Connor Workshop)

Grade 1	723.76
Grade 2	769.43

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

2010 WAIRC 00583

Food Industry (Food Manufacturing or Processing) Award**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

30. - TRAINEESHIPS

(1) Scope

- (a) Subject to paragraph (b) of this subclause shall apply to persons:
- (i) who are undertaking a Traineeship (as defined); and
 - (ii) who are employed by an employer bound by this award; and
 - (iii) whose employment is covered by the Food Industry (Food Manufacturing or Processing) Award No. A 20 of 1990.
- (b) Notwithstanding the foregoing, this clause shall not apply to employees who were employed by an employer bound by this clause prior to the date of approval of a traineeship scheme relevant to the employer, except where agreed between the employer and the Union.

(2) Objective

- (a) The objective of this clause is to establish a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of Trainees, particularly young people, and the long term unemployed.
- (b) The system is neither designed nor intended for those who are already trained and job ready.
- (c) Existing employees shall not be displaced from employment by trainees.

(3) Supersession

The existing award provisions for the Australian Traineeship System (ATS) shall not apply to any employer bound by this award, except in relation to ATS trainees who commenced a traineeship with the employer before the employer was bound to this award.

(4) Definitions

“ Approved Training ” means training undertaken in a Traineeship and shall involve formal instruction, both theoretical and practical, and supervised practice in accordance with a Traineeship Scheme approved by the relevant State Training Authority or NETTFORCE. The training will be accredited and lead to qualifications as set out in subclause 5(e).

“ Relevant Award ” means the Food Industry (Food Manufacturing or Processing) Award No. A 20 of 1990.

“ Trainee ” means an employee who is bound by a Traineeship Agreement made in accordance with this clause.

“ Traineeship ” means a system of training which has been approved by the appropriate State Training Authority, or which has been approved on an interim basis by the National Employment and Training Taskforce (NETTFORCE), until final approval is granted by the relevant State Training Authority.

“ Traineeship Agreement ” means an agreement made subject to the terms of this award between an Employer and the Trainee for a Traineeship and which is registered with the appropriate State Training Authority, NETTFORCE, or under the provisions of the appropriate State legislation. A Traineeship Agreement shall be made in accordance with the relevant approved Traineeship Scheme and shall not operate unless this condition is met.

“ Traineeship Scheme ” means an approved Traineeship applicable to a group or class of employees or to an industry or sector of an industry or an enterprise. A Traineeship Scheme shall not be given approval unless consultation and negotiation with the Union upon the terms of the proposed Traineeship Scheme and the Traineeship have occurred. An application for approval of a Traineeship Scheme shall identify the Union and demonstrate to the satisfaction of the approving authority that the abovementioned consultation and negotiation have occurred.

“ Parties to a Traineeship Scheme ” means the employer organisation and/or the employer and the union involved in the consultation and negotiation required for the approval of a Traineeship Scheme.

References in this award to “ the relevant State Training Authority or NETTFORCE ” shall be taken to be a reference to NETTFORCE in respect of a Traineeship that is the subject of an interim approval but not a final approval by the relevant State Training Authority. NETTFORCE powers and functions stipulated in this award may be circumscribed and/or delegated by the terms of an agreement between NETTFORCE and a relevant State Training Authority. Reference to NETTFORCE and a relevant state training authority. Reference to NETTFORCE within this clause will have no effect during the currency of the W.A. State Training Authority/NETTFORCE Memorandum of Agreement.

“ Appropriate State Legislation ” means the State Employment and Skills Development Authority Act 1990.

(5) Training Conditions

- (a) The Trainee shall attend an approved training course or training program prescribed in the Traineeship Agreement or as notified to the trainee by the appropriate State Training Authority in accredited and relevant traineeship schemes; or NETTFORCE if the traineeship scheme remains subject to interim approval.
- (b) A Traineeship shall not commence until the relevant Traineeship Agreement, made in accordance with a Traineeship Scheme, has been signed by the employer and the trainee and lodged for registration with the relevant State Training Authority or NETTFORCE, provided that if the Traineeship Agreement is not in a standard format a Traineeship shall not commence until the Traineeship Agreement has been registered with the relevant State Training Authority or NETTFORCE. The employer shall ensure that the Trainee is permitted to attend the training course or program provided for in the Traineeship Agreement and shall ensure that the Trainee receives the appropriate on-the-job training.

- (c) The employer shall provide a level of supervision in accordance with the Traineeship Agreement during the traineeship period.
 - (d) The employer agrees that the overall training program will be monitored by officers of the appropriate State Training Authority or NETTFORCE and training records or work books may be utilised as part of this monitoring process.
 - (e) Training shall be directed at:
 - (i) The achievement of key competencies required for successful participation in the workplace (where these have not been achieved) (e.g. literacy, numeracy, problem solving, teamwork, using technology), and as are proposed to be included in the AVC Level 1 qualification. This could be achieved through foundation competencies which are part of endorsed competencies for an industry or enterprise, and/or
 - (ii) The achievement of competencies required for successful participation in an industry or enterprise (where there are endorsed national standards these will define these competencies), as are proposed to be included in the AVC Level 2 qualification or above.
- (6) Employment Conditions
- (a) A Trainee shall be engaged as a full-time employee for a maximum of one year's duration provided that a Trainee shall be subject to a satisfactory probation period of up to one month which may be reduced at the discretion of the employer. By agreement in writing, and with the consent of the relevant State Training Authority or NETTFORCE the parties to a Traineeship Agreement may vary the duration of the Traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant Traineeship Scheme.
 - (b)
 - (i) An employer shall not terminate the employment of a Trainee without firstly having provided written notice of termination to the Trainee concerned in accordance with the Traineeship Agreement and to the relevant State working days of termination.
 - (ii) An employer who chooses not to continue the employment of a trainee upon the completion of the traineeship shall notify, in writing, the relevant State Training Authority or NETTFORCE of its decision.
 - (c) The Trainee is permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the Traineeship Agreement.
 - (d) Where the employment of a Trainee by an employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of any relevant Award or any other legislative entitlements.
 - (e)
 - (i) The Traineeship Agreement may restrict the circumstances under which the Trainee may work overtime and shiftwork in order to ensure the training program is successfully completed.
 - (ii) No Trainee shall work overtime or shiftwork on their own unless consistent with the provisions of this relevant award.
 - (iii) No Trainee shall work shiftwork unless the parties to a Traineeship Scheme agree that such shiftwork makes satisfactory provision for approved training. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shiftwork Trainees.
 - (iv) The Trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by the relevant award, unless otherwise agreed by the parties to a Traineeship Scheme, or unless the relevant award makes specific provision for a Trainee to be paid at a higher rate, in which case the higher rate shall apply.
 - (f) All other terms and conditions of the relevant award that are applicable to the Trainee or would be applicable to the Trainee but for this Clause shall apply unless specifically varied by this Clause.
 - (g) A Trainee who fails to either complete the Traineeship or who cannot for any reason be placed in full time employment with the employer on successful completion of the Traineeship shall not be entitled to any severance payments payable pursuant to termination, change and redundancy provisions or provisions similar thereto.
- (7) Wages
- (a)
 - (i) The minimum rates of wages payable weekly to trainees are as provided in subparagraph (iv) of this subclause.
 - (ii) These wage rates will only apply to Trainees while they are undertaking an approved traineeship which includes approved training as defined in this Clause.
 - (iii) The wage rates prescribed by this clause do not apply to completed trade level training which is covered by the Apprenticeship system.

(iv) Skill Level B:

Where the accredited training course and work performed are for the purposes of generating skills which have been defined for work at Skill Level B.

HIGHEST YEAR OF SCHOOLING COMPLETED

School Leaver	Year 10 and below\$	Year 11\$	Year 12\$
	212.00	255.00	295.00
Plus 1 year out of school	255.00	295.00	338.00
Plus 2 years	295.00	338.00	397.00
Plus 3 years	338.00	397.00	452.00
Plus 4 years	397.00	452.00	
Plus 5 years	452.00		

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%.

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) The skill level of approved Traineeships in the food industries has been agreed to be Skill Level B.
- (c) For the purposes of this provisions, "out of school" shall refer only to periods out of school beyond Year 10, (or below) and shall be deemed to:
 - (i) Include any period of schooling beyond Year 10 (or below) which was not part of nor contributed to a completed year of schooling;
 - (ii) Include any period during which a Trainee repeats in whole or part a year of schooling beyond Year 10 (or below); and
 - (iii) Not include any period during a calendar year in which a year of schooling is completed.
 - (iv) Have effect on an anniversary date being January 1 in each year.
- (d) At the conclusion of the Traineeship, this clause ceases to apply to the employment of the Trainee and the award shall apply to the former trainee.

31. - WAGES

The following shall be the minimum weekly rate of wage payable to employees covered by this award on and from the commencement of the first pay period on or after 1 July 2010.

		TOTAL Rate Per Week\$
(1) Section One to Six as Defined:		
Level 1	78%	587.20
Level 1A	80%	595.60
Level 2	82%	603.90
Level 3	87.4%	626.40
Level 4	92.4%	647.30
Level 5	100%	681.00

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.

- (2) Junior Employees:

(Percentage of adult rate of Level 1)	%
Under 16 years of age	50
16 to 17 years of age	60
17 to 18 years of age	70

(Percentage of adult rate of Level 1)— <i>continued</i>	%	
18 to 19 years of age	80	
19 to 20 years of age	90	
20 to 21 years of age	100	
(3) Leading Hands		Per Week Extra
		\$
A Leading Hand In-Charge of:		
(a) Less than three other employees		14.65
(b) Not less than three and not more than ten other employees		28.85
(c) More than ten other employees		42.40

2010 WAIRC 00584

Foremen (Building Trades) Award 1991**6. - MINIMUM RATES**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

7. - WAGES

(1) Each foreman shall be classified by his/her employer within the range prescribed hereunder and be paid not less than the rate for that classification.

(2) (a) Subject to the provisions of subclause (3) of this clause, a foreman may be reclassified at any time. In the event of any dispute between an employer and the appropriate union as to the classification of any foreman employed by that employer, the matter may be referred to the Board of Reference for determination.

CLASSIFICATION RANGE * \$	A.S.N.A. \$	TOTAL WAGE \$
514.90	259.80	774.70
535.00	261.80	796.80
555.20	261.80	817.00
575.30	261.80	837.10
595.50	261.80	857.30
615.70	261.80	877.50
635.90	259.80	895.70

* Note - inclusive of an Industry Allowance of \$15.90.

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.

(3) Where the classification of a foreman has been fixed by the Board of Reference, that classification shall not be reduced by the employer except after the expiry of fourteen days' notice of the proposed reduction and the reason therefor has been given in writing to the appropriate union.

(4) The provisions of this clause do not apply to any foreman if and for as long as he/she is being paid a rate in excess of the maximum rate prescribed.

2010 WAIRC 00585**Fruit and Produce Market Employees Award**1B. - MINIMUM ADULT AWARD WAGE

(1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

(3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.

(7) 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.

(8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

11. - WAGES

(1)	Adults	Operative on and from the commencement of the first pay period on or after 1 July 2010 \$
	Storemen	615.20
	Head Storemen	615.20

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) Whilst so engaged, casual hands shall be paid the rate of twenty per cent in addition to the rates prescribed herein.
- (3) Junior Male Workers (per cent of rate prescribed for Storeman in (1) hereof):

	Per Week
	%
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

2010 WAIRC 00586

The Fruit Growing and Fruit Packing Industry Award

24. - WAGES

Adult Workers:

The minimum rate of wages payable to a worker under this award shall be as follows -

	Rate Per Week \$Total
(1) Fruit Packing and Sorting	
(a) Trainee Packer & Trainee Sorter	615.20
(b) Competent Packer (as defined) & Sorter	615.20
(c) Shed Hand	615.20
(2) Fruit Growing and Picking:	
(a) Orchard Hand (General)	615.20
(b) Orchard Hand (Machine Operator)	615.20

The following hourly rates shall apply to workers in this section for each hour worked in excess of 40 hours per week and not more than 52 hours per week:

- | | | |
|-----|---------------------------------|-------|
| (a) | Orchard Hand (General) | 23.07 |
| (b) | Orchard Hand (Machine Operator) | 23.07 |

The following hourly rates shall apply to workers in this section for each hour worked in excess of 52 hours per week:

- | | | |
|-----|---------------------------------|-------|
| (a) | Orchard Hand | 30.76 |
| (b) | Orchard Hand (Machine Operator) | 30.76 |

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 Workers:

Fruit Packing and Sorting or Fruit Growing and Picking wage per week or per hour as the case may be, expressed as a percentage of the appropriate adult classification rate.

	%
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

(4) Casual Workers:

- (a) A casual worker shall be paid 20 per cent in addition to the rate prescribed in this clause for work performed.
- (b) A "Casual Worker" shall mean a worker who is engaged and paid as such.

(5) For the purpose of this clause.

A "Competent Packer" shall mean a worker who packs 500 bushels of apples per week of 40 hours.

(6) 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 by a full time employee.
- (b) Based on the number of hours worked, the conditions for part-time employees shall be directly proportionate to the conditions prescribed for full-time employees.

24A. – MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00587

Funeral Directors' Assistants' Award No. 18 of 1962

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) Adult Apprentices
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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. - WAGES

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be as follows:

	BaseRateAdjust ments\$	ArbitratedSafety NetRate\$	Minimum Weekly\$
Branch Officer:			
First 3 months of employment	379.40	261.80	641.20
After 3 months of employment	424.90	263.80	688.70
After 12 months of employment	428.40	263.80	692.20
After 24 months of employment	432.00	263.80	695.80
Embalmer:			
First 3 months of employment	372.10	261.80	633.90
After 3 months of employment	417.60	263.80	681.40
After 12 months of employment	421.20	263.80	685.00
After 24 months of employment	424.80	263.80	688.60
Coffin Maker and/or Coffin Polisher:			
First 3 months of employment	368.10	261.80	629.90
After 3 months of employment	413.50	261.80	675.30
After 12 months of employment	417.10	263.80	680.90
After 24 months of employment	420.70	263.80	684.50
General Assistants			
After Hours Attendants:			
First 3 months of employment	349.10	261.80	610.90
After 3 months of employment	394.50	261.80	656.30
After 12 months of employment	398.10	261.80	659.90
After 24 months of employment	401.70	261.80	663.50

- (2) Any employee in the Head Office who arranges and attends to funeral business shall be paid the rate prescribed for a Branch Officer while employed on such work.
- (3) Leading Hands: Any employee placed by the employer in charge of three or more other employees shall be paid \$26.00 per week in addition to the amounts prescribed in this clause.
- (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.

2010 WAIRC 00588

Furniture Trades Industry Award

8. - WAGES

- (1) **Classifications**
- (a) (i) Upon engagement all employees shall be classified in the group in which they are engaged to work.
- (ii) An employee will only be classified into a higher group where that employee had been trained and has met the assessment and competence criteria established for the higher group and a vacancy exists. Such reclassifications will only be made where the employee is trained and capable of performing the relevant duties of the higher group to the required standard. The grouping of employees is provisional on the employee remaining willing and able to perform the duties required in the group in which they are classified.
- (iii) (aa) The assessment of employees will be carried out by an employee nominated by the works manager who will normally be a supervisor but may be an employee suitably qualified in that trade or calling.
- (bb) At the employee's request re-examination will be carried out by a panel consisting of the supervisor, the employee's representative and a suitably qualified employee of the employee's choice with knowledge of the area of work and the works manager or the works manager's delegate.

- (cc) Should the re-examiners reach a tied decision, then this matter may be referred to a Board of Reference for determination.
- (iv) The parties to this award reserve leave to apply to amend this classification structure.
- (v) An employee reclassified to a higher group, will have his/her performance subject to review, and the employer may, should the employee's performance be unsatisfactory, revert the employee's classification to the previous level.
- (vi) At the employee's request, any demotion pursuant to paracetum (v), will be re-examined by a panel consisting of the Supervisor, the employee's representative, a suitably qualified employee of the employee's choice with knowledge of the area of work and the Manager or the Manager's delegate.
- (vii) Provided that no employee is to be prejudiced by acting or failing to act in a manner provided for in this paragraph (a).
- (b) Employees will be classified into groups as follows:
- (i) Furniture Making Employee Group 1
(Relativity to Group 5 - 78%)
Furniture Making Group 1 employee shall mean an employee classified as such who is engaged on work in connection with or incidental to the production, maintenance and distribution operations of the employer. The Furniture Making Group 1 employee may be required by the employer to perform any, but not necessarily, all of the duties listed hereunder and for training purposes, the duties of higher classifications of employees:
- | | |
|-------------------|--------------------------------------|
| Cleaning | |
| Factory Hand | |
| Glass | - Breakout (Automatic Cutting Table) |
| | - Vinyl Back Operating |
| Material Handling | - Bagging |
| | - Drilling |
| | - Grinding |
| | - Loading/Unloading |
- (ii) Furniture Making Employee Group 2
(Relativity to Group 5 - 82%)
Furniture Making Group 2 employee shall mean an employee classified as such who is engaged on work in connection with or incidental to the production, maintenance and distribution operations of the employer. The Furniture Making Group 2 employee may be required by the employer to perform any, but not necessarily, all of the duties listed hereunder.
- In addition, the Furniture Making Group 2 employee will perform those duties of a lower classification related to the duties listed hereunder, and for training purposes, the duties of higher classifications of employees:
- | | | |
|----------------|---|--------------------------|
| Bedding making | - | Border Wiring |
| | - | Edge Banding |
| | - | Fibre Padding |
| | - | Filling |
| | - | Foam Box Assembling |
| | - | Stapling |
| | - | Tufting |
| Glass | - | Shower Screen Assembling |
| Metal | - | Bed Ends Assembling |
| | - | Furnace Operating |
| | - | Spring Base Assembling |
| | - | Resistance Welding |
| Sub Assembling | | |
| Timber | - | Edging/Trimming |
| | - | Veneer Gluing and Laying |
| | - | Sanding |
| | - | Spraying |
| | - | Staining |
| | - | Varnishing |
| | - | Veneering |
- (iii) Furniture Making Employee Group 3
(Relativity to Group 5 - 87.4%)
Furniture Making Group 3 employee shall mean an employee classified as such who is engaged on work in connection with or incidental to the production, maintenance and distribution operations of the employer. The Furniture Making Group 3 employee may be required by the employer to perform any, but not necessarily, all of the duties of the positions listed hereunder.

In addition, the Furniture Making Group 3 employee will perform those duties of a lower classification related to the duties listed hereunder, and for training purposes, the duties of higher classifications of employees:

Bedding Making	-	Bagging
	-	Base Upholstering
	-	Mattress
	-	Spring Coiling
	-	Spring Unit
Blinds & Awnings	-	Assembling
	-	Cutting
Fabric Cutting	-	Pre-planned
Glass	-	Automatic Cutting
	-	Automatic Edge Grinding/Polishing
	-	Automatic Levelling/Polishing
	-	Cutting maximum 6mm
	-	Pockering
Machine		
Operating/Adjustments		
Metal Welding		
Metal/Timber (Assembling)	-	Cabinet
	-	Chair
	-	Hospital Bed/Trolley
	-	Hospital Equipment
	-	Sofa
	-	Table
Frame Making		
Packing		
Picture Frame Making		
Powder Coating		
Sewing Machining		
Spray Painting		
Timber	-	Woodmachining (Other)
Upholstering (Pre-Planned)		
Wickerwork	-	Ironwork
	-	Other

(iv) Furniture Making Employee Group 4

(Relativity to Group 5 - 92.4%)

Furniture Making Group 4 employee shall mean an employee classified as such who is engaged on work in connection with or incidental to the production, maintenance and distribution operations of the employer. The Furniture Making Group 4 employee may be required by the employer to perform any, but not necessarily, all of the duties of the positions listed hereunder.

In addition, the Furniture Making Group 4 employee will perform those duties of a lower classification related to the duties listed hereunder, and for training purposes, the duties of higher classifications of employees:

Bedding Making	-	Garnetting
	-	Hand Cutting
	-	Micro Quilting
	-	Panel Cutting
	-	Tape Edging
	-	Spuhl Automatic Spring Maker
	-	(other)
Blinds and Awnings	-	Finishing
	-	Installing
	-	Making
Mechanical Handling (Ride-on)		
Receiving/Storing/Issuing	-	Despatching
	-	Documenting
	-	Purchasing
	-	Stock Controlling

(v) Furniture Making Employee Group 5

(Classification in this Group shall be dependent upon an employee holding the appropriate trade qualifications or an employee qualified and/or engaged to perform any of the duties of a Furniture Making Group 5 employee.)

Furniture Making Group 5 employee 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. The Furniture Making Group 5 employee may be required by the Employer to perform any, but not necessarily, all of the duties of the positions listed hereunder.

In addition, the Furniture Making Group 5 employee will perform those duties of a lower classification related to the duties listed hereunder, and for training purposes, the duties of higher classifications of employees:

- | | | |
|--|---|---|
| Bedding Making | - | Pocket Spring |
| | - | Spuhl Automatic Spring Maker
(defined) |
| Floor Covering | | |
| Furniture Designing
and/or Drafting | - | Computer Aided Drafting |
| | - | Computer Aided Manufacturing |
| | - | Costing |
| Glass | - | Bevelling |
| | - | Designing and/or Drawing |
| | - | Leadlight Glazing |
| | - | Sandblasting |
| | - | Silvering |
| Metal | - | Jigmaking (Metal Furniture) |
| | - | Metal Furniture Making |
| Timber | - | Cabinetmaking |
| | - | Chairmaking and/or Repairing |
| | - | French Polishing (Furniture Finishing) |
| | - | Wicker Furniture Making |
| | - | Wood Carving |
| | - | Wood Machining |
| | - | Wood Turning |

Upholstering

(vi) Furniture Making Employee Group 6

(Relativity to Group 5 - 105%) (Classification in this group shall be dependent upon an employee holding the appropriate trade qualifications and successfully completing one half of the requirements of the recognised Advanced Certificate in Furniture Studies at a College of TAFE.)

Furniture Making Group 6 employee 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. The Furniture Making Group 6 employee may be required by the employer to perform any, but not necessarily, all of the duties of the positions listed hereunder.

In addition, the Furniture Making Group 6 employee will perform those duties of a lower classification related to the duties listed hereunder, and for training purposes, the duties of higher classifications of employees:

- | | | |
|---|---|--|
| Advanced Furniture Designing
and/or Drafting | - | Computer Aided Manufacturing |
| | - | Computer Aided Drafting |
| | - | Costing |
| Advanced Machine
Programming | | |
| Advanced Metal | - | Jigmaking (Metal Furniture) |
| | - | Metal Furniture Making |
| Advanced Timber | - | Cabinetmaking |
| | - | Chairmaking and/or Repairing |
| | - | French Polishing (Furniture Finishing) |
| | - | Wicker Furniture Making |
| | - | Wood Machining |
| | - | Wood Turning |
| Advanced Upholstery | | |
| Toolmaking (Metal Furniture) | | |

(vii) Furniture Making Employee Group 7

(Relativity to Group 5 - 110%) (Classification in this category shall be dependent upon successfully completing the requirements of the recognised Certificate in Furniture Studies at a College of TAFE.)

Furniture Making Group 7 employee 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. The Furniture Making Group 7 employee may be required by the employer to perform any, but not necessarily, all of the duties of the positions listed hereunder.

In addition, the Furniture Making Group 7 employee will perform those duties of a lower classification related to the duties listed hereunder: and for training purposes, the duties of higher classifications of employees:

Advanced Furniture Designing and/or Drafting	-	Computer Aided Manufacturing
	-	Computer Aided Drafting
	-	Costing
Advanced Machine Programming	-	Jigmaking (Metal Furniture)
	-	Metal Furniture Making
Advanced Timber	-	Cabinetmaking
	-	Chairmaking and/or Repairing
	-	French Polishing (Furniture Finishing)
	-	Wicker Furniture Making
	-	Wood Machining
	-	Wood Turning
Advanced Toolmaking		(Metal Furniture)
Advanced Upholstery		

(2) Wages

The minimum rate of wage for employees covered by this award shall be:

	Total Minimum Rate\$
(a) Furniture Making Employee - Group 1	587.20
Furniture Making Employee - Group 2	603.90
Furniture Making Employee - Group 3	626.40
Furniture Making Employee - Group 4	647.30
Furniture Making Employee - Group 5	681.00
Furniture Making Employee - Group 6	701.90
Furniture Making Employee - Group 7	722.70

(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.

(3) Tool Allowance

Where the employer does not provide a cabinetmaker with the tools ordinarily required by a cabinetmaker in the performance of his or her work of cabinetmaking, the employer shall pay a tool allowance of \$12.30 per week.

The tool allowance for cabinetmaking apprentices shall be subject to the provisions hereof and, where applicable, paid at the rate prescribed by subclause (3) of Clause 34. - Apprentices.

(4) Apprentices

(a) The minimum rate of pay per week for an apprentice shall be the percentage shown in paragraph (b) herein of the total rate of pay for a Furniture Making Employee Group 5. (Rates for adult apprentices cannot be less than the rates set out in subclause (6) Minimum Adult Award Wage paragraph (9) of this Clause).

(b) Percentages:

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

- | | | |
|-------|---|----------------|
| (iii) | Three Year Term -
Apprentices who have completed
12 months full time training - | % |
| | First year | 55 |
| | Second year | 75 |
| | Third year | 88 |
| (iv) | Three Year Term -
First year
Second year
Third year | 42
55
88 |
- (5) Junior Employees
- (a) The minimum rate of pay per week for a junior employee shall be the percentages shown in paragraph (b) herein, of the total rate of pay for a Furniture Making Employee Group 2, but in any event shall not be less than that provided in the Minimum Conditions of Employment Act.
- | | | |
|-----|-------------------------|----|
| (b) | Percentages | % |
| | Under 16 years | 38 |
| | Between 16 and 17 years | 46 |
| | Between 17 and 18 years | 53 |
| | Between 18 and 19 years | 73 |
| | Between 19 and 20 years | 80 |
| | Between 20 and 21 years | 85 |
- Liberty to amend this clause is reserved.
- (6) Minimum Adult Award Wage
- (a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
- (d) 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.
- (e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (g) 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.
- (h) 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. |
- (i) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (j) Adult Apprentices
- | | |
|------|--|
| (i) | Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010. |
| (ii) | The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

APPENDIX III - NATIONAL TRAINING WAGE

1 . - TITLE

This Appendix shall be known as the National Training Wage Interim Award 1995.

2 . - ARRANGEMENT

This Appendix shall be arranged as follows:

1. Title
2. Arrangement
3. Application
4. Objective
5. Supersession
6. Definitions
7. Training Conditions
8. Employment Conditions
9. Wages
10. Specialisation Arrangements
11. Part-Time Traineeships

3 . - APPLICATION

- (a) Subject to subclause (b) this Appendix shall apply to persons:
 - (i) who are undertaking a Traineeship (as defined); and
 - (ii) who are employed by an employer bound by this award or employed by a member of an employer organisation bound by this award; and
 - (iii) whose employment is, or otherwise would be, covered by an award which also:
 - (a) binds the employer or an organisation of which the employer is a member; and
 - (b) binds a union which is a party to this award and in respect of which the person is a member or is eligible for membership.
- (b) Notwithstanding the foregoing, this Appendix shall not apply to employees who were employed by an employer bound by this award prior to the date of approval of a Traineeship scheme relevant to the employer, except where agreed between the employer and the relevant union(s).
- (c) This Appendix does not apply to the Apprenticeship system.

4 . - OBJECTIVE

The objective of this Appendix is to assist in the establishment of a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of Trainees, particularly young people, and the long term unemployed. The system is neither designed nor intended for those who are already trained and job ready. It is not intended that existing employees shall be displaced from employment by Trainees. Except as provided for in clause 5. - Supersession of this Appendix, nothing in this Appendix shall be taken to replace the prescription of training requirements in the relevant award.

5 . - SUPERSESION

Any existing award provisions for the Australian Traineeship System (ATS) or the Career Start Traineeship (CST) shall not apply to any employer bound by this award except in relation to ATS or CST trainees who commenced a Traineeship with the employer before the employer was bound by this Appendix.

6 . - DEFINITIONS

“**Approved Training**” means training undertaken (both on and off the job) in a Traineeship and shall involve formal instruction, both theoretical and practical, and supervised practice in accordance with a Traineeship Scheme approved by the relevant State or Territory Training Authority or NETTFORCE. The training will be accredited and lead to qualifications as set out in subclause 7(e).

“**Relevant award**” means an award that applies to a Trainee, or that would have applied, but for the operation of this Appendix.

“**Relevant Union**” means a union party to a relevant award and which is entitled to enrol the Trainee as a member.

“**Trainee**” means an employee who is bound by a Traineeship Agreement made in accordance with this Appendix.

“**Traineeship**” means a system of training which has been approved by the relevant State or Territory Training Authority, or which has been approved on an interim basis by the National Employment and Training Task force (NETTFORCE), until final approval is granted by the relevant State or Territory Training Authority. Includes full-time traineeship and part-time traineeships including school-based traineeship.

“**Traineeship Agreement**” means an agreement made subject to the terms of this Appendix between the Employer and the Trainee for a Traineeship and which is registered with the relevant State or Territory Training Authority, NETTFORCE, or under the

provisions of the appropriate State or Territory legislation. A Traineeship Agreement shall be made in accordance with the relevant approved Traineeship Scheme and shall not operate unless this condition is met.

“**Traineeship Scheme**” means an approved Traineeship applicable to a group or class of employees or to an industry or sector of an industry or an enterprise. A Traineeship Scheme shall not be given approval unless consultation and negotiation with the relevant union(s) upon the terms of the proposed Traineeship Scheme and the Traineeship have occurred. An application for approval of a Traineeship Scheme shall identify the relevant union(s) and demonstrate to the satisfaction of the approving authority that the above mentioned consultation and negotiation have occurred. A Traineeship Scheme shall include a standard format which may be used for a Traineeship Agreement.

“**Parties to a Traineeship Scheme**” means that employer organisation and/or the employer and the relevant union involved in the consultation and negotiation required for the approval of a Traineeship Scheme.

Reference in this Appendix to “**the relevant State or Territory Training Authority or NETTFORCE**” shall be taken to be a reference to NETTFORCE in respect of a Traineeship that is the subject of an interim approval but not a final approval by the relevant State or Territory Training Authority. NETTFORCE powers and functions stipulated in this Appendix may be circumscribed and/or delegated by the terms of an agreement between NETTFORCE and a relevant State or Territory Training Authority.

“**Appropriate State legislation**” means the State Employment and Skills Development Authority Act 1990 or any successor legislation.

7. - TRAINING CONDITIONS

- (a) The Trainee shall attend an approved training course or training program prescribed in the Traineeship Agreement or as notified to the trainee by the relevant State or Territory Training Authority in accredited and relevant Traineeship Schemes; or NETTFORCE, if the Traineeship Scheme remains subject to interim approval.
- (b) A Traineeship shall not commence until the relevant Traineeship Agreement, made in accordance with a Traineeship Scheme, has been signed by the employer and the trainee and lodged for registration with the State Training Authority or NETTFORCE, provided that if the Traineeship Agreement is not in a standard format a Traineeship shall not commence until the Traineeship Agreement has been registered with the State Training Authority or NETTFORCE. The employer shall ensure that the Trainee is permitted to attend the training course or program provided for in the Traineeship Agreement and shall ensure that the Trainee receives the appropriate on-the-job training.
- (c) The employer shall provide a level of supervision in accordance with the Traineeship Agreement during the Traineeship period.
- (d) The employer agrees that the overall training program will be monitored by officers of the State Training Authority or NETTFORCE and training records or work books may be utilised as part of this monitoring process.
- (e) Training shall be directed at:
 - (i) the achievement of key competencies required for successful participation in the workplace (where these have not been achieved) (eg. literacy, numeracy, problem solving, team work, using technology), and as are proposed to be included in the Australian Vocational Certificate Level 1 qualification. This could be achieved through foundation competencies which are part of endorsed competencies for an industry and/or
 - (ii) the achievement of competencies required for successful participation in an industry or enterprise (where there are endorsed national standards these will define these competencies), as are proposed to be included in the Australian Vocational Training System Level 2 qualification or above.

8. - EMPLOYMENT CONDITIONS

- (a) A Trainee shall be engaged as a full-time employee for a maximum of one year’s duration provided that a Trainee shall be subject to a satisfactory probation period of up to one month which may be reduced at the discretion of the employer. By agreement in writing, and with the consent of the State Training Authority or NETTFORCE, the relevant employer and the Trainee may vary the duration of the Traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant Traineeship scheme.
- (b) An employer shall not terminate the employment of a Trainee without firstly having provided written notice of termination to the Trainee concerned in accordance with the Traineeship agreement and subsequently to the State Training Authority or NETTFORCE. The written notice to be provided to the State Training Authority or NETTFORCE shall be provided within 5 working days of the termination.
An employer who chooses not to continue the employment of a Trainee upon the completion of the Traineeship shall notify, in writing, the State Training Authority or NETTFORCE of their decision.
- (c) The Trainee shall be permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the Traineeship Agreement.
- (d) Where the employment of a Trainee by an employer is continued after the completion of the Traineeship period, such Traineeship period shall be counted as service for the purposes of the award or any other legislative entitlements.
- (e)
 - (i) The Traineeship Agreement may restrict the circumstances under which the Trainee may work overtime and shift work in order to ensure the training program is successfully completed.
 - (ii) No Trainee shall work overtime or shiftwork on their own unless consistent with the provisions of the relevant award.

- (iii) No Trainee shall work shiftwork unless the parties to the Traineeship Scheme agree that such shift work makes satisfactory provision for approved training. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shift work Trainees.
- (iv) The Trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by the relevant award, unless otherwise agreed by the parties to a Traineeship Scheme, or unless the relevant award makes specific provision for a Trainee to be paid at a higher rate, in which case the higher rate shall apply.
- (f) All other terms and conditions of the relevant award(s) that are applicable to the Trainee or would be applicable to the Trainee but for this Appendix shall apply unless specifically varied by this Appendix.
- (g) A Trainee who fails to either complete the Traineeship or who cannot for any reason be placed in full time employment with the employer on successful completion of the Traineeship shall not be entitled to any severance payments.
- (h) The right of entry provision contained in the relevant award shall apply to the parties bound by this Appendix.

9. - WAGES

- (a) (i) The weekly wages payable to Trainees are as provided in paragraph (iv), (v), (vi) of this sub-clause.
- (ii) These wage rates will only apply to Trainees while they are undertaking an approved traineeship which includes approved training as defined in this Appendix.
- (iii) The wage rates prescribed by this clause do not apply to complete trade level training which is covered by the Apprenticeship system.
- (iv) Skill Level A Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level A.

School Leaver	Highest Year of Schooling Completed		
	Year 10 and below	Year 11	Year 12
	\$	\$	\$
	182.00(50%)	224.00(33%)	308.00
	212.00(33%)	252.00(25%)	
plus 1 year out of school	252.00	308.00	360.00
plus 2 years	308.00	360.00	419.00
plus 3 years	360.00	419.00	478.00
plus 4 years	419.00	478.00	
plus 5 years or more	478.00		

- (v) Skill Level B Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level B.

School Leaver	Highest Year of Schooling Completed		
	Year 10 and below	Year 11	Year 12
	\$	\$	\$
	182.00(50%)	224.00(33%)	300.00
	212.00(33%)	252.00(25%)	
plus 1 year out of school	252.00	300.00	344.00
plus 2 years	300.00	344.00	404.00
plus 3 years	344.00	404.00	460.00
plus 4 years	404.00	460.00	
plus 5 years or more	460.00		

- (vi) Skill Level C Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level C.

School Leaver	Highest Year of Schooling Completed		
	Year 10 and below	Year 11	Year 12
	\$	\$	\$
	182.00(50%)	224.00(33%)	296.00
	212.00(33%)	252.00(25%)	
plus 1 year out of school	252.00	296.00	332.00
plus 2 years	296.00	332.00	373.00
plus 3 years	332.00	373.00	415.00
plus 4 years	373.00	415.00	
plus 5 years or more	415.00		

(vii)

	Year of Schooling	
	Year 11\$	Year 12\$
School Based Traineeship Skill Levels A, B and C	261.00	281.00

* 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 percent.

(viii) 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) The determination of the appropriate skill level shall be made by NETTFORCE based on the following criteria:

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

In 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.

(c) For the purposes of this provision "out of school" shall refer only to periods out of school beyond Year 10 or below, and shall be deemed to:

- (i) include any period of schooling beyond Year 10 or below which was not part of nor contributed to a completed year of schooling.
- (ii) include any period during which a Trainee repeats in whole or part a year of schooling beyond Year 10 or below; and
- (iii) not include any period during a calendar year in which a year of schooling is completed.
- (iv) have effect on an anniversary date being January 1 in each year.

(d) At the conclusion of the Traineeship, this award ceases to apply to the employment of the Trainee and the relevant award shall apply to the former trainee.

10. - SPECIAL ARRANGEMENTS

Subject to the foregoing, the Western Australian Industrial Relations Commission shall be requested to determine the appropriate wage rates and/or conditions of employment for any traineeship not regarded by the parties as appropriately covered by this Appendix.

11. - PART-TIME TRAINEESHIPS

This clause shall apply to trainees who undertake a traineeship on a part-time basis by working less than full-time ordinary hours and by undertaking the approved training at the same or lesser training time and a full-time trainee.

(a) The wage rate shall be pro-rata the full time rates based on variation in the amount of training and/or the amount of work over the period of the traineeship which may also be varied on the basis of the following formula.

$$\text{Full-Time wage rate} \quad X \quad \frac{\text{trainees hours} - \text{average weekly training time}}{30.4^*}$$

* Note 30.4 in the above formula represents 38 ordinary full time hour less average training time for full-time trainees (ie 20%). A pro-rata adjustment will need to be made in the case where the relevant award specifies different ordinary full-time hours; for example where the ordinary weekly hours are 40, 30.4 will be replaced by 32.

(b) Full-time wage rate means the appropriate rate as set out in paragraphs 9(a)(iv), (v), (vi) and (vii).

(c) Trainees hours shall be the hours worked per week including the time spent in approved training.

(d) Average weekly training time is based upon the length of the traineeship specified in the traineeship agreement or training agreement as follows:

$$\frac{7.6 \times 12}{\text{length of the Traineeship in months}}$$

Note 1. 7.6 in the above formula represents the average weekly training time for a full-time trainee whose ordinary hours are 38 per week. A Pro-rata adjustment will need to be made in the case where the relevant award specifies different ordinary time hours. For example, where the ordinary weekly hours are 40, 7.6 will be replaced by 8.

Note 2. The parties note that the traineeship agreement will require a trainee to be employed for sufficient hours to complete all requirements of the traineeship, including the on the job work experience and demonstration of competencies. The parties also note that this would normally result in the equivalent of a full days on the job work per week.

- (e) A part-time trainee shall receive, on a pro-rata basis, all employment conditions applicable to a full-time trainee. All the provisions of this award shall apply to part-time trainees except as specified in this clause.
- (f) A part-time trainee may, by agreement, transfer from a part-time to full-time traineeship position should one become available.
- (g) The minimum engagement periods specified in the relevant awards shall also be applicable to part-time trainees.

Example of the Calculation for the Wage Rate for a Part-Time Traineeship

A school student commences a traineeship in Year 11. The ordinary hours of work in the relevant Award are 38. the training agreement specifies two years (24 months) as the length of the traineeship.

Average weekly training time is therefore $7.6 \times 12/24 = 3.8$ hours.

Trainee Hours totals 15 hours; these are made up of 11 hours work which is worked over two days of the week plus 1 1/2 hours on-the-job approved training plus 2 1/2 hours off-the-job approved training at school and at TAFE.

So the wage rate in Year 11 is:

$\$170 \times 15 - 3.8 = \62.63 plus any applicable penalty rates under the relevant Award.

30.4

The wage rate varies when the student completes Year 11 and begins Year 12 and/or if Trainee Hours changes.

2010 WAIRC 00589

Prison Officers' Award

2B. - MINIMUM ADULT AWARD WAGE

- 2B.1 No employee aged 21 or more shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- 2B.2 The minimum adult award wage for full-time employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- 2B.3 The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
- 2B.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.
- 2B.5 Employees under the age of 21 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.
- 2B.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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- 2B.7 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.
- 2B.8 Subject to this clause the minimum adult award wage shall –
 - (1) Apply to all work in ordinary hours.
 - (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.
- 2B.9 **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- 2B.10 **Adult Apprentices**
 - (1) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

- (2) The rate paid in the paragraph above to an apprentice 21 years of age or more is payable on superannuation and during any period of paid leave prescribed by this award.
- (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) 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.

SCHEDULE A - RATES OF PAY

RATES OF PAY

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.

	Annual Rate
	\$ P.A.
<u>Probationary Prison Officer (Training School)</u>	37684
<u>Prison Officer (General)</u>	
<u>Officer</u>	
Mon-Fri	
1st Year	42522
2nd Year	44019
3rd-5th Year	45906
6th-7th year	47013
Thereafter	47867
Regional Increment	49667
<u>Shifts</u>	
1st Year	51433
2nd Year	53407
3rd-5th Year	55806
6th-7th year	57224
Thereafter	58282
Regional Increment	60082
<u>First Class Officer</u>	
Monday to Friday	48149
3 years and thereafter	49025
Regional Increment	50825
Shifts	58564
3 years and thereafter	59649
Regional Increment	61449
<u>Senior Officer</u>	
Mon-Fri	
1st Year	49645
2nd Year	50754
3rd Year	51863
4th-5th Year	53000
Thereafter	53973

	Annual Rate
	\$ P.A.
Regional Increment	55773
Shifts	
1st Year	60264
2nd Year	61789
3rd Year	63194
4th-5th Year	64601
Thereafter	65806
Regional Increment	67606
Senior Officer Security Albany and Hakea	
1st Year	57500
2nd Year	58829
3rd Year	60158
4th-5th Year	61488
Thereafter	62631
Senior Officer Reception Hakea	
1st Year	55169
2nd Year	56437
3rd Year	57739
4th-5th Year	58973
Thereafter	60066
Senior Officer Training	
1st Year	60272
2nd Year	61795
3rd Year	63197
4th-5th Year	64603
Thereafter	65808
<u>Prison Officers (Vocational and Support)</u>	
Group 1	
Monday to Friday	48149
3 years and thereafter	49025
Regional Increment	50825
Monday to Friday plus Public Holidays	49375
3 years and thereafter	50276
Regional Increment	52076
Alternate Weekends (8 hours)	54646
3 years and thereafter	55653
Regional Increment	57453
Casuarina Canteen	53459
3 years and thereafter	54442
Hakea Canteen	51824
3 years and thereafter	52775

	Annual Rate
	\$ P.A.
<u>Prison Officers (Vocational and Support)</u>	
Group 1—continued	
Bunbury Canteen	53459
3 years and thereafter	54442
Wooroloo Canteen	50598
3 years and thereafter	51524
Bandyup Activities	56690
3 years and thereafter	57738
Bunbury Activities	55500
3 years and thereafter	56524
Eastern Goldfields Regional Prison Activities	57337
3 years and thereafter	58397
Albany Activities	52437
3 years and thereafter	53400
Wooroloo Activities	56743
3 years and thereafter	57792
Hakea Reception	52660
3 years and thereafter	53627
Hakea Reception	54500
3 years and thereafter	55503
Karnet Activities	57742
3 years and thereafter	58811
Greenough Activities	58125
3 years and thereafter	59201
Canine Handler	57634
3 years and thereafter	58700
Regional Increment	60500
Group 2	
Monday to Friday	
1st Year	49645
2nd Year	50754
3rd Year	51863
4th-5th Year	53000
Thereafter	53973
Regional Increment	55773

	Annual Rate
	\$ P.A.
Monday to Friday plus Public Holidays	
1st Year	50915
2nd Year	52070
3rd Year	53226
4th-5th Year	54381
Thereafter	55382
Regional Increment	57182
Alternate Weekends	
1st Year	56646
2nd Year	57902
3rd Year	59192
4th-5th Year	60523
Thereafter	61647
Regional Increment	63447
East Perth Lock Up	
1st Year	53050
2nd Year	54263
3rd Year	55474
4th-5th Year	56686
Thereafter	57734
Dog Squad	
1st Year	59476
2nd Year	60857
3rd Year	62239
4th-5th Year	63621
Thereafter	64807
Regional Increment	66607
Bunbury Cook Instructors	
1st Year	58877
2nd Year	60240
3rd Year	61607
4th-5th Year	62973
Thereafter	64146
Kitchen Hakea	
1st Year	53580
2nd Year	54806
3rd Year	56031
4th-5th Year	57258
Thereafter	58317
Level 1	
Drivers	

	Annual Rate
	\$ P.A.
Hakea & Casuarina	
1st Year	50080
2nd Year	51895
3rd-5th Year	54164
6th-7th Year	55524
Thereafter	56548
Refer to rate above	
Alternate Weekend (8 hours)	
1st Year	48325
2nd Year	50240
3rd-5th Year	52295
6th-7th Year	53549
Thereafter	54534
Level 2	
Monday to Friday	48149
3rd Year	49025
Regional Increment	50825
Monday to Friday plus Public Holidays	
3rd Year	50276
Regional Increment	52076
Alternate Weekends	54646
3rd Year	55653
Regional Increment	57453
Level 2A	
Monday to Friday	
1st Year	48018
3rd Year	48917
Regional Increment	50717
Monday to Friday plus Public Holidays	
1st Year	49275
3rd Year	50200
Regional Increment	52000
Alternate Weekends	
1st Year	54681
3rd Year	55713
Regional Increment	57513
Level 3	
Monday to Friday	
1st Year	49645
2nd Year	50754
3rd Year	51863
4th-5th Year	53000
Thereafter	53973
Regional Increment	55773

	Annual Rate
	\$ P.A.
Monday to Friday plus Public Holidays	
1st Year	50915
2nd Year	52070
3rd Year	53226
4th-5th Year	54381
Thereafter	55382
Regional Increment	57182
Alternate Weekends (8 hours)	
1st Year	56646
2nd Year	57902
3rd Year	59192
4th-5th Year	60523
Thereafter	61647
Regional Increment	63447
Level 4	
Monday to Friday	
1st Year	50893
2nd Year	52001
3rd Year	53109
4th-5th Year	54245
Thereafter	55244
Regional Increment	57044
Monday to Friday plus Public Holidays	
1st Year	52242
2nd Year	53382
3rd Year	54522
4th-5th Year	55690
Thereafter	56717
Regional Increment	58517
Level 5	
Monday to Friday	
1st Year	52142
2nd Year	53249
3rd Year	54357
4th -5th Year	55492
Thereafter	56516
Regional Increment	58316

	Annual Rate
	\$ P.A.
Monday to Friday plus Public Holidays	
1st Year	53629
2nd Year	54667
3rd Year	55805
4th-5th Year	56974
Thereafter	58027
Regional Increment	59827
Senior Officer Wyndham Work Camp	
1st Year	60264
2nd Year	61789
3rd Year	63194
4th -5th Year	64601
Thereafter	65806
Regional Increment	67606
Prison Officer Work Camp (7 Day)	
1st Year	54182
2nd Year	55510
3rd Year	56871
Thereafter	57922
Regional Increment	59858

In addition to the rates prescribed above, any Officer or Industrial Officer attaining First Class status prior to 12 November, 1987 shall be paid an additional \$8.00 per week.

2010 WAIRC 00590

Gardeners (Government) 1986 Award No. 16 of 1983

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.

- (8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

25. - WAGES

- (1) The minimum weekly rates of wage payable to employees covered by this award shall be:

PART A - ALL EMPLOYEES EXCEPT THOSE EMPLOYED BY THE MINISTRY OF EDUCATION

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage \$
(a) Level One			
Comprehends the following classes of work			
Gardener/Ground Attendant (Grade 2)			
Labourer (Maintenance and General)			
Mower Operator (Walk Mower)			
1st year of employment	372.70	261.80	634.50
2nd year of employment	376.50	261.80	638.30
3rd year of employment and thereafter	380.60	261.80	642.40
Level Two			
Comprehends the following classes of work			
Assistant on Rubbish Vehicle			
Gardener/Ground Attendant (Grade 1)			
1st year of employment	377.30	261.80	639.10
2nd year of employment	381.30	261.80	643.10
3rd year of employment and thereafter	385.10	261.80	646.90
Level Three			
Comprehends the following classes of work			
Concrete Finisher, Slab and Kerb Layer			
Machinery Operators			
Rotary Hoe (not attached to tractor)			
Tractor Pneumatic Tyred			
Class I (without power - operated attachments)			
Maintenance Attendant			
Power-operated Portable Saw			
1st year of employment	388.10	261.80	649.90
2nd year of employment	391.90	261.80	653.70
3rd year of employment and thereafter	395.80	261.80	657.60

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage \$
Level Four			
Comprehends the following classes of work			
Assistant Mechanical Maintenance Attendant			
Machinery Operators			
Power Roller			
Tractor (Pneumatic Tyred) (with power-operated attachments Classes 1 - 5)			
Tractor (Pneumatic Tyred) (without power-operated attachments Classes 2 - 5)			
Motor Vehicle Driver (less than 1.2 tonnes)			
Mower Operator			
Rider Mower			
Walk Mower (In Charge of Vehicle) Grades 1 and 2			
Senior Gardener/Ground Attendant			
Senior Maintenance Attendant			
1st year of employment	399.60	261.80	661.40
2nd year of employment	403.70	261.80	665.50
3rd year of employment and thereafter	407.30	261.80	669.10
Level Five			
Comprehends the following classes of work			
(i) Machinery Operator			
Tractor (Pneumatic Tyred with power-operated attachments Class 6 and up to 230 hp)			
Motor Vehicle Driver (over 1.2 tonnes and below 3 tonnes) Tractor Mower Operator			
1st year of employment	402.20	261.80	664.00
2nd year of employment	406.00	261.80	667.80
3rd year of employment and thereafter	409.50	261.80	671.30
(ii) Motor Vehicle Driver (over 3 tonnes and less than 6 tonnes) Rider Mower (In charge of Vehicle)			
1st year of employment	406.90	261.80	668.70
2nd year of employment	410.80	261.80	672.60
3rd year of employment and thereafter	414.40	261.80	676.20
Level Six			
Comprehends the following classes of work			
Tradesperson Gardener			
1st year of employment	417.80	263.80	681.60
2nd year of employment	423.00	263.80	686.80
3rd year of employment and thereafter	427.20	263.80	691.00
Level Seven			
Comprehends the following classes of work			
Horticulturist (Certificated)			
Senior Mower Operator (BMA)			
1st year of employment	436.40	263.80	700.20
2nd year of employment	440.50	263.80	704.30
3rd year of employment and thereafter	444.50	263.80	708.30
Level Eight			
Comprehends the following classes of work			
Foreperson Grade 2			
1st year of employment	466.90	261.80	728.70
2nd year of employment	472.00	261.80	733.80
3rd year of employment and thereafter	476.50	261.80	738.30

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage \$
Level Nine			
Comprehends the following classes of work			
Estate Foreperson (Homeswest)			
Foreperson Grade 1			
1st year of employment	495.70	261.80	757.50
2nd year of employment	500.80	261.80	762.60
3rd year of employment and thereafter	505.30	261.80	767.10

- (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.

PART B - ALL EMPLOYEES EMPLOYED BY THE MINISTRY OF EDUCATION

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Award Wage \$
Level One			
Nil			
Level Two			
Assistant Gardener/Handyperson			
1st year of employment	380.30	261.80	642.10
2nd year of employment	383.60	261.80	645.40
3rd year of employment and thereafter	386.70	261.80	648.50
Level Three			
Gardener/Handyperson			
Gardener/Pool Maintenance Officer			
1st year of employment	387.10	261.80	648.90
2nd year of employment	391.10	261.80	652.90
3rd year of employment and thereafter	395.30	261.80	657.10
Level Four			
Gardener/Ride on Mower Operator/ Handyperson			
1st year of employment	396.40	261.80	658.20
2nd year of employment	400.00	261.80	661.80
3rd year of employment and thereafter	404.20	261.80	666.00
Level Five			
Senior Gardener/Handyperson			
Senior Gardener/Pool Maintenance Officer			
Handyperson (Belmont SHS)			
1st year of employment	408.40	261.80	670.20
2nd year of employment	412.20	261.80	674.00
3rd year of employment and thereafter	416.00	263.80	679.80
Level Six			
Horticulturist (Certificated)			
1st year of employment	439.40	263.80	703.20
2nd year of employment	444.70	263.80	708.50
3rd year of employment and thereafter	449.10	263.80	712.90

- (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.

PART C - ALL EMPLOYEES

- (2) Casual Employees

Casual employees shall be paid 20% in addition to the first year rate prescribed for the work performed. Casual employees shall not be engaged on weekends or holidays unless full-time employees are not available.

- (3) A Senior Gardener/Ground Attendant who is required to maintain turf wickets, bowling greens or tennis courts shall be paid in addition to the rates prescribed an amount of \$6.70 per week. Occasional off-season attention shall not qualify an employee for payment under this subclause.
- (4) Where the term "year of employment" is used in this clause, it shall mean all service, irrespective of classification with that employer.
- (5) **Leading Hands**
 Leading Hands and Senior Gardener/Ground Attendants if placed in charge of:
- (a) five and not more than ten other employees shall be paid \$23.40 per week extra;
 - (b) more than ten but not more than 20 other employees shall be paid \$34.30 per week extra;
 - (c) more than 20 other employees shall be paid \$45.40 per week extra.
- (6) For the purpose of subclause (1) of this clause, pneumatic tyred tractors up to 230 power take-off horse power, are classified as follows:
- | Class | Power Take-Off Horse Power |
|-------|----------------------------|
| 1 | up to 15 |
| 2 | over 15 up to 25 |
| 3 | over 25 up to 35 |
| 4 | over 35 up to 45 |
| 5 | over 45 up to 60 |
| 6 | over 60 up to 80 |
- Self-propelled rollers are classified by weight complete including maximum ballast. Back Hoe when attached to a tractor shall be considered as power-operated attachment to the tractor.
- (7) **Apprentices**
 The weekly wage payable to an apprentice shall be the following percentage of the tradesperson's rate:
- | | |
|---------------------|----|
| (a) Four Year Term | % |
| First year | 42 |
| Second year | 55 |
| Third year | 75 |
| Fourth year | 88 |
| (b) Three Year Term | |
| First year | 55 |
| Second year | 75 |
| Third year | 88 |
- (8) **Trainee Horticulturists**
 The weekly wage payable to trainee Horticulturists shall be the following percentage of the Certificated Horticulturist's rate:
- | | |
|-------------|----|
| | % |
| First year | 55 |
| Second year | 75 |
| Third year | 88 |
- (9) **Junior Employees**
 Junior employees shall be paid the appropriate percentage of the total rate prescribed for Gardener/Ground Attendant Grade 2.
- | | |
|---------------------------------------|----|
| Between 17 and 18 years of age | 70 |
| Between 18 and 19 years of age | 80 |
| Over 19 years of age, full adult rate | |
- (10) **Toilet Cleaning Allowance (Zoological Gardens)**
- (a) Employees of the Zoological Gardens Board covered by this award who are required to clean public toilets shall be paid 72 cents per closet, per week.
 - (b) For the purposes of this subclause one metre of urinal shall count as one closet and three urinal stalls shall count as one closet.
 - (c) All such employees shall be supplied with rubber gloves on request.

2010 WAIRC 00591

Gate, Fence and Frames Manufacturing Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) Adult Apprentices
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

FIRST SCHEDULE - WAGES

(1) (a) Adult Employees:	Rate Per Week	Supplementary Payment	Safety Net Adjustment Payment	Total Rate Per week
Machinist (Wire) "A"	333.30	23.30	261.80	618.40
Machinist (Wire) "B"	320.70	18.60	261.80	601.10
Machinist (Wire) Assistant	314.30	17.50	261.80	593.60
Framer "A"	333.30	23.30	261.80	618.40
Framer "B"	310.40	17.50	261.80	589.70
Process Employee	310.40	17.50	261.80	589.70
Wirer	310.40	17.50	261.80	589.70
Welder "A"	363.20	34.10	261.80	659.10
Welder "B"	316.10	18.60	261.80	596.50
Welder "C"	312.00	17.50	261.80	591.30
Painter of Iron Work	319.30	18.60	261.80	599.70
Erector	316.10	18.60	261.80	596.50
Erector's Assistant	310.40	17.50	261.80	589.70
Tool and Material Storeperson	323.10	20.10	261.80	605.00

- | | Rate Per Week | Supplementary Payment | Safety Net Adjustment Payment | Total Rate Per week |
|-----------------------------|---------------|-----------------------|-------------------------------|---------------------|
| Tradesperson | 363.20 | 34.10 | 261.80 | 659.10 |
| Mechanical | 386.90 | 39.00 | 263.80 | 689.70 |
| Tradesperson- Special Class | | | | |
- (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 Hand: 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 10 other employees | 23.40 |
| (b) If placed in charge of more than 10 and not more than 20 other employees | 35.80 |
| (c) If placed in charge of more than 30 other employees | 46.10 |
- (3) Apprentices:
- (a) (Wages per week expressed as a percentage of the "Tradesman'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 |
| Second Six Months | 55 |
| Next Year | 75 |
| Final Year | 88 |
| Three Year Term | |
| First Year | 55 |
| Second Year | 75 |
| Third Year | 88 |
- (b) For the purpose of subclause (a) of this clause "Tradesman's" rate means the total wage for the classification "tradesman" as set out in subclause (1) of this Schedule.
- (4) Junior Employees:
- (a) (Wages per week expressed as a percentage of the "Process Employees" rate).
- | | |
|-----------------------|------|
| | % |
| Under 16 years of age | 35 |
| 16 years of age | 45 |
| 17 years of age | 55 |
| 18 years of age | 65 |
| 19 years of age | 78.5 |
| 20 years of age | 93 |
- (b) For the purpose of subclause (a) of this clause "Process Employees" rate means the total wage for the classification "Process Employee" as set out in subclause (1) of this Schedule.
- (5) A casual employee shall be paid twenty per cent of the ordinary rate in addition to the rate for the calling in which he is employed.
- (6) (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 as an apprentice, the employer shall pay a tool allowance of -
- \$12.90 per week to such tradesperson, or
 - In the case of an apprentice a percentage of \$12.90 being the percentage which appears against the year of apprenticeship in subclause (a) of subclause (3) of this Schedule.

For the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of their 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 schedule.
 - (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 the employer, if lost through their negligence.
- (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 co-operating positively to increase the efficiency, productivity and international competitiveness of the gate, fence and frame manufacturing 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 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 30. - 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 if the initiative varies and Award provision and by agreement of the parties involved shall be subject to the following requirements:
 - (i) The changes sought shall not affect the 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 or a Section 41 Industrial Agreement and take precedence over any provision of this award to the extent of the inconsistency.
 - (f) Any disputes arising in relation to the implementation of paragraphs (c) and (d) hereof shall be subject to the provisions of Clause 29. - Avoidance of Industrial Disputes of this award.

2010 WAIRC 00592

Golf Link and Bowling Green Employees' Award, 1993

27. - WAGES

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

CLASSIFICATIONS	Total Rate Per Fortnight
	\$
(1) Adult Employees	
Trainee	1174.40
Groundsperson Grade 1	1178.00
Groundsperson Grade 2	1185.30
Assistant Greenkeeper	1232.10
Greenkeeper Tradesperson Grade 1	1362.00
Greenkeeper Tradesperson Grade 2	1381.50

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.

(2) Apprentices (Percentage of Greenkeeper Tradesperson Grade 1)

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

(3) Leading Hands (Greenkeeper Tradesperson)

In addition to the appropriate rate prescribed in subclause (1) of this clause a Leading Hand shall be paid:

	Extra Per Fortnight\$
(a) If placed in charge of up to three other employees including at least one other Greenkeeper	19.90
(b) If placed in charge of more than three other employees including at least one other Greenkeeper	43.90

(4) Minimum Adult Award Wage

(a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

(c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.

(d) 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.

(e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.

(g) 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.

(h) 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.

(i) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(j) Adult Apprentices

(i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

(ii) The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

APPENDIX I – MAKE UP OF TOTAL WAGE

This appendix is provided purely for historical reference purposes – refer to Clause 27. – Wages for current wages.

CLASSIFICATIONS	BaseRate	Arbitrated Safety Net Adjustment	TotalRate
	\$	\$	\$
(1) Adult Employees			
Trainee	650.80	523.60	1174.40
Groundsperson Grade 1	654.40	523.60	1178.00
Groundsperson Grade 2	661.70	523.60	1185.30
Assistant Greenkeeper	708.50	523.60	1232.10
Greenkeeper Tradesperson Grade 1	834.40	527.60	1362.00
Greenkeeper Tradesperson Grade 2	853.90	527.60	1381.50

2010 WAIRC 00593

Government Officers (Social Trainers) Award 19881B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE A. – SALARIES

- (1) The annual salaries applicable to employees covered by this Award.
- | Level | Salary Per Annum\$ | Arbitrated Safety Net Adjustments\$ | Total Salary Per Annum\$ |
|----------------|--------------------|-------------------------------------|--------------------------|
| Level 1 | | | |
| Under 17 years | 11355 | 6105 | 17460 |
| 17 years | 13270 | 7134 | 20404 |
| 18 years | 15480 | 8323 | 23803 |
| 19 years | 17918 | 9632 | 27550 |
| 20 years | 20122 | 10817 | 30939 |
| 1.1 | 22104 | 11884 | 33988 |
| 1.2 | 22756 | 11884 | 34640 |
| 1.3 | 23407 | 11884 | 35291 |
| 1.4 | 24054 | 11989 | 36043 |
| 1.5 | 24705 | 11989 | 36694 |
| 1.6 | 25356 | 11989 | 37345 |
| 1.7 | 26105 | 11885 | 37990 |
| 1.8 | 26623 | 11885 | 38508 |
| 1.9 | 27389 | 11885 | 39274 |
| Level 2 | | | |
| 2.1 | 28306 | 11885 | 40191 |
| 2.2 | 29009 | 11885 | 40894 |
| 2.3 | 29748 | 11885 | 41633 |
| 2.4 | 30529 | 11885 | 42414 |
| 2.5 | 31346 | 11885 | 43231 |
| Level 3 | | | |
| 3.1 | 32469 | 11885 | 44354 |
| 3.2 | 33344 | 11885 | 45229 |
| 3.3 | 34246 | 11885 | 46131 |
| 3.4 | 35172 | 11780 | 46952 |
| Level 4 | | | |
| 4.1 | 36442 | 11780 | 48222 |
| 4.2 | 37437 | 11676 | 49113 |
| 4.3 | 38461 | 11676 | 50137 |
- (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 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:
- $$\frac{\text{Current Junior Rate}}{\text{Current Level 1.1 Rate}} \times \text{New Level 1.1 Rate} = \text{New Junior Rate}$$

2010 WAIRC 00594**Government Officer (State Government Insurance Commission) Award, 1987**1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE A – SALARIES

- (1) The annual salaries applicable to employees covered by this Award;

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Level 1			
Under 17 years	11355	6105	17460
17 years	13270	7134	20404
18 years	15480	8323	23803
19 years	17918	9632	27550
20 years	20122	10817	30939
1.1	22104	11884	33988
1.2	22756	11884	34640
1.3	23407	11884	35291
1.4	24054	11989	36043
1.5	24705	11989	36694
1.6	25356	11989	37345
1.7	26105	11885	37990
1.8	26623	11885	38508
1.9	27389	11885	39274
Level 2			
2.1	28306	11885	40191
2.2	29009	11885	40894
2.3	29748	11885	41633
2.4	30529	11885	42414
2.5	31346	11885	43231
Level 3			
3.1	32469	11885	44354
3.2	33344	11885	45229
3.3	34246	11780	46026
3.4	35172	11780	46952
Level 4			
4.1	36442	11780	48222
4.2	37437	11676	49113
4.3	38461	11676	50137
Level 5			
5.1	40433	11676	52109
5.2	41766	11676	53442
5.3	43151	11676	54827
5.4	44588	11676	56264
Level 6			
6.1	46899	11676	58575
6.2	48470	11676	60146
6.3	50096	11676	61772
6.4	51832	11676	63508

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Level 7			
7.1	54494	11676	66170
7.2	56336	11676	68012
7.3	58340	11676	70016
Level 8			
8.1	61597	11676	73273
8.2	63930	11676	75606
8.3	66823	11676	78499
Level 9			
9.1	70436	11676	82112
9.2	72877	11676	84553
9.3	75661	11676	87337
Class 1	79871	11676	91547
Class 2	84081	11676	95757
Class 3	88289	11676	99965
Class 4	92499	11676	104175

(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 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:

Current junior rate
Current Level 1.1 rate x New Level 1.1 rate = New junior rate

2010 WAIRC 00595**Government Officers Salaries, Allowances and Conditions Award 1989****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE D SALARIES

(1) The annual salaries applicable to officers covered by this Award.

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Level 1			
Under 17 years	11355	6105	17460
17 years	13270	7134	20404
18 years	15480	8323	23803
19 years	17918	9633	27551
20 years	20122	10818	30940
1.1	22104	11884	33988
1.2	22756	11884	34640
1.3	23407	11884	35291
1.4	24054	11989	36043
1.5	24705	11989	36694
1.6	25356	11989	37345
1.7	26105	11885	37990
1.8	26623	11885	38508
1.9	27389	11885	39274
Level 2			
2.1	28306	11885	40191
2.2	29009	11885	40894
2.3	29748	11885	41633
2.4	30529	11885	42414
2.5	31346	11885	43231
Level 3			
3.1	32469	11885	44354
3.2	33344	11885	45229
3.3	34246	11780	46026
3.4	35172	11780	46952
Level 4			
4.1	36442	11780	48222
4.2	37437	11676	49113
4.3	38461	11676	50137
Level 5			
5.1	40433	11676	52109
5.2	41766	11676	53442
5.3	43151	11676	54827
5.4	44588	11676	56264
Level 6			
6.1	46899	11676	58575
6.2	48470	11676	60146
6.3	50096	11676	61772
6.4	51832	11676	63508
Level 7			
7.1	54494	11676	66170
7.2	56336	11676	68012
7.3	58340	11676	70016
Level 8			
8.1	61597	11676	73273
8.2	63930	11676	75606
8.3	66823	11676	78499
Level 9			
9.1	70436	11676	82112
9.2	72877	11676	84553
9.3	75661	11676	87337

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Class 1	79871	11676	91547
Class 2	84081	11676	95757
Class 3	88289	11676	99965
Class 4	92499	11676	104175

(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:

$$\frac{\text{Current junior rate}}{\text{Level 1.1 rate}} \times \text{Current} \times \text{New Level 1.1 rate} = \text{New junior rate}$$

SCHEDULE E SALARIES - SPECIFIED CALLINGS

Officers, who possess a relevant tertiary level qualification, or equivalent determined by the Executive Director, Labour Relations, Department of Consumer and Employment Protection, and who are employed in the callings of Agricultural Scientist, Architect, Architectural Graduate, Community Corrections Officer, Dental Officer, Dietician, Educational Officer, Engineer, Geologist, Laboratory Technologist, Land Surveyor, Legal Officer, Librarian, Medical Officer, Pharmacist, Planning Officer, Podiatrist, Psychiatrist, Clinical Psychologist, Psychologist, Quantity Surveyor, Medical Imaging Technologist, Nuclear Medicine Technologist, Radiation Therapist, Scientific Officer, Social Worker, Therapist (Occupational, Physio or Speech), Veterinary Scientist, or any other professional calling determined by the Executive Director, Labour Relations, Department of Consumer and Employment Protection, shall be entitled to annual salaries as follows:

Level	Salary Per Annum\$	Arbitrated Safety Net Adjustment\$	Total Salary Per Annum\$
Level 2/4			
1st year	28306	11885	40191
2nd year	29748	11885	41633
3rd year	31346	11885	43231
4th year	33344	11885	45229
5th year	36442	11780	48222
6th year	38461	11676	50137
Level 5			
1st year	40433	11676	52109
2nd year	41766	11676	53442
3rd year	43151	11676	54827
4th year	44588	11676	56264
Level 6			
1st year	46899	11676	58575
2nd year	48470	11676	60146
3rd year	50096	11676	61772
4th year	51832	11676	63508
Level 7			
1st year	54494	11676	66170
2nd year	56336	11676	68012
3rd year	58340	11676	70016
Level 8			
1st year	61597	11676	73273
2nd year	63930	11676	75606
3rd year	66823	11676	78499
Level 9			
1st year	70436	11676	82112
2nd year	72877	11676	84553
3rd year	75661	11676	87337
Class 1	79871	11676	91547
Class 2	84081	11676	95757
Class 3	88289	11676	99965
Class 4	92499	11676	104175

2010 WAIRC 00596

Graylands Selby-Lemnos and Special Care Health Services Award 1999

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE A – SALARIES

- (1) Annual salaries applicable to officers covered by this award:

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Level 1			
Under 17 years	11355	6105	17460
17 years	13270	7134	20404
18 years	15480	8323	23803
19 years	17918	9632	27550
20 years	20122	10817	30939
1.1	22104	11884	33988
1.2	22756	11884	34640
1.3	23407	11884	35291
1.4	24054	11989	36043
1.5	24705	11989	36694
1.6	25356	11989	37345
1.7	26105	11885	37990
1.8	26623	11885	38508
1.9	27389	11885	39274

Level	Salary Per Annum \$	Arbitrated Safety Net Adjustments \$	Total Salary Per Annum \$
Level 2			
2.1	28306	11885	40191
2.2	29009	11885	40894
2.3	29748	11885	41633
2.4	30529	11885	42414
2.5	31346	11885	43231
Level 3			
3.1	32469	11885	44354
3.2	33344	11885	45229
3.3	34246	11780	46026
3.4	35172	11780	46952
Level 4			
4.1	36442	11780	48222
4.2	37437	11676	49113
4.3	38461	11676	50137
Level 5			
5.1	40433	11676	52109
5.2	41766	11676	53442
5.3	43151	11676	54827
5.4	44588	11676	56264
Level 6			
6.1	46899	11676	58575
6.2	48470	11676	60146
6.3	50096	11676	61772
6.4	51832	11676	63508
Level 7			
7.1	54494	11676	66170
7.2	56336	11676	68012
7.3	58340	11676	70016
Level 8			
8.1	61597	11676	73273
8.2	63930	11676	75606
8.3	66823	11676	78499
Level 9			
9.1	70436	11676	82112
9.2	72877	11676	84553
9.3	75661	11676	87337
Class 1	79871	11676	91547
Class 2	84081	11676	95757
Class 3	88289	11676	99965
Class 4	92499	11676	104175

- (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:

$$\frac{\text{Current junior rate}}{\text{Current Level 1.1 rate}} \times \text{New Level 1.1 rate} = \text{New junior rate}$$

SCHEDULE B – SALARIES – SPECIFIED CALLINGS

- (1) Officers, who possess a relevant tertiary level qualification, or equivalent determined by the employer, and who are employed in the callings of, Architect, Architectural Graduate, Dental Officer, Dietician, Engineer, Laboratory Technologist, Librarian, Pharmacist, Podiatrist, Clinical Psychologist, Psychologist, Medical Imaging Technologist, Nuclear Medicine Technologist, Radiation Therapist, Scientific Officer, Social Worker, Therapist (Occupational, Physio or Speech), or any other professional calling as agreed between the Unions and the employer, shall be entitled to annual salaries as follows:

Level	Salary Per Annum \$	Arbitrated Safety Net \$	Total Salary Per Annum \$
Level 2/4			
1st year	28306	11885	40191
2nd year	29748	11885	41633
3rd year	31346	11885	43231
4th year	33344	11885	45229
5th year	36442	11780	48222

Level	Salary PerAnnum\$	ArbitratedSafety Net\$	Total SalaryPer Annum\$
6th year	38461	11676	50137
Level 5			
1st year	40433	11676	52109
2nd year	41766	11676	53442
3rd year	43151	11676	54827
4th year	44588	11676	56264
Level 6			
1st year	46899	11676	58575
2nd year	48470	11676	60146
3rd year	50096	11676	61772
4th year	51832	11676	63508
Level 7			
1st year	54494	11676	66170
2nd year	56336	11676	68012
3rd year	58340	11676	70016
Level 8			
1st year	61597	11676	73273
2nd year	63930	11676	75606
3rd year	66823	11676	78499
Level 9			
1st year	70436	11676	82112
2nd year	72877	11676	84553
3rd year	75661	11676	87337
Class 1	79871	11676	91547
Class 2	84081	11676	95757
Class 3	88289	11676	99965
Class 4	92499	11676	104175

2010 WAIRC 00597**Hairdressers Award 1989****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

11. - WAGES

- (1) (a) The rate of wage set out in paragraph (b) of this subclause reflects a total rate for ordinary hours of work Monday to Saturday inclusive. This total rate is comprised of a notional base rate plus a 10% all purpose loading in lieu of the penalties which applied prior to the first pay period on or after 1 March, 1993 for work performed in ordinary hours on the one night of late trading and on Saturday.
- (b) The minimum wage payable for ordinary hours to employees bound by this Award on and from the commencement of the first pay period on or after 1 July 2010 shall be as follows:

	Award Rate per week\$	Arbitrated Safety net Adjustment Plus 10%\$	Total\$
(i) Full time			
Principal	537.80	239.60	777.40
Senior	509.50	239.60	749.10

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.

The Arbitrated Safety Net Adjustments are increased by the 10% all purpose loading in lieu of penalties as specified in paragraph (a) above.

	Part time\$
(ii) Principal	20.46
Senior	19.71
(iii) Casual	
Principal	24.55
Senior	23.66

(2) Apprentices: (Percentage of the appropriate Senior rate of wage per week)

- (a) %

FOUR YEAR TERM	
First Six Months	35
Second Six Months	40
Second Year	50
Third Year	70
Fourth Year	85

- (b) THREE YEAR TERM %
- | | |
|-------------|----|
| First Year | 50 |
| Second Year | 70 |
| Third Year | 85 |

(c) APPRENTICE (OFF THE JOB GRADUATE)

An Apprentice (Off the Job Graduate) is an Apprentice, as defined in subclause (2) of Clause 5. - Definitions of this Award, who has successfully completed a training program, which has been accredited by the Training Accreditation Council and which meets all the off-the-job training requirements of an apprenticeship, at a registered training provider, prior to being indentured as an apprentice

First Year	50
Second Year	70
Third Year	85

(d) Adult Apprentices

In the case of an apprentice aged twenty-one years or over, where the rate of wage determined by the application of paragraphs (a) or (b) of this subclause is less than the minimum wage for adults as prescribed by

the Commission from time to time in General Orders, that minimum wage shall apply in lieu of the rates otherwise applicable by the application of this subclause.

- (3) Where a permanent employee is advised that he/she will be required to work until specified time, such employee shall be entitled to be paid until such specified time, notwithstanding that the employer may allow the employee to leave early.
- (4) **Apprentice Assessment**
Notwithstanding that the term of the apprenticeship shall have expired, an employee shall continue to receive the wage payable in the last year of apprenticeship until the employee has been assessed as achieving the necessary trade skills outlined in the Trade Training Schedule and a final Trade Certificate has been issued.
- (5) **Ban on Sub-Contracting**
No employer shall rent any portion of the salon to an employee or employ any employee in the hairdressing trade on a commission only basis, or in any manner other than prescribed in this award.
- (6) An employer may direct an employee to carry out such duties as are within the limits of the employees' skill, competence and training

2010 WAIRC 00598

Health Attendants Award, 1979

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

11. - WAGES

	Base Rate Per Week\$	Arbitrated Safety Net Adjustments\$	Minimum Weekly Rate\$
(1) Adult Employees:			
Instructor/ess Contoller	363.30	261.80	625.10
Instructor/ess	350.70	261.80	612.50
Masseur/Masseuse	350.70	261.80	612.50
Health Attendant	337.10	261.80	598.90
(2) Junior Workers (percentage of the "Instructor/ess" wage rate):		%	
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	
(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.			

2010 WAIRC 00599**Health Workers - Community and Child Health Services Award, 1980**1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

19. - WAGES

- (1) 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 payable to employees covered by this award shall include the base rate plus the arbitrated safety net adjustment expressed hereunder.

Classification	Arbitrated Base Rate Per Week \$	Safety Adjustments \$	Net Total Rate Per Week \$
Level 1 Currently Practising Conditional Aboriginal Health Worker:			
1st year of employment	398.30	261.80	660.10
2nd year of employment	409.80	261.80	671.60
3rd year of employment	423.40	263.80	687.20
Level 2 Qualified Aboriginal Health Worker:			
1st year of employment	437.06	263.80	700.86
2nd year of employment	447.42	263.80	711.22
3rd year of employment	457.77	263.80	721.57
4th year of employment	468.04	261.80	729.84
Level 3 Senior Aboriginal Health Worker:			
1st year of employment	483.50	261.80	745.30
2nd year of employment	512.90	261.80	774.70
3rd year of employment	542.70	261.80	804.50
4th year of employment	565.50	261.80	827.30
Level 4 Manager of Aboriginal Health Work:			
1st year of employment	603.84	261.80	865.64
2nd year of employment	632.59	259.80	892.39
3rd year of employment	661.35	259.80	921.15
4th year of employment	699.69	257.80	957.49
Level 5 State Co-ordinator Aboriginal Health Work:			
1st year of employment	709.27	257.80	967.07
2nd year of employment	738.03	257.80	995.83
3rd year of employment	766.78	257.80	1024.58
4th year of employment	805.12	257.80	1062.92
Level 1 Ethnic Health Worker:			
1st year of employment	398.30	261.80	660.10
2nd year of employment	409.80	261.80	671.60
3rd year of employment	423.40	263.80	687.20
4th year of employment	436.11	263.80	699.91
Level 2 Ethnic Health Worker:			
1st year of employment and thereafter	455.27	263.80	719.07

The classification prescribed in the relevant minimum rates award on which the rate prescribed for the key classifications* in this award is based, is the wage group C10 in the Metal Trades (General) Award No.13 of 1965.

* Level 2 Aboriginal Health Worker and

Level 2 Ethnic Health Worker

Incremental progression for all Aboriginal and Ethnic Health Workers is subject to satisfactory performance.

2010 WAIRC 00600

Heat Containment Industries (Refractory Specialties) Award No. 3 of 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

12. - WAGES

- (1) (a) The following shall be the minimum rates of wages payable to employees covered by this Award:

Classification	Rate per <u>Week</u>	Safety Net Adjustments	Supplementary <u>Payment</u>	Award Rate
	\$	\$	\$	\$
Plant Attendant	344.90	213.80	87.57	646.27
Casual Plant Attendant	332.80	213.80	57.02	603.62

 - (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.

(2) **Leading Hand:**

A leading hand as defined placed in charge of not more than ten other employees shall receive per week an additional \$15.85

2010 WAIRC 00601

The Horticultural (Nursery) Industry Award

5. - WAGES

The minimum weekly rate of wages payable to employees under this Award shall be as follows:

(1) **Adult Employees**

	Rate Per Week
	\$
Trainee	587.20
Horticultural Employee Grade 1	587.20
Horticultural Employee Grade 2	590.87
Horticultural Employee Grade 3	607.63
Horticultural Tradesperson Grade 1	664.00
Horticultural Tradesperson Grade 2	684.09
Horticultural Tradesperson Advanced	704.08

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 be entitled to the following percentage of the Horticultural Employee Grade 1 rate:

	%
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

(3) **Leading Hands**

In addition to the appropriate rate prescribed in subclause (1) of this clause, a Leading Hand shall be paid:

	\$
(a) In charge of not less than three employees and not more than 10 other employees	21.50
(b) In charge of more than 10 and not more than 20 other employees	33.10
(c) In charge of more than 20 other employees	41.40

(4) **Full Time Apprentices**

Full Time Apprentices shall be paid the following percentage of the Horticultural Tradesperson Grade 1 rate: (Rates for adult apprentices cannot be less than the rates set out in subclause (5) Minimum Adult Award Wage paragraph (i) of this Clause).

(a) Four Year Term	%
First year	42
Second year	55
Third year	75
Fourth year	88
(b) Three Year Term	%
First year	55
Second year	75
Third year	88

- (5) Minimum Adult Award Wage
- (a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
- (d) 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.
- (e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (g) 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.
- (h) 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.
- (i) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (j) Adult Apprentices
- (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (ii) The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

APPENDIX I. – 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 total rate published in clause 5. – Wages of this Award.

The minimum weekly rate of wages payable to employees under this award shall be as follows:

(1) Adult Employees	Base Rate\$	Arbitrated Safety Net Adjustments\$	Total Rate\$ on and from the commencement of the first pay period on or after 1 July 2010.
Trainee			587.20
Horticultural Employee Grade 1			587.20
Horticultural Employee Grade 2	346.07	244.80	590.87
Horticultural Employee Grade 3	362.83	244.80	607.63
Horticultural Tradesperson Grade 1	417.20	246.80	664.00
Horticultural Tradesperson Grade 2	437.29	246.80	684.09
Horticultural Tradesperson Advanced	457.28	246.80	704.08

2010 WAIRC 00602

Hospital Employees' (Brightwater) Consolidated Award 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

28. - 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	Minimum
Adjustments \$	\$	Safety	Net
		Rate\$	Weekly \$

HOSPITAL WORKER LEVEL 1

Comprehends the following classes of work:

- Carpark Attendant
- Cleaner
- Dining Attendant
- Domestic
- Gardener (Other)
- Ironer and Presser
- Kitchen Assistant
- Laundry Assistant
- Orderly (Other)
- Pantry Assistant
- Hotel Services Assistant
- Yard Assistant

	Base Adjustments \$	Rate \$	Arbitrated Safety Rate\$	Net	Minimum Weekly \$
HOSPITAL WORKER LEVEL 1					
Comprehends the following classes of work:— <i>continued</i>					
Ward Assistant					
1st year of employment	369.80		261.80		631.60
2nd year of employment	374.30		261.80		636.10
3rd year of employment and thereafter	378.30		261.80		640.10
HOSPITAL WORKER LEVEL 2					
Comprehends the following classes of work:					
Machinist					
House Parent					
Gardener (only one employed)					
Orderly (handling patients)					
First Laundry Worker (where more than 1 employed)					
Washing Machine Attendant					
1st year of employment	374.90		261.80		636.70
2nd year of employment	379.80		261.80		641.60
3rd year of employment and thereafter	384.10		261.80		645.90
HOSPITAL WORKER LEVEL 3					
Comprehends the following classes of work:					
Shaving Orderly					
Theatre Assistant					
Security Attendant					
Theatre Orderly					
Call Room Orderly					
Menu Assistants					
Gardener (Herbicide and Propagator)					
Machinist (who cuts and fits)					
Boiler Firing Orderly					
TSSU Assistant (1st year of employment)					
CSSD Assistant (1st year of employment)					
Maintenance Employee					
1st year of employment	384.10		261.80		645.90
2nd year of employment	388.20		261.80		650.00
3rd year of employment and thereafter	392.30		261.80		654.10
HOSPITAL WORKER LEVEL 4					
Comprehends the following classes of work:					
TSSU Assistant (2nd, 3rd year of employment and thereafter)					
CSSD Assistant (2nd, 3rd year of employment and thereafter)					
Cook (Other)					
1st year of employment	389.00		261.80		650.80
2nd year of employment	393.60		261.80		655.40
3rd year of employment and thereafter	397.30		261.80		659.10
HOSPITAL WORKER LEVEL 5					
Comprehends the following classes of work:					
Cook (only one employed)					
Storeperson					
Driver (under 3 tonnes)					
1st year of employment	404.00		261.80		665.80
2nd year of employment	407.60		261.80		669.40
3rd year of employment and thereafter	411.30		261.80		673.10
HOSPITAL WORKER LEVEL 6					
Comprehends the following classes of work:					
Driver (over 3 tonnes)					
Bus Driver (less than 25 passengers)					
Canteen Supervisor					
1st year of employment	407.80		261.80		669.60
2nd year of employment	411.30		261.80		673.10
3rd year of employment and thereafter	414.80		261.80		676.60

	Base Rate	Arbitrated Safety Net	Minimum Weekly \$
	Adjustments \$	Rate\$	
HOSPITAL WORKER LEVEL 7			
Comprehends the following classes of work:			
Bus Driver (over 25 passengers)			
Second Cooks			
1st year of employment	417.30	263.80	681.10
2nd year of employment	422.20	263.80	686.00
3rd year of employment and thereafter	426.40	263.80	690.20

HOSPITAL WORKER LEVEL 8			
Comprehends the following classes of work:			
Senior Food Service Attendant (Hospitals less than 100 beds)			
Deputy Head Orderly			
Machinist Tradesperson			
Horticulturist			
First Cook (where more than one employed)			
1st year of employment	440.10	263.80	703.90
2nd year of employment	445.00	263.80	708.80
3rd year of employment and thereafter	448.50	263.80	712.30

HOSPITAL WORKER LEVEL 9			
Comprehends the following classes of work:			
Tradesperson Cook			
Senior Food Services Attendant (more than 100 beds)			
Head Gardener			
Catering Supervisor			
Laundry Supervisor			
Head Orderly			
Domestic Supervisor/Housekeeper			
Cleaning Services Supervisor			
Linen Services Supervisor			
1st year of employment	454.80	263.80	718.60
2nd year of employment	459.10	263.80	722.90
3rd year of employment and thereafter	462.90	261.80	724.70

HOSPITAL WORKER LEVEL 10			
Comprehends the following classes of work:			
Chef			
1st year of employment	475.50	261.80	737.30
2nd year of employment	481.90	261.80	743.70
3rd year of employment and thereafter	488.00	261.80	749.80

- (2) General Conditions
- (a) The ordinary wages of any employee, placed in charge of three or more employees, shall be increased by \$19.90 per week.
 - (b) Where the term "year of employment" is used in this clause, it shall mean all service whether full time or part time and regardless of the class of work with that employer. 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.
Provided that in determining the rate of wage of an employee 19 years of age and over, service prior to attaining the age of 19 years shall not be counted in determining the total service of an employee for the purpose of this clause.
 - (c) A casual employee shall be paid a loading of 25% over the rates specified in this clause.
 - (d) The hourly rate for an employee working an average of 38 hours per week shall be calculated by dividing the weekly rate herein expressed by 40.
 - (e) The hourly rate for an employee actually working 38 hours shall be calculated by dividing the weekly rate herein expressed by 38.
- (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.

2010 WAIRC 00603

Hospital Employees' (Perth Dental Hospital) Award 1971**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
(b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

19. - WAGES

- (1) Technicians:

	Per Week\$	Arbitrated Safety Adjustments\$	Net Rate\$	Base Rate\$
(a) Dental Technician				
1st year of employment	486.40	261.80		748.20
2nd year of employment	500.90	261.80		762.70
3rd year of employment	516.00	261.80		777.80
4th year of employment and thereafter	531.70	261.80		793.50
(b) Dental Technician Advanced Level One				
1st year of employment	508.60	261.80		770.40
2nd year of employment	522.10	261.80		783.90
3rd year of employment	536.30	261.80		798.10
4th year of employment and thereafter	558.90	261.80		820.70

	Per Week\$	Arbitrated Net Adjustments\$	Safety Rate\$	Base Rate\$
(c) Dental Technician Advanced Level Two				
1st year of employment	531.70	261.80		793.50
2nd year of employment	548.00	261.80		809.80
3rd year of employment	565.70	261.80		827.50
4th year of employment and thereafter	583.40	261.80		845.20

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

(i) Four Year Term		%	
1st year of employment		42	
2nd year of employment		55	
3rd year of employment		75	
4th year of employment		88	
(ii) Three and a Half Year Term			
1st six months		42	
Next year		55	
Next following year		75	
Final year		88	
(iii) Three Year Term			
1st year of employment		55	
2nd year of employment		75	
3rd year of employment and thereafter		88	

For the purposes of this part, "Tradesperson's Rate" means the total wage prescribed in paragraph (1)(a) of this clause for the first year dental technician.

(e) 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 an employee is designated to be Technician in Charge of one of the following dental laboratories,

Orthodontic Laboratory Clinic
North Perth Clinic
Liddell Clinic
Gustafsen Clinic
Sir Charles Gairdner Hospital Clinic
Bunbury Clinic
Albany Clinic
Warwick Dental Clinic
Rockingham Dental Clinic
Mount Henry Dental Clinic

that employee shall be paid at the rate of \$20.85 per week in addition to the ordinary rate of wage prescribed by this clause.

(3) Casual employees shall be paid at the rate of 20% in addition to the rates herein prescribed.

(4) Where the term "year of employment" is used in this clause, it shall mean all service, irrespective of classification with that employer.

2010 WAIRC 00604

Hospital Salaried Officers (Dental Therapists) Award, 1980

1B. - MINIMUM ADULT AWARD WAGE

(1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

(3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

8. - SALARIES

- (1) The following shall be the minimum rates of salary payable to Dental Therapists covered by this Award: -

	CURRENT	ASNA	NEW
1st six months of employment after qualification	23174	11883	35057
2nd six months of employment after qualification	24292	11988	36280
2nd year of employment after qualification	25006	11988	36994
3rd year of employment after qualification	25754	11988	37742
4th year of employment after qualification	26497	11884	38381
5th year of employment after qualification	27264	11884	39148
6th year of employment after qualification	28061	11884	39945
7th year of employment after qualification	28863	11884	40747

- (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.

2010 WAIRC 00605

Hospital Salaried Officers (Good Samaritan Industries) Award 1990

1B. - MINIMUM ADULT AWARD WAGE

- No employee aged 21 or more shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- The minimum adult award wage for full-time employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

SCHEDULE C

MINIMUM SALARIES

Subject to the provisions of Clause 31. - Salaries and Classifications, and of Clause 26. - Aged and Infirm Employees and to the provisions of this Schedule, the minimum annual salaries for employees bound by this Award are set out herein after:

	CURRENT	ASNA	NEW
(1) Clerical Officer			
(Class 1):			
Under 17 years	11577	6454	18031
17 years	13128	7318	20446
18 years	15168	8456	23624
19 years	17249	9616	26865
20 years	19390	10809	30199
Adult Rates			
1st year	21316	11883	33199
2nd year	21872	11883	33755
3rd year	22616	11883	34499
4th year	23265	11883	35148
(2) Clerical Officer			
(Class 2):			
Under 17 years	11789	6328	18117
17 years	13632	7317	20949
18 years	15768	8463	24231
19 years	18111	9721	27832
20 years	20231	10859	31090

	CURRENT	ASNA	NEW
(2) Clerical Officer			
(Class 2): —continued			
Adult Rates			
1st year	22139	11883	34022
2nd year	22792	11883	34675
3rd year	23443	11988	35431
4th year	24090	11988	36078
5th year	24741	11988	36729
6th year	25392	11988	37380
7th year	26141	11884	38025
(3) Classified Officers:			
Grade 1 - 1st year	26660	11884	38544
Thereafter	27425	11884	39309
Grade 2 - 1st year	28174	11884	40058
Thereafter	28925	11884	40809
Grade 3 - 1st year	29755	11884	41639
Thereafter	30626	11884	42510
Grade 4 - 1st year	31544	11884	43428
Thereafter	32488	11884	44372
Grade 5 - 1st year	33419	11884	45303
Thereafter	34360	11884	46244
Grade 6 - 1st year	35346	11779	47125
Thereafter	36351	11779	48130
Grade 7 - 1st year	37311	11675	48986
2nd year	38350	11675	50025
Thereafter	39337	11675	51012
Grade 8 - 1st year	40346	11675	52021
Thereafter	41336	11675	53011
Grade 9 - 1st year	42399	11675	54074
Thereafter	43457	11675	55132
(4) Technical Assistants:			
Grade 1			
16 years	11078	6037	17115
17 years	13311	7254	20565
18 years	15424	8405	23829
19 years	17784	9691	27475
20 years	19967	10881	30848
Adult Rates			
1st year	21806	11883	33689
2nd year	22461	11883	34344
3rd year	23137	11883	35020
4th year	23773	11988	35761
Grade 2			
1st year	23773	11988	35761
2nd year	24183	11988	36171
3rd year	24576	11988	36564
Grade 3			
1st year	24576	11988	36564
2nd year	25029	11988	37017
3rd year	25679	11988	37667

(5) PROFESSIONAL OFFICERS

- (a) Employees, who possess a relevant tertiary level qualification, or equivalent as agreed between the Association and the employer, and who are employed in the calling of Occupational Therapist, or any other professional calling as agreed between the Association and employer, shall be entitled to minimum annual salaries as follows:

	CURRENT	ASNA	NEW
Level 3/5	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137
Level 6	40434	11675	52109
	41898	11675	53573
	43978	11675	55653

- (b) The following shall apply to employees appointed in accordance with this subclause:
- (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 shall be responsible for determining the relevant acceptable qualifications for appointment in the callings covered by this clause. In the event of dispute the matter may be referred to a Board of Reference, as constituted under section 48 of the Industrial Relations Act 1979.

(6) Proceeding through the classification by annual increments shall be subject to the employee's satisfactory performance over the preceding 12 months.

(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) 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 schedule, the rates for employees under 21 years shall be calculated using the following formula:

Current junior rate ÷ Current Adult Rate (1st year) x ASNA rate for Adult rate (1st year) = Junior ASNA rate.

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

2010 WAIRC 00606

Hospital Salaried Officers (Nursing Homes) Award 1976

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE C. - MINIMUM SALARIES

- (1) The minimum rates of salaries to be paid to employees covered by this award shall be set out hereunder.
- (2) **Minimum Salaries:**

LEVEL	CURRENT	ASNA	NEW
Level 1 1st year of service	21006	11883	32889
2nd year of service	21396	11883	33279
3rd year of service	21795	11883	33678
Level 2 1st year of service	22117	11883	34000
2nd year of service	22771	11883	34654
3rd year of service	23421	11988	35409
4th year of service	24069	11988	36057
Level 3	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
Level 4	26638	11884	38522
	27403	11884	39287
Level 5	28307	11884	40191
	29010	11884	40894
Level 6	29749	11884	41633
	30928	11884	42812
Level 7	31545	11884	43429
	32470	11884	44354
Level 8	33421	11884	45305
	34772	11779	46551
Level 9	35476	11779	47255
	36443	11779	48222
Level 10	37438	11675	49113
	38462	11675	50137
Level 11	40434	11675	52109
	41898	11675	53573
Level 12	43978	11675	55653
Level 13	45091	11675	56766
	46501	11675	58176
Level 14	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (d) Employees who are appointed to Level 1, Level 2, or Level 3, and are under 21 years of age, salaries shall be calculated using the following percentages of the first year of service rate for the Level the employee is appointed to:

Under 17 years of age	54%
17 years of age	64%
18 years of age	74%
19 years of age	86%
20 years of age	97%

Notwithstanding this provision, the employer can appoint an employee to the first year of service rate or higher.

(3) Salaries - Specified Callings and Other Professionals

Employees who are employed in the calling of Medical Scientist, Scientific Officer, Dietitian, Occupational Therapist, Physiotherapist, Social Worker, Speech Pathologist, or any other professional calling as agreed between the Union and employer, shall be entitled to Annual Salaries as follows:

LEVEL	CURRENT	ASNA	NEW
Level 5/10	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137
Level 11/12	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 13/14	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (a) Subject to subclause (c) of this clause, on appointment or promotion to the Level 5/10 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.

- (b) 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.
- (c) The employer, in allocating levels pursuant to clause (3) of this schedule may determine a commencing salary above Level 5/10 for a particular calling/s.
- (d) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (e) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.

- (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.

2010 WAIRC 00607

Hospital Salaried Officers (Private Hospitals) Award, 1980

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE B

MINIMUM SALARIES

- (1) The minimum rates of salaries to be paid to employees covered by this award shall be set out hereunder.

(2) Minimum Salaries:

LEVEL	CURRENT	ASNA	NEW
Level 1 1st year of service	21006	11883	32889
2nd year of service	21396	11883	33279
3rd year of service	21795	11883	33678
Level 2 1st year of service	22117	11883	34000
2nd year of service	22771	11883	34654
3rd year of service	23421	11883	35304
4th year of service	24069	11988	36057
Level 3	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
Level 4	26638	11884	38522
	27403	11884	39287
Level 5	28307	11884	40191
	29010	11884	40894
Level 6	29749	11884	41633
	30928	11884	42812
Level 7	31545	11884	43429
	32470	11884	44354
Level 8	33421	11884	45305
	34772	11779	46551
Level 9	35476	11779	47255
	36443	11779	48222
Level 10	37438	11675	49113
	38462	11675	50137
Level 11	40434	11675	52109
	41898	11675	53573
Level 12	43978	11675	55653
Level 13	45091	11675	56766
	46501	11675	58176
Level 14	47962	11675	59637

LEVEL	CURRENT	ASNA	NEW
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (d) Employees who are appointed to Level 1, Level 2, or Level 3, and are under 21 years of age, salaries shall be calculated using the following percentages of the first year of service rate for the Level the employee is appointed to:

Under 17 years of age	54%
17 years of age	64%
18 years of age	74%
19 years of age	86%
20 years of age	97%

Notwithstanding this provision, the employer can appoint an employee to the first year of service rate or higher.

(3) Salaries - Specified Callings and Other Professionals

- (a) Employees who are employed in the calling of Medical Scientist, Scientific Officer, Dietitian, Occupational Therapist, Physiotherapist, Social Worker, Speech Pathologist, or any other professional calling as agreed between the Union and employer, shall be entitled to Annual Salaries as follows:

LEVEL	CURRENT	ASNA	NEW
Level 5/10	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137

LEVEL—continued	CURRENT	ASNA	NEW
Level 11/12	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 13/14	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (b) Subject to subclause (d) of this clause, on appointment or promotion to the Level 5/10 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 5/10 for a particular calling/s.

- (e) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
 - (f) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (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.

2010 WAIRC 00608

Hospital Salaried Officers (Australian Red Cross Blood Service, Western Australia) Award, 1978

2B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE B - MINIMUM SALARIES

- (1) The minimum rates of salaries to be paid to employees covered by this award other than those specified in subclause (2) shall be:

LEVELS	CURRENT	ASNA	NEW
Level 1 Under 17 Years of Age	11363	6105	17468
17 Years of Age	13270	7130	20400
18 Years of Age	15490	8322	23812
19 Years of Age	17929	9633	27562
20 Years of Age	20135	10818	30953
21 Years of Age 1st Year of Service	22117	11883	34000
22 Years of Age 2nd Year of Service	22771	11883	34654
23 Years of Age 3rd Year of Service	23421	11883	35304
24 Years of Age 4th Year of Service	24069	11988	36057
Level 2	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
	26638	11884	38522
	27403	11884	39287
Level 3	28307	11884	40191
	29010	11884	40894
	29749	11884	41633
	30928	11884	42812

LEVELS— <i>continued</i>	CURRENT	ASNA	NEW
Level 4	31545	11884	43429
	32470	11884	44354
	33421	11884	45305
	34772	11779	46551
Level 5	35476	11779	47255
	36443	11779	48222
	37438	11675	49113
	38462	11675	50137
Level 6	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 7	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
Level 8	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
A2	56202	11675	67877
A3	58354	11675	70029

LEVELS— <i>continued</i>	CURRENT	ASNA	NEW
A4	60530	11675	72205
A5	64189	11675	75864
A6	66839	11675	78514
A7	69494	11675	81169
A8	72493	11675	84168
A9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australia an Industrial Relations Commission for determination.
- (d) 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:

$$\text{Current junior rate} \div \text{Current Level 1 (21 years, 1st year of service) rate} \times \text{ASNA rate for Level 1 (21 years, 1st year of service)} = \text{Junior ASNA rate.}$$
The junior ASNA rate is added to the Current Junior Rate to obtain the applicable New Junior rate.

(2) Salaries - Specified Callings and Other Professionals

- (a) Employees who are employed in the calling of Medical Scientist, Scientific Officer, 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	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137

LEVELS — <i>continued</i>	CURRENT	ASNA	NEW
LEVEL 6	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
LEVEL 7	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
LEVEL 8	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
A2	56202	11675	67877
A3	58354	11675	70029
A4	60530	11675	72205
A5	64189	11675	75864
A6	66839	11675	78514
A7	69494	11675	81169
A8	72493	11675	84168
A9	75675	11675	87350

- (b) Subject to paragraph (d) of this subclause, on appointment or promotion to the Level 3/5 under this subclause:
- (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 subclause and shall maintain a manual setting out such qualifications.
 - (d) The employer in allocating levels pursuant to subclause (2) of this schedule may determine a commencing salary above Level 3/5 for a particular calling/s.
 - (e) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
 - (f) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (3) The rates of pay in this award include three arbitrated safety net adjustments totalling \$24.00 per week and the \$10.00 per week arbitrated safety net adjustment payable from the beginning of the first pay period on or after the 14th day of November 1997.

Furthermore the rates of pay in this award include the arbitrated safety net adjustments of the following amounts:-

- (a) \$14.00 per week increase in award rates up to and including \$550.00 per week
 - (b) \$12.00 per week increase in award rates above \$550.00 per week and up to and including \$700.00 per week; and
 - (c) \$10.00 per week increase in award rates above \$700.00 per week.
- (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.

2010 WAIRC 00609

Hospital Salaried Officers (Silver Chain) Award, 1980

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE B MINIMUM SALARIES

(1) The minimum rates of salaries to be paid to employees covered by this award shall be set out hereunder.

(2) Minimum Salaries:

LEVEL	CURRENT	ASNA	NEW
Level 1 1st year of service	21006	11883	32889
2nd year of service	21396	11883	33279
3rd year of service	21795	11883	33678
Level 2 1st year of service	22117	11883	34000
2nd year of service	22771	11883	34654
3rd year of service	23421	11883	35304
4th year of service	24069	11988	36057
Level 3	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
Level 4	26638	11884	38522
	27403	11884	39287
Level 5	28307	11884	40191
	29010	11884	40894
Level 6	29749	11884	41633
	30928	11884	42812
Level 7	31545	11884	43429
	32470	11884	44354
Level 8	33421	11884	45305
	34772	11779	46551
Level 9	35476	11779	47255
	36443	11779	48222

LEVEL	CURRENT	ASNA	NEW
Level 10	37438	11675	49113
	38462	11675	50137
Level 11	40434	11675	52109
	41898	11675	53573
Level 12	43978	11675	55653
Level 13	45091	11675	56766
	46501	11675	58176
Level 14	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (d) Employees who are appointed to Level 1, Level 2, or Level 3, and are under 21 years of age, salaries shall be calculated using the following percentages of the first year of service rate for the Level the employee is appointed to:

Under 17 years of age	54%
17 years of age	64%
18 years of age	74%
19 years of age	86%
20 years of age	97%

Notwithstanding this provision, the employer can appoint an employee to the first year of service rate or higher.

(3) Salaries - Specified Callings and Other Professionals

- (a) Employees who are employed in the calling of Medical Scientist, Scientific Officer, Dietitian, Occupational Therapist, Physiotherapist, Social Worker, Speech Pathologist, or any other professional calling as agreed between the Union and employers, shall be entitled to Annual Salaries as follows:

LEVEL	CURRENT	ASNA	NEW
Level 5/10	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137
Level 11/12	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 13/14	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (b) Subject to subclause (d) of this clause, on appointment or promotion to the Level 5/10 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 5/10 for a particular calling/s.
- (e) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (f) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.

- (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.

2010 WAIRC 00610

Hospital Salaried Officers (Cerebral Palsy) Award 1978**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE B MINIMUM SALARIES

- (1) The minimum rates of salaries to be paid to employees covered by this award shall be set out hereunder.

- (2) **Minimum Salaries:**

LEVEL	CURRENT	ASNA	NEW
Level 1 1st year of service	21006	11883	32889
2nd year of service	21396	11883	33279
3rd year of service	21795	11883	33678
Level 2 1st year of service	22117	11883	34000
2nd year of service	22771	11883	34654
3rd year of service	23421	11883	35304
4th year of service	24069	11988	36057
Level 3	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
Level 4	26638	11884	38522
	27403	11884	39287
Level 5	28307	11884	40191
	29010	11884	40894

LEVEL — <i>continued</i>	CURRENT	ASNA	NEW
Level 6	29749	11884	41633
	30928	11884	42812
Level 7	31545	11884	43429
	32470	11884	44354
Level 8	33421	11779	45200
	34772	11779	46551
Level 9	35476	11779	47255
	36443	11779	48222
Level 10	37438	11675	49113
	38462	11675	50137
Level 11	40434	11675	52109
	41898	11675	53573
Level 12	43978	11675	55653
Level 13	45091	11675	56766
	46501	11675	58176
Level 14	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (d) Employees who are appointed to Level 1, Level 2, or Level 3, and are under 21 years of age, salaries shall be calculated using the following percentages of the first year of service rate for the Level the employee is appointed to:
- | | |
|-----------------------|-----|
| Under 17 years of age | 54% |
| 17 years of age | 64% |
| 18 years of age | 74% |
| 19 years of age | 86% |
| 20 years of age | 97% |

Notwithstanding this provision, the employer can appoint an employee to the first year of service rate or higher.

(3) Salaries - Specified Callings and Other Professionals

- (a) Employees who are employed in the calling of Medical Scientist, Scientific Officer, Dietitian, Occupational Therapist, Physiotherapist, Social Worker, Speech Pathologist, or any other professional calling as agreed between the Union and employer, shall be entitled to Annual Salaries as follows:

LEVEL	CURRENT	ASNA	NEW
Level 5/10	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11779	45200
	36443	11779	48222
	38462	11675	50137
Level 11/12	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 13/14	45091	11675	56766
	46501	11675	58176
	47962	11675	59637
Level 15	50097	11675	61772
	51847	11675	63522

LEVEL — <i>continued</i>	CURRENT	ASNA	NEW
A1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (b) Subject to subclause (d) of this clause, on appointment or promotion to the Level 5/10 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 5/10 for a particular calling/s.
- (e) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (f) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.

- (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.

2010 WAIRC 00611

Hospital Workers (Cleaning Contractors - Private Hospitals) Award 1978

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

32. - 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 Adjustments	Arbitrated Safety Net Rate	Minimum Weekly
	\$	\$	\$
(a) Cleaner:			
1st year of employment	369.80	261.80	631.60
2nd year of employment	374.30	261.80	636.10
3rd year of employment and thereafter	378.30	261.80	640.10
(b) Window Cleaner:			
1st year of employment	378.30	261.80	640.10
2nd year of employment	382.60	261.80	644.40
3rd year of employment and thereafter	387.10	261.80	648.90

- (c) **Junior Hospital Workers:**

The minimum rate of wage payable to junior hospital employees shall be the following percentage of the prescribed wage during the first year of employment for an adult employee doing the same class of work.

	%
Under 17 years of age	50
Under 18 years of age	70
Under 19 years of age	80
At 19 years of age	100

- (d) Casual Employees shall be paid a loading of 25% over the rates specified.

(2) General Conditions:

- (a) Leading Hands: In addition to the rates herein prescribed a leading hand shall be paid per week –
- | | |
|---|-------|
| | \$ |
| (i) If placed in charge of not less than three and not more than 10 other workers | 20.95 |
| (ii) If placed in charge of more than 10 and not more than 20 other workers | 31.50 |
| (iii) If placed in charge of more than 20 other workers | 42.05 |
- (b) Where the term "year of employment" is used in this clause it shall mean all service whether full time or part time and regardless of the class of work with that employer.
Such service shall be calculated in periods of calendar years from the date of commencement of work with the employer and shall be by automatic progression subject to satisfactory service.
- (c) In determining the year of employment of a worker 19 years of age or over employment while under the age of 19 years shall not be counted in determining the year of employment at or over 19 years of age.
- (d) The hourly rate shall be calculated by dividing the weekly rate herein by 40.
- (e) The hourly rate for an employee working an average of 38 hours per week shall be calculated by dividing the weekly rate herein expressed by 40.
- (f) The hourly rate for an employee actually working 38 hours shall be calculated by dividing the weekly rate herein expressed by 38.

(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.

2010 WAIRC 00612**Hospital Workers (Government) Award No. 21 of 1966****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

39. - 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 \$	Minimum Weekly Rate \$
Hospital Worker Level One			
Carpark Attendant			
Cleaner			
Domestic			
Gardener (Other)			
Food Service Attendant			
Kitchen Attendant			
Laboratory Attendant (Grade 1)			
Laundry Worker			
Orderly/Cleaner (Perth Dental Hospital)			
Orderly (Other)			
1st year of employment	369.50	261.80	631.30
2nd year of employment	374.10	261.80	635.90

	Base	Arbitrated	Minimum
	Rate	Safety Net	Weekly
	\$	Adjustments	Rate
		\$	\$
3rd year of employment and thereafter	378.00	261.80	639.80
Hospital Worker Level Two			
Animal House Attendant (Grade 1)			
Cafeteria Assistant (R.P.H.)			
Canteen Attendant (P.M.H.)			
Dental School Orderly			
Dry Cleaner			
First Laundry person (Country Hospitals - where more than one employed)			
Gardener (only one employed, PDH)			
Gardener and Propagator (Sunset)			
House Parent (Mt Henry, Bunbury, Albany)			
Hygiene Orderly (no driving - RPH)			
Machinist (other including any alterations)			
Orderly (handling patients)			
Senior Gardener (RPH)			
Steward (Sunset, Swanbourne/Graylands)			
Theatre Assistant (1st year R.P.H.)			
Ward Assistant (P.M.H.)			

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
Washing Machine Hands (including Hydros)			
1st year of employment	374.60	261.80	636.40
2nd year of employment	379.60	261.80	641.40
3rd year of employment and thereafter	383.80	261.80	645.60
Hospital Worker Level Three			
All Purpose Orderly			
Call Room Orderly (RPH, PMH. Fremantle and SCGH)			
CSSD Assistant (1st year)			
CSSD Orderly (RPH 1st year)			
Farm Assistant (Whitby Falls, Quo Vadis)			
Gardener and Propagator (M.H.S.)			
Gardener Herbicides (M.H.S.)			
Handyperson			
Hydrotherapy Attendant (1st year)			
Machinist (who cuts and fits)			
Menu Assistants			
Shaving Orderly (RPH, Fremantle)			
Theatre Assistant (Thereafter - RPH)			

	Base	Arbitrated	Minimum
	Rate	Safety Net	Weekly
	\$	Adjustments	Rate
		\$	\$
Theatre Orderly (1st year RPH, SCGH, Osborne Park Hospital and Bicton Annexe)			
Theatre Orderly (Fremantle Hospital, Princess Margaret Hospital, King Edward Memorial Hospital and Perth Dental Hospital)			
Call Room Orderly (KEMH)			
Birth Suite & Theatre Orderly (KEMH)			
1st year of employment	383.40	261.80	645.20
2nd year of employment	388.00	261.80	649.80
3rd year of employment and thereafter	392.00	261.80	653.80
Hospital Worker Level Four			
Animal House Attendant (Grade 2)			
Cook (other)			
CSSD Assistant (Thereafter)			
CSSD Orderly (Thereafter - RPH)			
Dry Cleaner (Swanbourne, Graylands)			
Hydrotherapy Attendant (Thereafter)			
Hygiene Orderly (Driving - RPH)			
Laboratory Attendant (Grade 2)			
Theatre Orderly (Thereafter - RPH, SCGH, Osborne Park and Bicton Annexe)			

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
1st year of employment	388.90	261.80	650.70
2nd year of employment	393.40	261.80	655.20
3rd year of employment and thereafter	397.10	261.80	658.90
Hospital Worker Level Five			
Assistant Dining Room Supervisor (RPH)			
Cook (only one employed)			
Driver (less than 3 tonnes)			
Central Linen Room Supervisor (RPH)			
Deputy Head Orderly (other hospitals)			
Domestic Supervisor (Pyrton)			
Head Gardener (Sunset, Manjimup and Narrogin)			
Linen Services Supervisor (Fremantle and KEMH)			
Linen Room Supervisor (Heathcote and Lemnos)			
Linen Supervisor (Perth Dental Hospital)			
Programme Assistants Alcohol and Drug Authority			
Trainee Food Supervisor (RPH)			
Machinist Supervisor (Pyrton)			
Machinist Supervising Patients (Mental Health)			

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
Storeperson (Grade 1)			
1st year of employment	399.10	261.80	660.90
2nd year of employment	403.90	261.80	665.70
3rd year of employment and thereafter	408.30	261.80	670.10
Hospital Worker Level Six			
Bus Driver (less than 25 passengers)			
Driver (over 3 tonnes)			
Storeperson (Grade 2)			
Hairdresser			
1st year of employment	403.00	261.80	664.80
2nd year of employment	406.40	261.80	668.20
3rd year of employment and thereafter	409.80	261.80	671.60
Hospital Worker Level Seven			
Bus Driver (over 25 Passengers)			
Second Cook (other hospitals)			
Storeperson (Grade 3)			
Transport Officer (RPH)			
1st year of employment	411.90	261.80	673.70
2nd year of employment	416.80	263.80	680.60

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
3rd year of employment and thereafter	421.00	263.80	684.80
Hospital Worker Level Eight			
Assistant Supervisor Cleaning Services (Swanbourne/Graylands)			
Cafeteria Supervisor (PMH)			
Canteen Supervisor (PMH)			
Carpenter (Fremantle, Mental Health)			
Cleaning Services Supervisor (KEMH)			
Deputy Head Orderly (Major Metropolitan Hospitals)			
Head Gardener (Kalgoorlie, Bunbury and Geraldton)			
Head Orderly (Perth Dental Hospital)			
Horticulturist			
Laundry Supervisor (Geraldton)			
Laundry Supervisor (PMH)			
Pantry Supervisor (KEMH)			
Projectionist			
1st year of employment	427.70	263.80	691.50
2nd year of employment	434.10	263.80	697.90
3rd year of employment and thereafter	439.80	263.80	703.60

	Base	Arbitrated	Minimum
	Rate	Safety Net	Weekly
	\$	Adjustments	Rate
		\$	\$
Hospital Worker Level Nine			
Assistant Housekeeper (Fremantle)			
Bootmaker			
Butcher, where appointed as such			
Cafeteria Supervisor (RPH)			
Cleaning Services Supervisor (Heathcote, Lemnos, Pyrton)			
Deputy Head Orderly (SCGH)			
Dining Room Supervisor (PMH, KEMH and RPH)			
First Butcher			
First Cook (other hospitals)			
Head Orderly (Mt Henry)			
Housekeeper (Country Hospitals - under 20 beds)			
Head Gardener (PMH, Fremantle, SCGH and KEMH)			
Rehabilitation Assistants (ADA)			
Second Cook (RPH, SCGH, Fremantle PMH, KEMH and Graylands)			
Senior Food Service Attendant (Hospitals with less than 100 beds)			
1st year of employment	445.10	263.80	708.90
2nd year of employment	451.10	263.80	714.90

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
3rd year of employment and thereafter	457.00	263.80	720.80
Hospital Worker Level Ten			
Assistant Housekeeper (SCGH)			
Cleaning Services Supervisor (Port Hedland)			
Head Orderly (KEMH)			
Housekeeper (Mt Henry and Pyrton)			
Housekeeper (Country Hospitals - 20 beds and over)			
Laundry Supervisor (Narrogin)			
Senior Food Service Attendant (Hospitals with 100 or more beds)			
Tradesperson Cook			
1st year of employment	454.80	263.80	718.60
2nd year of employment	459.10	263.80	722.90
3rd year of employment and thereafter	462.90	261.80	724.70
Hospital Worker Level Eleven			
Chef (other hospitals)			
Head Orderly (PMH, Fremantle, Sunset and RPRH)			
Housekeeper (Olive Jones Nurses' Home)			
Housekeeper (Fremantle Hospital)			

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
Linen Room and Despatch Supervisor (Swanbourne/Graylands)			
Linen Services Supervisor (PMH)			
Linen Supervisor (SCGH)			
1st year of employment	475.30	261.80	737.10
2nd year of employment	481.50	261.80	743.30
3rd year of employment and thereafter	487.70	261.80	749.50
Hospital Worker Level Twelve			
Chef (RPH and MHS)			
1st year of employment	491.90	261.80	753.70
2nd year of employment	498.20	261.80	760.00
3rd year of employment and thereafter	504.60	261.80	766.40
Hospital Worker Level Thirteen			
Head Orderly (SCGH)			
Orderly and Transport Services Co-ordinator			
1st year of employment	516.80	259.80	776.60
2nd year of employment	523.30	261.80	785.10
3rd year of employment and thereafter	530.20	261.80	792.00

(2) Junior Hospital Employees:

The minimum rate of wage payable to junior employees shall be the following percentage of the prescribed wage during the first year of employment for an adult employee doing the same class of work.

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

The percentages outlined above will also apply for the purpose of calculating the shift penalty loading payable pursuant to clauses 16, 17, 21 and 22 of this award.

- (3) Telephonists and receptionists (Graylands). The rates payable from time to time to telephonists in the public service shall apply.
- (4) General Conditions:
- (a) Casual employees shall be paid at the rate of 20 percent in addition to the rates herein prescribed.
 - (b) Except where this clause specifies classifications which require the employee to be in charge of other employees, any employee who is placed in charge of:
 - (i) not less than three and not more than ten other employees shall be paid \$20.65 per week in addition to the ordinary wage prescribed by this clause;
 - (ii) more than 10 and not more than twenty other employees shall be paid \$30.95 per week in addition to the ordinary wage prescribed by this clause;
 - (iii) more than 20 other employees shall be paid \$41.20 per week in addition to the ordinary wage prescribed by this clause.
 - (c) In this clause the term 'year of employment' shall mean year of service with the employing hospital.
 - (d) The rates herein prescribed shall be increased by the amount of any percentage increase in wages awarded by the Western Australian Industrial Relations Commission to employees covered by this award.

Where any increase in wages is not a percentage increase, the rates of wage shown in this award as relating to afternoon and night shift, permanent shift or weekend work or public holidays shall be adjusted to reflect the relationship which the additional payment bears to the amount of \$457.65 as at the 1 January, 1990.

- (5) An employee who regularly performs shift or weekend work shall be paid for Accrued Days Off, including shift or weekend penalties, when those days are taken as leave and at the rate which applied when they were accumulated.
- (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.

2010 WAIRC 00613

Hospital Workers' (N'Gala) Award No. 6A of 1958

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

32. - 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 \$	Minimum Weekly Rate \$
HOSPITAL WORKER LEVEL 1:			
Comprehends the following classes of work:			
Cleaner			
Domestic			
Gardener (other)			
Ironer and Presser			
Kitchen Assistant			

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
Laundry Assistant			
Orderly (other)			
Pantry Assistant			
Hotel Services Assistant			
Yard Assistant			
Ward Assistant			
1st year of employment	369.80	261.80	631.60
2nd year of employment	374.30	261.80	636.10
3rd year of employment and thereafter	378.30	261.80	640.10
HOSPITAL WORKER LEVEL 2:			
Comprehends the following classes of work:			
Gardener (only one employed)			
Orderly (handling patients)			
First Laundry Worker (where more than 1 employed)			
Washing Machine Attendant			
1st year of employment	374.90	261.80	636.70
2nd year of employment	379.80	261.80	641.60
3rd year of employment and thereafter	384.10	261.80	645.90

	Base Rate \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate \$
HOSPITAL WORKER LEVEL 3:			
Comprehends the following classes of work:			
Menu Assistants			
Gardener (Herbicide and Propagator)			
1st year of employment	383.80	261.80	645.60
2nd year of employment	388.20	261.80	650.00
3rd year of employment and thereafter	392.30	261.80	654.10
HOSPITAL WORKER LEVEL 4:			
Comprehends the following classes of work:			
Cooks			
1st year of employment	398.80	261.80	660.60
2nd year of employment	402.50	261.80	664.30
3rd year of employment and thereafter	406.20	261.80	668.00
Provided that employees who possess recognised qualification in the trade of cooking shall be paid not less than the following:			
1st year of employment	454.80	263.80	718.60
2nd year of employment	459.10	263.80	722.90
3rd year of employment and thereafter	462.90	261.80	724.70

JUNIOR HOSPITAL EMPLOYEES:

The minimum rate of wage payable to junior hospital employees shall be the following percentage of the prescribed wage for an adult employee in his/her first year of employment doing the same class of work.

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

(2) GENERAL CONDITIONS:

- (a) Where the term "year of employment" is used in this clause, it shall mean all service, irrespective of classification, with that employer.
- (b) In determining the year of employment of an employee 19 years of age or over, employment while under the age of 19 years shall not be counted in determining the year of employment at or over 19 years of age.
- (c) The hourly rate for an employee working an average of 38 hours per week shall be calculated by dividing the weekly rate herein expressed by 40.
- (d) The hourly rate for an employee actually working 38 hours shall be calculated by dividing the weekly rate herein expressed by 38.

(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.

2010 WAIRC 00614**Hospital Salaried Officers (WorkPower) Award of 1996****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE B - SALARIES AND CONDITIONS

CLASSIFICATIONS

- (1) The minimum rates of salaries to be paid to employees covered by this award shall be set out hereunder.

(2) Minimum Salaries

LEVEL	Current	ASNA	NEW
Level 1			
1st year of service	21006	11883	32889
2nd year of service	21396	11883	33279
3rd year of service	21795	11883	33678
Level 2			
1st year of service	22117	11883	34000
2nd year of service	22771	11883	34654
3rd year of service	23421	11883	35304
4th year of service	24069	11988	36057

LEVEL — <i>continued</i>	Current	ASNA	NEW
Level 3	24720	11988	36708
	25371	11988	37359
	26120	11884	38004
Level 4	26638	11884	38522
	27403	11884	39287
Level 5	28307	11884	40191
	29010	11884	40894
Level 6	29749	11884	41633
	30928	11884	42812
Level 7	31545	11884	43429
	32470	11884	44354
Level 8	33421	11884	45305
	34772	11779	46551
Level 9	35476	11779	47255
	36443	11779	48222
Level 10	37438	11675	49113
	38462	11675	50137
Level 11	40434	11675	52109
	41898	11675	53573

LEVEL —continued		Current	ASNA	NEW
Level 12		43978	11675	55653
Level 13		45091	11675	56766
		46501	11675	58176
Level 14		47962	11675	59637
Level 15		50097	11675	61772
		51847	11675	63522
A	1	54027	11675	65702
	2	56202	11675	67877
	3	58354	11675	70029
	4	60530	11675	72205
	5	64189	11675	75864
	6	66839	11675	78514
	7	69494	11675	81169
	8	72493	11675	84168
	9	75675	11675	87350

- (a) 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.
- (b) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
- (c) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.
- (d) Employees who are appointed to Level 1, Level 2 or Level 3, and are under 21 years of age, salaries shall be calculated using the following percentages of the first year of service rate for the Level the employee is appointed to:

	%
Under 17 years of age	54
17 years of age	64
18 years of age	74
19 years of age	86
20 years of age	97

Notwithstanding this provision, the employer can appoint an employee to the first year of service rate or higher.

(3) **Salaries - Specified Callings and Other Professionals**

- (a) Employees who are employed in the calling of Medical Scientist, Scientific Officer, Dietitian, Occupational Therapist, Physiotherapist, Social Worker, Speech Pathologist or any other professional calling as agreed between the union and employers, shall be entitled to Annual Salaries as follows:

LEVEL	CURRENT	ASNA	NEW
Level 5/10	28307	11884	40191
	29749	11884	41633
	31545	11884	43429
	33421	11884	45305
	36443	11779	48222
	38462	11675	50137
Level 11/12	40434	11675	52109
	41898	11675	53573
	43978	11675	55653
Level 13/14	45091	11675	56766
	46501	11675	58176
	47962	11675	59637

LEVEL — <i>continued</i>	CURRENT	ASNA	NEW
Level 15	50097	11675	61772
	51847	11675	63522
A 1	54027	11675	65702
2	56202	11675	67877
3	58354	11675	70029
4	60530	11675	72205
5	64189	11675	75864
6	66839	11675	78514
7	69494	11675	81169
8	72493	11675	84168
9	75675	11675	87350

- (b) Subject to subclause (d) of this clause, on appointment or promotion to the Level 5/10 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 5/10 for a particular calling/s.
 - (e) Annual increments shall be subject to the employee's satisfactory performance over the preceding twelve months.
 - (f) Any dispute in relation to the payment of an annual increment shall be referred to the Western Australian Industrial Relations Commission for determination.

- (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.

2010 WAIRC 00616

Hotel and Tavern Workers' Award21. – WAGES

(1) The following shall be the minimum fortnightly rates of wage payable to full-time employees covered by this award –

Level	Classification	\$ per Fortnight
	Introductory	1174.40
Level 1	Food & Beverage Attendant Grade 1 Kitchen Attendant Grade 1 Guest Services Grade 1 Gardener General Hand Yardman	1207.80
Level 2	Food & Beverage Attendant Grade 2 Cook Grade 1 Kitchen Attendant Grade 2 Night Porter Storeperson Grade 1 Doorperson/Security Officer Grade 1 Guest Services Grade 2	1258.00
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	1294.60
Level 4	Cook Grade 3 Storeperson Grade 3 Food & Beverage Attendant Grade 4 (Tradesperson) Guest Service Grade 4	1362.00
Level 5	Cook Grade 4 Food & Beverage Supervisor Guest Services Supervisor	1445.40
Level 6	Cook Grade 5	1483.20

(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.

(3) Service Pay

An employee classified as a Level 1 and who prior to 21 February 2001 was paid 'service pay' under the award shall continue to receive that same 'service pay' amount whilst employed as a Level 1 employee by that employer. The 'service pay' amount shall not be increased or absorbed into other payments at any time.

At any time after July 2003, any party may make an application to remove this sub-clause. Further, the existence of this sub-clause and the payment of the 'service pay' amount does not prejudice any such application.

21A. - MINIMUM ADULT AWARD WAGE

(1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00617

Independent Schools (Boarding House) Supervisory Staff Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.

- (8) 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.
- (9) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

11. - SALARIES

- (1) The minimum annual salary, according to classification and experience, payable to a supervisor shall be:

(a) **Supervisor:**

	Total Salary \$ per Annum
1st year of experience	32362
2 nd year of experience	33131
3 rd year of experience	34156
4 th year of experience	35181
5 th year of experience	36311
6 th year of experience	37336

(b) **Senior Supervisor**

	Total Salary \$ per Annum
1st year of experience	38770
Thereafter	40307

- (c) Relief Supervisor
 - (i) A relief supervisor shall be paid per rostered shift at a rate calculated at step 6 of paragraph (a) of this subclause, divided by 200.
 - (ii) A relief houseparent shall be paid per rostered shift at a rate calculated at step 5 of paragraph (a) of this subclause, divided by 200.
 - (d) Houseparent:
Notwithstanding the provision of paragraph (a) of this subclause, the maximum salary level for this classification shall be that determined as the fifth year of experience.
 - (e) 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) On appointment as a supervisor at a boarding school, the employer shall, on production of satisfactory evidence by the employee of previous full-time equivalent experience in a similar school position, place that employee on a salary point commensurate with such previous experience.

SCHEDULE A – SALARIES (ASNA)

- (1) The minimum annual rate of salary payable to supervisors engaged in the undermentioned classifications shall be:
The following schedule provides a history of Clause 11. – Salaries of the Award including all Arbitrated Safety Net Adjustments (ASNA) as at 1 July 2010.

(a) Supervisor:

	Minimum Salary \$ per Annum	ASNA	Total Salary \$ per Annum
1st year of experience	18706	13656	32362
2nd year of experience	19475	13656	33131
3rd year of experience	20500	13656	34156
4th year of experience	21525	13656	35181
5th year of experience	22550	13761	36311
6th year of experience	23575	13761	37336

(b) Senior Supervisor:

	Minimum Salary \$ per Annum	ASNA	Total Salary \$ per Annum
1st year of experience	25113	13657	38770
Thereafter	26650	13657	40307

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.

2010 WAIRC 00618

Independent Schools' Teachers' Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

14. – SALARIES

- (1) (a) The minimum annual salary payable to teachers engaged in the undermentioned classifications shall be:

	Total Salary
	Per Annum
	\$
Step 1	35696
Step 2	37029
Step 3	38257
Step 4	39795
Step 5	41230
Step 6	42460
Step 7	43690
Step 8	45227
Step 9	46813
Step 10	48197
Step 11	49323
Step 12	50861
Step 13	52398

- (b) On appointment, a teacher shall be placed at the appropriate salary level according to qualifications and full-time teaching experience in Australia. Recognition of qualifications and experience other than that outlined in this clause shall be determined by agreement between the employer and the teacher. In the event that the parties cannot agree on the level of qualifications and/or experience that should apply then the matter may be referred to the Independent Schools Industrial Affairs Consultative Committee.
- (c) On application by the teacher and by agreement with the employer, salary may be deemed to include an amount which is paid on behalf of the teacher into an Approved Superannuation fund nominated in accordance with the provision of Clause 22. - Superannuation of the Award, and not being an employer contribution to superannuation paid in accordance with Superannuation Guarantee (Administration) Act 1992, Federal legislation or an employer's contributory superannuation fund.
- (d) A copy of any agreement reached in accordance with paragraph (c) of this subclause shall be attached to the salary record of the teacher concerned.
- (e) For the purposes of determining weekly or fortnightly salary, the annual salaries as prescribed in this subclause, shall be divided by 52.16 or 26.08 respectively.
- (2) In determining the appropriate minimum salary level the following will apply:
- (a) Teachers not elsewhere provided for shall commence at Step 1 and proceed by annual increments to and including Step 9.
- (b) Two-year or three-year trained teacher holding a Teacher's Certificate or a teacher holding a University Degree (other than Bachelor of Education) but not a Teacher's Certificate shall commence at Step 3 and proceed by annual increments to and including Step 9.
- (c) Teacher holding:
University Degree and Diploma of Education; or
University Degree and Teacher's Certificate; or
Bachelor of Education Degree;
shall commence at Step 5 and proceed by annual increments to and including Step 13.
- (d) Teacher holding the qualifications as outlined in paragraph (c) of this subclause plus a second or higher degree as outlined in paragraph (h) of this clause shall commence at Step 6 and proceed by annual increments to and including Step 13.
- (e) The term Degree or Diploma will be deemed to include equivalent qualifications. In the event of a dispute the matter may be referred to the Independent Schools Industrial Affairs Consultative Committee.

- (f) A teacher who obtains an additional qualification which is recognised as the equivalent to an additional year of training, shall be credited with the extra year for salary purposes.
- (g) The qualifications referred to in paragraph (f) above, shall be determined by agreement through the Independent Schools Industrial Affairs Consultative Committee and shall be reviewed each year and shall be listed to apply from the beginning of each calendar year.
- (h) A teacher who obtains a second, or higher degree shall be credited with one extra year's experience for salary purposes. For the purpose of this subclause, a second or higher degree shall mean to include a graduate diploma or a degree at honours level.
- (i) The years of experience is indicated by the equivalent number of steps from the entry level.
- (3) SENIOR TEACHER:
- (a) Subject to the provisions for implementing the classification set out in the Appendix to this Award, an appointee to a Senior Teacher classification shall be entitled to the following annual allowance:
- Level One - 3.2% of the maximum total salary per annum as prescribed in subclause (1) of this clause.
Level Two - 6.9% of the maximum total salary per annum as prescribed in subclause (1) of this clause.
- (b) A teacher in a promotional position who achieves a Senior Teacher Level 1 classification shall be entitled to the minimum allowance applicable to the promotion position or the Senior Teacher Level 1 classification whichever is the greater.
- (4) Part-time and part-time temporary teachers shall be paid in accordance with this Award for duties performed in proportion to the time those duties bear to an ordinary full-time teaching week.
- (5) (a) Relief teachers employed for five (5) consecutive working days or more shall be paid for the period at the rate of salary appropriate to their qualifications and experience on a weekly basis of annual salary divided by forty (40) or a daily basis of annual salary divided by two hundred (200).
- (b) A relief teacher employed for less than five (5) consecutive working days shall be paid according to the following formula:

(i) Less than four year trained				
(aa)	Full day	=	Step 6 Annual Salary	/ 200
(bb)	Half day	=	Step 6 Annual Salary	/ 400
(ii) Four year trained				
(aa)	Full day	=	Step 8 Annual Salary	/ 200
(bb)	Half day	=	Step 8 Annual Salary	/ 400

Note: For the purposes of this subclause a half day is determined as the hours usually worked in a school prior to the lunch break or the hours worked from the beginning of the lunch break until the end of the school day.

- (6) SECONDARY SCHOOLS
- (a) A teacher appointed to a promotional position in a secondary school shall be placed within one of the following promotion levels in accordance with the duties as prescribed.
- Promotional Level 1
The management of a major department, for example, secondary English, or an equivalent responsibility, for example, in the pastoral care of students.
- Promotional Levels 2, 3 and 4
The levels assigned will recognise the gradation of responsibilities which apply within a school among various promotional positions.
For example, for promotional Level 2: the management of a small department or an equivalent level of responsibility.
For example, for promotional Level 3: second in charge of a major department, or an equivalent level of responsibility.
For example, for promotional Level 4: co-ordinator of a subject, i.e., subject teachers with minimal supervision of other staff, or an equivalent level of responsibility.
- (b) All allowances relating to promotional positions are minima.
- (c) The scale of promotional allowances paid shall be based on the promotional level as determined in paragraph (a) of this subclause and the school category as defined in paragraph (d) of this subclause.
- (d) The category of the school shall be determined as follows:
- (i) Category A: School above 600 full-time equivalent students.
(ii) Category B: School between 300 and 600 full-time equivalent students.
(iii) Category C: School below 300 full-time equivalent students.
- (e) The minimum allowance payable for a promotional position shall be as follows:

- (i) Promotional Level 1 Category A: 12.5 per cent of the maximum salary level as prescribed in subclause (1) of Clause 14. - Salaries.
 - (ii) Promotional Level 1 Category B: 10.5 per cent of the maximum salary level as prescribed in subclause (1) of Clause 14. - Salaries.
 - (iii) Promotional Level 1 Category C: 8.5 per cent of the maximum salary level as prescribed in subclause (1) of Clause 14. - Salaries.
 - (iv) Promotional Levels 2, 3 and 4 shall be paid 70 per cent, 50 per cent and 30 per cent respectively of Promotion Level 1 of the appropriate school category.
- (7) PRIMARY SCHOOLS
- (a) Allowances for promotional positions in primary schools, where appointed under this Award, shall be at the Assistant Principal (Administration), Assistant Principal (Religious Education) level or similar designation relevant to the school.
 - (b) Where a primary school has in excess of 700 full-time equivalent students, an additional promotional position may be appointed at the discretion of the employer.
 - (c) The allowance payable to Assistant Principals shall be as follows:
 - (i) Schools with 300 to 700 full-time equivalent students - \$6000.00 per annum.
 - (ii) Schools with 100 to 300 full-time equivalent students - \$3000.00 per annum.
- (8) Notwithstanding the provision of subclauses (7) and (8) of this clause, where an agreement is reached between the employer and the teacher on any allowance or benefit for promotional positions, expressed in terms other than those prescribed under this clause, then, subject to notification to the Union of such agreement, such conditions shall apply for the purposes of this Award.

SCHEDULE A. – SALARIES (ASNA)

The following schedule provides a history of Clause 14. – Salaries of the Award including all Arbitrated Safety Net Adjustments (ASNA) as at 1 July 2010.

The minimum annual salary payable to teachers engaged in the undermentioned classifications shall be:

	Minimum Salary	ASNA	Total Salary
	\$ per Annum		\$ per Annum
Step 1	21935	13761	35696
Step 2	23268	13761	37029
Step 3	24600	13657	38257
Step 4	26138	13657	39795
Step 5	27573	13657	41230
Step 6	28803	13657	42460
Step 7	30033	13657	43690
Step 8	31570	13657	45227
Step 9	33261	13552	46813
Step 10	34645	13552	48197
Step 11	35875	13448	49323
Step 12	37413	13448	50861
Step 13	38950	13448	52398

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 adjustment 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.

In the rates 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.

2010 WAIRC 00619

Industrial Spraypainting and Sandblasting Award**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

8. - RATES OF PAY

- (1) The weekly rate of pay is as follows:
 Painter, Spraypainter, Shotblaster, Sandblaster or employee performing two or more of those functions:

	\$
Weekly Rate	722.46
- (2) **Location Allowance**
 Where applicable location allowances in accordance with Clause 19 will be paid.
- (3) **Underground Allowance**
 - (a)
 - (i) Subject to paragraph (b) hereof, an employee required to work underground shall be paid an allowance of \$10.17 per week in addition to the allowance prescribed in subclause (2) 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 allowance shall commence from the surface.
 - (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 (n) of subclause (1) of Clause 9. - Special Rates and Provisions in lieu of the allowance prescribed in paragraph (a) hereof.

(4) Leading Hands

- (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 Only \$	Base	Rate Per Hour \$
(i) In charge of not more than one person	13.10		0.36
(ii) In charge of two and not more than five persons	29.20		0.80
(iii) In charge of six and not more than ten persons	37.30		1.01
(iv) In charge of more than ten persons	49.50		1.34

- (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.

(5) 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.

2010 WAIRC 00620**Independent Schools Administrative and Technical Officers Award 1993****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

15. - SALARIES

- (1) (a) The minimum annual salary, according to classification and experience, payable to an officer shall be:

Level	Step	Total Salary \$ per Annum
LEVEL 1	Step 1	32156
	2	32406
	3	32656
	4	32906
	5	33156
	6	33406
LEVEL 2	Step 1	34156
	2	34656
	3	35156
	4	35761
	5	36261
	6	36761
LEVEL 3	Step 1	37761
	2	38257
	3	38857
	4	39457
	5	40057
	6	40553
LEVEL 4	Step 1	39157
	2	40157
	3	41157
	4	42157
	5	43157
	6	44157

- (b) On appointment an officer shall be placed at the appropriate salary level according to full-time experience and the classifications as prescribed in Clause 14. - Classifications.
- (c) On application by the officer and by agreement with the employer, salary may be deemed to include an amount which is paid on behalf of the officer into an approved superannuation fund nominated in accordance with the provisions of Clause 25. - Superannuation of the Award, and not being an employer contribution to superannuation paid in accordance with the Superannuation Guarantee (Administration) Act 1992, Federal legislation or an employer's contributory superannuation fund.
- (d) An officer appointed to a salary rate shall proceed by annual increments to the maximum of that classification level.
- (e) If during progression through the salary steps, and within an appropriate time frame prior to the officer's next annual increment, the employer considers such increment to be inappropriate due to work performance and as such does not recommend or authorise further progression, then the employer shall state the reasons in writing to the officer concerned.
Such reasons should indicate the areas where the employer considers improvement is required.
If the improvement required is achieved, then the officer shall then proceed to his/her appropriate salary level.
- (f) An officer shall only progress from one level to another in accordance with the provisions as prescribed in Clause 14. - Classifications.
- (g) The years of experience are indicated by the equivalent number of steps from the entry level.
- (h) For the purposes of determining weekly or fortnightly salary, the annual salaries as prescribed in subclause (1) of this clause, shall be divided by 52.16 or 26.08 respectively.
- (i) Where the conditions of employment of any officer are subject to the provisions of subclause (3) of Clause 6. - Contract of Service of this Award, then by agreement between the officer and the employer salary may be averaged over the period of a full year.

- (2) Junior Classification

An officer under the age of 20 years shall receive the following percentages of the rate appropriate to Level 1.

Under 17 years of age	60%
17 years of age	70%
18 years of age	80%
19 years of age	90%

- (3) A relief officer shall be paid a loading of twenty-five per cent in addition to the salaries prescribed in subclause (1) of this clause.

SCHEDULE A. – SALARIES (ASNA)

The following schedule provides a history of Clause 15. – Salaries of the Award including all Arbitrated Safety Net Adjustments (ASNA) as at 1 July 2010.

- (1) (a) The minimum annual salary, according to classification and experience, payable to an officer shall be:

Level	Step	Minimum Salary \$ per Annum	ASNA	Total Salary \$ per Annum
LEVEL 1	Step 1	18,500	13656	32156
	2	18,750	13656	32406
	3	19,000	13656	32656
	4	19,250	13656	32906
	5	19,500	13656	33156
	6	19,750	13656	33406
LEVEL 2	Step 1	20,500	13656	34156
	2	21,000	13656	34656
	3	21,500	13656	35156
	4	22,000	13761	35761
	5	22,500	13761	36261
	6	23,000	13761	36761
LEVEL 3	Step 1	24,000	13761	37761
	2	24,600	13657	38257
	3	25,200	13657	38857
	4	25,800	13657	39457
	5	26,400	13657	40057
	6	27,000	13553	40553
LEVEL 4	Step 1	25,500	13657	39157
	2	26,500	13657	40157
	3	27,500	13657	41157
	4	28,500	13657	42157
	5	29,500	13657	43157
	6	30,500	13657	44157

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.

2010 WAIRC 00621

Independent Schools Psychologists and Social Workers Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.

- (8) 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.
- (9) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

16. – SALARIES

- 1 (a) The minimum annual salary payable to a psychologist or social worker engaged in the undermentioned classifications shall be:
- | SALARY LEVEL | ANNUAL SALARY\$ |
|--------------|-----------------|
| Step 1 | 43002 |
| Step 2 | 44661 |
| Step 3 | 46394 |
| Step 4 | 48690 |
| Step 5 | 52251 |
| Step 6 | 54573 |
| Step 7 | 56694 |
| Step 8 | 58909 |
- (b) On appointment, a psychologist or social worker shall be placed at the appropriate salary level according to the provisions of subclause (2) of this clause. Recognition of qualifications and experience other than that outlined in this Award shall be determined by agreement between the employer and the psychologist or social worker. In the event that the parties cannot agree on the level of qualifications and/or experience that should apply then the matter may be referred to the Western Australian Industrial Relations Commission.
 - (c) On application by the psychologist or social worker and by agreement with the employer, salary may be deemed to include an amount which is paid on behalf of the psychologist or social worker into an Approved Superannuation fund nominated in accordance with the provisions of Clause 23. - Superannuation of the Award, and not being an employer contribution to superannuation paid in accordance with the Superannuation Guarantee (Administration) Act 1992, Federal legislation or an employer's contributory superannuation fund.
 - (d) A copy of any agreement reached in accordance with paragraph (c) of this subclause shall be attached to the salary record of the psychologist or social worker concerned.
 - (e) For the purposes of determining weekly or fortnightly salary, the annual salaries as prescribed in this subclause, shall be divided by 52.16 or 26.08 respectively.
- (2) Psychologists and Social Workers appointed to the under mentioned classifications shall be paid in accordance with the following:
- (a) A social worker as defined shall commence at Step 1 and proceed by annual increments to and including Step 6.
 - (b) A provisional psychologist shall commence at Step 1 and proceed by annual increments to and including Step 2.
 - (c) A psychologist who attains full registration status with the Psychologists Board of Western Australia shall commence at Step 4 and proceed by annual increments to and including Step 8.
 - (d) The years of experience is indicated by the number of steps from the commencement level of each classification.
- (3) Part-time psychologists or social workers shall be paid in accordance to the following formula:
- | | | |
|--------------|---|------------------|
| Hours worked | x | Full time weekly |
| 37.5 | | rate of pay |

- (4) (a) A relief social worker shall be paid according to the following formula:
- (i) Half day = 0.1 x Weekly rate for Step 5
- (ii) Full day = 0.2 x Weekly rate for Step 5
- (b) A relief psychologist shall be paid according to the following formula:
- (i) Half day = 0.1 x Weekly rate for Step 6
- (ii) Full day = 0.2 x Weekly rate for Step 6

Note: a half day is up to 3.75 hours and a full day is up to 7.5 hours.

- (5) Where the conditions of employment of a psychologist or social worker are subject to the provisions of subclause (4) of Clause 7. – Contract of Service of this Award, then, by agreement in writing between the employer and the psychologist or social worker, salary may be averaged over the full year.

SCHEDULE A – SALARIES (ASNA)

The following schedule provides a history of Clause 16. – Salaries of the Award including all Arbitrated Safety Net Adjustments (ASNA) as at 1 July 2010.

The minimum annual salary payable to a psychologist or social worker engaged in the under mentioned classifications shall be:

Column A shall apply from the beginning of the first pay period commencing on or after the date of the Award.

Column B shall apply from the beginning of the first pay period commencing on or after 5 June 2003.

SALARYLEVEL	ANNUAL SALARY\$		ASNA	TOTAL
	Column A	Column B		
Step 1	32265	33048	9954	43002
Step 2	33924	34707	9954	44661
Step 3	35762	36545	9849	46394
Step 4	38058	38841	9849	48690
Step 5	41619	42402	9849	52251
Step 6	43941	44724	9849	54573
Step 7	46062	46845	9849	56694
Step 8	48277	49060	9849	58909

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.

2010 WAIRC 00622

Juvenile Custodial Officers' Award

4.1. - MINIMUM ADULT AWARD WAGE

- 4.1.1 No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- 4.1.3 The minimum adult award wage is deemed to include all State Wage order 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 Employees under the age of 21 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 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- 4.1.7 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.
- 4.1.8 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.

4.1.9 Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

4.1.10 Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

SCHEDULE A. – SALARIES FOR JUVENILE CUSTODIAL OFFICERS, UNIT MANAGERS AND SENIOR OFFICERS

(1) Annual salaries applicable to employees covered by this Award:				
Level 2		Salary Per Annum\$	Arbitrated Safety Net Adjustments	Total Salary Per Annum
Juvenile Custodial Officers			\$	\$
1 st Year		28306	11885	40191
2 nd Year		29009	11885	40894
3 rd Year		29748	11885	41633
4 th Year		30529	11885	42414
5 th Year		31346	11885	43231
Level 3				
Unit Managers				
1 st Year		32469	11885	44354
2 nd Year		33344	11885	45229
3 rd Year		34246	11885	46131
4 th Year		35172	11780	46952
Level 4				
Senior Officers				
1 st Year		36442	11780	48222
2 nd Year		37437	11676	49113
3 rd Year		38461	11676	50137

2010 WAIRC 00623

The Iron Ore Production & Processing (Locomotive Drivers) Award 2006

2.4. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00624

Iron Ore Production & Processing (Locomotive Drivers Rio Tinto Railway) Award 2006

5. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00625

Landscape Gardening Industry Award

25. - WAGES

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

- | | TOTAL RATE PER WEEK \$ |
|--|------------------------|
| (1) Adult Employees: | |
| (a) Landscape Tradesperson | 635.10 |
| (b) Landscape Employee Grade 1 | 587.20 |
| <p>The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.</p> <p>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.</p> <p>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.</p> | |
| (2) Full Time Apprentices | |
| A Full Time Apprentice shall be paid the following percentage amounts of the Landscape Tradesperson's rate: | |
| (a) Four Year Term | % |
| First year | 42 |
| Second year | 55 |
| Third year | 75 |
| Fourth year | 88 |
| (b) Three Year Term | % |
| First year | 55 |
| Second year | 75 |
| Third year | 88 |
| (3) Junior Employees: | |
| Wage per week expressed as a percentage of the "Landscape Employee Grade 1" rate: | |
| Under 16 years of age | % |
| 16 years of age | 40 |
| 17 years of age | 50 |
| 18 years of age | 60 |
| 19 years of age | 70 |
| 20 years of age | 80 |
| 20 years of age | 90 |
| (4) 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 employees | 25.47 |
| (b) If placed in charge of more than ten and not more than twenty other employees | 39.08 |
| (c) If placed in charge of more than twenty other employees | 50.27 |
| (5) A casual employee shall be paid 20 per cent in addition to the rate prescribed in this clause for the work performed. | |

- (6) Minimum Adult Award Wage
 - (a) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
 - (c) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.
 - (d) 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.
 - (e) Employees under the age of 21 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) 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
 - (g) 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.
 - (h) 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.
 - (i) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
 - (j) Adult Apprentices
 - (i) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (ii) The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

APPENDIX 1 – MAKE UP OF TOTAL WAGE

This appendix shows how the total wages paid to employees under this award are made up. It details both base wage rates and safety net adjustments as well as the total rate before adjustment for the 2010 Adult Minimum Award Wage and the total rate after adjustment which is published above in Clause 25. – Wages.

(1) Adult Employees:	Base Rate Per Week\$	Arbitrated Safety Adjustments\$	Net Total Rate Before Adjustment\$	Total Rate After Adjustment for 2010 Adult Minimum Award Wage\$
(a) Landscape Tradesperson	373.30	261.80	635.10	635.10
(b) Landscape Employee Grade 1	302.00	261.80	563.80	587.20

2010 WAIRC 00626

Laundry Workers' Award, 1981

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

7. - 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:
- Adult Employees

	Minimum Rate
	\$
Laundry Employee - Grade 1	595.55
Laundry Employee - Grade 2	616.40
Laundry Employee - Grade 3	641.45
Laundry Employee - Grade 4	658.15
 - 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 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	Adult Rates

2010 WAIRC 00627

Licensed Establishments (Retail and Wholesale) Award 1979**1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

21. - WAGES

The minimum rates of wages payable to workers under this award shall be as follows -

PART I - RETAIL ESTABLISHMENTS

- (1) **ADULTS (Classification and Wage per Week):**
 Operative on and from the commencement of the first pay period on or after 1 July 2010 for both parts I and II of this clause

	\$	ASNA	TOTAL
(a) Shop Assistant, Sales Person, Demonstrator, Canvasser and/or Collector, Storeperson Packer, Despatch Hand, Reserve Stock Hand	409.00	237.80	646.80
(b) Window Dresser	415.90	237.80	653.70
(c) Shop Assistant, Sales Person, Demonstrator, Canvasser and/or Collector, Storeperson Packer, Despatch Hand, who is required by the employer to be in charge of a shop or other employees -			
(i) If placed in charge of a shop with no other employees or, if placed in charge of less than three other employees	419.40	237.80	657.20
(ii) If placed in charge of three or more other employees, but less than ten other employees	429.00	237.80	666.80
(iii) If placed in charge of ten or more other employees	445.50	239.80	685.30
(d) Window Dresser who is required by the employer to be in charge of a shop or other employees -			
(i) If placed in charge of a shop with no other employees or, if placed in charge of less than three other employees	426.00	237.80	663.80
(ii) If placed in charge of three or more other employees, but less than ten other employees	434.90	237.80	672.70
(iii) If placed in charge of ten or more other employees	452.20	239.80	692.00
(e) Storeperson Operator Grade I	420.20	237.80	658.00
(f) Storeperson Operator Grade I who is required by the employer to be in charge of a shop, store or warehouse or other employees -			
(i) If placed in charge of a shop, store or warehouse with no other employees or if placed in charge of less than three other employees	430.00	237.80	667.80
(ii) If placed in charge of three or more other employees but less than ten other employees	439.40	239.80	679.20
(iii) If placed in charge of ten or more other employees	455.90	239.80	695.70
(g) Storeperson Operator Grade II	425.00	237.80	662.80
(h) Storeperson Operator Grade II who is required by the employer to be in charge of a shop, store or warehouse or other employees -			
(i) If placed in charge of a shop, store or warehouse with no other employees or if placed in charge of less than three other employees	435.50	237.80	673.30
(ii) If placed in charge of three or more other employees but less than ten other employees	444.20	239.80	684.00
(iii) If placed in charge of ten or more other employees	461.70	239.80	701.50

PART II - WHOLESALE AND OTHER ESTABLISHMENTS

(1) ADULTS (Classification and Wage per week):	\$	ASNA	TOTAL
(a) Head Cellarperson	446.90	239.80	686.70
(b) Storeperson, Packer, Despatch Hand, Reserve Stock Hand	409.00	237.80	646.80
(c) Storeperson, Packer, Despatch Hand, Reserve Stock Hand, who is required by the employer to be in charge of a store or other employees -			
(i) If placed in charge of a store with no other employees, or if placed in charge of less than three other employees	419.40	237.80	657.20
(ii) If placed in charge of three or more other employees, but less than ten other employees	428.00	237.80	665.80
(iii) If placed in charge of ten or more other employees	446.50	239.80	686.30
(d) Filling Process Employee (as defined)	392.70	237.80	630.50
(e) Storeperson Operator Grade I	420.20	237.80	658.00

	\$	ASNA	TOTAL
(f) Storeperson Operator Grade I who is required by the employer to be in charge of a shop, store or warehouse or other employees -			
(i) If placed in charge of a shop, store or warehouse with no other employees or if placed in charge of less than three other employees	430.60	237.80	668.40
(ii) If placed in charge of three or more other employees but less than ten other employees	439.40	239.80	679.20
(iii) If placed in charge of ten or more other employees	456.90	239.80	696.70
(g) Storeperson Operator Grade II	425.00	237.80	662.80
(h) Storeperson Operator Grade II who is required by the employer to be in charge of a shop, store or warehouse or other employees -			
(i) If placed in charge of a shop, store or warehouse with no other employees or if placed in charge of less than three other employees	435.50	237.80	673.30
(ii) If placed in charge of three or more other employees but less than ten other employees	443.20	239.80	683.00
(iii) If placed in charge of ten or more other employees	461.70	239.80	701.50

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.

PART III - JUNIOR WORKERS

(1) The minimum rates of wages payable to all junior workers covered by this award shall be as follows:

Junior workers (per cent of the wage prescribed herein for Storeman. Packer, Despatch Hand, Reserve Stock hand)	%
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

PART IV - ADDITIONAL PAYMENTS

In addition to the rates prescribed elsewhere in this clause the following allowances and rates shall be paid to a worker where applicable.

- (1) (a) An employee required to operate a ride-on power operated tow motor, a ride-on power operated pallet truck or a walk beside power operated high lift stacker in the performance of his/her duties shall be paid an additional 55 cents per hour whilst so engaged.
 - (b) An employee required to operate a ride-on operated fork lift, high lift stacker or high lift stock picker or a power operated overhead traversing hoist in the performance of his/her duties shall be paid an additional 76 cents per hour whilst so engaged.
 - (c) The allowances prescribed by this subclause shall not be payable to an employee engaged, and paid, as a "Storeman Operator Grade I" or a "Storeman Operator Grade II".
- (2) (a) A worker shall receive an additional payment for every hour of which he spends 20 minutes or more in a cold chamber in accordance with the following:
- In a cold chamber in which the temperature is:
- (i) Below 0 degrees Celsius to -20 degrees Celsius - 82 cents per hour.
 - (ii) Below -20 degrees Celsius to -25 degrees Celsius - 95 cents per hour.
 - (iii) Below -25 degrees Celsius - \$1.09 per hour.
- (b) Employees required to work in temperatures less than -18.9 degrees Celsius shall be medically examined at the employer's expense.

39B. - TRAINEESHIPS

- (1) Scope
- (a) Subject to paragraph (b) of this subclause, this clause shall apply to persons:
- (i) who are undertaking a traineeship (as defined); and
 - (ii) who are employed by an employer bound by this award; and
 - (iii) whose employment is covered by the Licensed Establishments (Retail and Wholesale) Award 1979 No. R 23 of 1977.
- (b) Notwithstanding the foregoing, this clause shall not apply to employees who were employed by an employer bound by this clause prior to the date of approval of a traineeship scheme relevant to the employer, except where agreed between the employer and the union.
- (2) Objective
- (a) The objective of this clause is to establish a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of trainees, particularly young people, and the long term unemployed.
 - (b) The system is neither designed nor intended for those who are already trained and job ready.
 - (c) Existing employees shall not be displaced from employment by trainees.
- (3) Supersession
- The existing award provisions for the Australian Traineeship System (ATS) shall not apply to any employer bound by this award, except in relation to ATS trainees who commenced a traineeship with the employer before the employer was bound to this award.
- (4) Definitions
- "Approved Training" means training undertaken in a traineeship and shall involve formal instruction, both theoretical and practical, and supervised practice in accordance with a traineeship scheme approved by the relevant state training authority or NETTFORCE. The training will be accredited and lead to qualifications as set out in subclause 5(e).
- "Relevant Award" means Licensed Establishments (Retail and Wholesale) Award 1979 No. R 23 of 1977.
- "Trainee" means an employee who is bound by a traineeship agreement made in accordance with this clause.
- "Traineeship" means a system of training which has been approved by the appropriate State Training Authority, or which has been approved on an interim basis by the National Employment and Training Taskforce (NETTFORCE), until final approval is granted by the relevant state training authority.
- "Traineeship Agreement" means an agreement made subject to the terms of this award between an employer and the trainee for a traineeship and which is registered with the appropriate State Training Authority, NETTFORCE, or under the provisions of the appropriate state legislation. A traineeship agreement shall be made in accordance with the relevant approved traineeship scheme and shall not operate unless this condition is met.
- "Traineeship Scheme" means an approved traineeship applicable to a group or class of employees or to an industry or sector of an industry or an enterprise. A traineeship scheme shall not be given approval unless consultation and negotiation with the union upon the terms of the proposed traineeship scheme and the traineeship have occurred. An application for approval of a traineeship scheme shall identify the union and demonstrate to the satisfaction of the approving authority that the abovementioned consultation and negotiation have occurred.
- "Parties to a Traineeship Scheme" means the employer organisation and/or the employer and the union involved in the consultation and negotiation required for the approval of a Traineeship scheme.
- References in this award to "the relevant State Training Authority or NETTFORCE" shall be taken to be a reference to NETTFORCE in respect of a Traineeship that is the subject of an interim approval but not a final approval by the relevant State Training Authority. NETTFORCE powers and functions stipulated in this award may be circumscribed and/or delegated by the terms of an agreement between NETTFORCE and a relevant State Training Authority. Reference to NETTFORCE within this clause will have no effect during the currency of the W.A. State Training Authority/NETTFORCE Memorandum of Agreement.
- "Appropriate State Legislation" means the State Employment and Skills Development Authority Act 1990.
- (5) Training Conditions
- (a) The trainee shall attend an approved training course or training programme prescribed in the Traineeship Agreement or as notified to the trainee by the appropriate State Training Authority in accredited and relevant traineeship schemes; or NETTFORCE if the traineeship scheme remains subject to interim approval.
 - (b) A traineeship shall not commence until the relevant Traineeship Agreement, made in accordance with a traineeship scheme, has been signed by the employer and the trainee and lodged for registration with the relevant state training authority or NETTFORCE, provided that if the Traineeship Agreement is not in a standard format a Traineeship shall not commence until the Traineeship Agreement has been registered with the relevant State Training Authority or NETTFORCE. The employer shall ensure that the Trainee is permitted to attend the training course or programme provided for in the Traineeship Agreement and shall ensure that the trainee receives the appropriate on-the-job training.
 - (c) The employer shall provide a level of supervision in accordance with the Traineeship Agreement during the traineeship period.

- (d) The employer agrees that the overall training programme will be monitored by officers of the appropriate State Training Authority or NETTFORCE and training records or work books may be utilised as part of this monitoring process.
- (e) Training shall be directed at:
 - (i) The achievement of key competencies required for successful participation in the workplace (where these have not been achieved) (e.g. literacy, numeracy, problem solving, teamwork, using technology) and as are proposed to be included in the AVC Level 1 qualification. This could be achieved through foundation competencies which are part of endorsed competencies for an industry or enterprise, and/or
 - (ii) The achievement of competencies required for successful participation in an industry or enterprise (where there are endorsed national standards these will define these competencies) as are proposed to be included in the AVC Level 2 qualification or above.

(6) Employment Conditions

- (a) A Trainee shall be engaged as a full time employee for a maximum of one year's duration provided that a trainee shall be subject to a satisfactory probation period of up to one month which may be reduced at the discretion of the employer. By agreement in writing, and with the consent of the relevant State Training Authority or NETTFORCE the parties to a traineeship agreement may vary the duration of the traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant Traineeship Scheme.
- (b)
 - (i) An employer shall not terminate the employment of a Trainee without firstly having provided written notice of termination to the Trainee concerned in accordance with the Traineeship Agreement and to the relevant State Training Authority or NETTFORCE. The written notice to be provided to the relevant State Training Authority or NETTFORCE shall be provided within five working days of termination.
 - (ii) An employer who chooses not to continue the employment of a trainee upon the completion of the traineeship shall notify, in writing, the relevant State Training Authority or NETTFORCE of its decision.
- (c) The Trainee is permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the Traineeship Agreement.
- (d) Where the employment of a Trainee by an employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of any relevant award or any other legislative entitlements.
- (e)
 - (i) The traineeship agreement may restrict the circumstances under which the Trainee may work overtime and shift work in order to ensure the training programme is successfully completed.
 - (ii) No Trainee shall work overtime or shift work on their own unless consistent with the provisions of this award.
 - (iii) No Trainee shall work shift work unless the parties to a Traineeship Scheme agree that such shiftwork makes satisfactory provision for approved training. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shift work Trainees.
 - (iv) The Trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by the relevant award, unless otherwise agreed by the parties to a Traineeship Scheme, or unless the relevant award makes specific provision for a Trainee to be paid at a higher rate, in which case the higher rate shall apply.
- (f) All other terms and conditions of the relevant award that are applicable to the Trainee, or would be applicable to the Trainee but for this Clause, shall apply unless specifically varied by this Clause.
- (g) A Trainee who fails to either complete the traineeship, or who cannot for any reason be placed in full time employment with the employer on successful completion of the Traineeship, shall not be entitled to any severance payments payable pursuant to termination, change and redundancy provisions or provisions similar thereto.

(7) Wages

- (a)
 - (i) The minimum rates of wages payable weekly to trainees are as provided in subparagraph (iv) of this subclause.
 - (ii) These wage rates will only apply to trainees while they are undertaking an approved traineeship which includes approved training as defined in this clause.
 - (iii) The wage rates prescribed by this clause do not apply to completed trade level training which is covered by the apprenticeship system.
 - (iv) Skill Level B

Where the accredited training course and work performed are for the purposes of generating skills which have been defined for work at Skill Level B.

School Leaver	HIGHEST YEAR OF SCHOOLING COMPLETED		
	Year 10 and below \$	Year 11 \$	Year 12 \$
	179.00 (50%)	219.00 (33%)	291.00
	209.00 (33%)	250.00 (25%)	
plus 1 year out of school	250.00	291.00	332.00
plus 2 years	291.00	332.00	391.00
plus 3 years	332.00	391.00	446.00
plus 4 years	391.00	446.00	
plus 5 years	446.00		

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.

- (b) The Skill level of approved Traineeships in the retail and wholesale industries has been agreed to be Skill Level B.
- (c) For the purposes of this provision "out of school" shall refer only to periods out of school beyond year 10 (or below), and shall be deemed to:
- (i) Include any period of schooling beyond year 10 (or below) which was not part of nor contributed to a completed year of schooling;
 - (ii) Include any period during which a trainee repeats in whole or part a year of schooling beyond year 10 (or below); and
 - (iii) Not include any period during a calendar year in which a year of schooling is completed.
 - (iv) have effect on an anniversary date being 1 January in each year.
- (d) At the conclusion of the Traineeship this clause ceases to apply to the employment of the Trainee and the award shall apply to the former trainee.

2010 WAIRC 00628

Lift Industry (Electrical and Metal Trades) Award, 1973

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

FIRST SCHEDULE - WAGES

- (1) (a) The rate of wage payable to each employee covered by this Award shall be set out hereunder and shall comprise the base rate and supplementary payment for each classification and in addition the special payment assigned to the class of work.

Classifications	Rate Per Week\$	Arbitrated Safety Net Adjustment\$	Total Rate\$
Lift Industry Employee Grade 5 Electrician Special Class	457.50	263.80	721.30
Lift Industry Employee Grade 4 Fitter Erector	447.30	263.80	711.10
Lift Industry Employee Grade 3 Electrical fitterElectrical Installer Fitter	432.50	263.80	696.30
Lift Industry Employee Grade 2 Tool & Material Storeperson	392.40	261.80	654.20
Lift Industry Employee Grade 1 Tradesperson's Assistant	378.60	261.80	640.40

- (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) Interim Arrangements:

The wage rates and classification structure as prescribed in subclause (1) hereof are an interim measure to allow the parties to facilitate a testing process of the new classification structure in the lift industry and to assist in the smooth transition from the old classification structure to the new classification structure when finalised.

(3) 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 ten other employees 26.40
- (b) If placed in charge of more than ten and not more than twenty other employees 40.20
- (c) If placed in charge of more than twenty other employees 51.90

(4) Apprentices:

(Wage rate per week expressed as a percentage of the base rate, supplementary payment and additional payment shown for a Lift Industry Worker Grade 3)

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 |
- (5) Junior Workers:
- (Wage rate expressed as a percentage of the Lift Industry Worker Grade 1 base rate, supplementary payment and additional payment).
- | | Base Rate
Per Week % | Supp. Pay & Add. Pay
Per Week % |
|--------------------------------|-------------------------|------------------------------------|
| Under 16 years of age | 35 | 30 |
| Between 16 and 17 years of age | 45 | 35 |
| Between 17 and 18 years of age | 55 | 40 |
| Between 18 and 19 years of age | 65 | 48 |
| Between 19 and 20 years of age | 78.5 | 55 |
| Between 20 and 21 years of age | 93 | 75 |
- (6) (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 his/her work as a tradesperson or as an apprentice the employer shall pay a tool allowance of:-
- (i) \$14.60 per week to such tradesperson; or
- (ii) In the case of an apprentice a percentage of \$14.60 being the percentage which appears against his/her years of apprenticeship in Clause 3 of this schedule, 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 of paragraph (a) of 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 tradesperson 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 his/her employer if lost through his/her negligence.
- (7) Structural Efficiency:
- (a) The parties to this Award are committed to co-operating positively to increase the efficiency, productivity and international competitiveness of the Lift Industry and to enhance the career opportunities and job security of employees in the industry.
- (b) The parties will establish working groups for the testing and/or trialling of various skill levels and to enable proper consultation with both employees and employers in the industry on matters consistent with the objectives of subclause (a) herein. The parties shall process any such matters through the working groups.
- (c) Measures raised for consideration consistent with subclause (c) herein shall be related to implementation of new classification structure, any facilitative provisions contained in this Award and matters concerning training.
- (d) Without limiting the rights of either an employer or a Union to arbitration, any other measure designed to increase flexibility on a site or within an enterprise sought by any party shall be notified to the relevant working group and by agreement of the parties involved shall be implemented 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 working group will consider the implications of the proposed measures for existing on-site arrangements.
- (iii) The majority of employees affected by any change at the site or enterprise must genuinely agree to the change.
- (iv) No employee shall lose income as a result of the change.
- (v) The relevant Union or Unions must be a party to the agreement.
- (vi) The relevant Union or Unions shall not unreasonably oppose any agreement.
- (vii) Any agreement shall be subject, where appropriate, 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.

- (e) Award restructuring should be given its wider meaning, and should not be confined to the restructuring of classifications but may extend to the review of other restrictive provisions which currently operate. To that end, such restrictive provisions will be reviewed on an on-going basis.
 - (f) The parties to this Award recognise that in order to increase the efficiency, productivity and international competitiveness of industry, a greater commitment to training and skill development is required. Accordingly, the parties commit themselves to:
 - (i) Developing a more highly skilled workforce;
 - (ii) Providing employees with career opportunities through appropriate training to acquire additional skills; and
 - (iii) Removing barriers to the utilization of skills acquired.
 - (h) Any disputes arising in relations to the implementation of this Clause shall be subject to the provisions of Clause 29. - Dispute Settlement Procedure.
- (8) Award Modernisation
- (a) The parties are committed to modernising the terms of the Award so that it provides for more flexible working arrangements, improves the quality of working life, enhances skills and job satisfaction and assists positively in the restructuring process.
 - (b) The parties commit themselves to the following principles as part of the structural efficiency process and have agreed to participate in a testing process in accordance with the provisions of this Clause:
 - (i) Acceptance in principle that any new Award skill level definitions developed will be more suitable for the needs of the industry, sometimes more broadly based, in other matters more truly reflective of the different skill levels of the tasks now performed, but which shall incorporate the ability for an employee to perform a wider range of duties where appropriate.
 - (ii) The parties will seek to create a genuine career path for employees which allows advancement based on industry accreditation and access to training.
 - (iii) Co-operation in the transition from the old structure to any new structure in an orderly manner without creating false expectations or disputation.

2010 WAIRC 00629

Manufacturing Chemists Award, 1976

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

7. - WAGES

The following shall be the minimum weekly rate of wage payable to employees covered by this award with effect on and from the commencement of the first pay period on or after 1 July 2010.

(1) Adult Employees	Base Rates Per Week	Per	Arbitrated Safety Adjustments	Total Award Rate Per Week
Classifications	\$		\$	\$
(a) Extracts, Essences and Distillation				
First Class Plant Operative	363.15		261.80	624.95
Second Class Plant Operative				
1 st three months				615.20
Thereafter				615.20
(b) Galenicals, Patents, Medicines, Cordials etc				
First Class Factory Hands				615.20
Factory Hands (Handling Corrosive Acids)				615.20
(c) General Factory Hands				615.20

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 rate for classification in which employed):
- | | |
|-----------------------|------------|
| 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 and over | Adult Rate |
- (3) Leading Hands (per week extra):
- | | |
|---|-------|
| In charge of - | \$ |
| (a) Less than three other employees | 10.98 |
| (b) Not less than three and not more than ten other employees | 22.07 |
| (c) More than ten other employees | 32.20 |
| (d) More than twenty other employees | 43.55 |
- (4) Additional Rates:
- Where an employee is required to drive a fork lift in the performance of their duties they shall be paid an additional 35 cents per hour whilst so engaged.
- (5) Casual Employees:
- Casual employees shall receive 20 percent in addition to the ordinary rates prescribed in this clause for the work performed.
-

2010 WAIRC 00630

Marine Stores Award**6. - RATES OF PAY**

- (1) The minimum weekly rate of wage payable to employees covered by this award shall be as follows:

Classification	Minimum Rate\$
General Hand	587.20
Sorter	587.20
Packer	587.20
Washer of Bottles	587.20
Cutter of Cloth	587.20

- (2) Junior employees shall be paid the following percentage of the rate of pay 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
At 20 years of age	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.

6A. - MINIMUM WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the
- Minimum Conditions of Employment Act 1993*
- .

- (7) 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.

- (8) 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.

- (9)
- Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10)
- Adult Apprentices**

(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00631**Masters, Mates and Engineers Passenger Ferries Award****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

7. – RATES OF PAY

- (1) The hourly rates of pay shall be:

Classification	\$ per annum	ASNA	TOTAL	\$ per hour
Skipper	38610	11153	49763	21.27
Engineer	37440	11153	48593	20.77
Mate	32760	11258	44018	18.81

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) This award shall not operate to cause an employee to suffer a reduction in ordinary time hourly earnings that such employee is receiving prior to the implementation of this award.
- (3) Casual employees shall receive a 20% loading in addition to the appropriate hourly rate for all hours worked.

2010 WAIRC 00632

Materials Testing Employees' Award, 1984

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

9. - WAGES

The minimum weekly rate of wage payable to employees covered by this Award shall be -

- (1) Trainee Technical Assistants and Junior Employees
 (Expressed as a percentage of the "First Year of Continuous Service" rate of wage provided in paragraph (a) of subclause 2 of this clause, and calculated to the nearest ten cents).

		%			
	17 years of age and under		45		
	18 years of age		62		
	19 years of age		75		
	20 years of age		88		
(2)	Adult Employees				
		Years of Continuous Service within Industry	Base Rate	Safety Net Adjustment	Total Weekly Wage
	Classification		\$	\$	\$
	(a) Technical Assistant	First	378.50	261.80	640.30
		Second	391.30	261.80	653.10
		Third	402.90	261.80	664.70
		Fourth	415.80	263.80	679.60
		Fifth	427.50	263.80	691.30
	An adult "Trainee Technical Assistant" shall, during the first six months of his/her employment, be paid at the rate of 88 percent of the first year rate provided herein for a "Technical Assistant".				
	(b) Technician	First	436.30	263.80	700.10
		Second	452.00	263.80	715.80
		Third	467.00	261.80	728.80
	(c) Technical Officer	First	480.00	261.80	741.80
		Second	499.90	261.80	761.70
		Third	522.90	263.80	786.70

- (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.

2010 WAIRC 00633

Meat Industry (State) Award, 2003

1B. - MINIMUM ADULT WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

16. - CLASSIFICATIONS AND WAGE RATES

(1) The following shall be the minimum weekly rates of wages payable to employees under this award who, for the purpose of this clause, shall be graded pursuant to the definitions contained and described in each subclause hereunder.

Career Progression and Promotion:

- (a) The skills required in the establishment are broadly grouped in levels are detailed below. Employees working under these classifications shall work in any or all range of jobs within a level to the extent of their training, skills and qualifications. This may involve an employee working in a number of sections or departments depending upon work requirements including to meet short-term operational requirements.
- (c) An employee may at any time carry out such duties and use tools and equipment as may be directed by the employer provided that the employee has been properly trained in the use of such tools and equipment.
- (d) Any direction given by the employer in accordance with any of the above shall be consistent with the employer's obligations under the *Occupational Safety and Health Act 1984*.
- (b) Employees shall be employed to carry out such duties as may be directed by the employer from time to time subject to the limits of their skills, competence and training.

(2) Adult Wage Rates

Classification Group	Minimum Rate Per Week	Minimum Rate Per Hour
<u>PW - LEVEL 1</u>	\$587.20	\$15.45
<u>PW - LEVEL 2</u>	\$592.50	\$15.59
<u>PW - LEVEL 3</u>	\$620.85	\$16.34
<u>PW - LEVEL 4</u>	\$645.10	\$16.97
<u>PW - LEVEL 5 *</u>	\$681.00	\$17.92
<u>PW - LEVEL 6</u>	\$733.50	\$19.30

* Key classification rate

(3) Skills and Classification Structure

(a) **PROCESS WORKER - LEVEL 1**

An employee at this level shall undertake structured on and / or off the job training for a period of not more than 3 months. At this level an employee performs routine duties essentially of a manual nature and to the level of their training –

Skills / Duties -

- * Works under direct supervision.
- * Exercises minimal judgement.
- * Works to defined procedures.
- * May perform general cleaning duties.
- * Is undertaking on the job training that shall include basic hygiene requirements, health and safety requirements as well as basic safe working practices and basic industrial relations procedures, for an initial period not exceeding three months.

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform –

1. Labourer with less than 3 months service.

(b) PROCESS WORKER - LEVEL 2

An employee at this level has received on and / or off the job training or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 1 and to the level of their training –

Skills / Duties -In addition to the skills / duties required at Level 1, the following skills are required at this level –

- * Works under direct supervision but with responsibility for the quality of their work.
- * Operates basic machinery and equipment.
- * Exercises limited judgement.
- * Operates from a basic set of procedures and instructions.
- * Has an undertaking of and undertakes basic quality control / assurance procedures.
- * Operates flexibly between packing stations.
And may :
 - Have a basic understanding of quality control, meat handling and hygiene process and techniques
 - Possess some internally / external customer service skills.
 - Use a range of basic hand tools.
 - Is responsible for the quality of their work.
 - Operates hand trolleys and pallet trucks.
 - Works in a team environment.
 - Exercise basic keyboard skills.

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. Carton room hand.
2. Chiller room hand undergoing training.
3. Cook assistant.
4. Knife hand
5. Labourer with more than 3 months service.
6. Labourer with more than 3 months experience in the meat industry.
7. Laundry employee.
8. Meat loading and lumping.
9. Packer / spotter undergoing training.
10. Sastek operator undergoing training.
11. Stock person
12. Strapping / gluing machinery operator.
13. Table hand
14. Trimmer Whizz and Knife Operator not associated with a constant unit rate system.

(c) PROCESS WORKER - LEVEL 3

An employee at this level has received on and / or off the job training or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 2 and to the level of their training –

Skills / Duties -In addition to the skills / duties required at Level 2, the following skills are required at this level –

- * Exercise discretion within the scope of this level.
- * Use relevant tools and equipment.
- * Possess and utilise numeracy and literacy skills.
- * Have responsibility for the quality of their work subject to routine supervision.
- * Be able to work in a team environment.
And may :
 - Assist in the provision of on the job training to a limited degree.
 - Have a sound understanding of meat handling, processing and quality assurance requirements and procedures.
 - Have a knowledge of and perform to customer specification requirements.
 - Possess good knife skills and utilise them where applicable.
 - Perform routine maintenance on equipment.
 - Receive on / off the job training.
 - Exercise intermediate keyboard skills.

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform –

1. By-products operator competent on one machine.
2. Clerk employed on a constant unit rate system.
3. Driver of Vehicle 1.25 to 4.50 tonne.
4. Fork lift driver up to and including 5 tonne lifting capacity.
5. Meat slicer operator.
6. Mixing machine / blender.
7. Offal room / running casing.
8. Packer / spotter (all tasks in boning room or slaughter floor, excluding operation of vacuum packing machinery)
9. Pickle - pumper.
10. Sastek operator using basic keyboard skills.
11. Skinning.
12. Stockperson / receiver.
13. Store duties.
14. Team Leader or Leading Hand for Level 1 and 2 positions.
15. Trimmer (all tasks).
16. Trimmer Whizzard and knife operator not associated with a constant unit rate system.

And the inclusion of :

- Boner (undergoing training).
- Leaner.
- Packer (knowledge of all packs, all species and able to rotate to every work station).
- Packer / spotter (knowledge of all packs, all species and able to rotate to every work station).
- Sastek operator with Ausmeat accreditation with all species.
- Slaughter floor and Boning room and operate and grade cryo-vac.
- Slaughter person (undergoing training).
- Slicer (undergoing training).
- Vacuum packing grader.

(d) PROCESS WORKER - LEVEL 4

An employee at this level has received on and / or off the job training or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 3 and to the level of their training –

Skills / Duties -In addition to the skills / duties required at Level 3, the following skills are required at this level –

- * Exercise discretion
- * Have a sound working knowledge of quality assurance, customer specification and Ausmeat and AQIS requirements.
- * Work under little supervision either individually or in a team environment.
And may :
 - Assist in the provision of on the job training to a limited degree.
 - Perform basic maintenance and operate all relevant equipment.
 - Have and utilise numeracy and literacy skills.
 - Have First Aid training.
 - Receive on or off the job training.
 - Exercise advance keyboard skills.

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform –

1. Boner (not able to perform all cuts on a single species and rotate to all stations).
2. By-products operator competent on two machines.
3. Clerk employed on a constant unit rate system.
4. Curer.
5. Driver of Vehicle 4.50 to 13.90 tonne.
6. Dry / smoking hams.
7. Packer (knowledge of all packs, all species, and able to rotate to every work station).
8. Quality Assurance monitor undergoing training.
9. Sastek operator (Grader).

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform —*continued*

10. Slaughter floor assistant.
11. Slaughter floor and Boning room vacuum packaging grader.
12. Slaughter person (not able to perform all cuts on a single species and rotate to all stations).
13. Slicer (not able to perform all cuts on a single species and rotate to all stations).
14. Team Leader or Leading Hand for Level 2 and 3 positions.

(e) **PROCESS WORKER - LEVEL 5**

An employee at this level has received on and / or off the job training which may include the attainment of a relevant trade qualification or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 4 and to the level of their training –

Skills / Duties -In addition to the skills / duties required at Level 4, the following skills are required at this level –

- * Be responsible for assessing the quality of their own and others work.
 - * Work under little or no supervision
 - * Assist in the provision of on the job training to a limited degree.
 - * Possess a detailed knowledge of quality assurance, Ausmeat and AQIS and customer specifications.
 - * Possess and utilise numeracy and literacy skills.
 - * Have completed an apprenticeship or equivalent.
 - * Co-ordinate work in a team environment.
- And may :
- Possess and utilises superior knife skills.
 - Be able to perform all tasks.
 - Have achieved a certificate AQF Level 3.

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform –

1. Boner (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
2. By-products operator competent on all machinery with full working knowledge of start and stop sequence
3. Packer / spotter (knowledge of all packs, all species, able to rotate to every work station, Slaughter floor and Boning room and operate and grade vac packing).
4. Quality Assurance Officer (Ausmeat accreditation).
5. Sastek Operator (Grader).
6. Slaughter person (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
7. Slicer (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
8. Smallgoods maker.
9. Team Leader or Leading Hand for position up to Level 4.
10. Trades person Butcher.

(f) **PROCESS WORKER - LEVEL 6**

An employee at this level has received on and / or off the job training so as to enable the employee to perform work within the scope of this level and holds an appropriate trade qualification. At this level an employee performs work above and beyond the skills of an employee at Level 5 and to the level of their training –

Skills / Duties -In addition to the skills / duties required at Level 5, the following skills are required at this level –

- * Train other employees

Job Description -The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform

-
1. Boner (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
 2. Slicer (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
 3. Slaughter person (at this level must be willing and able to perform all cuts required on a single species and rotate between all tasks).
 - 4 Team Leader or Leading Hand for position up to Level 5.

(4) Apprentices:

The rates of wages to be paid to apprentices shall be based on the following percentage to the key classification rate:

(a)	Four year term	%
	First year	40
	Second year	50
	Third year	75
	Fourth year	95
(b)	Three year term	%
	First year	50
	Second year	75
	Third year	95

(5) Junior employees:

- (a) Other than drivers of motor vehicles, the minimum weekly wage rates for juniors shall be based on the following percentage of the total adult wage applicable to the classification in which they are employed:

	%
Under 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

- (b) The minimum weekly wage rates for junior employees employed as drivers of motor vehicles shall be based on the following percentage of the total adult wage for the capacity of the vehicle being driven:

	%
Under 19 years of age	70
19 to 20 years of age	80
20 and over years of age	100

- (6) Subject to the provisions of this clause an employer may, at the election of the employer, renumerate employees under an incentive or bonus payment system as an alternative in lieu of or in addition to the time work payment system prescribed in this award.

17. - WORK OF EMPLOYEES IN BONING ROOMS

- (1) (a) "Boner" - a boner's work shall be the boning out whole carcasses of beef, veal, mutton, lamb, pork, goats and / or piecemeats in any of those categories. The foreperson shall direct the boning method required, that is, straight or specified boning and s/ or piecemeat boning.
- (i) Straight boning shall mean any type of boning on benches or rails other than specified or piecemeat boning.
 - (ii) Specified or piecemeats boning shall mean the type of cut that the employer or foreperson directs the boner to carry out.
- (b) The duties of a slicer shall be the removal of sinews, serous membrane, lymph glands, excessive fat, dirt, foreign material, skinning out and slicing to size (including cubing), removal of any portion of parts, and placing (but not packing) into cartons or boxes as required.
- Provided that the task of cubing shall not be required of an employee engaged in the classification of slicer employed on a constant unit system of operation and remuneration except by agreement between the union and the employees concerned and the approval of the Commission.
- (c) The duties of a pre-trimmer shall be the removal of seeds, burrs, hair, hide or wool pieces, contamination or other foreign materials.
- (d) The duties of a spotter / packer shall be to inspect meat, before packing, for quality and / or specification and may include the removal of hair, dirt or pieces of sinew with a knife, shears or scissors (but not including trimming or slicing) and the wrapping of meat when required and packing it in cartons or boxes.

- (2) (a) Boning Equivalents - For the purpose of computing the daily constant unit rate the following equivalents shall apply:
- (i) Beef :
- One side shall equal two quarters of beef.
 - One hindquarter shall equal one quarter of beef.
 - One forequarter shall equal one quarter of beef.
 - One forequarter or hindquarter from a body weighing over 318 kilograms shall equal one and one half quarters of beef.
 - Five briskets shall equal one quarter of beef.
 - Seven briskets with shin shall equal two quarters of beef.
 - Three rumps and loins shall equal two quarters of beef.
 - Fifteen shins shall equal one quarter of beef.
 - Two necks and blades shall equal one quarter of beef.
 - Two ribs and two briskets shall equal one quarter of beef.
 - Three crops shall equal two quarters of beef.
 - Three shoulders shall equal two quarters of beef.
 - Three chucks and blades shall equal two quarters of beef.
 - Five butts shall equal two quarters of beef.
 - Five briskets with shin and portion of clod bone attached shall equal two quarters of beef.
 - Three loins shall equal one quarter of beef.
 - Bulls and genuine stags weighing:
 - under 136 kilograms shall equal one carcass of beef
 - 136 kilograms to 272 kilograms shall equal 1.5 carcasses of beef
 - 272.6 kilograms and over shall equal two carcasses of beef.

A "genuine stag" means a fully grown animal that exhibits characteristics of a bull including a definite neck crest. Any dispute arising from this definition shall be determined by a meat inspector.
- (ii) Sheep and Goats:
- One carcass under 29 kilograms or one trunk with chump or portion of chump attached shall equal one carcass.
 - One carcass or one trunk with chump or portion of chump attached over 29 kilograms and under 41 kilograms shall equal one and one-half carcasses.
 - One carcass 41 kilograms or over shall equal two carcasses.
 - One ram lamb 16.3 kilograms and over shall equal one and a half carcasses.
 - One ram or genuine stag shall equal two carcasses.
 - One billy goat 18 kilograms and over shall equal two carcasses.
 - Trunks:
 - On bench or table - four trunks shall equal three carcasses.
 - From a carcass on rail or chain - one trunk shall equal one carcass.
 - Four pairs of legs shall equal one carcass.
 - Three pairs of loins shall equal one carcass.
 - Two pairs of hindquarters shall equal one carcass.
 - Two pairs of forequarters shall equal one carcass.
 - When carcasses are boned out, ribbed or birdcaged, each such carcass shall equal one and one-quarter carcasses.
- (iii) Vealers:
- One calf of and less than 27 kilograms or trunk with chump or portion of chump attached shall equal one carcass.
 - One calf or one trunk with chump or portion of chump attached over 27 kilograms and less than 54 kilograms shall equal one and a half carcasses.
 - One calf of and over 54 kilograms and under 90 kilograms shall equal three carcasses.
 - Three pairs of loins shall equal one carcass.
 - Four trunks shall equal three carcasses.
 - Four pairs of legs shall equal one carcass.

- Two pairs of hindquarters shall equal one carcass.
- Two pairs of forequarters shall equal one carcass.

Liberty is reserved to the applicant to apply to vary any of the provisions of this subparagraph.

(iv) Pigs:

Liberty is reserved to the parties to apply to vary this paragraph to provide equivalents for the purpose of computing the daily constant unit rate for the boning of pigs.

- (b) Liberty to apply to vary this subclause is reserved to the parties in the event of the introduction of new methods of boning.

(3) (a) Slicing Equivalents - For the purpose of computing the daily constant unit rate the following equivalents shall apply:

(i) Beef:

- One side shall equal two quarters of beef.
- One hindquarter shall equal one quarter of beef.
- One forequarter shall equal one quarter of beef.
- One forequarter or hindquarter from a body weighing over 318 kilograms shall equal one and one-half quarters.
- Five briskets shall equal one quarter of beef.
- Seven briskets with shin shall equal two quarters of beef.
- Three rumps and loins shall equal two quarters of beef.
- Fifteen shins shall equal one quarter of beef.
- Two necks and blades shall equal one quarter of beef.
- Two ribs and two briskets shall equal one quarter of beef.
- Three crops shall equal two quarters of beef.
- Three shoulders shall equal two quarters of beef.
- Three chucks and blades shall equal two quarters of beef.
- Five butts shall equal two quarters of beef.
- Five briskets with shin and portion of clod bones attached shall equal two quarters of beef.
- * Three loins shall equal one quarter of beef.
- * Bulls and genuine stag weighing under 182 kilograms shall equal one carcass of beef
- 182 kilograms but less than 363 kilograms shall equal 1.5 carcasses
- of beef
- 363 kilograms and over shall equal two carcasses of beef.

A Meat Inspector shall determine any dispute arising from this definition.

(ii) Sheep and Goats:

- One carcass under 29 kilograms or one trunk with chump or portion of chump attached shall equal one carcass.
- One carcass or one trunk with chump or portion of chump attached of and over 29 kilograms but under 41 kilograms shall equal one and one-half carcasses.
- One carcass 41 kilograms or over shall equal two carcasses.
- One ram lamb 16.3 kilograms and over shall equal one and a half carcasses.
- One ram or genuine stag shall equal two carcasses.
- One billy goat 18 kilograms and over shall equal two carcasses.
- Four trunks shall equal three carcasses.
- Four pairs of legs shall equal one carcass.
- Three pairs of loins shall equal one carcass.
- Two pairs of hindquarters shall equal one carcass.
- Two pairs of forequarters shall equal one carcass.

(iii) Vealers:

- One calf of and less than 27 kilograms or trunk with chump or portion of chump attached shall equal one carcass.
- One calf or one trunk with chump or portion of chump attached over
- 27 kilograms and less than 54 kilograms shall equal one and a half
- carcasses.
- One calf of and over 54 kilograms and under 90 kilograms shall equal

- three carcasses.
- Three pairs of loins shall equal one carcass.
- Four trunks shall equal three carcasses.
- Four pairs of legs shall equal one carcass.
- Two pairs of hindquarters shall equal one carcass.
- Two pairs of forequarters shall equal one carcass.
-

Liberty is reserved to the applicant to apply to vary any of the provisions of this subparagraph.

(iv) Pigs:

Liberty is reserved to the parties to apply to vary this paragraph to provide equivalents for the purpose of computing daily constant unit rates for the slicing of pigs.

- (4) The ratio of slicers to boners employed on a full-time basis shall be one slicer to each boner except where otherwise agreed upon in writing between an employer and the union of employees.
- (5) Notwithstanding the provisions of subclause (4) of this clause, in any establishment which operates an on-rail (mechanical) quarter boning system, the ratios of slicers to boners may be fixed by agreement between the employer and the union of employees and in the event of a disagreement it shall be referred to the Commission for determination.
- (6) Constant unit rate employees who are kept waiting, for stock or by any interruption of work not caused by the employees employed on a constant unit rate system of operation, in excess of the aggregate of 15 minutes in any day, shall be paid at time rates until the stock arrives or work resumes.
- (7) Subject to the breakdown provisions of clause 8 (1)(h). - Contract of Employment of this award, on any day that the minimum daily production is not processed, a constant unit rate employee shall be paid one fifth of their classification rate of wage.
- (8)
 - (a) When the minimum daily production requirements or the equivalents thereof are exceeded an employee employed on a constant unit rate system of operation shall be paid the relevant constant unit rate for each such excess carcass or equivalent thereof processed, provided that when such excess to the minimum daily production requirements or equivalent is processed outside of the ordinary working hours Monday to Friday (both inclusive), an employee engaged on a constant unit rate system of operation shall not receive overtime rates of payment.
 - (b) When an employee employed on a constant unit rate system of operation is required to work on a Saturday, Sunday or holiday, he or she shall be paid the relevant constant unit rate prescribed in subclause (10) and subclause (11) of this clause for each carcass or equivalent thereof processed.
- (9) For the purpose of computing the level of production required to achieve the minimum daily production and additional payments prescribed in this clause, shall apply as follows:
 - (a) Sheep, lamb or goats (domestic) shall equal 74 units
 - (b) Sheep, lamb or goats (export) shall equal 70 units
 - (c) Beef or calves (all establishments) shall equal 13 units
- (10) Boning Rates -

(Editor's note: The Saturday rates for less than 2 hours are time-and-a-half of the relevant base hourly rates and for more than 2 hours are double-time, the Sunday rates are double-time and the public holiday rates are double-time-and-a-half. The base hourly rate for each classification is found at Cl. 16(2).)

(a) Monday to Friday (both inclusive):

Species		Constant UnitRate		Minimum DailyRate(All Establishments)		
		Domestic Establishment	Export Establishments	<u>PW - LEVEL 4</u>	<u>PW - LEVEL 5</u>	<u>PW - LEVEL 6</u>
Cattle	/	\$10.61	\$10.61	\$129.02	\$136.20	\$146.70
Calf						
Goats		\$1.60	\$1.70	\$129.02	\$136.20	\$146.70
Sheep	/	\$1.60	\$1.70	\$129.02	\$136.20	\$146.70
Lamb						
	(b)	Saturday:				

Species	Constant UnitRate		Minimum HourlyRate(All Establishments)					
	Domestic Establishments	Export Establishments	PW - LEVEL 4		PW - LEVEL 5		PW - LEVEL 6	
			<2 hrs	>2 hrs	<2 hrs	>2 hrs	<2 hrs	>2 hrs
Cattle /	\$17.06	\$17.06	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Calf								
Goats	\$2.65	\$2.80	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Sheep /	\$2.65	\$2.80	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Lamb								
(c)	Sunday:							

Species	Constant UnitRate		Minimum HourlyRate(All Establishments)		
	Domestic Establishment s	Export Establishments	PW - LEVEL 4	PW - LEVEL 5	PW - LEVEL 6
Cattle /	\$18.26	\$18.26	\$33.94	\$35.84	\$38.60
Calf					
Goats	\$2.85	\$3.00	\$33.94	\$35.84	\$38.60
Sheep /	\$2.85	\$3.00	\$33.94	\$35.84	\$38.60
Lamb					
(d)	Public Holiday:				

Species	Constant Unit Rate		Minimum Daily Rate (All Establishments)		
	Domestic Establishment s	Export Establishments	PW - Level 4	PW - Level 5	PW - Level 6
Cattle /	\$22.83	\$22.83	\$42.43	\$44.80	\$48.25
Calf					
Goats	\$3.55	\$3.75	\$42.43	\$44.80	\$48.25
Sheep /	\$3.55	\$3.75	\$42.43	\$44.80	\$48.25
Lamb					

(11) Slicing Rates -

(Editor's note: The Saturday rates for less than 2 hours are time-and-a-half of the relevant base hourly rates and for more than 2 hours are double-time, the Sunday rates are double-time and the public holiday rates are double-time-and-a-half. The base hourly rate for each classification is found at Cl. 16(2).)

(a) Monday to Friday (both inclusive):

Species	Constant Unit Rate		Minimum Daily Rate (All Establishments)		
	Domestic Establishment s	Export Establishments	PW - Level 4	PW - Level 5	PW - Level 6
Cattle /	\$9.98	\$9.98	\$129.02	\$136.20	\$146.70
Calf					
Goats	\$1.50	\$1.60	\$129.02	\$136.20	\$146.70
Sheep /	\$1.50	\$1.60	\$129.02	\$136.20	\$146.70
Lamb					
(b)	Saturday:				

Species	Constant Unit Rate		Minimum Hourly Rate (All Establishments)					
	Domestic Establishments	Export Establishments	PW - Level 4		PW - Level 5		PW - Level 6	
			< 2 hrs	> 2 hrs	< 2 hrs	> 2 hrs	< 2 hrs	> 2 hrs
Cattle / Calf	\$15.90	\$15.90	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Goats	\$2.50	\$2.65	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Sheep / Lamb	\$2.50	\$2.65	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
(c)	Sunday:							

Species	Constant Unit Rate		Minimum Hourly Rate (All Establishments)		
	Domestic Establishments	Export Establishments	PW - Level 4	PW - Level 5	PW - Level 6
Cattle / Calf	\$17.02	\$17.02	\$33.94	\$35.84	\$38.60
Goats	\$2.70	\$2.85	\$33.94	\$35.84	\$38.60
Sheep / Lamb	\$2.70	\$2.85	\$33.94	\$35.84	\$38.60
(d)	Public Holiday:				

Species	Constant Unit Rate		Minimum Daily Rate (All Establishments)		
	Domestic Establishments	Export Establishments	PW - Level 4	PW - Level 5	PW - Level 6
Cattle / Calf	\$21.27	\$21.27	\$42.43	\$44.80	\$48.25
Goats	\$3.35	\$3.55	\$42.43	\$44.80	\$48.25
Sheep / Lamb	\$3.35	\$3.55	\$42.43	\$44.80	\$48.25

(12) Additional Allowances (other than for Boners and Slicers) -

- (a) In any boning room where boners and / or slicers are employed and paid on a constant unit rate system of operation or on time work, employees engaged in any of the callings specified in paragraph (c) of this subclause, shall be paid an allowance per day in accordance with the provisions of paragraph (d) of this subclause for each quarter or carcass or equivalent thereof, (except bulls and genuine stags, ram lambs, rams and genuine stags and birdcaging) processed by boners in excess of the minimum daily production requirement prescribed for boners in subclause (2) of this clause (and in the case of beef the minimum daily production requirement to be applied for the purposes of this subclause shall be that prescribed for table or fixed hook boning) in addition to the rates of wages to which they are entitled pursuant to clause 16. - Classifications and Wage Rates of this award.
- (b) For the purpose of computing the level of production required to achieve the minimum daily production prescribed in this subclause, the following shall apply:
- (i) Sheep, lamb or goats (domestic) shall equal 74 units
 - (ii) Sheep, lamb or goats (export) shall equal 70 units
 - (iii) Beef or calves (all establishments) shall equal 13 units
- (c) An employee to whom this subclause applies shall receive an additional allowance of \$3.00 per day.
- (d) The additional allowances referred to in this subclause shall apply to those process workers employed in the boning room from the point where the carcasses enter this room to the chillers door.
- (e) Liberty is reserved to the parties to this award to apply to vary the allowances described in paragraph (c) of this subclause every twelve months in accordance with the annual percentage change in the Consumer Price Index (All Groups) Australian Bureau of Statistics Catalogue No. 6401.0 for Perth.
- (f) The provisions of this subclause shall not affect the right of the employer to require any employee entitled to the payment of the additional allowances prescribed herein to work the ordinary hours of work as prescribed by clause 25. - Hours and Rosters of this award, or the obligation of the employees to work as so required by the employer.

- (13) The provisions of this clause shall not apply to employees employed by employers respondents to this award in the industry of receiving, yarding, killing and dressing or preparation of pigs and the preparation and manufacture of smallgoods and bacon therefrom for sale by retail, auction, wholesale or processing for export and who, prior to the issuance of this award, were subject to the provisions of the "Meat Industry (Bacon Curing and Smallgoods Manufacturing)" Award No. 5 of 1974 as varied.
- (14) Liberty is reserved to the union to apply to vary the provisions of this clause to provide for constant unit rates and equivalents for boners and / or slicers processing carcasses for the pet food industry.
- (15) The parties to this award shall review the constant unit rates values prescribed in this clause no later than 30 September of each year.

18. - WORK OF EMPLOYEES IN SLAUGHTERING SECTIONS

- (1) Slaughter person shall mean an employee who, in killing and / or dressing livestock performs one or more of the following tasks:
- (a) Cattle (On-Rail System):
- * Knocking
 - * Shackling
 - * Hoisting
 - * Washing anus and pit
 - * Sticking (bleeding)
 - * Tying weasand
 - * Rodding or elastrating weasand
 - * Removing fore hocks
 - * Cheeking or skinning heads adjacent to rail
 - * Removing heads and placing on adjacent table, chain, or head washing cabinet
 - * Skinning first leg
 - * Removing udders, pizzles and testicles
 - * Removing first hind hock
 - * Changing over (first leg)
 - * Skinning second leg
 - * Removing second hind hock
 - * Changing over (second leg)
 - * Clearing butts
 - * Splitting hide to brisket
 - * Clearing rosettes
 - * Clearing necks
 - * Clearing briskets
 - * Flanking
 - * Siding
 - * Necking
 - * Rumping
 - * Backing off
 - * Skinning tail
 - * Removing tip of tail
 - * Operating downward or upward hide pullers and all tasks incidental thereto
 - * Jointing tail
 - * Dropping hide to conveyor or trolley
 - * Marking tail
 - * Dropping bung
 - * Tying bung
 - * Operating lowerator
 - * Marking and sawing briskets
 - * Opening up
 - * Fronting out (and removing kidneys and enuncleating kidneys if required)
 - * Removing offal and pluck and placing
 - * Removing skirt
 - * Splitting paddywhack
 - * Sawing down.

Note: -

- (i) The foregoing duties may be varied or deleted by agreement between the employer and the union or in default of agreement by decision of the Commission.
 - (ii) The work of skinning bullocks heads shall only be performed by a member of the slaughtering team when the head skinning rail is adjacent to the head removal area and does not inconvenience the normal work of the team.
 - (iii) The task of removing and / or enucleating kidneys may continue to be required of a slaughter person in establishments where it was so performed by a slaughter person prior to the 16th day of June 1983 and may be required of a slaughter person when it is incidental to "fronting out" in any other establishment by agreement between the employer and the union.
- (b) Cattle and / or Calves (Solo, Bed or Cradle System):
- * Knocking
 - * Tipping out of crush (box)
 - * Shackling
 - * Sticking (bleeding)
 - * Skinning heads and/or cheeking
 - * Removing heads and placing
 - * Lowering
 - * Pritching
 - * Removing feet (footing off)
 - * Skinning legs
 - * Freeing and tying weasand
 - * Grounding
 - * Backing down
 - * Necking off
 - * Jointing tail
 - * Skinning tail
 - * Dropping hide to trolley or chute
 - * Cutting or sawing brisket
 - * Cutting or sawing H-bone
 - * Opening up
 - * Placing rollers and tree
 - * Hoisting
 - * Removing udders, pizzles and testicles
 - * Dropping bung
 - * Tying bung
 - * Fronting out (and removing and/or enucleating kidneys if required)
 - * Removing offal and pluck and placing
 - * Removing skirt
 - * Removing heart
 - * Splitting paddywhack
 - * Sawing down
 - * Hanging off.

Note:

The task of removing and / or enucleating kidneys may continue to be required of a slaughter person in any establishment where it was so performed by a slaughter person prior to the 16th day of June, 1983 and may be required of a slaughter person when it is incidental to "fronting out" in any other establishment by agreement between the employer and the union.

- (c) Sheep, Lambs or Goats
(On-Rail Mechanical Chain System):
- * Catching (if no restraining race used)
 - * Stunning (on teams of 25 men or more)
 - * Sticking
 - * Shackling
 - * Skinning hind legs
 - * Papering hind legs
 - * Removing hind trotters

- * Skinning fore legs
- * Removing tongue
- * Removing sweetbreads
- * Cheeking
- * Clearing and tying weasand
- * Clearing and knifing brisket
- * Splitting skin
- * Removing front trotters
- * Flanking
- * Clearing tail and rectum gut
- * Pelting off skins
- * Scalping
- * Removing heads
- * Opening up
- * Freeing, milking, cutting off and tying rectum and bladder
- * Splitting or sawing briskets
- * Removing paunch, runners and pluck and placing.

Note:

The above duties shall also apply on mutton chains operating in an establishment processing for local consumption and not for export excluding the tasks of papering hind legs and freeing, milking, cutting off and tying rectum and bladder.

(d) Sheep and / or Lambs (Solo-Hook and Bed System):

- * Catching (scruffing)
- * Sticking
- * Skinning legs
- * Skinning cheeks
- * Removing trotters
- * Removing sweetbreads
- * Removing tongues
- * Removing heads
- * Punching briskets
- * Clearing and tying weasands
- * Inserting gambrel
- * Hanging up
- * Splitting skin
- * Flanking
- * Thumbing up
- * Clearing tail, rectum gut and chump
- * Pelting off and throwing to adjacent shute or receptacle
- * Opening up
- * Removing paunch, runners, offal and pluck and placing as required
- * Splitting brisket
- * Hanging off.

(e) Sheep and / or Lambs (Dead Rail System):

- * Scruffing (catching)
- * Sticking
- * Shackling
- * Pushing to legging rail
- * Skinning hind legs
- * Papering hind legs
- * Placing long hook or bent gambrel and skid
- * Removing hind trotters
- * Inserting gambrel or removing long hook
- * Pushing to spreader rail
- * Inserting spreader and hanging

- * Skinning fore legs
 - * Clearing brisket
 - * Clearing and tying weasand
 - * Removing sweatbreads
 - * Removing tongue
 - * Cheeking head
 - * Scalping head
 - * Removing head
 - * Removing spreader
 - * Removing fore trotters
 - * Pushing
 - * Clearing tail, rectum gut and chump
 - * Flanking
 - * Clearing shoulders
 - * Pelting off and throwing to adjacent chute or receptacle
 - * Opening up
 - * Dropping bung
 - * Removing paunch, runners, offal and pluck and placing
 - * Splitting brisket
 - * Pushing off.
- (f) Pigs:
- * Shooting or stunning
 - * Sticking
 - * Shackling
 - * Bleeding
 - * Handling into scald tank or de-hairing machine
 - * Hanging up
 - * Scraping
 - * Shaving and thoroughly cleaning (including washing)
 - * Removing toe nails
 - * Removing and/or cleaning ears
 - * Ham stringing
 - * Hanging up
 - * Dropping bung
 - * Opening up
 - * Fronting out
 - * Splitting brisket
 - * Removing offal and pluck and placing
 - * Washing
 - * Tucking up
 - * Hanging off.
- (2) "Trimmer" - The work of a trimmer shall be the removal of sinews, excessive fat, dirt, hair, hide or wool pieces and foreign material, and the removal of any portion or parts of a carcass or offal as required and shall include the use of a saw and assisting with cleaning down operations on the completion of the day's work.
- (3) Slaughtering Equivalents -
The following provisions shall apply to slaughter persons engaged in slaughtering establishments employing three or more slaughter persons on any day for the following species:
- (a) Cattle and Calf Rates -
- (i) Solo dressing - For the purpose of computing solo constant unit rates, calves shall count as cattle in the following ratio:
 - Up to 45 kilograms dressed weight 2.50:1
 - Over 45 kilograms and up to 67.7 kilograms dressed weight 1.50:1
 - Over 67.7 kilograms and up to 91 kilograms dressed weight 1.25:1
 - Over 91 kilograms dressed weight 1:1
 - (ii) Where, a slaughter person is required to skin a calf during the killing and dressing process, the ratio shall be 1:1 for all weights.

(iii) Where, a slaughter person is required to skin a calf carcass after it has been chilled, one calf shall equal one and one half bodies of beef.

Liberty is reserved to the applicant to apply to vary the provisions of this paragraph and provisions of this paragraph and to seek to include a provision for killing and dressing calves on a small stock chain.

(b) Sheep, Lamb and Goat Rates -

(i) Goats -

The ordinary rate to be paid for slaughtering billy goats shall be double the sheep and lamb rate.

(4) For the purpose of computing the level of production required to achieve the minimum daily production payments prescribed in this clause, the following shall apply:

- (a) Sheep, lamb or goats (domestic) shall equal 74 units
- (b) Sheep, lamb or goats (export) shall equal 70 units
- (c) Beef or calves (all establishments) shall equal 13 units
- (d) Pigs (all establishments) -

- (i) De-hairing machine:
up to 91 kilograms shall equal 40 units
- (ii) Hand dressed:
up to 36 kilograms shall equal 22 units
37 kilograms to 91 kilograms shall equal 16 units
over 91 kilograms shall equal 8 units

(iii) Chopper pigs shall equal 12.5 units
"Chopper pig" means a pig that has passed the maximum weight of a baconer and is processed by the removal of the skin not de-haired.

(5) Slaughtering Rates -

(Editor's note: The Saturday rates for less than 2 hours are time-and-a-half of the relevant base hourly rates and for more than 2 hours are double-time, the Sunday rates are double-time and the public holiday rates are double-time-and-a-half. The base hourly rate for each classification is found at Cl. 16(2).)

(a) Monday to Friday (both inclusive):

Species	Constant Unit Rate		Minimum Daily Rate (All Establishments)		
	Domestic Establishments	Export Establishments	PW - Level 4	PW - Level 5	PW - Level 6
Cattle / Calf	\$9.50	\$9.50	\$129.02	\$136.20	\$146.70
Goats	\$1.60	\$1.70	\$129.02	\$136.20	\$146.70
Sheep / Lamb	\$1.60	\$1.70	\$129.02	\$136.20	\$146.70
Pigs (de-hairing machine) Up to 91 kgs	\$3.05	\$3.05	\$129.02	\$136.20	\$146.70
Pigs (hand dressed) Up to 36 kgs	\$5.55	\$5.55	\$129.02	\$136.20	\$146.70
Pigs (hand dressed) 37 kgs to 91 kgs	\$7.65	\$7.65	\$129.02	\$136.20	\$146.70
Pigs (hand dressed) 77 kgs to 91 kgs	\$8.40	\$8.40	\$129.02	\$136.20	\$146.70
Pigs (hand dressed) Over 91 kgs	\$13.10	\$13.10	\$129.02	\$136.20	\$146.70
Pigs (hand dressed on a beef dead-rail or mechanical chain) Over 91 kgs	\$9.50	\$9.50	\$129.02	\$136.20	\$146.70

(b) Saturday:

Species	Constant Unit Rate		Minimum Hourly Rate (All Establishments)					
	Domestic Establishments	Export Establishments	PW - Level 4		PW - Level 5		PW - Level 6	
			<2 hrs	>2 hrs	<2 hrs	>2 hrs	<2 hrs	>2 hrs
Cattle / Calf	\$15.10	\$15.10	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Goats	\$2.65	\$2.80	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Sheep / Lamb	\$2.65	\$2.80	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Pigs (de-hairing machine) Up to 91 kgs	\$4.90	\$4.90	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Pigs (hand dressed) Up to 36 kgs	\$8.90	\$8.90	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Pigs (hand dressed) 37 kgs to 91 kgs	\$12.25	\$12.25	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60

(b)—continued

Species	Saturday:		Minimum Hourly Rate (All Establishments)					
	Constant Unit Rate		PW - Level 4		PW - Level 5		PW - Level 6	
	Domestic Establishments	Export Establishments	<2 hrs	>2 hrs	<2 hrs	>2 hrs	<2 hrs	>2 hrs
Pigs (hand dressed) 77 kgs to 91 kgs	\$15.70	\$15.70	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Pigs (hand dressed) Over 91 kgs	\$24.50	\$24.50	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60
Pigs (hand dressed on a beef dead-rail or mechanical chain) Over 91 kgs	\$15.10	\$15.10	\$25.46	\$33.94	\$26.88	\$35.84	\$28.95	\$38.60

(c)

Species	Sunday:		Minimum Hourly Rate (All Establishments)		
	Constant Unit Rate		PW - LEVEL 4	PW - LEVEL 5	PW - LEVEL 6
	Domestic Establishments	Export Establishments			
Cattle / Calf	\$16.15	\$16.15	\$33.94	\$35.84	\$38.60
Goats	\$2.85	\$3.00	\$33.94	\$35.84	\$38.60
Sheep / Lamb	\$2.85	\$3.00	\$33.94	\$35.84	\$38.60
Pigs (de-hairing machine) Up to 91 kgs	\$5.25	\$5.25	\$33.94	\$35.84	\$38.60
Pigs (hand dressed) Up to 36 kgs	\$9.55	\$9.55	\$33.94	\$35.84	\$38.60
Pigs (hand dressed) 37 kgs to 91 kgs	\$13.10	\$13.10	\$33.94	\$35.84	\$38.60
Pigs (hand dressed) 77 kgs to 91 kgs	\$16.80	\$16.80	\$33.94	\$35.84	\$38.60
Pigs (hand dressed) Over 91 kgs	\$26.25	\$26.25	\$33.94	\$35.84	\$38.60
Pigs (hand dressed on a beef dead-rail or mechanical chain) Over 91 kgs	\$16.15	\$16.15	\$33.94	\$35.84	\$38.60

(d)

Species	Public Holiday:		Minimum Daily Rate (All Establishments)		
	Constant Unit Rate		PW - LEVEL 4	PW - LEVEL 5	PW - LEVEL 6
	Domestic Establishments	Export Establishments			
Cattle / Calf	\$20.20	\$20.20	\$42.43	\$44.80	\$48.25
Goats	\$3.55	\$3.75	\$42.43	\$44.80	\$48.25
Sheep / Lamb	\$3.55	\$3.75	\$42.43	\$44.80	\$48.25
Pigs (de-hairing machine) Up to 91 kgs	\$6.55	\$6.55	\$42.43	\$44.80	\$48.25
Pigs (hand dressed) Up to 36 kgs	\$11.90	\$11.90	\$42.43	\$44.80	\$48.25
Pigs (hand dressed) 37 kgs to 91 kgs	\$16.40	\$16.40	\$42.43	\$44.80	\$48.25
Pigs (hand dressed) 77 kgs to 91 kgs	\$21.00	\$21.00	\$42.43	\$44.80	\$48.25
Pigs (hand dressed) Over 91 kgs	\$32.80	\$32.80	\$42.43	\$44.80	\$48.25
Pigs (hand dressed on a beef dead-rail or mechanical chain) Over 91 kgs	\$20.20	\$20.20	\$42.43	\$44.80	\$48.25

- (6) Penalty rates - Slaughter person.
- (a) Bulls and genuine stags - 136 kilograms and over - double rate.
"Genuine stag" means a fully grown animal that exhibits characteristics of a bull including a definite neck crest.
- (b) A ram or genuine stag, being an animal that has been castrated late or after maturity, which fully exhibits ram characteristics but not a wether that has been burdizzed, shall be paid for at double rates.
- (c) (i) Full wool sheep or lambs, sheep over 28 kilograms chilled weight as shown on the scales shall be paid for at rate and a half.
A "full wool sheep" or "lamb" shall mean one with wool eight centimetres or more in length, measured between the shoulders.
- (ii) The employer shall be deemed to have complied with this paragraph on any day upon which he pays an amount, to be divided equally amongst the whole of the team, agreed in writing with the union party to this award.
- (iii) Ram lambs shall be paid for at rate and a half.
- (d) (i) Pigs weighing over 91 kilograms de-hairing machine - double rates
- (ii) Boars - except as provided in placitum (iii) of this paragraph - double rate.
- (iii) Boars - Intensively Bred -
In excess of 50 kilograms but not more than 55 kilograms - rate and one quarter
In excess of 55 kilograms but not more than 65 kilograms - rate and one half
In excess of 65 kilograms - double rates.
- (e) Additional Allowances (other than for Slaughter persons).
- (i) This subclause shall apply to those employees engaged in classifications other than that of "slaughter person" and who work in conjunction or combination with slaughter person on the process of killing and dressing sheep, lambs, goats, cattle and / or calves, on the slaughter floor of an abattoir.
- (ii) For the purpose of this paragraph, the process of killing and dressing sheep, lambs, goats, cattle and / or calves, relates solely to the tasks performed upon the animal or the carcass from the time it is washed in and / or fed up a race or scuffed and pushed to the chillers or weighed, branded and recorded or bagged before being pushed to the chillers as the case may be on a particular slaughter floor.
- (iii) Subject to placitum (iv) of this paragraph in any abattoir in which three or more slaughter persons are employed and employees described in placitum (i) of this paragraph are employed, the following allowance shall be paid to such employees for the carcasses killed and dressed each day by slaughter person in excess of the minimum daily production requirement in addition to the rates of wages to which they are entitled pursuant to clause 16. - Classifications and Wage Rates of this award.
- (iv) Notwithstanding the provisions of placitum (iii) of this paragraph, an employee to whom this subclause applies shall receive an additional allowance of \$3.00 per day.
- (v) Liberty is reserved to the parties to this award to apply to vary the allowances described in paragraph (c) of this subclause every twelve months in accordance with the annual percentage change in the Consumer Price Index (All Groups) Australian Bureau of Statistics Catalogue No. 6401.0 for Perth.
- (vi) The provisions of this subclause shall not affect the right of the employer to require any employee entitled to the payment of the additional allowances prescribed herein to work the ordinary hours of work as prescribed by clause 25. - Hours and Rosters of this award, or the obligation of the employees to work as so required by the employer.
- (vii) Any disagreements between an employer and their employees or the union of employees, parties to this award, over the application of this subclause, shall be referred to the Commission for determination.
- (7) Excess Production and Penalty Rates
- (a) The excess to the minimum daily production requirement and penalty rates shall be computed on the basis that the basic wage, plus the margin of the particular classification, equals a week's constant unit rate without penalties.
- (b) (i) When the minimum daily production requirement is exceeded an employee employed on a constant unit rate system of operation shall be paid at the relevant constant unit rate for each such excess carcass, provided that when such excess production is worked outside of the ordinary working hours Monday to Friday (both inclusive), an employee engaged on a constant unit rate system shall not receive overtime rates of payment.
- (ii) When an employee employed on a constant unit rate system of operation is required to work on a Saturday, Sunday or holiday, he or she shall be paid the relevant constant unit rate prescribed in subclause (5) of this clause for each carcass processed.
- (8) Employees employed on a constant unit rate system of operation who are kept waiting for stock or any interruption of work not caused by the constant unit rate employee, in excess of the aggregate of fifteen minutes in any day, shall be paid at time rates until the stock arrives or the work resumes.

- (9) Rover on Mutton Chain
On mutton chains consisting of 13 people or more who are members of the slaughtering team, the employer shall select one slaughter person to act as a rover who shall be paid the same earnings as the slaughtering team, but for whom no constant unit rate shall be claimed by the employer.
- (10) Liberty is reserved to the parties to apply at any time to vary the provisions of this clause in respect of the application of a constant unit rates system of operation for the slaughtering of horses, mules and donkeys.
- (11) The parties to this award shall review the constant unit rates values prescribed in this clause no later than 30 September of each year.

58. - CLASSIFICATIONS AND WAGE RATES

- (1) The following shall be the minimum weekly rates of wages payable to employees under this award who, for the purpose of this clause, shall be graded pursuant to the definitions contained and described in each subclause hereunder.

Career Progression and Promotion:

- (a) The skills required in the establishment are broadly grouped in levels are detailed below. Employees working under these classifications shall work in any or all range of jobs within a level to the extent of their training, skills and qualifications. This may involve an employee working in a number of sections or departments depending upon work requirements including to meet short-term operational requirements.
- (b) Employees shall be employed to carry out such duties as may be directed by the employer from time to time subject to the limits of their skills, competence and training.
- (c) An employee may at any time carry out such duties and use tools and equipment as may be directed by the employer provided that the employee has been properly trained in the use of such tools and equipment.
- (d) Any direction given by the employer in accordance with any of the above shall be consistent with the employer's obligations under the *Occupational Safety and Health Act 1984*.

- (2) Adult Wage Rates

Classification Group	MinimumRate PerWeek	MinimumRate PerHour
<u>RW - LEVEL 1</u>	\$587.20	\$15.45
<u>RW - LEVEL 2</u>	\$592.50	\$15.59
<u>RW - LEVEL 3</u>	\$620.85	\$16.34
<u>RW - LEVEL 4</u>	\$645.10	\$16.97
<u>RW - LEVEL 5 *</u>	\$681.00	\$17.92
<u>RW - LEVEL 6</u>	\$707.25	\$18.61

* Key classification rate

- (3) Skills and Classification Structure

(a) RETAIL WORKER - LEVEL 1

An employee at this level shall undertake structured on and / or off the job training for a period of not more than 3 months. At this level an employee performs routine duties essentially of a manual nature and to the level of their training -

Skills / Duties -

- * Works under direct supervision.
- * Exercises minimal judgement.
- * Works to defined procedures.
- * May perform general labouring and cleaning duties.
- * Is undertaking on the job training that shall include basic hygiene requirements, health and safety requirements as well as basic safe working practices and basic industrial relations procedures, for an initial period not exceeding three months.

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. Labourer with less than 3 months service.

(b) RETAIL WORKER - LEVEL 2

An employee at this level shall undertake structured on and / or off the job training for a period of not more than 3 months to enable the employee to perform work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 1 and to the level of their training -

Skills / Duties - In addition to the skills / duties required at Level 1, the following skills are required at this level -

- * Shall have less than twelve months experience in a retail establishment.
- * Performs routine duties, essentially of a manual nature.
- * Works under routine supervision either individually or in a team environment.
- * Exercises discretion within their level of skills and training.
- * Posses a greater knowledge of hygiene requirements and may also use a range of basic hand tools.

And may :

(b) RETAIL WORKER - LEVEL 2 —*continued*

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. Cleaner.
2. Counter hand undergoing training.
3. Wrapper / packer undergoing training

(c) RETAIL WORKER - LEVEL 3

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 2 and to the level of their training -

Skills / Duties - In addition to the skills / duties required at Level 2, the following skills are required at this level -

- * Shall have more than twelve months experience in a retail establishment.
- * Exercise discretion within the scope of this level.
- * Possess and utilise numeracy and literacy skills.
- * Have responsibility for the quality of their work subject to routine supervision.
- * Possess limited customer service skills.
- * Have a sound understanding of hygiene requirements.
- * Is receiving training to develop skills in wrapping, weighing, packing, sealing, labelling and slicing.
- * Is receiving training on basic packaging machinery/equipment.

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

(d) RETAIL WORKER - LEVEL 4

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 3 and to the level of their training -

Skills / Duties - In addition to the skills / duties required at Level 3, the following skills are required at this level -

- * Exercise discretion within the scope of this level.
- * Possess and utilise numeracy and literacy skills.
- * Have responsibility for the quality of their work.
- * Possess effective interpersonal skills in providing advice to customers.
- * Have a sound understanding of hygiene requirements.
- * Have skills in wrapping, weighing, packing, sealing, labelling and slicing.
- * Can competently operate relevant packing machinery/equipment.
- * Has a superior knowledge of hygiene requirements.
- * Has a sound knowledge of customer enquiries by explaining product feature/benefits and cooking information.

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. Wrapper / packer with customer service skills.
2. Skilled counterhand.

(e) RETAIL WORKER - LEVEL 5

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level, which may include the attainment of a relevant trade qualification or has prior experience to allow the performance of work within the scope of this level. At this level an employee performs work above and beyond the skills of an employee at Level 4 and to the level of their training -

Skills / Duties - In addition to the skills / duties required at Level 4, the following skills are required at this level -

- * Shall be responsible for assessing the quality of their own and others work.
- * Works under little supervision.
- * Assists in the provision of on the job training to a limited degree.
- * Have a detailed knowledge of quality assurance and customer specifications.
- * Possess and utilise numeracy and literacy skills.
- * Completed an apprenticeship of equivalent.
- * Possess and utilise superior knife skills.

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. Trades person Butcher.

(f) RETAIL WORKER - LEVEL 6

An employee at this level shall undertake structured on and / or off the job training so as to enable the employee to perform work within the scope of this level and holds an appropriate trade qualification. At this level an employee performs work above and beyond the skills of an employee at Level 5 and to the level of their training -

Skills / Duties - In addition to the skills / duties required at Level 5, the following skills are required at this level -

- * Train other employees
- * Has obtained appropriate and relevant quality assurance accreditation and detailed knowledge of quality assurance and customer specification.

Job Description - The following indicative tasks are indicative of the tasks which an employee at this level may be required to perform -

1. First shop person.

(4) Apprentices:

The rates of wages to be paid to apprentices shall be based on the following percentage to the key classification rate:

(a)	Four year term	%
	First year	40
	Second year	50
	Third year	75
	Fourth year	95
(b)	Three year term	%
	First year	50
	Second year	75
	Third year	95

(5) Junior employees:

- (a) Other than drivers of motor vehicles, the minimum weekly wage rates for juniors shall be based on the following percentage of the total adult wage applicable to the classification in which they are employed:

	%
Under 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

- (b) The minimum weekly wage rates for junior employees employed as drivers of motor vehicles shall be based on the following percentage of the total adult wage for the capacity of the vehicle being driven:

	%
Under 19 years of age	70
19 to 20 years of age	80
20 and over years of age	100

2010 WAIRC 00634**Mechanical and Electrical Contractors (North West Shelf Project Platform) Award 1986****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.

- (8) 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.
- (9) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) Adult Apprentices
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

13. - WAGES

- (1) The ordinary adult weekly rate of wage for the classifications specified in this Award, shall be as follows:

Classification	Base Rate \$	Supple- mentary Payment \$	Additional Safety Net Adjustments \$	Total Rate Per Week \$
C13 Platform Assistant	299.50	40.90	261.80	602.20
C11 Certified Rigger or Scaffolder	337.40	46.30	261.80	645.50
C10 Tradesperson	365.20	48.70	261.80	675.70
C 8 Special Class Electrician	401.70	53.00	263.80	718.50
C 8 Instrument Tradesperson - Complex Systems	401.70	53.00	263.80	718.50

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.

- (2) A casual employee shall be paid at the ordinary hourly rate appropriate to his/her classification, plus a loading of 20% for all ordinary hours worked in lieu of the leave provided under Clauses 18. - Annual Leave, 19. - Sick Leave and 20. - Bereavement Leave of this award.
- (3) Offshore Contract Allowance:

In addition to the wage rates prescribed in subclause (1) hereof, the employer shall pay their employees an all purpose additional payment as set out below. This payment is made in consideration of all peculiarities associated with the work performed by employees covered by this Award, except where expressly provided elsewhere in this Award, and includes, but is not limited to, payment for all special rates.

This allowance shall be adjusted in line with State Wage Case decision of the Western Australian Industrial Relations Commission and not otherwise.

		PER WEEK
		\$
C 13	Platform Assistant	178.70
C 11	Certified Rigger or Scaffolder	201.60
C 10	Tradesperson	210.10
C 8	Special Class Electrician	227.00
C 8	Instrument Tradesperson - Complex Systems	227.00
(4)	Electrician's 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 an allowance of \$18.00 per week.	
(5)	Leading Hand Allowance:	
	In addition to the appropriate rates of pay 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	22.70
(b)	If placed in charge of more than ten and not more than 20 other employees	34.70
(c)	If placed in charge of more than 20 other employees	44.80
(6)	Structural Efficiency:	
(a)	The parties to this award are committed to co-operating positively to increase the efficiency, productivity and competitiveness of the industry and to enhance the career opportunities and job security of employees in the industry.	
(b)	The parties will implement a new classification structure, definitions and training arrangements consistent with the Metal Trades (General) Award 1966.	
(c)	Consultation shall be in accordance with Clause 28. - Communications Process of this award.	
(d)	Measures raised for consideration by the employer, employees, or union(s) through the Communications Process shall be related to implementation of the new classification structure, the facilitative provisions contained in this award and matters concerning training and, subject to paragraph (e) hereof, any other measures consistent with the objectives of paragraph (a) 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; and	
(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.	

2010 WAIRC 00635

Mental Health Nurses' Consolidated Award 1981 No. 13 of 1947

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

22. - RATES OF PAY 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) Registered Mental Health Nurses, Enrolled Mental Health Nurses, and Student Mental Health Nurses shall be paid the weekly wages as set out hereunder:

	\$ Per Week	ASNA	TOTAL
(a) Mental Health Nurse			
(i) Student Nurse Adult			
1st year of training			587.20
2nd year of training			587.20
3rd year of training	382.80	223.80	606.60
Student under 21 years of age			
1st year of training	316.40	161.50	477.90
2nd year of training	334.30	166.50	500.80
3rd year of training	356.40	173.80	530.20
4th year of training	380.50	180.40	560.90
(ii) Level 1	\$ Per Week		
1st year of service	445.10	223.80	668.90
2nd year of service	458.10	225.80	683.90
3rd year of service	476.50	225.80	702.30
4th year of service	495.30	225.80	721.10
5th year of service	509.60	223.80	733.40
6th year of service	526.60	223.80	750.40

	\$ Per Week	ASNA	TOTAL
7th year of service	547.00	223.80	770.80
(iii) Level 2			
1st year of service	581.00	225.80	806.80
2nd year of service	597.00	225.80	822.80
3rd year of service	619.60	225.80	845.40
(iv) Level 3			
1st year of service	667.00	223.80	890.80
2nd year of service	686.10	223.80	909.90
3rd year of service	702.40	223.80	926.20
(v) Community Mental Health Nurses			
1st year of service	619.60	225.80	845.40
2nd year of service	631.00	225.80	856.80
3rd year of service	646.70	225.80	872.50
4th year of service	662.20	223.80	886.00
(vi) Community Mental Health Nurse with a post basic certificate			
1st year of service	631.00	225.80	856.80
2nd year of service	646.70	225.80	872.50
3rd year of service	662.20	223.80	886.00
4th year of service	684.50	223.80	908.30
(vii) Community Mental Health Administrative Nurse	697.10	223.80	920.90
(viii) Community Mental Health Nurse with a post basic certificate	713.50	223.80	937.30

- (b) (i) Progression through the increments for a registered mental health nurse classified at Level 1 shall occur by annual increments.
- (ii) Progression for all other classifications for which there is more than one wage point, shall be by annual increments, subject to a satisfactory performance appraisal.
- (c) Where an employee is appointed to a position, previous relevant nursing experience at that level, or in a similar level under a differing career structure, shall be taken into account for determining the appropriate increment level.
- (d) The onus of proof of previous experience shall rest with the employee.

Provided that an employee returning to the profession after an absence greater than five years shall commence at the first increment of Level 1 for a period of three months. During this time the employee shall be reviewed by an assessment panel. Upon satisfactory review she/he shall move to a level and increment as determined by the panel's assessment. An employee who fails to satisfy the panel of her/his competency to progress through the Level 1 increments or into another level as the case may be, may apply for re-assessment by an assessment panel after a period of 12 months from the date of employment.

	\$ Per Week	ASNA	TOTAL
(e) Enrolled Mental Health Nurse			
(i) Student Enrolled Mental Health Nurse			
Adult Student			
1st year of training			587.20
Thereafter			587.20
Student under 21 years			
1st year of training	316.40	161.50	477.90
Thereafter	334.30	166.50	500.80
(ii) Registered Enrolled Mental Health Nurse			
1st year of service	399.20	223.80	623.00
2nd year of service	407.50	223.80	631.30
Thereafter	416.30	223.80	640.10

- (f) Provided that a student nurse in his/her first year of training shall only proceed to the next increment point in sub-paragraph (i) of paragraph (a) of subclause (1) of this clause upon passing the required examination.
- (2) (a) Registered General Nurses undertaking training to obtain the Mental Health Nurses Certificate shall be paid the rate prescribed in the Nurses (Public Hospitals) Award 1988 for a Level 1, 2nd year Registered Nurse for the duration of such training.
- (b) Provided that a Registered Enrolled Nurse, Registered Enrolled Mental Health Nurse, Mothercraft Nurse or Dental Nurse shall be paid the 2nd year rate of pay for an Adult Student Mental Health Nurse during the first and second year.
- (c) Notwithstanding paragraph (b) of subclause (2) of this clause the Director may for the purpose of fixing a rate of pay for a Registered Enrolled Nurse, Registered Enrolled Mental Health Nurse, Mothercraft Nurse or Dental Nurse undertaking Mental Health Nurse training take into account previous psychiatric nursing experience.

- (3) In addition to the rate prescribed in subclause (1) of this clause an allowance, equivalent to 20% of the difference between the rate prescribed in subclause (1) of this clause for a Level 1, 7th increment nurse and the rate prescribed in subclause (1) of this clause for a Level 2, 2nd increment nurse shall be paid per shift to a Nurse when employed as Evening or Night Supervisor at Graylands, Heathcote or Lemnos between the hours of 3.45pm and 7.30am or as the Nurse in Charge at Whitby Falls Hostel between the hours of 3.30pm and 7.00am. In the case of locations working a four days on/two days off roster the allowance paid shall be 21.43% of the rate difference as previously defined in this subclause. This allowance shall be included in and form part of the ordinary rate.
- (4) In addition to the rate prescribed in subclause (1) of this clause, an allowance equivalent to 10% of the difference between the rate prescribed in subclause (1) of this clause for the Level 2 Nurse in their first year of service and the rate prescribed in subclause (1) of this clause for a Level 3 Nurse in their first year of service, shall be paid per shift to nurses who at 3.45pm or 11.45pm take charge of a ward. In the case of locations working four days on/two days off roster the allowance paid shall be 10.71% of the rate difference as previously defined in this subclause. This allowance shall be included in and form part of the ordinary rate but shall not be cumulative on the allowance prescribed in subclause (4) of this clause. The provisions of this clause shall not be cumulative upon any entitlement provided in Clause 20. - Higher Duties of this award.
- (5) All ordinary time worked on any shift in excess of ten hours shall be paid for at the rate of time and a half.
- (6) In addition to the ordinary wages prescribed in this Clause special allowances as set out in this subclause shall be paid to nurses as follows:
- (a) A nurse holding a post graduate tertiary qualification obtained from a recognised college of nursing, university or college of advanced education and required in his/her employment:
- | | \$ Per Week |
|--------------------------|-------------|
| (i) six months study | 19.40 |
| (ii) twelve months study | 32.40 |
- (b) A nurse holding a post basic certificate endorsed by the Nurses' Board of Western Australia and required in his/her employment:
- | | Per Week\$ |
|--------------------------|------------|
| (i) six months study | 10.80 |
| (ii) twelve months study | 15.00 |

Provided that an educational qualification entitling the holder to an allowance under subclause (a) shall not attract an additional allowance under subclause (b).

2010 WAIRC 00636

Metal Trades (General) Award

4. - RATES OF PAY

4.1- MINIMUM ADULT AWARD WAGE

- 4.1.1 No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- 4.1.3 The minimum adult award wage is deemed to include all State Wage order 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 Employees under the age of 21 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 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- 4.1.7 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.
- 4.1.8 Subject to this clause the minimum adult award wage shall –
- (1) Apply to all work in ordinary hours.
 - (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.
- 4.1.9 **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

4.1.10 Adult Apprentices

- (1) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (2) The rate paid in the paragraph above to an apprentice 21 years of age or more is payable on superannuation and during any period of paid leave prescribed by this award.
- (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) 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.

4.8 - WAGES AND SUPPLEMENTARY PAYMENTS

4.8.1 The minimum award rate payable weekly to adult employees (other than apprentices) classified under a defined level specified in Clause 1.6 - Definitions and Classification Structure, shall be made up of a base rate, plus a supplementary payment, and safety net adjustment, giving a total award rate as follows:

(1) Wage Group	Base Rate Per Week \$	Supplementary Payment \$	Arbitrated Safety Net Adjustment \$	Total Rate Per Week \$
Level C14	284.80	40.60	261.80	587.20
Level C13	299.50	42.60	261.80	603.90
Level C12	319.20	45.40	261.80	626.40
Level C11	337.40	48.10	261.80	647.30
Level C10	365.20	52.00	263.80	681.00
Level C 9	383.50	54.60	263.80	701.90
Level C 8	401.70	57.20	263.80	722.70
Level C 7	420.00	59.80	261.80	741.60
Level C 6	456.50	65.00	261.80	783.30
Level C 5	474.80	67.60	261.80	804.20

(2) Supplementary Payments

- (a) Where an employee is in receipt of a rate of pay which exceeds the Total Rate Per Week prescribed above, whether such payment is being made by virtue of any order, industrial agreement or other agreement or arrangement, then such rate will be deemed to be inclusive of the Supplementary Payment.
- (b) Overtime, shift allowances, penalty rates, disability allowances, special rates, fares and travelling time allowances and any other work related allowances prescribed by this Award shall not be offset against Supplementary Payments.
- (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.

4.8.2 (1) Leading Hands:

In addition to the appropriate total wage prescribed in this clause, a leading hand shall be paid per week –

- | | |
|---|----------|
| (a) If placed in charge of not less than three and not more than 10 other employees | \$ 26.60 |
| (b) If placed in charge of more than 10 and not more than 20 other employees | 40.60 |
| (c) If placed in charge of more than 20 other employees | 52.50 |

- (2) Any tradesperson moulder employed in a foundry where no other jobbing moulder is employed shall be paid at the rate prescribed for leading hands in charge of not less than three and not more than ten (10) other workers.

4.8.3 Apprentices:

Wage per week expressed as a percentage of the Level C10 Engineering Tradesperson's rate which includes a supplementary payment and arbitrated safety net adjustment.

Four Year Term	%
First year	42
Second year	55
Three 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

4.8.4 Junior Employees:

Under 16 years of age	40% of adult minimum wage
16 years of age	50% of adult minimum wage
17 years of age	60% of adult minimum wage
18 years of age	70% of adult minimum wage

Wage per week for 19 and 20 years of age is expressed as a percentage of Level C13 base rate which includes a supplementary payment and arbitrated safety net adjustment.

	%
19 years of age	78.5
20 years of age	93

4.8.5 A casual employee shall be paid 25 per cent of the ordinary rate in addition to the ordinary rate for the calling in which he/she is employed.

4.8.6 Tool Allowance:

- (1) 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 work as a tradesperson or as an apprentice the employer shall pay a tool allowance of:
 - (a) \$14.60 per week to such tradesperson; or
 - (b) in the case of an apprentice a percentage of \$14.60 being the percentage which appears against the year of apprenticeship in 4.8.3;
 for the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of work as a tradesperson or apprentice.
- (2) Any tool allowance paid pursuant to 4.8.6(1) shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.
- (3) An employer shall provide for the use of tradesmen or apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (4) A tradesman or apprentice shall replace or pay for any tool supplied by the employer if lost through the employee's negligence.

4.8.7 An employee employed in rock quarries, limestone quarries or sand pits shall be paid an allowance of \$23.60 per week to compensate for dust and climatic conditions when working in the open and for deficiencies in general amenities and facilities, but an employee so employed for not more than three days shall be paid on a pro rata basis.

This subclause shall not apply to employees employed by Cockburn Cement Limited.

4.8.8 Structural Efficiency:

- (1) Arising out of the decision of 8 September 1989 in the State Wage Case and in consideration of the wage increases resulting from structural efficiency adjustments, employees are to perform a wider range of duties which is incidental or peripheral to their main tasks or functions.
- (2) The parties to this Award are committed to co-operating positively to increase the efficiency, productivity and international competitiveness of the metal and engineering industry and to enhance the career opportunities and job security of employees in the industry.
- (3) 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 4.8.8(2) shall be processed through that consultative mechanism and procedures.

- (4) Measures raised for consideration consistent with 4.8.8(2) shall be related to implementation of the new classification structure, the facilitative provisions contained in this Award and, subject to Clause 2.2 - Training, matters concerning training and, subject to 4.8.8(5), any other measures consistent with the objectives of 4.8.8(2).
- (5) 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 if the initiative varies an Award provision and by agreement of the parties involved shall be subject to the following requirements:-
 - (a) the changes shall not affect provisions reflecting national standards recognised by the Western Australian Industrial Relations Commission;
 - (b) the majority of employees affected by the change at the plant or enterprise must genuinely agree to the change;
 - (c) no employee shall lose income as a result of the change;
 - (d) the relevant union or unions must be a party to the agreement;
 - (e) the relevant union or unions shall not unreasonably oppose any agreement;
 - (f) 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 or a Section 41 Industrial Agreement and take precedence over any provision of this Award to the extent of the inconsistency.
- (6) Any disputes arising in relation to the implementation of 4.8.8(3) and 4.8.8(4) shall be subject to the provisions of Clause 7. - Dispute Resolution Procedure, of this Award

4.9 - TRAINEESHIPS

4.9.1 Scope:

- (1) This clause shall apply to persons:
 - (a) who are undertaking a Traineeship (as defined); and
 - (b) who are employed in an industry and in a classification covered by this Award.
- (2) This clause does not apply to the Apprenticeship system.

4.9.2 Objectives:

- (1) This clause facilitates a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of Trainees;
- (2) This clause provides conditions of employment, including rates of pay, required to be observed regarding persons employed under the Traineeship Scheme; and
- (3) Existing full-time employees shall not be displaced from employment by a Trainee.

4.9.3 Definitions:

"Appropriate State Legislation" means the *Industrial Training Act 1975*, or any successor legislation.

"Approved Training" means training which is specified in the Trainee Plan which is part of the Training Agreement registered with the State Training Authority. It includes training undertaken both on and off the job, in a Traineeship and shall involve formal instruction both theoretical and practical, and supervised practice in accordance with a Traineeship Scheme approved and accredited by the State Training Authority.

"Traineeship" means a system of training which has been approved by the State Training Authority and includes full time traineeships and part-time traineeships including school-based traineeships.

"Traineeship Agreement" means an agreement made subject to the terms of this Award between an employer and the Trainee for a Traineeship and which is registered with the State Training Authority. A traineeship agreement shall only operate when made in accordance with the relevant approved Traineeship Scheme.

"Trainee Plan" means a programme of training which forms part of a Training Agreement registered with the State Training Authority.

"Traineeship Scheme" means a scheme for employees employed in industries covered by this Award and approved by the Training Authority after consultation and negotiation with the relevant union.

4.9.4 Training Conditions:

- (1) The Trainee shall attend an approved training course or training programme prescribed in the Traineeship Agreement, or as notified to the Trainee by the Training Authority in accredited and relevant Traineeship Schemes.
- (2) A Traineeship shall not commence until the Traineeship Agreement, made in accordance with the Traineeship Scheme, has been signed by the employer and the trainee and lodged for registration with the Training Authority, provided that if the Traineeship Agreement is not in a standard format, a Traineeship shall not commence until the Traineeship Agreement has been registered with the Training Authority. The employer shall permit the Trainee to attend the training course or programme provided for in the Traineeship Agreement and shall ensure the Trainee receives the appropriate on the job training.
- (3) The employer shall provide an appropriate level of supervision in accordance with the Traineeship Agreement during the traineeship period.

- (4) The overall training programme will be monitored by officers of the Training Authority and training records or work books shall be provided, if required to be utilised as part of this monitoring process.

4.9.5 Employment Conditions:

- (1) A Trainee shall be engaged as a full-time employee for a maximum of one (1) year's duration, except in respect of AQF III and AQF IV traineeships which may extend up to two (2) years full time, provided that a Trainee shall be subject to a satisfactory probation period of one month which may be reduced at the discretion of the employer. By agreement in writing, and with the consent of the Training Authority, the relevant employer and the Trainee may vary the duration of the Traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant Traineeship Scheme. A part-time trainee shall be engaged in accordance with the provisions of 4.9.6(5).
- (2)
 - (a) An employer shall not terminate the employment of a Trainee without firstly having provided written notice of termination to the Trainee concerned and to the Training Authority.
 - (b) An employer who decides not to continue the employment of a Trainee upon the completion of the traineeship shall notify, in writing, the Training Authority of that decision.
- (3) The Trainee is permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the Traineeship Agreement and the Trainee will attend such training.
- (4) Where the employment of a Trainee by an employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of this Award.
- (5) All other terms and conditions of this Award that are applicable to the Trainee or would be applicable to the Trainee but for this clause shall apply unless specifically varied by this clause.
- (6) A Trainee who fails to either complete the Traineeship or who cannot for any reason be placed in full-time employment with the employer on successful completion of the Traineeship shall not be entitled to any severance payment in accordance with Clause 2.1 - Contract of Service and Clause 2.3 - Redundancy, of this Award.
- (7)
 - (a) Overtime and shift work shall not be worked by a Trainee except in circumstances where the section in which the trainee is receiving on the job training is required to work overtime, or the work of that section is normally carried out by shifts and there is satisfactory provision for approved training.
 - (b) A Trainee shall not work overtime alone.
 - (c) The Trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by this Award.

4.9.6 Wages:

- (1)
 - (a) The minimum rates of wages payable weekly to Trainees are as provided in 4.9.6(2), 4.9.6(4) and 4.9.6(5).
 - (b) These wage rates will only apply to Trainees while they are undertaking an approved traineeship which includes approved training as defined in this clause.
 - (c) The wages prescribed by this clause do not apply to complete trade level training which is covered by the apprenticeship system.
- (2) Traineeships.

(a) 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 Completed		
	HIGHEST YEAR OF SCHOOLING		
School Leaver	Year 10	Year 11	Year 12
	\$	\$	\$
	173.00 (50%)*	215.00 (33%)	296.00
	201.00 (33%)	240.00 (25%)	
plus 1 year out of school	240.00	296.00	342.00
plus 2 years	296.00	342.00	400.00
plus 3 years	342.00	400.00	458.00
plus 4 years	400.00	458.00	
plus 5 years/more	458.00		

* Figures in brackets indicate the average proportion of time spent on 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%.

(b) 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.

School Leaver	Highest Year of Schooling Completed		
	HIGHEST YEAR OF SCHOOLING		
	Year 10	Year 11	Year 12
	\$	\$	\$
	173.00 (50%)*	215.00 (33%)	287.00
	201.00 (33%)	240.00 (25%)	
plus 1 year out of school	240.00	287.00	327.00
plus 2 years	287.00	327.00	385.00
plus 3 years	327.00	385.00	440.00
plus 4 years	385.00	440.00	
plus 5 years/more	440.00		

* Figures in brackets indicate the average proportion of time spent on 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%.

(c) Industry/Skill Level C:

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Industry/Skill Level C.

School Leaver	Highest Year of Schooling Completed		
	HIGHEST YEAR OF SCHOOLING		
	Year 10	Year 11	Year 12
	\$	\$	\$
	173.00 (50%)*	215.00 (33%)	279.00
	201.00 (33%)	240.00 (25%)	
plus 1 year out of school	240.00	279.00	313.00
plus 2 years	279.00	313.00	352.00
plus 3 years	313.00	352.00	395.00
plus 4 years	352.00	395.00	
plus 5 years/more	395.00		

* Figures in brackets indicate the average proportion of time spent on 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%.

- (3) For the purposes of this subclause, "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.
- (4) AQFIV Traineeships
Trainees undertaking an AQFIV traineeship shall receive the relevant weekly wage rate for AQFIII trainees at Skill/Industry Levels A, B and C as applicable with the addition of 3.8% of that wage rate.
- (5) Part time and School Based Trainees
- This subclause shall apply to trainees who undertake a traineeship on a part time basis, or as a School Based trainee, by working less than full time hours and by undertaking the approved training at the same or lesser training time than a full time trainee.
 - School Based Trainees will receive the relevant wage rate at Skill/Industry Levels A, B and C as applicable, as for School Leavers.
 - The minimum weekly rate of pay for part time and school based trainees shall be calculated by taking the full time rates expressed above multiplied by 1.25. This minimum weekly rate of pay for part time and school based trainees is then divided by 38 in accordance with section 10 of the *Minimum Conditions of Employment Act 1993* to produce a minimum hourly rate of pay.
- (6) Completed Traineeship - Continued Junior Employment
Notwithstanding anything contained elsewhere in this Award, where a Trainee successfully completes a Traineeship and is a junior person who is then employed by the same employer performing work appropriate to the training received pursuant to the Traineeship Scheme, the qualification outcome determined by the training programme shall be equated to an appropriate level within the classification structure described in Clause 1.6 - Definitions and Classification Structure, of this Award, and the wage rate relevant thereto as prescribed in Clause 4.8 - Wages and Supplementary Payments, of this Award, shall be the level of wage to which the prescribed age related percentage appropriate to the junior employee concerned, will be applied to calculate the weekly rate of wage for such junior employee.

4.9.7 Industry/Skill Levels

The industry skill levels referred to in 4.9.6 are those described in General Order made by the Commission from time to time setting the minimum rates of pay for apprentices for the purposes of the *Minimum Conditions of Employment Act 1993* pursuant to section 50A of the Act.

PART 2 - CONSTRUCTION WORK**13. - WAGES**

13.1 (1) Subject to Clause 15.1 - Special Allowances and Provisions of this PART 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 (other than an apprentice) shall consist of the base rate, special payment and the Safety Net Adjustment as applicable, as set out in 13.2.

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.

13.2 (1) Classification

		Base Rate \$	Special Payment Adjustment \$	Arbitrated Safety Net \$	Total Rate Per Week \$
(a)	Instrumentation and Controls Tradesperson	423.80	96.00	261.80	781.60
(b)	Instrument Tradesperson - Complex Systems	386.60	84.90	261.80	733.30
(c)	Instrument Tradesperson	380.10	80.10	263.80	724.00
(d)	Scientific Instrument Maker	380.10	80.10	263.80	724.00
(e)	Welder - Special Class	371.40	80.10	263.80	715.30
(f)	Welder	362.90	80.10	263.80	706.80
(g)	Electrician - Special Class	386.60	84.90	261.80	733.30
(h)	Electrical Fitter	362.90	80.10	263.80	706.80
(i)	Electrical Installer	362.90	80.10	263.80	706.80
(j)	Boilermaker	362.90	80.10	263.80	706.80
(k)	Tradesperson the greater part of whose time is occupied in marking off and/or template making	367.10	80.10	263.80	711.00
(l)	Mechanical Tradesperson - Special Class	386.60	84.90	261.80	733.30
(m)	Tradesperson	362.90	80.10	263.80	706.80
(n)	Pipe Fitter	362.90	80.10	263.80	706.80
(o)	Fitter - Refrigeration	362.90	80.10	263.80	706.80
(p)	Fitter - Window Frame	362.90	80.10	263.80	706.80
(q)	Motor Mechanic	362.90	80.10	263.80	706.80
(r)	Machinist - Engineering: First Class	362.90	80.10	263.80	706.80
	Second Class	327.20	66.80	261.80	655.80
(s)	Certificated Rigger or Scaffolder	345.70	68.90	261.80	676.40
(t)	Rigger or Scaffolder - Other	334.70	67.70	261.80	664.20
(u)	Tool and Material Storesperson	322.90	65.80	261.80	650.50
(v)	Tradesperson's Assistant	310.20	64.30	261.80	636.30

		Base Rate \$	Special Payment Adjustment \$	Arbitrated Safety Net \$	Total Rate Per Week \$
(w)	Tradesperson's Assistant - who from time to time uses a grinding machine	311.70	65.80	261.80	639.30
(x)	Lagger -	310.20	63.40	261.80	635.40
	first 6 months' experience				
	2nd and 3rd six months' experience	311.70	65.40	261.80	638.90
	4th and 5th six months' experience	315.90	65.60	261.80	643.30
	thereafter	317.40	66.60	261.80	645.80
(y)	Grinder using portable machine	315.90	65.70	261.80	643.40
(z)	Crane Attendant and Dogman	334.70	67.70	261.80	664.20
(aa)	Labourer	291.60	62.10	261.80	615.50
(2)	A certificated rigger, other than a leading hand, who in compliance with the provisions of the regulations made pursuant to the <i>Occupational Safety and Health Act 1984</i> , 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 (3) and not more than ten (10) other employees.				
13.3	The ordinary weekly wage of an apprentice shall be calculated by applying the percentage applicable under 4.8.3 of Clause 4.8 - Wages and Supplementary Payments of PART 1 - GENERAL of this Award to the rate prescribed for a "Tradesperson" in 13.2 for the construction work upon which he or she is engaged.				
13.4	Construction Allowance				
(1)	In addition to the appropriate rates of pay prescribed in this clause an employee shall be paid:				
(a)	\$47.00 per week if the employee is engaged on the construction of a large industrial undertaking or any large civil engineering project.				
(b)	\$42.20 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 such employee is required to work. A multi-storeyed building is a building which, when completed, will consist of at least five storeys.				
(c)	\$24.80 per week if the employee is engaged otherwise on construction work falling within the definition of construction work in Clause 1.6 - Definitions and Classification Structure of PART 1 - GENERAL of this Award.				
(2)	Any dispute as to which of the aforesaid allowances apply to particular work shall be determined by the Board of Reference.				
13.5	Leading Hands				
	In addition to the appropriate total wage prescribed in this clause a leading hand shall be paid:				
				\$	
(1)	If placed in charge of not less than three (3) and not more than ten (10) other employees			26.60	
(2)	If placed in charge of more than ten (10) and not more than twenty (20) other employees			40.60	
(3)	If placed in charge of more than twenty (20) other employees			52.50	
13.6	(1) 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 work as a tradesperson or as an apprentice, the employer shall pay a tool allowance of –				
	(a)	\$14.60 per week to such tradesperson; or			
	(b)	in the case of an apprentice a percentage of \$14.60 being the percentage which appears against his or her year of apprenticeship in 4.8.3 of Clause 4.8 – Wages and Supplementary Payments of PART 1 - GENERAL (subject to Clause 12.2 Apprentices of PART 2) of this Award,			
		for the purpose of such tradesperson or apprentice supplying and maintaining tools ordinarily required in the performance of his or her work as a tradesperson or apprentice.			
(2)	Any tool allowance paid pursuant to 13.6(1) shall be included in, and form part of, the ordinary weekly wage prescribed in this clause.				

- (3) An employer shall provide for the use of tradespersons or apprentices all necessary power tools, special purpose tools and precision measuring instruments.
- (4) A tradesperson or apprentice shall replace or pay for any tools supplied by his or her employer if lost through his or her negligence.
- 13.7 A casual employee shall be paid 25 per cent of the ordinary rate in addition to the ordinary rate for the calling in which he or she is employed.
- 13.8 Minimum Adult Award Wage
- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) Minimum Adult Award Wage
- The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) Adult Apprentices
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

APPENDIX 3

ABB POWER TRANSMISSION PTY LTD

1. - SCOPE

The provisions of this Appendix shall apply only to those employees employed by ABB Australia Pty Ltd and engaged in the callings referred to herein.

2. - DEFINITIONS

"Coil Winder - Fourth Class" means an employee employed as such by ABB Australia Pty Ltd and who, under supervision, is engaged in winding coils.

"Coil Winder - Third Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of six months' experience as a coil winder - fourth class and under supervision winds coils of any size or category commonly manufactured by the distribution transformer industry.

"Coil Winder - Second Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of three years' experience as a coil winder - third class and is competent to wind all categories of coils generally manufactured by the distribution transformer industry.

"Coil Winder - First Class" means an employee employed as such by ABB Australia Pty Ltd and who has had either:

- (a) a minimum of two years' experience as a coil winder - second class and is competent and required to wind section and helical coils, continuous, spiral and interleaved disc coils; or
- (b) on engagement has a minimum of five (5) years' continuous experience in the power transformer industry and is competent and required to wind section and helical coils, continuous, spiral and interleaved disc coils.

"Core Builder - Second Class" means an employee employed as such by ABB Australia Pty Ltd either:

- (a) in stacking core laminations to produce cores of any size, provided that in the case of a female employee the size of a core shall not exceed 3 MVA; or
- (b) in the production of single phase wound cores on a core winding machine.

"Core Builder - First Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of one year's experience as a core builder - second class and is competent either:

- (a) in stacking core laminations on all transformers provided that in the case of a female employee the size of the transformer shall not exceed 3 MVA; or
- (b) in the production of three phase wound cores on a core winding machine.

"Insulation Processor - Third Class" means an employee employed as such by ABB Australia Pty Ltd and who under supervision is training as an insulation processor - second class.

"Insulation Processor - Second Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of one year's experience as an insulation processor - third class and produces, under supervision, all the insulation components required for coil winding and assembly of any transformer.

"Insulation Processor - First Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of two (2) years' experience as an insulation processor - second class and is competent and required:

- (a) to produce from drawings all insulation components for coil winding and assembly of any transformer; and
- (b) to operate such equipment as is necessary to produce that insulation.

"Transformer Assembler - Fourth Class" means an employee employed as such by ABB Australia Pty Ltd and who under supervision assembles transformers.

"Transformer Assembler - Third Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of six months' experience in assembling transformers as a transformer assembler - fourth class and is competent and required to assemble any transformer under 1500 KVA from drawings and under supervision any other size transformer as required.

"Transformer Assembler - Second Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of two years' experience in assembling transformers as a transformer assembler - third class and is competent and required to assemble from drawings any transformer under 5 MVA 66 KV "off load tapchanger range" and under instruction assembles any other size transformer as required.

"Transformer Assembler - First Class" means an employee employed as such by ABB Australia Pty Ltd and who has had either -

- (a) a minimum of three (3) years' experience as a transformer assembler - second class; or
- (b) five (5) years' continuous experience in the power transformer industry,

and is competent and required to assemble "on load tapchanger range" transformers and any transformer of a minimum of 5 MVA 66 KV "off load tapchanger range".

"Transformer Tanker - Second Class" means an employee employed as such by ABB Australia Pty Ltd and who under supervision tanks distribution transformers.

"Transformer Tanker - First Class" means an employee employed as such by ABB Australia Pty Ltd and who has had a minimum of six months' experience in tanking distribution transformers as a transformer tanker - second class and is competent and required to tank all transformers up to 1500 KVA and under supervision any other size transformer as required.

"Transformer Protective Coating Employee - Second Class" means an employee employed by ABB Australia Pty Ltd and engaged under supervision in the protective coating of all components used in the manufacture of transformers.

"Transformer Protective Coating Employee - First Class" means an employee employed by ABB Australia Pty Ltd and who has had a minimum of two years' experience as a transformer protective coating employee - second class and is competent and required to protective coat by any means all components used in the manufacture of transformers.

3. - WAGES

- (a) The minimum total wage payable weekly to adult employees classified herein shall be as follows:

	Base Rate Per Week \$	Supplementary Payment \$	Arbitrated Safety Net Adjustment \$	Total Rate Per Week \$
Adult Employees:				
Wage Group C10	365.20	52.00	263.80	681.00
Coil Winder 1st Class				
Transformer Assembler 1st Class				

	Base Rate Per Week \$	Supplementary Payment \$	Arbitrated Safety Net Adjustment \$	Total Rate Per Week \$
Adult Employees:— <i>continued</i>				
Wage Group C11	337.40	48.10	261.80	647.30
Coil Winder 2nd Class				
Transformer Assembler 2nd Class				
Transformer Protective Coating 1st Class				
Insulation Processor 1st Class				
Wage Group C12	319.20	45.40	261.80	626.40
Coil Winder 3rd & 4th Class				
Core Builder 1st Class				
Insulation Processor 2nd Class				
Transformer Protective Coating 2nd Class				
Transformer Assembler 3rd Class				
Transformer Tanker 1st Class				
Wage Group C13	299.50	42.60	261.80	603.90
Core Builder 2nd Class				
Insulation Processor 3rd Class				
Transformer Assembler 4th Class				
Transformer Tanker 2nd Class				

- (b) The amount payable to any employee pursuant to the supplementary payment provisions of this clause:
- (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 supplementary payment provisions of this subclause, whether such payment is being made by virtue of any order, industrial agreement or other agreement or arrangement.
- (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.

2010 WAIRC 00637

Metropolitan Teaching Hospitals - Salaries and Conditions of Service Award 1986 (Medical Officers)

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

(10) **Adult Apprentices**

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

8. - SALARIES

- (1) (a) Salaries or salary ranges applicable to medical officers covered by this Award calculated on the basis of the ordinary hours of duty specified in subclause (1) of Clause 11. - Hours of Duty of rostered duty in any period of one week shall be:

Level	\$ per annum	ASNA	TOTAL
Level 1	36177	11675	47852
Level 2	38794	11675	50469
Level 3	41467	11675	53142
Level 4	43089	11675	54764
Level 5	44780	11675	56455
Level 6	48244	11675	59919
Level 7	51162	11675	62837
Level 8	54213	11675	65888
Level 9	56364	11675	68039
Level 10	59625	11675	71300

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) The salary of an Intern shall be at Level 1.
- (c) The salary of a Resident Medical Officer shall be within the range of Levels 2 to 4 inclusive, based on years of relevant experience after graduation. Level 4 shall apply to 4th and subsequent years of experience after graduation.
- (d) The salary of a Registrar shall be within the range of Levels 5 to 8 inclusive based on years of relevant experience in that capacity.
- (e) The salary of a Senior Registrar shall be within the range of Levels 9 to 10, based on years of relevant experience in that capacity.
- (f) Subject to the provisions of this Award, a medical officer shall be employed in accordance with the level of work performed.
- (2) Subject to good conduct, diligence and efficiency, a medical officer shall proceed from the point of entry in the salary range to the maximum of the range for the particular class of employment according to the increments in such salary range.
- (3) Salaries shall be paid at least fortnightly.
- (4) It is a term of this Award that the Association undertakes for the duration of the Principles determined by the Commission in Court Session in Application No. 704 of 1991 not to pursue any extra claims, award or over award except when consistent with the State Wage principles.

2010 WAIRC 00639

Mineral Sands Industry Award 1991

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

13. - WAGES

- (1) (a) Mineral Sands Employee:
- | | Base Rate\$ | Supplementary
PaymentPer
Week\$ | MinimumRate\$ | ArbitratedSafety
NetAdjustment\$ | Total
Wage\$ |
|----------|-------------|---------------------------------------|---------------|-------------------------------------|-----------------|
| Level 1 | 292.20 | 96.40 | 388.60 | 261.80 | 650.40 |
| Level 2 | 310.50 | 102.40 | 412.90 | 261.80 | 674.70 |
| Level 3 | 328.80 | 108.40 | 437.20 | 263.80 | 701.00 |
| Level 4 | 347.00 | 114.50 | 461.50 | 263.80 | 725.30 |
| Level 5 | 365.20 | 120.50 | 485.70 | 261.80 | 747.50 |
| Level 6 | 383.40 | 126.60 | 510.00 | 261.80 | 771.80 |
| Level 7 | 401.70 | 132.60 | 534.30 | 261.80 | 796.10 |
| Level 8 | 419.90 | 138.70 | 558.60 | 261.80 | 820.40 |
| Level 9 | 438.30 | 144.60 | 582.90 | 261.80 | 844.70 |
| Level 10 | 456.50 | 150.70 | 607.20 | 261.80 | 869.00 |
- (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) The relativities between the respective levels are determined by reference to the Minimum Rate (i.e. Base Rate plus Supplementary Payment).
- (2) Employees employed within the structure/levels within this clause shall perform work to the level of their competence in accordance with the definitions and training programmes set out in Clauses 17. - Definitions and 26. - Implementation/Training, of this award. Agreed levels of training for each classification shall be established by the parties and will lead to employees being utilised to carry out any work within their skills and abilities safely and satisfactorily and subject at all times to any relevant statutory requirement as to licensing, training or other certification.
- (3) APPRENTICES (wage per week expressed as a percentage of the tradesperson'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 |

For the purposes of this subclause "tradesperson's rate" means the weekly wage rate for Level 5 in this clause. Provided, however, in the case of a person who, at the commencement of an apprenticeship is over the age of 21 years such person shall be paid not less than a Level 3.

- (4) JUNIOR EMPLOYEES
- (a) Employees under the age of 18 years shall only be employed in accordance with the provisions of the Mines Regulations Act and Regulations.
- (b) Employees under 18 years of age shall be paid 65% of the appropriate adult rate.
- (c) Employees at 18 years of age shall be paid the appropriate adult rate.
- (5) (a) Leading Hand - General
A leading hand is an employee who receives some supervision and in turn, assists and co-ordinates the work of other employees, who is appointed as such and who can exercise a limited discretion in making decisions, conducting of work, and matters affecting safety. Rate per week - \$21.20.
- (b) Leading Hand - Shift Supervisor (Westralian Sands Only)
Is fully responsible for plant and site operations and who ensures compliance with safety standard rules as required in the Mines Regulations Act and/or by the Quarry or Registered Mine Manager in the absence of salaried staff. Rate per week \$69.20
- (6) Tool Allowance
- (a) (i) Where an employer does not provide a tradesperson with the tools ordinarily required by that tradesperson the employer shall pay a tool allowance of \$12.10 per week to such tradesperson for the purpose of such tradesperson supplying, maintaining and insuring tools ordinarily required in the performance of the employee's work as a tradesperson.
- (ii) The list of basic tools tradespersons are required to supply is as agreed at an enterprise level. Any additional tools shall be supplied by the employer.
- (b) (i) The employer shall supply an apprentice with a basic apprentice tool kit upon engagement in lieu of a tool allowance being paid during the apprentice's first year of employment.
- (ii) The basic apprentice tool kit supplied to an apprentice shall be appropriate to the trade(s) of the apprentice and the content shall be agreed at an enterprise level.
- (iii) An apprentice who has completed one full year of employment shall be paid an allowance in the employee's second and subsequent years of employment. The allowance paid to an apprentice shall be a percentage of the rate paid to a tradesperson being the percentage which appears against the employee's year of apprenticeship in subclause (3) of this clause.
- (iv) The allowance paid to an apprentice is for the purpose of the apprentice supplementing, maintaining, and insuring tools ordinarily required in the performance of the employee's work as an apprentice.
- (7) Construction Allowance Per Week
The amount of \$20.70 to be paid to an employee when engaged on any work directly related to major capital expenditure in connection with the construction/demolition of plant. This allowance is paid in recognition of special disabilities and conditions that are not normally associated with plant maintenance and operations. Such construction work will be as

agreed between the employer and the union or unions concerned or, in the event of disagreement, the Western Australian Industrial Relations Commission declares to be construction work for the purpose of this award.

(8) Casual Employees

A casual employee shall be paid 20 per cent in addition to the appropriate weekly rate.

2010 WAIRC 00640

Mineral Sands Mining and Processing (Engineering and Building Trades) Award, 1977

26. – WAGES

(1) Metal Trades:

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.

	Rate Per Week		TOTAL
	\$	ASNA	
Electrician Special Class	442.82	263.80	706.62
Scientific Instrument Maker and/or Repairer	435.66	263.80	699.46
Automotive Electrical Fitter	417.20	263.80	681.00
Boilermaker	417.20	263.80	681.00
Electrical Fitter	417.20	263.80	681.00
Electrical Installer	417.20	263.80	681.00
Fitter	417.20	263.80	681.00
Fitter and Turner	417.20	263.80	681.00
Fuel Injection Fitter	417.20	263.80	681.00
Machinist - First Class	417.20	263.80	681.00
Motor Mechanic	417.20	263.80	681.00
Tradesperson working alone (Westralian Sands)	434.43	263.80	698.23
Welder - First Class	417.20	263.80	681.00
Machinist - Second Class	371.11	261.80	632.91
Rigger and Scaffolder -			
(a) who is a licence holder for the purpose of the Inspection of the Scaffolding Act	395.38	261.80	657.18
(b) who holds a licence under the said Act or whom the Foreman and the licence holder under (a) agree is fully experienced as a Rigger	382.63	261.80	644.43
(c) Other	378.49	261.80	640.29
Rubber Employee Grade I	411.27	261.80	673.07
Rubber Employee Grade II	385.65	261.80	647.45
Tool Storeperson	364.95	261.80	626.75
Lube Bay Serviceperson	359.47	261.80	621.27
Tradesperson's Assistant	352.09	261.80	613.89
Greaser	355.89	261.80	617.69

* Such rate includes provisions for working with potentially toxic substances.

(2) Building Trades:

(a)	Bricklayers	417.20	263.80	681.00
	Carpenters and Joiners	417.20	263.80	681.00
	Plasterers	417.20	263.80	681.00
	Plumbers	417.20	263.80	681.00
	Painters, Glaziers and Signwriters	417.20	263.80	681.00
	Builders' Labourer	352.87	261.80	614.67
(b)	Tool Allowance Per Week -			
	Bricklayers	4.10		
	Plasterers	4.70		
	Carpenters and Joiners	5.50		
	Plumbers	5.50		
	Painters, Glaziers and Signwriters	1.40		

(c) One-third of the amount payable to a tradesperson shall be paid to an apprentice to that trade in the first year of apprenticeship and of two-thirds of that amount in the second year and of the same amount as is payable to a tradesperson in the remaining period of his/her apprenticeship.

(d) Construction Allowance Per Week:

\$11.00 shall be paid to an employee engaged in any work in connection with the erection or demolition of a building.

(e) Where an apprentice works in circumstances which would entitle a tradesperson to the construction allowance prescribed in subclause (d) of this subclause, the following extra rate shall be paid to such apprentice:-

	Percentage of Construction Allowance Per Week%
(i) Five Year Term -	
First year	37
Second year	53
Third year	72
Fourth year	95
Fifth year	100
(ii) Four Year Term -	
First year	40
Second year	72
Third year	95
Fourth year	100
(iii) Three and a Half Year Term -	
First six months	40
Next year	72
Next following year	95
Final year	100
(iv) Three Year Term -	
First year	58
Second year	95
Third year	100

(3) Leading Hands:

In addition to the appropriate wage rates 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	\$ 21.20
(b) If placed in charge of more than ten and not more than 20 other employees	32.70
(c) If placed in charge of more than 20 other employees	42.00

(4) Apprentices (wage per week expressed as a percentage of the tradesman'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
Next year	75
Final year	88
Three year term -	%
First year	55
Second year	75
Third year	88

For the purposes of this subclause "Tradesman's Rate" means the sum of the total wage for the classification "Tradesman" in subclause (1) or (2) of this clause.

- (5) Tool Allowance:
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 work as a tradesperson or as an apprentice, the employer shall pay a tool allowance of -
- (a) **\$12.30** per week to such tradesperson, or
 - (b) in the case of an apprentice a percentage of **\$12.30** 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 work as a tradesperson or as an apprentice.
- (6) Additional Payment:
- (a) In addition to the rates of wages prescribed in subclauses (1) and (2) of this clause, adult employees shall be paid an additional payment at the rate of **\$81.40** per week.
 - (b) In addition to the rates of wages prescribed in subclause (4) of this clause, apprentices shall be paid an additional payment equivalent to the appropriate percentage contained in that subclause of **\$81.40** per week.
 - (c) The additional payment prescribed in paragraphs (a) and (b) of this subclause shall not be for all purposes of the award.
 - (d) The rates of wages in this clause are not varied by the provisions of this subclause and shall not for the purposes of any other award, order, industrial agreement or any other agreement or arrangement be deemed to have been varied.
 - (e) The provisions of this subclause shall not apply to a casual employee.
- (7) 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 operative from the commencement of the first pay period beginning on or after 1 November 1989, employees are to perform a wider range of duties including work which is incidental or peripheral to their main tasks or functions.
 - (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 by 31 March 1990.
 - (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 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;
 - (iii) 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 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 31 March 1990.
- (8) Award Modernisation:
- (a) In accordance with sub-paragraph (iv) in paragraph (b) of subclause (7) 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 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 Unions 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;

- (v) the disputes procedure prescribed in Clause 22. - Grievances and Disputes shall apply if agreement cannot be reached in the implementation process of a particular issue.
- (c) Should an agreement be reached pursuant to subclause (b) hereof and that agreement requires 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.

26A. - ADULT MINIMUM WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00641

Miscellaneous Workers' (Activ Foundation) Award

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

37. – WAGES

(1) The following rate of wage payable to employees covered by this award shall be as set out hereunder:

(a) MISCELLANEOUS EMPLOYEES

	Base Rate per Week \$	Arbitrated Safety Net Adjustments Per Week \$	Total Rate Per Week \$
Level One:			
Comprehends the following classes of work:			
Domestic			
Residents' Aide			
1st year of employment	369.50	261.80	631.30
2nd year of employment	374.10	261.80	635.90
3rd year of employment and thereafter	378.00	261.80	639.80
Level Two:			
Comprehends the following classes of work			
Laundry Person			
Gardener			
1st year of employment	374.60	261.80	636.40
2nd year of employment	379.60	261.80	641.40
3rd year of employment and thereafter	383.80	261.80	645.60

	Base Rate per Week \$	Arbitrated Safety Net Adjustments Per Week \$	Total Rate Per Week \$
Level Three: Comprehends the following classes of work:			
Handyperson			
1st year of employment	383.40	261.80	645.20
2nd year of employment	388.00	261.80	649.80
3rd year of employment and thereafter	392.00	261.80	653.80
Level Four: Comprehends the following classes of work:			
Cook			
1st year of employment	399.10	261.80	660.90
2nd year of employment	403.90	261.80	665.70
3rd year of employment and thereafter	408.30	261.80	670.10
Level Five: Comprehends the following classes of work			
Tradesperson Cook			
1st year of employment	454.80	263.80	718.60
2nd year of employment	459.10	263.80	722.90
3rd year of employment and thereafter	462.90	261.80	724.70

(b) HOUSE SUPERVISOR/MANAGER

House Supervisor			
Weekday rate	135.90	68.33	204.23
Weekend rate	236.90	95.65	332.55
House Manager			
Weekday rate	146.12	68.33	214.45
Weekend rate	247.22	95.65	342.87

- (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.

2010 WAIRC 00643

Monumental Masonry Industry Award, 1989

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

7. – WAGES

- (1) (a) The rates of wages payable to the employees covered by this Award (other than duly registered apprentices and junior employees) shall be as follows:

Classification	Minimum Weekly Base Rate \$	Supple- mentary Payment \$	Arbitrated Safety Adjustment \$	Total Net (Exclusive of Industry Allowance) \$	Rate
Monumental Mason	365.20	52.00	263.80	681.00	
Monumental Fixer	345.20	49.30	261.80	656.30	
Monumental Employee Grade 4	318.90	45.50	261.80	626.20	
A Grade 3 employee who has attained a high level of skill in at least one function or who is regularly required to perform more than two of the functions contained in Grade 3					
Monumental Employee Grade 3	301.40	43.00	261.80	606.20	
Employee who has been performing work at Grade 2 level for more than six months					
Monumental Employee Grade 2				587.20	
Employee who is performing one or more of the following functions and who has been performing such work for less than six months -					
- Primary Saw Operator					
- Secondary Saw Operator					
- Polishing Machine Operator					
- Stone Engraving Operator					
- Assistant Monumental Fixer					
- Monumental Concrete Moulder					
Monumental Employee Grade 1				587.20	
Employee who is engaged to perform work not covered by any of the above classifications.					

- (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) Industry Allowance:

An industry allowance at the rate of \$14.70 per week shall be paid for all purposes to each adult employed in the workshop to compensate for the following disabilities associated with monumental masonry –

- (a) Working in wet conditions with water underfoot.
- (b) Working on dirty work.
- (c) The use of acid or other corrosive substances when cleaning down stone.
- (d) Working in a dusty atmosphere.

Before exercising a power of inspection the representative shall give notice of not less than 24 hours to the employer.

(3) Leading Hands:

- (a) An employee specifically appointed to be a leading hand who is placed in charge of –
 - (i) not more than one employee, other than an apprentice, shall be paid \$14.00 per week; or
 - (ii) more than one and not more than five other employees shall be paid \$31.10 per week; or
 - (iii) more than five and not more than ten other employees shall be paid \$40.40 per week; or
 - (iv) more than ten other employees shall be paid \$52.60 per week in each case, in addition to the rate prescribed for the highest classification of employee supervised or his/her own rate, whichever is the highest.

(4) Apprentices:

- (a) (i) Wages per week - An apprentice shall receive the following percentage of the Monumental Mason's weekly minimum rate and industry allowance contained in subclauses (1) and (2) of this clause.

(aa) Four year term -	%
First year	42
Second year	55
Third year	75
Fourth year	88
(bb) Three and a half year term -	%
First six months	42
Next year	55
Next following year	75
Final year	88
(cc) Three year term -	%
First year	55
Second year	75
Third year	88
- (ii) Tool allowance (per week) - A tool allowance of one-third of the amount (if any) payable to a tradesperson shall be paid to an apprentice to that trade in his/her first year of apprenticeship and of two-thirds of that amount in his/her second year and of the same amount (if any) as is payable to a tradesperson in the remaining period of his/her apprenticeship.
- (iii) Provision of Tools –

An employer may, by agreement with the apprentice's parent or guardian, elect to provide the apprentice with a kit of tools subject to establishing the value of the tools at the time of so providing, deduct the tool allowance until the cost of the kit of tools is reimbursed.

In the event of an apprentice being dismissed or leaving his/her employment before the cost of the tool kit has been reimbursed the employer shall be entitled to –

- (aa) deduct from any monies owing to the apprentice, the amount that is owing; or
- (bb) by agreement retain tools at the originally nominated value to the amount still owing.

(5) Junior Employees –

Wages per week - A junior employee shall receive the following percentage of the adult weekly minimum rate and industry allowance contained in subclauses (1) and (2) of this clause appropriate to the work performed.

Under 16 years	42%
16 years of age	55%
17 years of age	75%
18 years of age	88%
19 years of age	100%

(6) Tool Allowance (\$ per week) –

\$

- (a) Monumental masons \$22.50

Tool allowance shall not be paid where the employer supplies an employee with all necessary tools.

- (b) No other employee shall be required to supply tools.

(7) Casual Employees –

A casual employee shall receive a loading of 20% in addition to the rates prescribed in subclauses (1) and (2) of this clause.

- (8) It is a term of this award arising from the decision of the Commission in Court Session in the State Wage Case of 17 June 1991, that the union will not pursue prior to 17 January 1992 any extra claims, award or overaward except when consistent with the State Wage Principles.

2010 WAIRC 00644**Mooring Services (Cape Cuvier) Award 1982****1B. - MINIMUM ADULT AWARD WAGE**

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the
- Minimum Conditions of Employment Act 1993*
- .

- (7) 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.

- (8) 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.

- (9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) Adult Apprentices

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

- (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

5. - RATES OF PAY

- (1) The annual rate of pay for a mooring or deck hand shall be \$52171 on and from the commencement of the first pay period on or after 1 July 2010.

- (2) In addition, the following extra rates shall be payable:
- | | | |
|--------------|---|---------------------------------|
| Foreman | - | an additional \$4000 per annum |
| Leading Hand | - | an additional \$2400 per annum. |
- (3) Employees relieving on higher duties shall be paid at the rate of pay applicable to the position in which they are relieving.
- (4) The existing annual salary for a mooring hand represents 97½% of the rate prescribed for a seaman under Schedule "N" of the Federal Tug Boat Industry Award. Any alterations to all the above rates will be reflected in the award so that relativity of 97½% will be maintained at all times.

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.

2010 WAIRC 00645

Motel, Hostel, Service Flats and Boarding House Workers' Award

21. – WAGES

Level	Classification	\$ per Fortnight
	Introductory	1174.40
Level 1	Food & Beverage Attendant Grade 1 Kitchen Attendant Grade 1 Guest Services Grade 1 Gardener General Hand Yardman	1207.80
Level 2	Food & Beverage Attendant Grade 2 Cook Grade 1 Kitchen Attendant Grade 2 Night Porter Storeperson Grade 1 Doorperson/Security Officer Grade 1 Guest Services Grade 2	1258.00
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	1294.60
Level 4	Cook Grade 3 Storeperson Grade 3 Food & Beverage Attendant Grade 4 (Tradesperson) Guest Service Grade 4	1362.00
Level 5	Cook Grade 4 Food & Beverage Supervisor Guest Services Supervisor	1445.40
Level 6	Cook Grade 5	1483.20

- (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 employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
 The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

2010 WAIRC 00646

Motor Vehicle (Service Station, Sales Establishments, Rust Prevention and Paint Protection), Industry Award No. 29 of 1980

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
- Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - The rate paid in the paragraph above to an apprentice 21 years of age or more 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 the award for an adult apprentice in force immediately prior to 5 June 2003.

11. – WAGES

- (1) (a) 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 1st July 1998.

	Minimum Weekly Rate of Pay \$	Minimum Hourly Rate of Pay \$
Motor Vehicle Industry Employee Level 1	359.40	9.4579
Motor Vehicle Industry Employee Level 2	376.10	9.8974
Motor Vehicle Industry Employee Level 3	398.60	10.4895
Motor Vehicle Industry Employee Level 4	419.50	11.0395

Minimum Hourly Rate of Pay does not include additional payments that may be required pursuant to Clause 12. - Additional Payments for Ordinary Hours, nor does it include any loading applicable pursuant to subclause (4) hereof.

Provided that any increase in rates of pay flowing from implementation of the Minimum Rates Adjustment principle, may be absorbed into any existing overaward payment, insofar as that overaward payment is not being used for the purposes of absorption of Arbitrated Safety Net Adjustments.

- (b) 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 1st November 1998.

	Minimum Weekly Rate of Pay \$	Minimum Hourly Rate of Pay \$
Motor Vehicle Industry Employee Level 1	373.40	9.8263
Motor Vehicle Industry Employee Level 2	383.10	10.0816
Motor Vehicle Industry Employee Level 3	405.60	10.6737
Motor Vehicle Industry Employee Level 4	426.50	11.2237

Minimum Hourly Rate of Pay does not include additional payments that may be required pursuant to Clause 12. - Additional Payments for Ordinary Hours, nor does it include any loading applicable pursuant to subclause (4) hereof.

- (c) 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 1st March 1999.

	Minimum Weekly Rate of Pay \$	Minimum Hourly Rate of Pay \$
Motor Vehicle Industry Employee Level 1	373.40	9.8263
Motor Vehicle Industry Employee Level 2	390.10	10.2658
Motor Vehicle Industry Employee Level 3	412.60	10.8579
Motor Vehicle Industry Employee Level 4	433.50	11.4079

Minimum Hourly Rate of Pay does not include additional payments that may be required pursuant to Clause 12. - Additional Payments for Ordinary Hours, nor does it include any loading applicable pursuant to subclause (4) hereof.

(d) The following shall be the minimum rate of wages payable to employees under this award on and from the commencement of the first pay period on or after 1 July 2010.

	Weekly Rate of Pay \$	Arbitrated Safety Net Adjustments \$	Minimum Weekly Rate of Pay \$	Minimum Hourly Rate of Pay \$
Motor Vehicle Industry Employee Level 1	373.40	213.80	587.20	15.4526
Motor Vehicle Industry Employee Level 2	390.10	213.80	603.90	15.8921
Motor Vehicle Industry Employee Level 3	412.60	213.80	626.40	16.4842
Motor Vehicle Industry Employee Level 4	433.50	213.80	647.30	17.0342

Minimum Hourly Rate of Pay does not include additional payments that may be required pursuant to Clause 12. - Additional Payments for Ordinary Hours, nor does it include any loading applicable pursuant to subclause (4) hereof.

(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) Junior Employees:

Junior employees shall be paid the following percentage of the Level 2 wage rate, inclusive of supplementary payments and arbitrated safety net adjustments, having regard to the age of the employee.

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

(4) Casual Employees:

A casual employee shall be paid 20% in addition to the rates of pay prescribed in subclause (1) of this clause.

(5) Leading Hands:

An employee appointed by the employer as a leading hand shall be paid the following amount, in addition to the ordinary rate of pay, for all purposes of the award:

	Rate Per Week \$
(a) If placed in charge of not less than three and not more than ten other employees	22.50
(b) If placed in charge of more than ten and not more than 20 other employees	34.60
(c) If placed in charge of more than twenty other employees	44.80

29. – TRAINEESHIPS

(1) Scope

This clause shall apply to persons:

- (a) who are undertaking a traineeship (as defined); and
- (b) who are employed by an employer bound by this award.

(2) Objective

- (a) The objective of this clause is to establish a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of trainees, particularly young people, and the long term unemployed.
- (b) Existing employees shall not be displaced from employment by trainees.

(3) Definitions

"Approved Training" means training undertaken in a traineeship and shall involve formal instruction, both theoretical and practical, and supervised practice in accordance with a traineeship scheme approved by the relevant state training authority or NETTFORCE. The training will be accredited and lead to qualifications as set out in subclause 5(e) of this clause.

"Relevant Award" means the Motor Vehicle (Service Station, Sales Establishments, Rust Prevention and Paint Protection) Industry Award No. 19 of 1980.

"Trainee" means an employee who is bound by a traineeship agreement made in accordance with this clause.

"Traineeship" means a system of training which has been approved by the appropriate state training authority, or which has been approved on an interim basis by the National Employment and Training Taskforce (NETTFORCE), until final approval is granted by the relevant state training authority.

"Traineeship Agreement" means an agreement made subject to the terms of this award between an employer and the trainee for a traineeship and which is registered with the appropriate state training authority, NETTFORCE, or under the provisions of the appropriate state legislation. A traineeship agreement shall be made in accordance with the relevant approved traineeship scheme and shall not operate unless this condition is met.

"Traineeship Scheme" means an approved traineeship applicable to a group or class of employees or to an industry or sector of an industry or an enterprise. A traineeship scheme shall not be given approval unless consultation and negotiation with the union upon the terms of the proposed traineeship scheme and the traineeship have occurred. An application for approval of a traineeship scheme shall identify the union and demonstrate to the satisfaction of the approving authority that the abovementioned consultation and negotiation have occurred.

"Parties to a Traineeship Scheme" means the employer organisation and/or the employer and the union involved in the consultation and negotiation required for the approval of a traineeship scheme.

References in this award to "the relevant state training authority or NETTFORCE" shall be taken to be a reference to NETTFORCE in respect of a traineeship that is the subject of an interim approval but not a final approval by the relevant state training authority. NETTFORCE powers and functions stipulated in this award may be circumscribed and/or delegated by the terms of an agreement between NETTFORCE and a relevant state training authority. Reference to NETTFORCE within this clause will have no effect during the currency of the WA State Training Authority/NETTFORCE Memorandum of Agreement.

"Appropriate State Legislation" means the State Employment and Skills Development Authority Act 1990.

(5) Training Conditions

- (a) The trainee shall attend an approved training course or training programme prescribed in the traineeship agreement or as notified to the trainee by the appropriate state training authority in accredited and relevant traineeship schemes or NETTFORCE if the traineeship scheme remains subject to interim approval.
- (b) A traineeship shall not commence until the relevant traineeship agreement, made in accordance with a traineeship scheme, has been signed by the employer and the trainee and lodged for registration with the relevant state training authority or NETTFORCE, provided that if the traineeship agreement is not in a standard format a traineeship shall not commence until the traineeship agreement has been registered with the relevant state training authority or NETTFORCE. The employer shall ensure that the trainee is permitted to attend the training course or programme provided for in the traineeship agreement and shall ensure that the trainee receives the appropriate on-the-job training.
- (c) Training shall be directed at:
 - (i) the achievement of key competencies required for successful participation in the workplace; and/or
 - (ii) the achievement of competencies required for successful participation in an industry or enterprise.

(6) Employment Conditions

- (a) A trainee shall be engaged as a full-time employee for a maximum of one years' duration provided that a trainee shall be subject to a satisfactory probation period of up to one month which may be reduced at the discretion of the employer. By agreement in writing, and with the consent of the relevant state training authority or NETTFORCE the parties to a traineeship agreement may vary the duration of the traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant traineeship scheme.
- (b)
 - (i) An employer shall not terminate the employment of a trainee without firstly having provided written notice of termination to the trainee concerned in accordance with the traineeship agreement and to the relevant state training authority or NETTFORCE. The written notice to be provided to the relevant state training authority or NETTFORCE shall be provided within five working days of termination.
 - (ii) An employer who chooses not to continue the employment of a trainee upon the completion of the traineeship shall notify, in writing, the relevant state training authority or NETTFORCE of its decision.

- (c) The trainee is permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the traineeship agreement.
- (d) Where the employment of a trainee by an employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of any relevant award or any other legislative entitlements.
- (e) (i) The traineeship agreement may restrict the circumstances under which the trainee may work overtime and shift work in order to ensure the training programme is successfully completed.
(ii) No trainee shall work overtime on their own unless consistent with the provisions of this award.
(iii) No trainee shall work shift work unless the parties to a traineeship scheme agree that such shift work makes satisfactory provision for approved training. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shift work trainees.
(iv) The trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by the relevant award, unless otherwise agreed by the parties to a traineeship scheme, or unless the relevant award makes specific provision for a trainee to be paid at a higher rate, in which case the higher rate shall apply.
- (f) All other terms and conditions of the relevant award that are applicable to the trainee, or would be applicable to the trainee but for this clause, shall apply unless specifically varied by this clause.
- (g) A trainee who fails to either complete the traineeship, or who cannot for any reason be placed in full-time employment with the employer on successful completion of the traineeship, shall not be entitled to any severance payments payable pursuant to termination, change and redundancy provisions or provisions similar thereto.
- (7) Wages
- (a) (i) The minimum rates of wages payable weekly to trainees are as provided in subparagraph (iv) of this subclause.
(ii) These wage rates will only apply to trainees while they are undertaking an approved traineeship which includes approved training as defined in this clause.
(iii) The wage rates prescribed by this clause do not apply to completed trade level training which is covered by the apprenticeship system.
(iv) Skill Level B:

Where the accredited training course and work performed are for the purposes of generating skills which have been defined for work at Skill Level B.

HIGHEST YEAR OF SCHOOL COMPLETED

School Leaver	HIGHEST YEAR OF SCHOOLING COMPLETED		
	Year 10 and below	Year 11	Year 12
	\$	\$	\$
	179.00 (50%)	219.00 (33%)	291.00
	209.00 (33%)	250.00 (25%)	
plus 1 year out of school	250.00	291.00	332.00
plus 2 years	291.00	332.00	391.00
plus 3 years	332.00	391.00	446.00
plus 4 years	391.00	446.00	
plus 5 years	446.00		

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%.

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) The skill level of approved traineeships in the retail and wholesale industries has been agreed to be skill Level B.
- (c) For the purposes of this provision "out of school" shall refer only to periods out of school beyond year 10 or below, and shall be deemed to:
- (i) include any period of schooling beyond year 10 or below which was not part of nor contributed to a completed year of schooling;
- (ii) include any period during which a trainee repeats in whole or part a year of schooling beyond year 10 or below; and
- (iii) not include any period during a calendar year in which a year of schooling is completed.
- (iv) have effect on an anniversary date being January 1 in each year.

- (d) At the conclusion of the traineeship this clause ceases to apply to the employment of the trainee and the award shall apply to the former trainee.

2010 WAIRC 00647

Musicians' General (State) Award 1985

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**
The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.
- (10) **Adult Apprentices**
(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
(b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

7. – WAGES

- (1) The minimum rates of wages payable to employees engaged under this Award shall be as follows:

A WEEKLY EMPLOYEES: (with a minimum payment of 3 hours for each call worked)

	Required to Accompany Artist Rate Per Hour \$	Total (Includes ASNA) Rate Per Hour \$	Not required to Accompany Artist Rate Per Hour \$	Total (Includes ASNA) Rate Per Hour \$
(a) rank and file musician	19.37	30.79	18.45	29.87
(b) leader in duo	23.25	34.67	22.14	33.56
(c) leader in trio or larger	25.82	37.24	24.59	36.01
(d) musician performing alone	22.76	34.18	21.68	33.10
(e) principal musician	22.28	33.70	21.22	32.64
(f) musician not otherwise provided for	19.37	30.79	18.45	29.87
(g) musical director	29.06	40.48	27.68	39.10

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.

B REGULAR PART-TIME WEEKLY EMPLOYEES:

Regular part-time weekly employees shall receive 10% in addition to the rates provided for in subclause (1)A of this clause with a minimum payment of 3 hours for each call worked.

C CASUAL EMPLOYEES:

Casual employees shall receive 20% in addition to the rates provided for in subclause (1)A of this clause with a minimum payment of 3 hours for each call worked.

- (2) Employees engaged in specialty work shall receive 66 2/3% in addition to the rates prescribed in subclause (1) of this clause with a minimum payment of 3 hours for each call worked.
- (3) Where the Union and the employer agree that for a special reason rates and/or condition different from those prescribed should be accepted by an employee then such other rates or condition may be agreed upon.

2010 WAIRC 00648

Nurses (Child Care Centres) Award 1984

1B. - MINIMUM ADULT AWARD WAGE

- (1) No employee aged 21 or more 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 employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.
- (3) The minimum adult award wage is deemed to include all State Wage order 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) Employees under the age of 21 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, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.
- (7) 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.
- (8) 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.
- (9) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the 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 minimum wage.

- (10) **Adult Apprentices**
 - (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.
 - (b) The rate paid in the paragraph above to an apprentice 21 years of age or more 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.

11. - WAGES

An employer on whom this award is binding shall not increase the rate of wage payable to an employee on 9th September, 1988, or otherwise vary the conditions 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.

Except as hereinafter provided the minimum rates of wage payable to employees under this award shall be as follows:

	Column A (4%) Operative on and from 21/12/88Per Week \$	Column B (\$10 p.w.) Operative* 3/4/89Per Week \$	ASNA	TOTAL
(1) Registered General Nurse				
1st year of experience	381.50	391.50	223.80	615.30
2nd year of experience	390.50	400.50	223.80	624.30
3rd year of experience	403.60	413.60	223.80	637.40
4th year of experience	414.50	424.50	223.80	648.30
Thereafter	427.60	437.60	223.80	661.40
(2) Registered Mothercraft Nurse				
1st year of experience				587.20
2nd year of experience				587.20
3rd year of experience	372.90	382.90	223.80	606.70
4th year of experience	393.20	403.20	223.80	627.00
Thereafter	413.20	423.20	223.80	647.00

* NB This column is operative from the 1st pay period on or after 3/4/89.

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.

