

Vol. 366, Part 3

26 September 2008

Pages 748 – 837



NEW SOUTH WALES
INDUSTRIAL GAZETTE

Printed by the authority of the
Industrial Registrar
47 Bridge Street, Sydney, N.S.W.

ISSN 0028-677X

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26 September 2008

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(005)

SERIAL C6695**AERATED WATERS, &c. (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Correction to Serial C6515 published 30 May 2008

(365 I.G. 1595)

(No. IRC 1520 of 2007)

CORRECTION

1. Delete Part B, Monetary Rates, and substitute the following:

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

No.	Classification for establishments with a flow rate of 7000 litres per hour or more	Wage Total \$
1.	Syrup maker whose syrup room operations are computerised	564.30
2.	Cordial and/or syrup maker using recipes or formulae	555.80
3.	Pre-mixer filler operator	545.10
4.	Employees who, under the direction of the employer or manager or foreman, are in charge of the running adjustment or running maintenance of automatic carbonating and/or fruit juice or aerated waters machinery or plant and/or syrup filler operator	531.90
5.	Assistant syrup maker	531.90
6.	Employee engaged on routine in-line testing	531.90
7.	Employee operating labelling palletising or de-palletising, case packing or unpacking or carton packing machines	531.40
8.	Storeman (as defined)	531.40
9.	Employees engaged in bottling or canning line operations including operating bottle washer, removing empty bottles from cases or placing empty bottles on conveyors, sight inspecting, filling cases with full bottles, and stacking cases on pallets, fruit juice extracting cordial and/or syrup room (other than in Classification No. 1, 2 and 5), loader on or off motor trucks, cleaner, storeman and warehouse employee, store assistant (as defined), plastic blow moulding machines operator and/or employee attending, feeding or operating shrink wrap machine.	531.40
10.	Case, crate, box and/or pallet repairer	531.40
11.	Fork lift driver with lifting capacity of: (a) up to and including 5000 kg (b) Over 5000 kg and/or including twin forklift	543.90 555.30
12.	All other adult employees	531.40
13.	Trainee - first four weeks of service	524.40
	Motor wagon drivers - The rate of wages prescribed by the Transport Industry (State) Award, as varied from time to time, shall be applicable to employees classified as motor wagon drivers.	
	For establishments with a flow rate of less than 7000 litres per hour	
14.	Grade 1B Soft drink industry employee	524.40
15.	Grade 2B Soft drink industry employee	541.10
16.	Grade 3B Soft drink industry employee	569.60
17.	Grade 4B Soft drink industry employee	584.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4 (iii)	Employees handling caustic soda	0.72 per hour extra
2	4 (iv)	Employees working in a cold room	0.60 per hour extra
3	4 (v)	Leading Hands - 3 to 10 employees more than 10 employees	20.45 per week extra 32.65 per week extra
4	4 (vi)	First-aid Attendant	2.44 per day

G. M. GRIMSON *Industrial Registrar.*

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(005)

SERIAL C6679**AERATED WATERS, &c. (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1100 of 2008)

Before Commissioner Murphy

28 July 2008

VARIATION

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

6. State Wage Case Adjustments

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

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

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

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

No.	Classification for establishments with a flow rate of 7000 litres per hour or more	Wage Total \$
1.	Syrup maker whose syrup room operations are computerised	586.90
2.	Cordial and/or syrup maker using recipes or formulae	578.00
3.	Pre-mixer filler operator	566.90
4.	Employees who, under the direction of the employer or manager or foreman, are in charge of the running adjustment or running maintenance of automatic carbonating and/or fruit juice or aerated waters machinery or plant and/or syrup filler operator	553.20
5.	Assistant syrup maker	553.20
6.	Employee engaged on routine in-line testing	553.20
7.	Employee operating labelling palletising or de-palletising, case packing or unpacking or carton packing machines	552.70
8.	Storeman (as defined)	552.70
9.	Employees engaged in bottling or canning line operations including operating bottle washer, removing empty bottles from cases or placing empty bottles on conveyors, sight inspecting, filling cases with full bottles, and stacking cases on pallets, fruit juice extracting cordial and/or syrup room (other than in Classification No. 1, 2 and 5), loader on or off motor trucks, cleaner, storeman and warehouse employee, store assistant (as defined), plastic blow moulding machines operator and/or employee attending, feeding or operating shrink wrap machine.	552.70
10	Case, crate, box and/or pallet repairer	552.70

11	Fork lift driver with lifting capacity of: (a) up to and including 5000 kg (b) Over 5000 kg and/or including twin forklift	565.70 577.50
12.	All other adult employees	552.70
13.	Trainee - first four weeks of service	545.40
	Motor wagon drivers - The rate of wages prescribed by the Transport Industry (State) Award, as varied from time to time, shall be applicable to employees classified as motor wagon drivers.	
	Classification For establishments with a flow rate of less than 7000 litres per hour	Wage Total \$
14.	Grade 1B Soft drink industry employee	545.40
15.	Grade 2B Soft drink industry employee	562.70
16.	Grade 3B Soft drink industry employee	592.40
17.	Grade 4B Soft drink industry employee	607.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(iii)	Employees handling caustic soda	0.75 per hour extra
2	4(iv)	Employees working in a cold room	0.62 per hour extra
3	4(v)	Leading Hands - 3 to 10 employees more than 10 employees	21.25 per week extra 33.95 per week extra
4	4 (vi)	First-aid Attendant	2.54 per day

3. This variation shall commence from the first full pay period on or after 11 August 2008.

J. P. MURPHY, Commissioner

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AGED CARE INDUSTRY (BROKEN HILL) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Broken Hill Town Employees' Union.

(No. IRC 1218 of 2008)

Before Mr Deputy President Grayson

8 August 2008

VARIATION

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

3. Wages

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

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

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

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

Classification	Total rate per week effective 8 August 2007 \$	SWC June 2008	Total rate per week effective 8 August 2008 \$
Clerks - Junior -			
at 16 years or under	338.70	4.0%	352.25
at 17 years or under	382.01	4.0%	397.29
at 18 years or under	434.72	4.0%	452.11
at 19 years or under	487.55	4.0%	507.05
at 20 years or under	535.33	4.0%	556.74
Grade 1 -			
21 years of age or 1st year of service	578.60	4.0%	601.74
2nd year of service	589.70	4.0%	613.29
3rd year of service	602.20	4.0%	626.29
4th year of service	612.50	4.0%	637.00
5th year and thereafter	624.70	4.0%	649.69
Grade 2 -			
1st year of service	639.70	4.0%	665.29
2nd year and thereafter	655.30	4.0%	681.51

Grade 3 - 1st year of service	669.00	4.0%	695.76
2nd year and thereafter	684.60	4.0%	711.98
Grade 4 - 1st year of service	697.90	4.0%	725.82
2nd year and thereafter	710.10	4.0%	738.50
Grade 5 - 1st year of service	726.00	4.0%	755.04
2nd year and thereafter	739.00	4.0%	768.56
Grade 6 - 1st year of service	756.40	4.0%	786.66
2nd year and thereafter	769.90	4.0%	800.70
Grade 7 - 1st year of service	790.20	4.0%	821.81
2nd year and thereafter	806.40	4.0%	838.66
Grade 8 - 1st year of service	849.40	4.0%	883.38
2nd year and thereafter	867.80	4.0%	902.51
Hostel Supervisor - Grade 1 - less than 50 beds	639.70	4.0%	665.29
Grade 2 - 50 but less than 75	655.40	4.0%	681.62
Grade 3 - 75 but less than 100	669.00	4.0%	695.76
Grade 4 - 100 beds and over	684.10	4.0%	711.46
Personal Care Assistants	593.30	4.0%	617.03
General Service Officer - Grade 1 - Junior	502.34	4.0%	522.43
Grade 1 - Adult	593.30	4.0%	617.03
Grade 2	602.00	4.0%	626.08
Grade 3 - 1st year of service	619.30	4.0%	644.07
Grade 3 - 2nd year of service	627.20	4.0%	652.29
Grade 3 - 3rd year of service	636.70	4.0%	662.17
Diversional Therapists - 1st year of service	608.00	4.0%	632.32
2nd year of service	634.30	4.0%	659.67
3rd year of service	658.30	4.0%	684.63
4th year of service	680.20	4.0%	707.41
5th year of service and thereafter	703.20	4.0%	731.33
Recreational Activities Officer - 1st year of service	623.80	4.0%	648.75
2nd year of service	633.50	4.0%	658.84
3rd year of service and thereafter	641.50	4.0%	667.16
Cook - Grade A	627.30	4.0%	652.39
Grade B	617.30	4.0%	641.99
Maintenance Supervisor - Maintenance Supervisor (Tradesman)	729.10	4.0%	758.26
Maintenance Supervisor (Otherwise) - in charge of staff	691.50	4.0%	719.16
Maintenance Supervisor (Otherwise)	679.20	4.0%	706.37
Motor Vehicle Drivers - Grade A - Sedan	613.00	4.0%	637.52
Grade B - Utility	618.30	4.0%	643.03
Grade C - Ambulance or Minibus	621.50	4.0%	646.36
Grade D - Larger vehicle under 5 tonnes	623.60	4.0%	648.54
Grade E - Truck 5 tonnes and over	626.50	4.0%	651.56

Gardener -			
Head Gardener (Qualified)	658.70	4.0%	685.05
Head Gardener (Otherwise)	630.90	4.0%	656.14
Gardener (Qualified)	618.50	4.0%	643.24
Gardener (Otherwise)	604.50	4.0%	628.68

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

Table 2 - Allowances

Item No.	Clause No.	Brief Description		Allowance effective 8 August 2007 \$	SWC 2008 %	Allowance effective 8 August 2008 \$
1	9(c)	Recall - use of own vehicle	per km	0.7939	4.0%	0.8257
2	9(h)(i)	Overtime - breakfast	per shift	9.48	4.0%	9.86
3	9(h)(ii)	Overtime - luncheon	per shift	11.08	4.0%	11.52
4	9(h)(iii)	Overtime - evening meal	per shift	15.83	4.0%	16.46
5	11(a)(iv)	Sleepover allowance	per night	35.64	4.0%	37.07
6	11(b)(i)	Driving allowance	per week or shift as appropriate	4.24	4.0%	4.41
7	11(c)(i)	Cleaning scraping - confined spaces	per hour	0.45	4.0%	0.47
8	11(c)(ii)	Cleaning scraping - boiler flue	per hour	0.74	4.0%	0.77
9	11(c)(iv)	Linen handling - nauseous linen	per hour	0.21	4.0%	0.22
10	11(d)(i)	Travelling allowance	per km	0.7939	4.0%	0.8257
11	11(e)(i)	On Call allowance	per shift	14.13	4.0%	14.6989
12	11(f)(i)	* Flexibility allowance	per shift in excess of 5 hours	5.40		5.40
13	22(d)	Uniform allowance	per week	3.50	4.0%	3.64
14	22(d)	Cardigan or special shoe allowance	per week	1.39	4.0%	1.45
15	22(e)	Laundry allowance	per week	3.50	4.0%	3.64

* This allowance does not get indexed

4. This variation shall take effect from the first full pay period to commence on or after 8 August 2008.

J. P. GRAYSON *D.P.*

(011)

SERIAL C6684**ANIMAL WELFARE, GENERAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1154 of 2008)

Before Commissioner McLeay

31 August 2008

VARIATION

1. Delete subclause (vi) of clause 5, Wages, of the award published 23 February 2001 (322 I.G. 531), and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Table 1 - Wages, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Rate Per Week \$
Animal Nurse, as defined	552.70
General Nurse, in transition	552.70
Animal Attendant, as defined	552.70
Food Preparer or Kennel Cleaner	552.70
All others	552.70

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	2(ii)(a)	Broken Shift Allowance	11.44 per shift
2	2(ii)(b)	Excess Fares Allowance	10.44 per week
3	5(ii)	Leading Hands	27.59 per week
4	5(iv)	First-aid	14.08 per week
5	6(ii), (iii), (iv)	Overtime and Meal Allowances	9.56
6	7(ii)	Saturday morning work:	
		Adults	15.49
		Juniors	11.15

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

3. The variation shall take effect from the first full pay period to commence on or after 3 September 2008.

J. McLEAY, Commissioner

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(012)

SERIAL C6683**ANIMAL WELFARE, INSTITUTIONAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1153 of 2008)

Before Commissioner McLeay

31 July 2008

VARIATION

1. Delete subclause (v) of clause 5, Wages of the award published 23 February 2001 (322 I.G. 558), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Table 1 - Wages, and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Rate per week \$
Inspector	576.78
Liaison Officer (Inspectors)	576.78
Supervisor	562.12
Veterinary Assistant	552.70
Lethalist	552.70
Animal Attendance	552.70
Handyman	552.70
All others	552.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(ii)	Leading Hand Allowance	23.24 per week
2	5(iv)	First-aid Allowance	11.38 per week
3	6(ii)	Meal Allowance	9.34 per meal

4	23(i)	Locomotion	Standing Charge per week	Running Charge per week
		Horsepower of vehicle:	\$	\$
		Up to and including 2,000 cc	231.28	28.37
		Over 2,000 cc	263.56	30.82
5	23(iii)	Locomotion : bicycle	5.15 per shift	

3. The variation shall take effect from the first full pay period to commence on or after 3 September 2008.

J. McLEAY, Commissioner

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(080)

SERIAL C6689**CANTEEN, &c., WORKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1126 of 2008)

Before Commissioner Murphy

1 August 2008

VARIATION

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

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

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

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

GRADE	Weekly rates of pay
1	552.60
2	570.20
3	596.90
4	616.30
5	652.10
6	696.40

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount
1	9	Tool Allowance	0.74 per week
2	11	Meal Allowance	11.55 per week
3	13	First Aid Allowance	12.54 per week
4	19	Laundry Allowance: - special clothing requiring ironing	3.33 per day to a maximum of 9.99 per week
		- special clothing not requiring ironing	1.87 per day to a maximum of 5.64 per week

3. This variation shall commence from the first full pay period on or after 7 September 2008.

J. P. MURPHY, Commissioner

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(135)

SERIAL C6681**CLERICAL AND ADMINISTRATIVE EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, Industrial Organisation of Employees.

(No. IRC 1186 of 2008)

Before Commissioner Murphy

31 July 2008

VARIATION

1. Delete subclause 7.4 of Clause 7 Payment of wages and insert in lieu the following:

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

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

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

The following Minimum rates of wages shall take effect from the first pay period to commence on or after 31 July 2008.

Grade	Weekly Rate Pre SWC2008	SWC2008	Weekly Rate
	\$	4%	\$
1	563.60	22.54	586.10
2	584.50	23.38	607.90
3	618.20	24.73	642.90
4	659.90	26.40	686.30
5	720.50	28.82	749.30

Table 2 - Junior Wages

The minimum rates of wages per week for junior employees shall be as follows:

- (a) Equivalent to grade 3 or above

Age	Weekly Rate Pre SWC2008	SWC 2008	Weekly Rate
	\$	%	\$
At 17 years of age	297.50	4%	309.40
At 18 years of age	367.60	4%	382.30
At 19 years of age	420.15	4%	436.95
At 20 years of age	496.05	4%	515.90

(b) All other junior employees

Age	Weekly Rate Pre SWC 2008 \$	SWC 2008 %	Weekly Rate \$
Under 17 years of age	223.30	4%	232.25
At 17 years of age	279.55	4%	290.75
At 18 years of age	342.65	4%	356.35
At 19 years of age	388.50	4%	404.05
At 20 years of age	457.20	4%	475.50

Table 3 - Telephone Canvassers (Other than For The Sale Of Goods)

Classification	Weekly Rate pre SWC 2008	SWC 2008 4%	Weekly Rate Full-time	Weekly Rate Part-time (Weekly rate divided by 38)	Hourly rate Casual (Weekly rate divided by 38 plus 20% loading Includes 1/12 holiday pay)
Telephone Canvasser	541.10	21.64	562.70	14.81	17.77

Table 4 - Other Rates and Allowances

Item No.	Clause	Brief Description	Amount \$
1	9.9.1	Saturday Loadings: Adult	16.80
		Employees under 21 years of age	11.35
2	10.3.2	Meal Money (shift Work)	12.20
3	13.1	Meal Allowance (Overtime)	12.20
4	13.5	Own Car Allowance: For vehicle 1,500cc and under	95.25
		For a vehicle over 1,500cc	117.70
5	13.5	Own Car allowance For use on a casual or incidental basis	0.63c per km
6	13.7	First-Aid Allowance	10.00

3. This variation shall take effect from the first pay period to commence on or after 31 July 2008

J. P. MURPHY, Commissioner

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(082)

SERIAL C6680

CLERICAL AND ADMINISTRATIVE EMPLOYEES IN PERMANENT BUILDING SOCIETIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, Industrial Organisation of Employees.

(No. IRC 1329 of 2008)

Before Commissioner Bishop

18 August 2008

VARIATION

1. Delete subclause (xi) of clause 3, Classification Structure and Wages, of the award published 1 December 2000 (320 I.G. 789), and insert in lieu thereof the following:
 - (xi) State Wage Case Adjustments - The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:
 - (a) any equivalent over award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

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

PART E

MONETARY RATES

Table 1 - Wages

Adults - The minimum rates of wages per week for adult employees shall be the rate of wages as set out below for the relevant grades:			
Grade	Former Weekly Rate \$	SWC 2008 %	New Weekly Rate \$
Grade 1	565.00	4	587.60
Grade 2	584.50	4	607.90
Grade 3	618.20	4	642.90
Grade 4	659.90	4	686.30
Grade 5	720.50	4	749.30

Juniors - Junior employees performing duties of an Adult Grade 3 employee:			
Age	Former Weekly Rate \$	SWC 2008 %	Weekly Rate \$
At 17 years of age	297.50	4	309.40
At 18 years of age	367.60	4	382.30
At 19 years of age	420.15	4	436.95
At 20 years of age	496.05	4	515.90

All other junior employees -

Age	Former Weekly Rate \$	SWC 2008 %	Weekly Rate \$
Under 17 years of age	223.30	4	232.25
At 17 years of age	279.55	4	290.75
At 18 years of age	342.65	4	356.35
At 19 years of age	388.50	4	404.05
At 20 years of age	457.20	4	475.50

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(iv)(a)(1)	Saturday Loadings - Adults	15.75
		Employees under 21 years of age	10.70
2	5(iii)(a) 17(vii)(e) 17(viii)(g)	Meal Money	12.20
3	5(iii)(b)	Meal Allowances	12.20
4	6 (iii)	Own Car Allowance Vehicle 1500 cc and under	120.10 per week
		Vehicle over 1500 cc	143.65 per week
5	6(iv)	Own Car Allowance - for use on a casual or incidental basis	0.65 per km
6	9(i)	Stand by/Call Back Allowance: Monday - Friday inclusive	8.40
		Weekends/Public Holidays	16.80
7	12(i)(a)	First Aid Allowance	10.00
8	14(i)	Training Allowance	3.85
9	19(iii)(b)(1)	Meal Allowance - shift work	12.20

3. This variation shall take effect from the first full pay period to commence on or after 18 August 2008.

E. A. R. BISHOP, Commissioner

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(140)

SERIAL C6687

CLUB EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1123 of 2008)

Before Commissioner Murphy

30 July 2008

VARIATION

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

Table 1 - Rates of Pay

- (i) On and from 3 August 2008:

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

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

Classification	Minimum Rate \$	Supplementary Amount \$	Non-Adjustable Amount \$	Total Weekly Wage \$
Introductory Level	476.80	90.60	-	567.40
Level 1	507.00	86.70	16.50	610.30
Level 2 - All Others	521.60	89.50	-	611.10
Bar/Change Steward	523.60	89.50	6.90	620.00
Door Steward	523.30	89.50	5.70	618.60
Cold Larder Cook	522.80	89.50	3.70	616.10
Short Order Cook	524.50	89.50	8.90	623.00
Cellar/Stores Person	525.20	89.50	11.00	625.80
Clerical Staff	532.90	89.50	36.60	659.00
Level 3 - All Others	548.50	93.40	-	641.90
Receptionist	549.00	93.40	2.40	644.80
Clerical Staff	552.60	93.40	13.20	659.20
Level 4	573.40	96.70	-	670.10
Level 5	610.90	102.20	-	713.10
Level 6	635.60	105.90	-	741.50
Level 7	660.80	109.30	-	770.10

(ii) Fitness Instructor - \$38.3787 per hour

Table 2 - Other Rates and Allowances

(i) On and from 3 August 2007:

Item No.	Part No.	Clause No.	Brief Description	Amount \$	
1	B	9.5.2, 9.11.2, 9.17.1	Shift Penalty	2.1216	per hour
2	B	9.5.2, 9.11.2, 9.17.1	MINIMUM payment	7.25	per day
3	B	9.5.3, 9.11.3	Broken Shift penalty	10.53	per day
4	B	9.5.4, 9.11.3	Night Shift penalty	13.99	per day
5	B	12.1.5 (a)	Apprentices prof. allowance 1st Occasion	3.39	per week
6	B	12.1.5 (b)	2nd Occasion	5.63	per week
7	B	12.1.5 (c)	3rd Occasion	7.84	per week
8	C	21.1.1 (i)	First Aid Allowance	18.68	per week
9	B	9.15.4, 14.1.5, 14.1.6	Meal Allowance	9.95	per occasion
10	C	22.1.1 (i)	Clothing - Permanent employees	17.54	per week
11	C	22.1.1 (ii)	- Apprentices	7.35	per week
12	C	22.1.1 (iii)	- Casuals	2.56	per day
13	C	22.1.4	Shoe Allowance Only: Clothing - Permanent employees	4.04	per week
14	C	22.1.4	- Apprentices	1.96	per week
15	C	22.1.4	- Casuals	0.63	per day
16	C	22.1.9 (i)	Laundry Allowance: Permanent Employees	8.79	per week
17	C	22.1.9 (ii)	Apprentices	3.97	per week
18	C	22.1.9 (iii)	Cummerbund	1.09	per week
19	C	22.1.9 (iv)	Casuals	2.58	per day
20	C	22.1.9 (v)	Cooks	12.52	per week
21	C	22.1.9 (vi)	Apprentice Cooks	5.28	per week
22	C	22.1.9 (vii)	Casual Cooks	3.35	per day
23	C	20.1.1 (i)	Meal provided - deduct	9.95	per week
24	C	20.1.1 (ii)	Board & Lodgings - deduct	95.13	per week
25	C	20.1.1 (iii)	Lodgings only - deduct	45.42	per week
26	C	23.1.1	Tool Allowance	10.11	per week
27	C	23.1.2	Apprentice Tool Allowance	6.13	per week

2. This variation shall take effect on and from 3 August 2008.

J. P. MURPHY, Commissioner

Printed by the authority of the Industrial Registrar.

COOMA CHALLENGE LIMITED BUSINESS SERVICES (STATE) AWARD, THE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1172 of 2008)

Before Commissioner McKenna

29 July 2008

VARIATION

1. Delete paragraph 8.5.3, of clause 8, Employees with a Disability - Rates of Pay, Assessment and Classification, of the award published 20 May 2005 (351 I.G. 229), and insert in lieu thereof the following:

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

- (i) Any equivalent over-award payments; and/or
 - (ii) award wage increase since 29 May 1991 other than safety net adjustments, and minimum wage adjustments."
2. Delete Part B - Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay - Employees with a Disability

The rates of pay in Table 1 shall apply from the beginning of the first pay period to commence on or after 7 October 2008.

Classification	Percentage of Year 1 of Grade 1 for Employees without a Disability %	Hourly Rate of Pay \$	Weekly Rate of Pay \$
Level 1	19.5	3.49	132.75
Level 2	22.5	3.95	150.10
Level 3	27	4.63	176.10
Level 4	32	5.41	205.75
Level 5	36	6.09	231.45
Level 6	37.5	6.35	241.10

Table 2 - Rates of Pay - Employees without a Disability

The rates of pay in Table 2 shall apply from the beginning of the first pay period to commence on or after 7 October 2008.

Number of Years Employed	Hourly \$	Weekly \$
Grade 1		
Year 1	16.92	642.95
Year 2	17.53	666.30
Year 3	18.30	695.45
Year 4	19.06	724.10
Grade 2		
Year 1	19.68	747.95
Year 2	20.45	777.20
Year 3	20.76	788.85
Year 4	21.99	835.55
Year 5	22.76	864.75

Table 3 - Other Rates and Allowances

The allowances in Table 3 shall apply from the beginning of the first pay period to commence on or after 7 October 2008.

Item No.	Clause No.	Brief Description	Amount \$
1	13.1	Meal Money	9.35
2	33.1	Leading Hand Allowance - In charge of up to 10 employees In charge of 11 to 20 employees In charge of 21 or more employees	22.25 per week 38.10 per week 41.15 per week
3	33.2	Unwashed Rags	2.70
4	33.2	Picking Over Waste or Rags	1.10 per bale
5	33.4	First-aid Allowance	11.00 per week
6	33.5	Motor Vehicle Allowance	0.60 per km
7	40.1	Amenities Allowances - Inadequate dining facilities	3.85 per day
8	40.1	Amenities Allowances - Inadequate rest facilities	3.85 per day

3. This variation shall come into effect from the first full pay period on or after 7 October 2008.

D. S. McKENNA, Commissioner

Printed by the authority of the Industrial Registrar.

COTTON GINNING, &c., EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1236 of 2008)

Before Commissioner Tabbaa

5 August 2008

VARIATION

1. Delete subclause (3) of clause 2, Wages, of the award published 27 August 2004 (346 I.G. 138) and insert in lieu thereof the following:
 - (3) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent over-award payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Ginner	618.20	24.70	642.90
Gin Machinery Operator Category 1 - who shall include Trainee Ginner, Storeperson 1, Grader Operator, Hyster Operator, Maintenance Person	591.20	23.60	614.90
Gin Machinery Operator Category 2 - who shall include, but not be limited to, Gin Assistant, Head Press, Pressperson, Bale Loader Operator, Storeperson 2, Moon Buggy Operator, Trash Person, Roller Operator, Forklift Operator, Container Loader Operator, Mote Press Operator	569.10	22.80	591.90
General Hand, who shall include but not be limited to, Bag Person, Press Hand, Cleaners/Sweepers, Suction Operation, Yard Cleaners, Yard Crew, General Labourer, Feeder Operator, Book Person	541.10	21.60	562.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	19(3)	Meal Allowance	6.70	7.15
2	20(2)	First-aid	2.13 per day/or shift	2.20 per day/or shift

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

3 This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

I. TABBAA, Commissioner

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COTTON GROWING EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1237 of 2008)

Before Commissioner Tabbaa

5 August 2008

VARIATION

1. Delete subclause (3) of clause 2, Rates of Pay, of the award published 30 March 2001 (323 I.G. 565) and insert in lieu thereof the following:
 - (3) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment 4%	SWC 2008 Amount \$
Rural Tradesperson	618.20	24.70	642.90
Mechanical Equip. Operator - Lister Operator, Service Truck Operator, Laser Operator, Scraper Operator, Excavator Operator, Blade Operator, Backhoe Operator, Mobile Crane Operator, Crane Driver, Storeperson Grade 1, Picker Mechanic, Grader Operator.	591.20	23.60	614.90
Field Equipment Operator - who shall include but not be limited to - Module Builder Tractor Operator, Truck Driver, Syphon Forklift Operator, Picker Operator, Storeperson Grade 2, Front-end Loader Operator, Rotobuck Operator, Spray Operator, Gas-rig Sled Operator, Farm Welder, Bug Checker, Neutron Probe Operator, Irrigation Machinery Operator, Roller Operator	569.10	22.80	591.90
Stick Pickers and Chippers *Not engaged on a weekly basis refer Item 1 of Table 2 of Part B.	531.40	21.30	552.70
General Farm Hand - includes but not limited to Irrigation Harvest Ground Crew.	541.10	21.60	562.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(1)(c)	Stick Pickers and Chippers (including 15% Casual Loading at Clause 5(2))	16.08	16.72
		Stick Pickers and Chippers engaged by the hour (including 15% Casual Loading at Clause 5 (2) and 1/12 holiday leave loading)	17.42	18.12
2	2(1)(d)	Cooks - minimum rate per week	641.55	667.20
3	2(1)(e)	Leading Hands per week	24.40	25.40
4	17(3)	Meal Allowance	10.45	11.10
5	21	First-aid Allowance p/day or shift	2.15	2.25

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

I. TABBAA, Commissioner

Printed by the authority of the Industrial Registrar.

CROWN EMPLOYEES (OFFICE OF THE LEGAL AID COMMISSION - INDEMNIFICATION OF EMPLOYED SOLICITORS) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 700 of 2008)

Before Commissioner McLeay

5 August 2008

REVIEWED AWARD

Arrangement

PART A

Clause No.	Subject Matter
1.	Title
2.	Definitions
3.	Indemnity
4.	Anti-Discrimination
5.	Disputes Settling Procedure
6.	Application

PART A

1. Title

This award shall be known as the Crown Employees (Office of the Legal Aid Commission - Indemnification of Employed Solicitors) Award.

2. Definitions

- 2.1 "Association" shall mean the Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales.
- 2.2 "Department Head" shall mean the Chief Executive Officer of the Office of the Legal Aid Commission.
- 2.3 "Office of the Legal Aid Commission" shall mean the Office of the Legal Aid Commission of New South Wales specified in Part 1 of Schedule 1 of the *Public Sector Employment and Management Act 2002*.
- 2.4 "Director of Public Employment" or "DPE" shall mean the employer for the purposes of the *Public Sector Employment and Management Act 2002*.
- 2.5 "Solicitor" shall have the same meaning as in the *Legal Profession Act 2004*.

3. Indemnity

- 3.1 A solicitor employed by the Office of the Legal Aid Commission shall be indemnified by the Office of the Legal Aid Commission with respect to the whole of any order made against the solicitor pursuant to section 348 of the *Legal Profession Act 2004* in any matter, except where the conduct of the solicitor giving rise to the making of an order:

- 3.1.1 constitutes "serious and wilful misconduct" as that phrase is construed under s5 of the *Employees Liability Act 1991*; or
- 3.1.2 did not occur in the course of, and did not arise out of, the solicitor's employment.

4. Anti-Discrimination

- 4.1 It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the *Industrial Relations Act 1996* to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibilities as a carer.
- 4.2 It follows that in fulfilling their obligations under the dispute resolution procedure prescribed by this award the parties have obligations to take all reasonable steps to ensure that the operation of the provisions of this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfilment of these obligations for the parties to make application to vary any provision of the award which, by its terms or operation, has a direct or indirect discriminatory effect.
- 4.3 Under the *Anti-Discrimination Act 1977*, it is unlawful to victimise an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- 4.4 Nothing in this clause is to be taken to affect:
- 4.4.1 any conduct or act which is specifically exempted from anti-discrimination legislation;
- 4.4.2 offering or providing junior rates of pay to persons under 21 years of age;
- 4.4.3 any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
- 4.4.4 a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.
- 4.5 This clause does not create legal rights or obligations in addition to those imposed upon the parties by the legislation referred to in this clause.
- 4.5.1 Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- 4.5.2 Section 56(d) of the *Anti-Discrimination Act 1977* provides:
- "Nothing in the Act affects any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion."

5. Dispute Settling Procedure

- 5.1 All grievances and disputes relating to the provisions of this award shall initially be dealt with as close to the source as possible, with graduated steps for further attempts at resolution at higher levels of authority within the appropriate department, if required.
- 5.2 A staff member is required to notify in writing their immediate manager, as to the substance of the grievance, dispute or difficulty, request a meeting to discuss the matter, and if possible, state the remedy sought.
- 5.3 Where the grievance or dispute involves confidential or other sensitive material (including issues of harassment or discrimination under the *Anti-Discrimination Act 1977*) that makes it impractical for the staff member to advise their immediate manager the notification may occur to the next appropriate level of management, including where required, to the Department Head or delegate.

- 5.4 The immediate manager, or other appropriate officer, shall convene a meeting in order to resolve the grievance, dispute or difficulty within two (2) working days, or as soon as practicable, of the matter being brought to attention.
- 5.5 If the matter remains unresolved with the immediate manager, the staff member may request to meet the appropriate person at the next level of management in order to resolve the matter. This manager shall respond within two (2) working days, or as soon as practicable. The staff member may pursue the sequence of reference to successive levels of management until the matter is referred to the Department Head.
- 5.6 The Department Head may refer the matter to the DPE for consideration.
- 5.7 If the matter remains unresolved, the Department Head shall provide a written response to the staff member and any other party involved in the grievance, dispute or difficulty, concerning action to be taken, or the reason for not taking action, in relation to the matter.
- 5.8 A staff member, at any stage, may request to be represented by the Association.
- 5.9 The staff member or the Association on their behalf, or the Department Head may refer the matter to the New South Wales Industrial Relations Commission if the matter is unresolved following the use of these procedures.
- 5.10 The staff member, Association, department and DPE shall agree to be bound by any order or determination by the New South Wales Industrial Relations Commission in relation to the dispute.
- 5.11 Whilst the procedures outlined in subclauses 5.1 to 5.10 of this clause are being followed, normal work undertaken prior to notification of the dispute or difficulty shall continue unless otherwise agreed between the parties, or, in the case involving occupational health and safety, if practicable, normal work shall proceed in a manner which avoids any risk to the health and safety of any staff member or member of the public.

6. Application

- 6.1 This award shall apply to all solicitors employed by the Office of the Legal Aid Commission of New South Wales other than a solicitor who is a chief executive officer or senior executive officer for the purposes of Part 3.1 of the *Public Sector Employment and Management Act 2002*.
- 6.2 This award is made following a review under section 19 of the *Industrial Relations Act 1996* and rescinds and replaces the Legal Aid Commission (Indemnification of Employed Solicitors) Award published 22 April 2005 (350 I.G. 409).
- 6.3 The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act 1996* and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 5 August 2008.
- 6.4 The award remains in force until varied or rescinded, the period for which it was made having already expired.

J. McLEAY, Commissioner

(329)

SERIAL C6663

FISH AND FISH MARKETING (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1238 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (vi) of clause 3, Rates of Pay, of the award published 8 December 2000 (320 I.G. 1139) and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Working Depot Foreperson 10+	625.90	25.00	650.90
Working Depot Foreperson - other	609.90	24.40	634.30
Hands Unloading from boats	590.00	23.60	613.60
Fork Lift Operator	581.20	23.20	604.40
Recorder	570.50	22.80	593.30
General Hand	560.10	22.40	582.50
Process Worker	547.40	21.90	569.30

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(vii)	Hours(Change of)	10.05 per day	10.45 per day
2	3(iii)	Pulling Ice	2.15 per day	2.25 per day
3	3(iv)	Selling Fish	14.50 per week	15.10 per week
4	3(v)	Ice-making operator	14.50 per week	15.10 per week
5	13	Meal Allowance - more than one hour's Overtime	9.85 per meal	10.50 per meal
6	13	Meal Allowance - more than four hour's Overtime	9.85 per meal	10.50 per meal
7	25	First-Aid Allowance	2.40 per day or shift	2.50 per day or shift

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

P. J. CONNOR, Commissioner

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(340)

SERIAL C6666

FRUIT PACKING HOUSES EMPLOYEES (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1239 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (B) of clause 2, Rates of Pay, of the award published 10 November 2000 (320 I.G. 31) and insert in lieu thereof the following:
 - (B) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent over-award payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

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

SECTION 1 - ADULT EMPLOYEES

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Senior Classer (dried fruits) (95%)	595.40	23.80	619.20
General Hand - Class (II) An employee whose duties include: classer (dried fruits), blender and/or Typer (dried fruits), weigher-in, sweat lumper (93%)	587.00	23.50	610.50
General Hand Class (I) i.e. Packer (experienced), Packer, tray pack and cell pack, Grader or sorter, Pulling away from front door to stacks and/or from stacks to feeding hoppers, Dipper (hot), Cool Store Hand (i.e. a person who is engaged for at least 50 per cent of his/her time in any one day in cool store chamber), Employee bringing fruit from and putting fruit into cool store chambers, Handling and/or stacking 25 kg to 27 kg boxes, Repairing boxes, crates, sweats, cases or trays, Nailer down, Wirer, Operator - crimper machine, Operator of press (both ends), Operator of circular saw, Steaming and/or cleaning down machinery, Washing stacking loading and/or dipping sweat boxes, General Labourer not elsewhere classified (83%)	545.30	21.80	567.10
Boxmaker, Maintenance Worker in charge of machinery, Fork Lift Driver or driver of power trolley tow motor or other power-propelled vehicle, Boiler Attendant, Furnace Attendant (90.5%)	576.60	23.10	599.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(A)(ii)	Leading Hand - 3 to 8 employees	18.05 p/wk	18.75 p/wk
2	2(A)(ii)	Leading Hand- 9 or more employees	25.20 p/wk	26.20 p/wk
3	15	Meal Allowance - 1 ½ hours overtime	8.15	8.65
4	15	Meal Allowance - Overtime notified but not required	8.15	8.65
5	16(ii)	Travel Allowance - Overnight Stay	70.65	72.95
6	16(ii)	Meal Allowance - Overnight Stay	8.15	8.65
7	17	Wet Work	2.95	3.05
8	24(ii)	First -Aid	1.85	1.90

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

3. This variation shall take effect from the first full pay period to commence on or after the 8 September 2008.

P. J. CONNOR, Commissioner

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HOTEL EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1103 of 2008)

Before Commissioner Murphy

28 July 2008

VARIATION

1. Delete subclause (c) of clause 6, Arbitrated Safety Net Adjustment of the award published 10 May 2002 (333 I.G. 317), and insert in lieu thereof the following:
 - (c) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Wage Total \$
Bar Attendant	552.70
Cashier in Bars	552.70
First Cook	553.49
Qualified Cook	552.70
Cook Employed Alone	552.70
Breakfast & Other Cook	552.70
Head Waiter/ress and/or Host/ess	552.70
Other Waiters/resses, drink and/or Food	552.70
Cleaner in and about Bars	552.70
Cellarperson	552.70
Assistant Cellarson	552.70
Butcher	552.70
Pantryman/maid or Kitchenman/maid	552.70
Storeperson	552.70
Night Porter	552.70
Day Porter	552.70
Billiards Room Attendant	552.70
Commissionaire Messenger and/or Parking Attendant	552.70
Useful and Cleaner	552.70
Person not otherwise provided for	552.70

Office Employees -	
1st year of adult service in the clerical industry	552.70
2nd year of adult service in the clerical industry	552.70
3rd year of adult service in the clerical industry	552.70
Cashier - elsewhere	552.70
Housekeeper or Manager/ess	552.70
Snack Bar Attendant	552.70
Laundry employee	552.70
Houseman/maid	552.70
Houseman/maid who repairs linen or articles of any description	552.70
Pantryman/maid or Kitchenman/maid	552.70
Persons not otherwise provided for	552.70

Table 2 - Other Rates And Allowances

Item	Clause	Description	Amount \$
1	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour	0.59
2	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	4.76
3	5 (b) (i)	In Charge of more than four employees	10.12 per week
4	5 (b) (ii)	In Charge of six to ten employees	13.27 per week
5	5 (b) (iii)	In Charge of ten to twenty employees	15.30 per week
6	5 (b) (iv)	In Charge of more than twenty employees	25.65 per week
7	5 (c) (i)	Shorthand 80 wpm	4.80 per week
8	5 (c) (ii)	Shorthand 100 wpm	10.19 per week
9	5 (c) (iii)	Machine operator	4.69 per week
10	5 (d) (i)	Home deliveries	0.42 per hour
11	5 (d) (ii)	Home deliveries	0.42 per hour
12	5 (d) (ii)	Home deliveries maximum	0.83
13	6A (a) (i)	Apprentice proficiency (first occasion)	1.74 per week
14	6A (a) (ii)	Apprentice proficiency (second occasion)	2.81 per week
15	6A (a) (iii)	Apprentice proficiency (third occasion)	3.60 per week
16	7 (b) (1)	For all work between 7.00 pm and 7.00 am per hour	0.94
17	7 (b) (2)	For all work between 7.00 pm and 7.00 am per hour - Minimum payment per day	1.45
18	8 (a)	Board and residence adult employee	18.78 per week
19	8 (a)	Shared room Board and residence adult employee	18.00 per week
20	8 (b)	Lodgings only adult employee	11.59 per week
21	8 (b)	Shared room lodgings only adult employee	11.47 per week
22	8 (c)	Meal supplied during employee's spread of hours	1.32 per meal
23	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour	0.35
24	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	0.72
25	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour	0.38
26	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	3.22
27	25 (b)	Laundry special clothing - cooks	3.57 per week
28	25 (b)	Laundry special clothing - other than cooks	2.16 per week
29	26 (ii)	Apprentice - Tool allowance	0.66 per week

3. This variation shall commence from the first full pay period on or after 30 August 2008.

J. P. MURPHY, Commissioner

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MALTHOUSES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1101 of 2008)

Before Commissioner Murphy

28 July 2008

VARIATION

1. Delete Part B, Monetary Rates, of the award published 11 July 2008 (366 I.G. 219) and insert in lieu thereof the following:

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

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

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

Classification	Wage Total \$
Malthouse Employee	576.60

Table 2 - Other Rates And Allowances

Item	Clause No.	Description	Amount \$
1	2.2	Flat Rate Allowance	10.10 per week
2	2.3	Shift Worker	50.30 per week
3	2.4	Leading Hand	32.70 per week
4	2.5	Laundry Allowance	7.50 per week

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

J. P. MURPHY, Commissioner

METALLIFEROUS MINING INDUSTRY (STATE) AWARD 1995

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1234 of 2008)

Before Commissioner Tabbaa

5 August 2008

VARIATION

1. Delete subclause (iv) of clause 7, Rates of Pay, of the award published 8 March 1996 (291 I.G. 1), and insert in lieu thereof the following:
 - (iv) The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
(a) Treatment Plant Operators -			
Operator Level 5	531.40	21.30	552.70
Operator Level 4	542.50	21.70	564.20
Operator Level 3	564.70	22.60	587.30
Operator Level 2	585.10	23.40	608.50
Operator Level 1	618.20	24.70	642.90
(b) Mine and Haulage -			
Operator Level 5	531.40	21.30	552.70
Operator Level 4	542.50	21.70	564.20
Operator Level 3	564.70	22.60	587.30
Operator Level 2	585.10	23.40	608.50
Operator Level 1	618.20	24.70	642.90
(c) Underground Operations -			
Mine Level 5	542.50	21.70	564.20
Mine Level 4	564.70	22.60	587.30
Mine Level 3	585.10	23.40	608.50
Mine Level 2	618.20	23.70	642.90
Mine Level 1	638.90	25.60	664.50

(d) Maintenance, Electrical and Mechanical -			
Tradesperson Level 5	618.20	23.70	642.90
Tradesperson Level 4	639.10	25.60	664.70
Tradesperson Level 3	659.90	26.40	686.30
Tradesperson Level 2	678.80	27.20	706.00
Tradesperson Level 1	720.50	28.80	749.30

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	8 (i)	Qualified Supervisor Certificate (Electrician) Certificate of Registration (Electrician)	32.20/week 17.30/week	33.50/week 18.00/week
2	8 (ii)	Leading Hand - 3 to 10 employees 10 to 20 employees More than 20 employees	23.55/week 34.15/week 44.75/week	24.50/week 35.50/week 46.55/week
3	9 (i)	Electrical and Mechanical Tradesperson Tool Allowance	11.50	11.95
4	13 (vi)(c)	Meal Allowance	8.55 on each occasion	9.05 on each occasion
5	24 (iii)	First - Aid Allowance	13.40	13.95

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

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

I. TABBAA, Commissioner

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(507)

SERIAL C6664**NURSERIES EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1240 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (g) of clause 5, Wages, of the award published 12 April 2001 (323 I.G. 1041), and insert in lieu thereof the following:
 - (g) The rates of pay in this award include the adjustments payable under the State Wage Case June 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete (1), Adult Employees, of Table 1 - Wage Rates and Table 2 - Other Rates and Allowances of Part B, Monetary Rates, and insert in lieu thereof the following:
 - (1) Adult Employees -

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Senior Nursery Tradesperson	659.90	26.40	686.30
Nursery Tradesperson	618.20	24.70	642.90
Mobile Nursery Person	587.00	23.50	610.50
Trainee Nurse Person	566.20	22.60	588.80
Micro-Propagation Processor	566.20	22.60	588.80
Nurse Hand	545.30	21.80	567.10

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	16(b)	First Aid	1.85	1.90
2	18(a)	Meal Allowance	9.50	10.05

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

3. This variation shall take effect from the first full pay period to commence on or after the 23 August 2008.

P. J. CONNOR, Commissioner

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(510)

SERIAL C6671**NURSES, OTHER THAN IN HOSPITALS, &c. (STATE) AWARD 2006**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, Industrial Organisation of Employees.

(No. IRC 1206 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (iii) of clause 4, Salaries, of the award published 20 August 2004 (346 I.G. 76) and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments."
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

	Former Wage Rate \$	SWC 2008 Adjustment \$	Total Rate \$
Assistant in Nursing			
1st year	547.20	4%	569.10
2nd year	558.30	4%	580.60
3rd year	569.50	4%	592.30
4th year	581.00	4%	604.20
Enrolled Nurse			
1st year	589.00	4%	612.60
2nd year	603.00	4%	627.10
3rd year	624.40	4%	649.40
4th year	642.10	4%	667.80
Thereafter	654.40	4%	680.60
Registered Nurse			
1st year	668.70	4%	695.40
2nd year	683.40	4%	710.70
3rd year	709.90	4%	738.30
4th year	736.20	4%	765.60
5th year	764.40	4%	795.00
6th year	792.40	4%	824.10
7th year	820.40	4%	853.20
8th year	850.50	4%	884.50
UG1	875.30	4%	910.30
Supervisory Nurse	888.90	4%	924.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	3(iv)	Meal	8.11 per meal
2	6(i)	On Call During Meal	6.43 per day
3	6(ii)	On Call	15.26 per shift
4	17(i)	Uniform	7.41 per week
5	17(i)	Stockings	3.66 per week
6	17(ii)	Laundry	5.66 per week
7	18(i)	Vehicle Allowance	
		Standing Charge	
		Up to 2 litres	163.60 per week
		Over 2 litres < 3.5 litres	180.09 per week
		Over 3.5 Litres	185.08 per week
		Vehicle Allowance	
		Running Charge	
		Up to 2 litres	31.03 cents per km
		Over 2 litres < 3.5 litres	34.69 cents per km
		Over 3.5 Litres	35.90 cents per km
8	18(iii)	Vehicle Allowance Casual Usage	69.29 cents per km

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

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

(517)

SERIAL C6665

OCCUPATIONAL HEALTH NURSES' (STATE) AWARD 2006

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, Industrial Organisation of Employees.

(No. IRC 1207 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (ii) of clause 6, Salaries, of the award published 16 July 2004 (345 I.G. 306), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

	Former Wage Rate \$	SWC 2008 Adjustment %	Total Rate \$
Assistant in Nursing			
1st year	547.20	4%	569.10
2nd year	558.30	4%	580.60
3rd year	569.50	4%	592.30
4th year	581.00	4%	604.20
Enrolled Nurse			
1st year	589.00	4%	612.60
2nd year	603.00	4%	627.10
3rd year	624.40	4%	649.40
4th year	642.10	4%	667.80
Thereafter	654.40	4%	680.60
Occupational Health Nurse			
Under Supervision -			
1st year of service	820.40	4%	853.20
2nd year of service	850.50	4%	884.50
Relieving Nurse	850.50	4%	884.50
UG1 Qualification	875.30	4%	910.30
Sole Occupational Health Nurse	875.30	4%	910.30

Senior Occupational Health Nurse	949.50	4%	987.50
Senior Occupational Health Nurse in charge	989.90	4%	1029.50
Principal Occupational Health Nurse	1051.50	4%	1093.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	6(v)	Meal Allowance	10.26 per meal
2	9(i)	Close Call	6.99 per day
3	9(ii)	Own vehicle Allowance Under 1600cc Over 1600cc	63.95 cents per km 86.71 cents per km
4	26(i)	Uniform Allowance	628.42 per annum or 12.08 per week
5	26(ii)	Laundering Allowance	7.06 per week
6	26(iii)	Stocking Allowance	4.42 per week

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

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

OYSTER FARMS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1241 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (vi) of clause 2, Wages, of the award published 11 May 2001 (324 I.G. 757) and insert in lieu thereof the following:
 - (vi) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
General Hand	574.10	23.00	597.10

Leading Hands - In Charge of 3 or more employees - \$21.85

Table 2 - Other Rates and Allowances

Item No	Clause No	Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	14	First-Aid per day	2.10	2.20
2	17(ii)	Travelling - meal each occasion	8.05	8.55
3	17(ii)	Travelling - Accommodation per night	34.65	35.75

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

(341)

SERIAL C6670**PEST CONTROL INDUSTRY (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1235 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (e) of clause 3, Wages, of the award published 24 November 2000 (320 I.G. 592), and insert in lieu thereof the following:
 - (e) The rates of pay in this award include the adjustments payable under the State Wage Case of 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Group No	Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
	Trainee	524.40	21.00	545.40
1	Grade 1	549.80	22.00	571.80
2	Fumigator/ Technician	562.90	22.50	585.40
3	Senior Fumigator Senior Technician	578.50	23.10	601.60
4	Inspector	624.35	25.00	649.30

Table 2- Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	3(d)	Leading Hand: 2-5 Employees	0.57 /hr	0.59 /hr
2	3(d)	Leading Hand: 5-10 Employees	0.76/ hr	0.79 / hr
3	3(d)	Leading Hand: More than 10 employees	1.00/hr	1.04 /hr
4	6(c)	Meal Allowance	11.80	12.50
5	6(d)	Meal Allowance - Overtime Or work past 12 noon	11.80	12.50

6	14(b)	Living Away from home allowance	425.15 / week	443.45 / week
7	17(b)	First-Aid Allowance	2.65 per day or shift	2.75 per day or shift

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

3. This variation shall take effect from the first full pay period to commence on or after 31 August 2008.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

POULTRY FARM EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1242 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete clause 6, Safety Net Commitments, of the award published 12 April 2001 (323 I.G. 1069) and insert in lieu thereof the following:

6. Safety Net Commitments

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

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

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

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

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
General Hand	531.40	21.30	552.70
Stock Hand	555.70	22.20	577.90
Authorised Tester	618.20	24.70	642.90
Rural Tradesperson	618.20	24.70	642.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Classification	SWC 2007 Amount \$	SWC 2008 Amount \$
1	4 (vii)(a)	Leading Hands	18.30	19.05
2	4(vii)(b)	Leading Hands	24.80	25.80
3	4 (ix)	Cleaning	1.70	1.75
4	8 (ii)	Overtime Meal Allowance	9.65	10.25
5	19 (ii)	First-aid	2.40	2.50

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

P. J. CONNOR, Commissioner

Printed by the authority of the Industrial Registrar.

PRIVATE MEDICAL IMAGING (STATE) AWARD 2004

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 692 of 2008)

Before Commissioner Connor

8 August 2008

REVIEWED AWARD

1. Arrangement

PART A

Clause No. Subject Matter

PART 1

APPLICATION AND OPERATION OF AWARD

1. Arrangement
2. Area, Incidence and Duration
3. Parties

PART 2

EMPLOYMENT

4. Definitions
5. Probationary employment
6. Part-time, job share and casual employment
7. Hours
8. Overtime
9. Procedure to avoid industrial disputes
- 9A. Secure Employment

PART 3

JOB SECURITY

10. Anti-discrimination
11. Termination of employment
12. Redundancy
13. Without prejudice

PART 4

LEAVE

14. Annual leave
15. Personal leave
16. Long service leave
17. Public holidays

18. Parental leave
19. Jury service

PART 5

REMUNERATION

20. Rates of pay
21. Payment of wages
22. Allowances - meals, motor vehicles and on call
23. Annual leave loading
24. Public holidays payment
25. Superannuation

PART B

MONETARY RATES

PART C

WORK LEVEL STATEMENT - MEDICAL IMAGING ADMINISTRATION (MIA)

2. Area, Incidence and Duration

- (i) This award will apply to employers and employees as set out in clause 3 - Parties.
- (ii) The award will take effect on and from 29 June 2005 and will remain in effect until 30 June 2007.
- (iii) This award is made following a review under section 19 of the *Industrial Relations Act* 1996 and rescinds and replaces the Private Medical Imaging (State) Award 2004 published 26 August 2005 (353 I.G. 311), as varied.
- (iv) The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act* 1996 and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 8 August 2008.
- (v) This award remains in force until varied or rescinded, the period for which it was made having already expired.

3. Parties

- (i) This award will be binding upon the Health Services Union (the Union) and its officers and members in respect of work done by employees employed in the classifications set out in Table 1 of Part B, Monetary Rates and as defined in clause 4, Definitions.
- (ii) Notwithstanding subclause (i) of this clause, this award will not apply to any employee whose gross earnings exceeds the sum of \$90,400 per annum.

4. Definitions

"Full-time" means an employee who is engaged as such and who is rostered to work an average of 152 ordinary hours per four week period.

"Part-time" means an employee who is engaged as such and who is required to work less than an average of 152 ordinary hours per four-week period with a minimum start of two hours per rostered day.

"Job share" means a part-time employee who shares a full-time position.

"Casual" means an employee who is engaged on an hourly basis other than as a permanent part-time employee or full-time employee or job share employee.

"CPD" means Continuing Professional Development, which is the responsibility of the employee and includes maintaining their own CPD, and on-going career learning in consultation with their employer.

"Practice" means the business entity and not the work locations.

"Medical Imaging Administration (MIA)" means a person appointed as such where the principal function of the employment, as determined by the employer, is of a clerical or administrative nature, described in MIA Levels 1 to 5 and Part C, Work level statement for medical imaging administration (MIA), and who maintains their own CPD.

(i) Level 1 (MIA 1)

At level MIA 1 the choice of actions required is clear. The employee applies knowledge and skills to a limited range of tasks. They will usually perform work within established routines, methods and procedures that are predictable, and which may require the exercise of limited discretion. They may work under direct supervision with regular checking of their progress.

(ii) Level 2 (MIA 2)

At level MIA 2 the choice of actions required is usually clear, with limited complexity in the choice. The employee applies knowledge and skills to multi-task a range of tasks. They will perform work within established routines, methods and procedures, which involve the exercise of some discretion and minor decision making. They may work under routine supervision with intermittent checking of their work.

(iii) Level 3 (MIA 3)

At level MIA 3 the employee will usually perform multi-task work within routines, methods and procedures where some discretion and judgment is required. The employee may be responsible for the work of others and may be required to co-ordinate such work. They will apply knowledge with depth in some areas and a broad range of skills. They may work under limited supervision with checking of their work related to overall progress.

(iv) Level 4 (MIA 4)

At level MIA 4 the knowledge with depth in some areas is applied in a broad range of multi-task skills. There is a wide range of tasks, and the range and choice of actions required will usually be complex. Responsibility for the organisation of the work of others may be involved. Competencies are usually applied within routines, methods and procedures where discretion and judgment is required, for both self and others. They may be required to work without supervision, with general guidance on progress and outcomes sought on their work.

(v) Level 5 (MIA 5)

At level MIA 5 knowledge with substantial depth in some areas is applied in a range of skills, which may be varied or highly specific to their multi-tasks. An employee at this level applies knowledge and skills dependently and non-routinely. Judgment and initiative are required. They may receive assistance with specific problems. They may be supervised by professional staff and may be responsible for the planning and management of the work of others.

"Medical Imaging Liaison (MIL)" - A person appointed to MIL represents the practice and applies their knowledge, skill and experience to this position. Their primary task is to liaise with referrers and promote the practice/organisation to meet the business and clinical objectives of the practice/organisation and maintains their own CPD. Their experience may have been obtained in a Radiology Practice but not necessarily. They would bring a depth of knowledge and broad range of skills relevant to the position.

"Medical Imaging Technologist (MIT)" means a person appointed as such where the principal function of the employment as determined by the employer in medical imaging is described in the following Levels 1 to 6: Medical Radiographer (MR); Nuclear Medicine Technologist (NMT); Radiation Therapist (RT); Ultrasonographer (U); and Magnetic Resonance Imaging (MRI) and who maintains their own CPD.

"Medical Radiographer (MIT-MR)" means a Medical Imaging Technologist appointed as such by the employer and who meets the standards required by the Royal Australian and New Zealand College of Radiologists quality and accreditation program for MIT-MR and who maintains their own CPD.

(i) Level 1 - Medical Radiographer (MIT-MR 1) in Professional Development Year (PDY)

At level MIT-MR 1 PDY the employee will have completed training at a tertiary institution or be accredited as a radiographer or nuclear medicine technologist or radiation therapist by a relevant body in the appropriate jurisdiction. This is the first year of work after completion of studies and it forms part of final assessment. They may be competent in performing routine procedures, but would require on-the-job training and supervision in all aspects of workflow, work quality and administrative tasks. A licence in the appropriate jurisdiction as recognised by the Health Insurance Commission must be held.

(ii) Level 2 - Medical Radiographer (MIT-MR 2)

At level MIT-MR 2 the employee will have completed training in his/her Professional Development Year (PDY) and is competent in performing routine procedures; requires further on-the-job training relative to some examinations or procedures performed infrequently. Although under general instruction from their immediate supervisor, they will be expected to have begun managing their workflow and work quality to be aware of the importance of patient satisfaction, and will liaise productively with other members of staff. It is anticipated that they may have begun training in subspecialties.

(iii) Level 3 - Medical Radiographer (MIT-MR 3)

At level MIT-MR 3 the employee will be an experienced employee who will be required to work under only general directions from their supervisor and be capable of performing complex and difficult examinations. The employee will effectively manage examination quality of routine procedures, workflow and patient satisfaction and will liaise effectively with all other staff members. They may be training in subspecialties. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iv) Level 4 - Medical Radiographer (MIT-MR 4)

At level MIT-MR 4 the employee may be in charge of a section of a large, multi-modality practice. They will have been trained in areas of sub-specialisation. They will usually be required to supervise examinations performed by less experienced staff while, as a senior staff member, will be required to assist in the administrative functions of the practice and provide relief cover when necessary. They will work co-operatively and productively with all other members of staff. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(v) Level 5 - Medical Radiographer (MIT-MR 5)

At level MIT-MR 5 the employee will be in charge of a section of a large, multi-modality practice or in charge of a smaller practice. The employee will be required to supervise examinations performed by less experienced staff. They will be required to assist in the administrative functions of the practice and in planning the workload and throughput of the practice. They may receive direction from the Chief Radiographer or Chief Nuclear Medicine

Technician, where appointed, or directly from the radiologist/ surgeon/ physician or manager supervising the practice. They will work co-operatively and productively with all other members of staff. They will have the necessary experience and qualifications to effectively manage their section or the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

(vi) Level 6 - Chief Medical Radiographer (MIT-CMR 6)

The MIT-CMR 6 is the most senior Medical Imaging Technologist in the practice who will be responsible directly to the radiologist/ surgeon/ physician or manager supervising the practice or be in charge of more than one practice. This level of employment is generally restricted to the larger multi-modality practice. The chief will supervise and be responsible for the work and productivity of all other members of staff, administrative functions of the practice, including accreditation and compliance requirements, and will be responsible for the effective management of patient throughput and the staff rosters. They will possess the necessary qualifications and experience to manage any practice in the group including a large multi-modality practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

"Nuclear Medicine Technologist (MIT-NMT)" means a Medical Imaging Technologist appointed as such by the employer who meets the standards required by the Royal Australian and New Zealand College of Radiologists quality and accreditation program for MIT-NMT and who maintains their own CPD.

(i) Level 1 - Nuclear Medicine Technologist (MIT-NMT 1) in Professional Development Year (PDY)

At level MIT-NMT 1 PDY the employee will have completed training at a tertiary institution or be accredited as a radiographer or nuclear medicine technologist or radiation therapist by a relevant body in the appropriate jurisdiction. This is the first year of work after completion of studies and it forms part of final assessment. They may be competent in performing routine procedures, but would require on-the-job training and supervision in all aspects of workflow, work quality and administrative tasks. A licence in the appropriate jurisdiction as recognised by the Health Insurance Commission must be held.

(ii) Level 2 - Nuclear Medicine Technologist (MIT-NMT 2)

At level MIT-NMT 2 the employee will have completed training in their Professional Development Year (PDY) and be competent in performing routine procedures; requires further on-the-job training relative to some examinations or procedures performed infrequently. Although under general instruction from their immediate supervisor, they will be expected to have begun managing their workflow and work quality to be aware of the importance of patient satisfaction, and will liaise productively with other members of staff.

(iii) Level 3 - Nuclear Medicine Technologist (MIT-NMT 3)

At level MIT-NMT 3 the employee will be an experienced employee who would be required to work under only general directions from their supervisor and be capable of performing complex and difficult examinations. The employee will effectively manage examination quality of routine procedures, workflow and patient satisfaction and will liaise effectively with all other staff members. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iv) Level 4 - Nuclear Medicine Technologist (MIT-NMT 4)

At level MIT-MRT 4 the employee may be in charge of a section of a large, multi-modality practice. They will have a detailed understanding of all aspects of Nuclear Medicine Science. They will usually be required to supervise examinations performed by less experienced staff while, as a senior staff member, will be required to assist in the administrative functions of the practice and provide relief cover when necessary. They will work co-operatively and productively with all other members of staff. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(v) Level 5 - Nuclear Medicine Technologist (MIT-NMT 5)

At level MIT-NMT 5 the employee may be in charge of a section of a large, multi-modality practice or be in charge of a small practice. They will have a detailed understanding of all aspects of Nuclear Medicine Science. They will be required to supervise examinations performed by less experienced staff. They will be required to assist in the administrative functions of the practice and in planning the workload and throughput of the practice. They may receive direction from the Chief Nuclear Medicine Technician, where appointed, or directly from the radiologist/surgeon/physician or manager supervising the practice. They will work co-operatively and productively with all other members of staff. They will have the necessary experience and qualifications to effectively manage their section or the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

(vi) Level 6 - Chief Nuclear Medicine Technologist (MIT-CNMT 6)

The MIT-CNMT 6 is the most senior Medical Imaging Technologist in the practice who will be responsible directly to the physician or manager supervising the practice. The Chief may be in charge of more than one practice. In smaller sites there may not be someone appointed at this level. The Chief will supervise and be responsible for the work and productivity of all other members of staff, administrative functions of the practice, including accreditation and compliance requirements, and will be responsible for the effective management of patient throughput and the staff rosters. They will have a detailed understanding of all aspects of Nuclear Medicine Science. They will possess the necessary qualifications and experience to manage any practice in the group including a large multi-modality/site practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

"Radiation Therapist (MIT-RT)" means a Medical Imaging Technologist appointed as such by the employer who meets the standards required by the Royal Australian and New Zealand College of Radiologists quality and accreditation program for MIT-RT and who maintains their own CPD.

(i) Level 1 - Radiation Therapist (MIT-RT 1) in Professional Development Year (PDY)

At level MIT-RT 1 PDY the employee will have completed training at a tertiary institution or be accredited as a radiographer or nuclear medicine technologist or radiation therapist by a relevant body in the appropriate jurisdiction. This is the first year of work after completion of studies and it forms part of final assessment. They may be competent in performing routine procedures, but would require on-the-job training and supervision in all aspects of workflow, work quality and administrative tasks. A licence in the appropriate jurisdiction as recognised by the Health Insurance Commission must be held.

(ii) Level 2 - Radiation Therapist (MIT-RT 2)

At level MIT-RT 2 the employee will have completed training in their Professional Development Year (PDY) and be competent in performing routine procedures; requires further on-the-job training. Although under general instruction from their immediate supervisor, they will be expected to have begun managing their workflow and work quality to be aware of the importance of patient satisfaction, and will liaise productively with other members of staff.

(iii) Level 3 - Radiation Therapist (MIT-RT 3)

At level MIT-RT 3 the employee will be an experienced employee who would be required to work under only general directions from their supervisor and be able to demonstrate a high level of knowledge and proficiency in radiation therapy. The employee will effectively manage workflow and patient care and will liaise effectively with all other staff members. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iv) Level 4 - Radiation Therapist (MIT-RT 4)

At level MIT-RT 4 the employee may be in charge of a section i.e. planning or linear accelerator; they will have been trained in all areas of radiation therapy and be required to supervise less experienced staff. As a senior staff member it will be a requirement to assist in the administrative functions of the practice and provide relief cover when necessary. They will work co-operatively and productively with all other members of staff. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(v) Level 5 - Radiation Therapist (MIT-RT 5)

At level MIT-RT 5 the employee will be in charge of a department with one Linear Accelerator. They will be responsible for the patient service standards, productivity of all other members of staff, administrative functions of the practice, including accreditation and compliance requirements, and will be responsible for the effective management of patient throughput and the staff rosters. They will be responsible directly to the Radiation Oncologist or manager supervising the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible; or

At level MIT-RT 5 the employee will be required to supervise less experienced staff. They will be required to assist in the administrative functions of the practice and in planning the workload and throughput of the practice. They may receive direction from the Chief Radiation Therapist or from the Radiation Oncologist or manager supervising the practice. They will work co-operatively and productively with all other members of staff. They will have the necessary experience and qualifications to effectively manage their section or the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

(vi) Level 6 - Chief Radiation Therapist (MIT-CRT 6)

The MIT-CRT 6 is the most senior Medical Imaging Technologist in the practice who will be responsible directly to the Radiation Oncologist or manager supervising the practice. This level of employment is generally restricted to department with two or more Linear Accelerators. The Chief will be responsible for the patient service standards, productivity of all other members of staff, administrative functions of the practice, including accreditation and compliance requirements, and will be responsible for the effective management of patient throughput and the

staff rosters. They will possess the necessary qualifications and a detailed understanding of all aspects of radiation therapy and experience to manage a Radiation Oncology Department in the group. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

"Ultrasonographer (MIT-U)" means a Medical Imaging Technologist appointed as such by the employer who meets the standards required by the Royal Australian and New Zealand College of Radiologists quality and accreditation program for MIT-U and who maintains their own CPD.

(i) Level 2 - Ultrasound (MIT-U 2)

At level MIT-U 2 the employee will have begun training in ultrasound to be eligible for registration as an ultrasonographer on the Australian Sonographers Accreditation Register (ASAR) as recognised by the Health Insurance Commission. The employee will be undertaking training to perform routine ultrasound procedures. Such training will include on-the-job instruction in technique and protocols by the employer in relation to these tasks and will require constant supervision of the employee. When the employee commences training at this level they may not yet be enrolled in the Diploma of Medical Ultrasound (DMU) or equivalent tertiary studies. However, they will be expected to work towards this qualification. The employee will be working towards managing examination quality of routine ultrasound procedures, workflow and patient satisfaction and will work under general directions from their supervisor. They will also demonstrate a willingness to learn and perform more complex and difficult techniques and procedures under the supervision of appropriately qualified staff and will work with relevant personnel to ensure compliance with ultrasound accreditation processes for the practice.

(ii) Level 3 - Ultrasound (MIT-U 3)

At level MIT-U 3 the employee will be trained in ultrasound and be registered on the ASAR register. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iii) Level 4 - Ultrasound (MIT-U 4)

At level MIT-U 4 the employee will be trained in ultrasound and on the ASAR register. The employee will effectively manage examination quality of all ultrasound examinations including more complex and less frequently performed examinations, workflow and patient satisfaction and will work under general instructions from their supervisor in these areas. They will work with relevant personnel to ensure compliance with the ultrasound accreditation processes for the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iv) Level 5 - Ultrasound (MIT-U 5)

At level MIT-U 5 the employee will be trained in ultrasound and on the ASAR register. The employee will supervise staff training in ultrasound and be experienced in and have demonstrated competence in all areas of ultrasound. They may receive direction from the Chief Radiographer, where appointed, or directly from the radiologist/physician or manager supervising the practice. They will assist in administrative tasks in ultrasound and in planning of the rosters, workload and productivity of ultrasound staff. They will ensure patient satisfaction and examination quality of their work and that of any staff member supervised and will work co-operatively and productively with all other members of staff. They will ensure that documents necessary for the continuance of the practice's ultrasound accreditation are maintained and kept up-to-date. They will demonstrate an

ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

"Magnetic Resonance Imaging (MIT-MRI)" means a Medical Imaging Technologist appointed as such by the employer who meets the standards required by the Royal Australian and New Zealand College of Radiologists quality and accreditation program for MIT-MRI and who maintains their own CPD.

(i) Level 2 - Magnetic Resonance Imaging (MIT-MRI 2)

At level MIT-MRI 2 the employee will have begun training in MRI and will be training to perform routine procedures in this subspecialty. The employee will require on-the-job instruction in technique and protocols by senior staff in relation to these tasks and will require constant supervision. When the employee begins training at this level they may not be enrolled in post-graduate tertiary studies. However, they will be expected to participate in an appropriate accreditation program and begin working towards Level 1 Accreditation.

(ii) Level 3 - Magnetic Resonance Imaging (MIT-MRI 3)

At level MIT-MRI 3 the employee's training in MRI may have commenced their Master of Health Science program or a program of equivalent tertiary studies in MRI. The employee may have attained Level 1 accreditation in MRI in the accreditation program or be working towards this level. The employee will be working towards managing examination quality of routine MRI procedures, workflow and patient satisfaction and will work under general directions from his/her supervisor. They will also demonstrate a willingness to learn and perform more complex and difficult techniques and procedures under the supervision of appropriately qualified staff and will work with relevant personnel to ensure compliance with the MRI accreditation processes for the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iii) Level 4 - Magnetic Resonance Imaging (MIT-MRI 4)

At level MIT-MRI 4 the employee will be trained in MRI and may have successfully completed his/her Master of Health Science program or equivalent tertiary studies in MRI as well as the Certificate of Specialisation in MRI. The employee will be accredited at Level 1 and be working towards Level 2 accreditation. They will effectively manage examination quality of all MRI examinations, workflow and patient satisfaction and will work under general instructions from their supervisor in these areas. They will work with relevant personnel to ensure compliance with the MRI accreditation process for the practice. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas to which they are assigned.

(iv) Level 5 - Magnetic Resonance Imaging (MIT-MRI 5)

At level MIT-MRI 5 the employee will be trained in MRI and may have successfully completed their Masters in Health Science with a Certificate of Specialisation in MRI or equivalent tertiary studies and be an experienced senior MRI operator. They will also be accredited at Level 2. They will supervise staff training in MRI and be experienced in and have demonstrated competence in all areas of MRI. They may receive direction from the Chief Radiographer, where appointed, or directly from the radiologist/physician or manager supervising the practice. They will assist in administrative tasks in MRI and in planning of the rosters, workload and productivity of the MRI staff and will ensure patient satisfaction and examination quality of their work and that of any staff member supervised. They will work co-operatively and productively with all other members of staff; will take responsibility for the practice's MRI accreditation process; and will ensure that documents necessary for the continuance of the practice's MRI accreditation are kept up-to-date and that relevant testing procedures are carried out in a timely manner. They will demonstrate an ability and willingness to train less experienced staff in areas in which they are competent. They

will demonstrate a willingness to perform and to have knowledge of the general maintenance requirements of the areas for which they are responsible.

"Imaging Assistant" means an employee appointed to assist others in the practice in the performance of their work, and who maintains their own CPD.

"Commission" means the Industrial Relations Commission of New South Wales.

"Union" means the Health Services Union.

5. Probationary Employment

- (i) Notwithstanding anything elsewhere contained in this award, an employer may employ an employee on a probationary basis.
- (ii) The period of probation will be for an initial period of not more than three months provided that where considered by the employer to be justified, the initial probationary period may be extended by a further probationary period of not more than three months. An employee may not be employed on a probationary basis for a period exceeding six months.
- (iii) Notwithstanding any provision contained elsewhere in this award, the employment of a probationary employee may be terminated by the employer or the employee upon the giving of one week's notice or the payment or forfeiture of one week's salary where such notice is not given.

6. Part-Time, Job Share and Casual Employment

- (i) Part-time

Part-time employees have full-time employee entitlements on a pro rata basis.

- (ii) Job share

(a) Job share employees have full-time employee entitlements on a pro rata basis.

(b) For job share employees the ordinary hours of work for the full-time position will be in accordance with clause 7 - Hours, in terms of responsibility for organising the job share employee's coverage of work it shall, in the first instance, be the primary responsibility of the two job share employees to roster themselves so that they adequately cover the entire spread of hours.

(c) Where this is not possible because of ill health or other unexpected emergency, the employer must be notified as soon as possible of the inability of the job share employees to cover the entire spread of hours.

- (iii) Casual

Casual employees may be engaged by agreement on two or more starts per day.

7. Hours

- (i) Hours of work will be rostered to establish nominal starting and finishing times for employees. The ordinary working hours, exclusive of meal times, will not exceed an average of 152 hours per four week period.
- (ii) Consultation is to occur on the method of implementation of the ordinary working hours. However, the final choice as to the method of implementation rests with the employer. Circumstances may arise where different methods of implementation of the ordinary working hours may apply to individual employees or various groups or sections of employees in the establishment.

- (iii) Ordinary hours for full-time or part-time employees will be between 7.00 a.m. to 9.00 p.m. Monday to Friday, and between 8.00 a.m. and 1.00 p.m. on Saturday. Ordinary hours worked by full-time or part-time employees between 8.00 a.m. and 1.00 p.m. on Saturdays will be paid at the rate of time and a half. Hours worked by full-time and part-time employees outside these times attract overtime rates in accordance with clause 8 - Overtime.
- (iv) Where a work location of a practice services patients on a seven day a week basis the ordinary hours of full-time and part-time employees at that work location will be between 7 a.m. and 9 p.m. on such days; where such work is undertaken on a Saturday it will be paid at the rate of time and a quarter; on Sunday it will be paid at the rate of time and a half. Hours worked by full-time and part-time employees at such locations before 7 a.m. or after 9 p.m. on any day will attract overtime rates in accordance with clause 8 - Overtime.
- (v) An unpaid break of not less than 30 minutes and not more than one hour will be allowed for a meal within five hours of commencement. This provision may be varied by agreement between the employer and an individual employee.
- (vi) Where work is required urgently the unpaid meal break may be deferred, and must be taken as soon as practicable.
- (vii) Up to two paid tea breaks of up to 10 minutes duration may be allowed each day for full-time employees. The time of taking such break(s) is subject to the workload of the practice.

8. Overtime

- (i) Full-time
 - (a) A full-time employee who on any given day works outside the ordinary rostered hours of his or her employment for a period of less than 30 minutes, will be entitled to an equivalent amount of time off work, at a time mutually convenient to the employee and the employer.
 - (b) A full-time employee who on any given day works outside the ordinary rostered hours of his or her employment for period in excess of 30 minutes, will be entitled to receive overtime payment at the rate of time and a half for the first two hours and double time thereafter. In lieu of overtime payment an employee may elect to take time off work at a time mutually convenient to the employee and the employer. The single hourly rate for overtime will be calculated by dividing the weekly rate by 38.
- (ii) Part-time
 - (a) A part-time employee who on any given day works outside the ordinary rostered hours of full-time employees employed in a similar position for a period of less than 30 minutes, will be entitled to elect to take either an equivalent amount of time off work at a time mutually convenient to the employee and the employer or payment in accordance with subclause (ii)(c) of this clause.
 - (b) A part-time employee who on any given day works outside the ordinary rostered hours of full-time employees employed in a similar position for a period in excess of 30 minutes, will be entitled to receive overtime payment at the rate of time and a half for the first two hours and double time thereafter. In lieu of overtime payment an employee may elect to take time off work at a time mutually convenient to the employee and the employer. The single hourly rate for overtime will be calculated by dividing the weekly rate by 38.
 - (c) A part-time employee who by agreement with the employer works beyond his or her ordinary rostered hours, or on days on when he or she does not usually work will be paid at ordinary rates of pay subject to subclauses (i),(ii),(iii) and (iv) of clause 7, Hours.

(iii) Job share

A job share employee will not receive overtime payments for any time worked within the rostered ordinary hours for the shared job.

(iv) Casual

For work done by a casual employee in excess of an average of 38 hours in a week the rate of pay will be time and a half for the first two hours and double time thereafter. Overtime for such employee will be calculated on a pay period basis.

(v) Recall

(i) An employee who is recalled to work overtime after leaving the employer's premises will be paid at the rate of time and a half for the first two hours and double time thereafter for the time taken to perform the work required and for the time taken in travelling to and from the employer's premises subject to a maximum of 15 minutes travel each way.

(ii) An employee who is recalled to work overtime after leaving the employer's premises will be paid for a minimum of two hours' work including travelling time.

(iii) An employee who is recalled to work overtime after leaving the employer's premises will also be entitled to payment of reasonable travelling expenses incurred.

(vi) Reasonable hours

(a) Subject to subclause (i)(b) of this clause an employer may require an employee to work reasonable overtime at overtime rates unless or as otherwise provided for under the award.

(b) An employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable.

(c) For the purposes of subclause (vi)(b) of this clause what is unreasonable or otherwise will be determined having regard to:

(A) Any risk to employee health and safety.

(B) The employee's personal circumstances including any family and carer responsibilities.

(C) The needs of the workplace or enterprise.

(D) The notice (if any) given by the employer of the overtime and by the employee of their intention to refuse it; and

(E) Any other relevant matter.

9. Procedure to Avoid Industrial Disputes

The employees and the employer will confer with a view to resolving all industrial disputes by direct negotiation and consultation. All disputes will be dealt with in the following manner so as to ensure the orderly settlement of the matters in question:

(i) Any industrial dispute which arises will, where possible, be settled by discussion on the job between the employees and the employees' immediate supervisor.

(ii) If the matter is not resolved, the matter will be further discussed between the affected employees, the employees' nominated representative (who may be a Union representative) and the supervisor or manager of the relevant section or department, and the assistance of the employer's industrial relations representative will be sought.

- (iii) If no agreement is reached, the employee's nominated representative will discuss the matter with the employer's industrial relations representative.
- (iv) In the interest of patient care work will continue normally. No party will be prejudiced as to the final settlement by the continuance of work in accordance with the procedures.
- (v) Should the matter still not be resolved it may be referred by the parties to the Industrial Relations Commission of New South Wales for conciliation.

9A. Secure Employment

- (a) Objective of this Clause

The objective of this clause is for the employer to take all reasonable steps to provide its employees with secure employment by maximising the number of permanent positions in the employer's workforce, in particular by ensuring that casual employees have an opportunity to elect to become full-time or part-time employees.

- (b) Casual Conversion

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

employment provisions of this award or pursuant to a part time work agreement made under Chapter 2, Part 5 of the *Industrial Relations Act 1996* (NSW);

Provided that an employee who has worked on a full-time basis throughout the period of casual employment has the right to elect to convert his or her contract of employment to full-time employment and an employee who has worked on a part-time basis during the period of casual employment has the right to elect to convert his or her contract of employment to part-time employment, on the basis of the same number of hours and times of work as previously worked, unless other arrangements are agreed between the employer and the employee.

- (vii) Following an agreement being reached pursuant to paragraph (vi), the employee shall convert to full-time or part-time employment. If there is any dispute about the arrangements to apply to an employee converting from casual employment to full-time or part-time employment, it shall be dealt with as far as practicable and with expedition through the disputes settlement procedure.
- (viii) An employee must not be engaged and re-engaged, dismissed or replaced in order to avoid any obligation under this subclause.

(c) Occupational Health and Safety

- (i) For the purposes of this subclause, the following definitions shall apply:
 - (1) A "labour hire business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which has as its business function, or one of its business functions, to supply staff employed or engaged by it to another employer for the purpose of such staff performing work or services for that other employer.
 - (2) A "contract business" is a business (whether an organisation, business enterprise, company, partnership, co-operative, sole trader, family trust or unit trust, corporation and/or person) which is contracted by another employer to provide a specified service or services or to produce a specific outcome or result for that other employer which might otherwise have been carried out by that other employer's own employees.
- (ii) Any employer which engages a labour hire business and/or a contract business to perform work wholly or partially on the employer's premises shall do the following (either directly, or through the agency of the labour hire or contract business):
 - (1) consult with employees of the labour hire business and/or contract business regarding the workplace occupational health and safety consultative arrangements;
 - (2) provide employees of the labour hire business and/or contract business with appropriate occupational health and safety induction training including the appropriate training required for such employees to perform their jobs safely;
 - (3) provide employees of the labour hire business and/or contract business with appropriate personal protective equipment and/or clothing and all safe work method statements that they would otherwise supply to their own employees; and
 - (4) ensure employees of the labour hire business and/or contract business are made aware of any risks identified in the workplace and the procedures to control those risks.
- (iii) Nothing in this subclause (c) is intended to affect or detract from any obligation or responsibility upon a labour hire business arising under the *Occupational Health and Safety Act 2000* or the *Workplace Injury Management and Workers Compensation Act 1998*.

(d) Disputes Regarding the Application of this Clause

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

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

10. Anti-Discrimination

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

NOTES -

- (i) Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- (ii) Section 56(d) of the *Anti-Discrimination Act 1977* provides:

"Nothing in this Act affects ... any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion:.

11. Termination of Employment

- (i) Employment, other than of a casual, will be terminated only by appropriate notice on either side or by the payment by the employer or forfeiture by the employee of wages in lieu of notice.
- (ii) Notice of termination

Period of Continuous Service	Minimum Period of Notice
1 year or less	1 week
More than 1 year but not more than 3 years	2 weeks
More than 3 years but not more than 5 years	3 weeks
More than 5 years	4 weeks

(iii) Employees with at least two years' service aged 45 or older will be given an additional one-week's notice.

(iv) Casuals are to be given and will give notice to the end of the current shift worked.

12. Redundancy

(i) Definition

Redundancy occurs when an employer decides that the employer no longer wishes the job the employee has been doing to be done by anyone and this is not due to the ordinary and customary turnover of labour.

(ii) Transfer to lower paid duties

Where an employee is transferred to lower paid duties by reason of redundancy the same period of notice must be given as the employee would have been entitled to if the employment had been terminated and the employer may at the employer's option, make payment in lieu thereof of an amount equal to the difference between the former ordinary rate of pay and the new ordinary time rate for the number of weeks of notice still owing.

(iii) Severance pay

(a) In addition to the period of notice prescribed for ordinary termination in subclause (ii) of this clause an employee whose employment is terminated by reason of redundancy must be paid, subject to further order of the Commission, the following amount of severance pay in respect of a continuous period of service:

(A) If an employee is under 45 years of age, the employer will pay in accordance with the following scale:

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

(B) Where an employee is 45 years of age or over, the entitlement will be in accordance with the following scale:

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

5 years and less than 6 years	17.5 weeks
6 years and over	20 weeks

- (b) Week's pay means the ordinary time rate of pay for the employees concerned.
- (c) Severance will not exceed the amount which the employee would have earned if employment with the employer had proceeded to the employee's normal retirement date.

(iv) Employee leaving during notice period

An employee whose employment is terminated by reason of redundancy may terminate his/her employment during the period of notice and, if so, will be entitled to the same benefits and payments under this clause had they remained with the employer until the expiry of such notice. However, in this circumstance the employee will not be entitled to payment in lieu of notice.

(v) Alternative employment

An employer, in a particular redundancy case, may make application to the Commission to have the general severance pay prescription varied if the employer obtains acceptable alternative employment for an employee.

(vi) Time off during notice period

- (a) During the period of notice of termination given by the employer an employee will be allowed up to one days time off without loss of pay during each week of notice for the purpose of seeking other employment.
- (b) If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment, the employee will, at the request of the employer, be required to produce proof of attendance at an interview or he or she will not receive payment for the time absent. For this purpose a statutory declaration will be sufficient.

(vii) Superannuation benefits

- (a) Subject to further order of the Commission where an employee who is terminated receives a benefit from a superannuation scheme, they will only receive under subclause (iii) of this clause the difference between the severance pay specified in that clause and the amount of the superannuation benefit they receive which is attributable to employer contributions only.
- (b) If this superannuation benefit is greater than the amount due under the said subclause (iii) then they will receive no payment under that clause.

(viii) Employees exempted

- (a) This clause will not apply where employment is terminated as a consequence of conduct that justifies instant dismissal including inefficiency within the first 14 days, neglect of duty or misconduct, and in the case of casual employees, apprentices or employees engaged for a specific period of time or for a specific task or tasks.
- (b) Notwithstanding the foregoing provisions trainees who are engaged for a specific period of time will, once the traineeship is completed and provided that the trainee services are retained, have all service including the training period counted in determining entitlements. In the event that a trainee is terminated at the end of his or her traineeship and is re-engaged by the same employer within six months of such termination, the period of traineeship will be counted as service in determining any future redundancy entitlements.

(ix) Employers exempted

Subject to an order of the Commission, in a particular redundancy case, this clause will not apply to employers who employ less than 15 employees.

(x) Incapacity to pay

An employer, in a particular redundancy case, may make application to the Commission to have the general severance pay prescription varied on the basis of the employer's incapacity to pay.

(xi) Transmission of business

Where the business or part of the business is transmitted from one employer to another, an employee whose employment is transferred from one employer to the other at the time of the transmission will have the service with both employers deemed to be continuous. In this sub-clause transmission includes transfer, conveyance, assignment or succession whether by agreement or by operation of law and transmitted has a corresponding meaning.

13. Without Prejudice

This award will not operate to cause an employee to suffer a reduction in ordinary time earnings or departure from standards in regard to hours of work, annual leave or long service leave.

14. Annual Leave

- (i) All full-time employee(s) will be entitled to four weeks' annual leave after 12 months' continuous service. Part-time and job share employees will be entitled to the leave on a pro rata basis.
- (ii) Employers will give employees three months' notice where practicable and in any event not less than one month's notice of the date from which annual leave will be taken.
- (iii) Otherwise the provisions of the *Annual Holidays Act 1944* (NSW) will apply.

15. Personal Leave

The provisions of this clause apply to full-time and regular part-time and job share employees, but do not apply to casual employees.

(i) Amount of paid personal leave

- (a) Paid personal leave is available to an employee when they are absent due to:

personal illness or injury (sick leave); or

for the purposes of caring for an immediate family or household member that is sick and requires the employee's care and support (carer's leave); or

because of bereavement on the death of an immediate family or household member (bereavement leave).

- (b) The amount of personal leave to which an employee is entitled depends on how long they have worked for the employer and accrues as follows:

Length of time worked for the employer	Personal leave days
Less than 3 months	0
3 months to less than 12 months after 1 July 2004	8
Each year thereafter after 30 November 1998	8
Maximum accumulation of untaken sick leave	56

- (c) In any year unused personal leave accrues by the lesser of:
- (A) eight days in any year after 30 November 1998, less the total amount of sick leave and carer's leave taken during the year; or
 - (B) the balance of the year's unused personal leave.
- (d) Personal leave may accumulate to a maximum of 56 days.
- (ii) Immediate family or household
- (a) The entitlement to carer's or bereavement leave is subject to the person in respect of whom the leave is taken being either:
 - (A) a member of the employee's immediate family; or
 - (B) a member of the employee's household.
 - (b) The term immediate family includes:
 - (A) spouse (including a former spouse, a de facto spouse and a former de facto spouse) of the employee. A de facto spouse means a person of the opposite sex to the employee who lives with the employee as their husband or wife on a bona fide domestic basis; and
 - (B) child or an adult child (including an adopted child, a step child or an ex-nuptial child), parent, grandparent, grandchild or sibling of the employee or spouse of the employee.
- (iii) Sick leave
- (a) Definition

Sick leave is leave to which an employee other than a casual is entitled without loss of pay because of their personal illness or injury.
 - (b) Entitlement
 - (A) The amount of personal leave an employee may take as sick leave depends on how long they have worked for the employer and accrues as follows:

Length of time worked for the employer	Rate of accrual of sick leave
Less than 3 months	0
3 months to less than 12 months after 1 July 2004	8
Each year thereafter after 30 November 1998	8
Maximum accumulation of untaken sick leave	56
 - (B) After the first three months of service an employee must be paid for any sick leave to which they were not entitled, due to insufficient service during the first three months up to a maximum of 38 hours and up to a total of eight days during the first year of service.
 - (C) Accumulated personal leave may be used as sick leave if the current sick leave entitlement is exhausted.
 - (c) Employee must give notice
 - (A) Before taking sick leave, an employee must give at least two hour's notice before their next rostered starting time, unless they had a good reason for not doing so.

- (B) The notice must include:
- the nature of the injury or illness (if known); and
- how long the employee expects to be away from work.
- (C) If it is not practicable for the employee to give prior notice of absence, the employee must notify the employer by telephone at the first opportunity.
- (d) Evidence supporting claim
- The employee must, if required by the employer, establish by production of a medical certificate issued by a registered medical practitioner or statutory declaration that the employee was unable to work because of injury or personal illness.
- (e) Effect of workers' compensation
- If an employee is receiving workers' compensation payments, they are not entitled to sick leave.
- (iv) Bereavement leave
- (a) Paid leave entitlement
- An employee other than a casual is entitled to use up to 12 hours personal leave as bereavement leave on any occasion on which a member of the employee's immediate family or household dies.
- (b) Unpaid leave entitlement
- Where an employee has exhausted all personal leave entitlements, including accumulated leave entitlements, they are entitled to take unpaid bereavement leave. The employer and the employee are to agree on the length of the unpaid leave. In the absence of agreement, the employee is entitled to take up to 12 hours unpaid leave.
- (c) Evidence supporting claim
- The employer may require the employee to provide satisfactory evidence of the death of the member of the employee's immediate family or household.
- (v) Carer's leave
- (a) Paid leave entitlement
- An employee other than a casual is entitled to use up to 40 hours personal leave each year to care for members of their immediate family or household who are sick and require care and support. This entitlement is subject to the employee being responsible for the care and support of the person concerned. In normal circumstances an employee is not entitled to take carer's leave where another person has taken leave to care for the same person.
- (b) Notice required
- (A) Before taking carer's leave, an employee must give at least two hours notice before his or her next rostered starting time, unless he or she has a good reason for not doing so.
- (B) Notice must include:
- the name of the person requiring care and support and his or her relationship to the employee;

the reasons for taking such leave; and

the estimated length of absence.

(C) If it is not practicable for the employee to give prior notice of absence, the employee must notify the employer by telephone at the first opportunity.

(c) Evidence supporting claim

The employee must, if required by the employer, establish by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another.

(d) Unpaid leave

An employee may take unpaid carer's leave by agreement with the employer.

16. Long Service Leave

(i) Employees will be entitled to long service leave on the following basis:

(a) An employee who has completed 10 years of service with an employer will be entitled to take two months' long service leave, and a further one month for every five years completed service thereafter.

(b) Upon termination an employee will be entitled to receive payment for any long service leave which has fallen due and has not been taken, and in addition shall receive pro rata payments on the following basis:

(A) For service between 10 and 15 years the employee will be entitled to receive pro rata long service leave upon termination for any cause on the basis of three months for 15 years' service.

(B) An employee who has completed at least five years' service as an adult but less than 10 years' total service and whose services are terminated by the employer for reasons other than serious and wilful misconduct, or by the employee on account of illness, incapacity or domestic or other pressing necessity, or by reason of the death of the employee, will receive pro rata long service leave on the basis of two months for 10 years' service.

(ii) Otherwise the provisions of the *Long Service Leave Act 1955* (NSW) will apply.

17. Public Holidays

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, Christmas Day and Boxing Day and any day which may be proclaimed a public holiday and observed generally throughout the State or another day in lieu of any of these days are holidays under this award with payment in accordance with clause 24 - Public holidays payment.

18. Parental Leave

Subject to the terms of this clause employees and are entitled to maternity, paternity and adoption leave and to work part-time in connection with the birth or adoption of a child.

(i) Definitions

(a) For the purpose of this clause child means a child of the employee under the age of one year except for adoption of a child where child means a person under the age of five years who is placed with the employee for the purposes of adoption, other than a child or step-child of the

employee or of the spouse of the employee or a child who has previously lived continuously with the employee for a period of six months or more.

- (b) Subject to subclause (i)(c) of this clause, spouse includes a de facto or former spouse.
- (c) In relation to subclause (v) of this clause, spouse includes a de facto spouse, but does not include a former spouse.

(ii) Basic entitlement

- (a) Parents who are full-time, part-time and job-share employees after 12 months continuous service or casual employees who have worked on a regular and systematic basis for an employer for more than one year are entitled to a combined total of 52 weeks unpaid parental leave on a shared basis in relation to the birth or adoption of their child. For females, maternity leave may be taken and for males, paternity leave may be taken. Adoption leave may be taken in the case of adoption.
- (b) Subject to subclause (iii) (f) of this clause, parental leave is to be available to only one parent at a time, in a single unbroken period, except that both parents may simultaneously take:
 - (A) for maternity and paternity leave, an unbroken period of up to one week at the time of the birth of the child;
 - (B) for adoption leave, an unbroken period of up to three weeks at the time of placement of the child.

(iii) Maternity leave

- (a) An employee must provide notice to the employer in advance of the expected date of commencement of parental leave. The notice requirements are:
 - (A) of the expected date of confinement (included in a certificate from a registered medical practitioner stating that the employee is pregnant) at least 10 weeks;
 - (B) of the date on which the employee proposes to commence maternity leave and the period of leave to be taken at least four weeks.
- (b) When the employee gives notice under subclause (iii)(a) of this clause the employee must also provide a statutory declaration stating particulars of any period of paternity leave sought or taken by her spouse and that for the period of maternity leave she will not engage in any conduct inconsistent with her contract of employment.
- (c) An employee will not be in breach of this clause if failure to give the stipulated notice is occasioned by confinement occurring earlier than the presumed date.
- (d) Subject to subclause (ii)(a) of this clause and unless agreed otherwise between the employer and employee, an employee may commence parental leave at any time within six weeks immediately prior to the expected date of birth.
- (e) Where an employee continues to work within the six week period immediately prior to the expected date of birth, or where the employee elects to return to work within six weeks after the birth of the child, an employer may require the employee to provide a medical certificate stating that she is fit to work on her normal duties.
- (f) Special maternity leave
 - (A) Where the pregnancy of an employee not then on maternity leave terminates after 28 weeks other than by the birth of a living child, then the employee may take unpaid special maternity leave of such periods as a registered medical practitioner certifies as necessary.

- (B) Where an employee is suffering from an illness not related to the direct consequences of the confinement, an employee may take any paid sick leave to which she is entitled in lieu of, or in addition to, special maternity leave.
 - (C) Where an employee not then on maternity leave suffers illness related to her pregnancy, she may take any paid sick leave to which she is then entitled and such further unpaid special maternity leave as a registered medical practitioner certifies as necessary before her return to work. The aggregate of paid sick leave, special maternity leave and parental leave, including parental leave taken by a spouse, may not exceed 52 weeks.
 - (g) Where leave is granted under subclause (iii)(d) of this clause, during the period of leave an employee may return to work at any time, as agreed between the employer and the employee provided that time does not exceed four weeks from the recommencement date desired by the employee.
- (iv) Paternity leave
- (a) An employee will provide to the employer at least 10 weeks prior to each proposed period of paternity leave, with:
 - (A) that a certificate from a registered medical practitioner which names his spouse, states that she is pregnant and the expected dated of confinement, or states the date on which the birth took place; and
 - (B) written notification of the dates on which he proposes to start and finish the period of paternity leave; and
 - (C) a statutory declaration stating:
 - (1) he will take that period of paternity leave to become the primary care-giver of a child;
 - (2) particulars of any period of maternity leave sought or taken by his spouse; and
 - (3) that for the period of paternity leave he will not engage in any conduct inconsistent with his contract of employment.
 - (b) The employee will not be in breach of subclause (iv)(a) of this clause if the failure to give the required period of notice is because of the birth occurring earlier than expected, the death of the mother of the child, or other compelling circumstances.
- (v) Adoption leave
- (a) The employee will notify the employer at least 10 weeks in advance of the date of commencement of adoption leave and the period of leave to be taken. An employee may commence adoption leave prior to providing such notice, where through circumstances beyond the control of the employee, the adoption of a child takes place earlier.
 - (b) Before commencing adoption leave, an employee will provide the employer with a statutory declaration stating:
 - (A) the employee is seeking adoption leave to become the primary care-giver of the child;
 - (B) particulars of any period of adoption leave sought or taken by the employee's spouse; and
 - (C) that for the period of adoption leave the employee will not engage in any conduct inconsistent with their contract of employment.

- (c) An employer may require an employee to provide confirmation from the appropriate government authority of the placement.
- (d) Where the placement of child for adoption with an employee does not proceed or continue, the employee will notify the employer immediately and the employer will nominate a time not exceeding four weeks from receipt of notification for the employee's return to work.
- (e) An employee will not be in breach of this clause as a consequence of failure to give the stipulated periods of notice if such failure results from a requirement of an adoption agency to accept earlier or later placement of a child, the death of a spouse, or other compelling circumstances.
- (f) An employee seeking to adopt a child is entitled to unpaid leave for the purpose of attending any compulsory interviews or examinations as are necessary as part of the adoption procedure. The employee and the employer should agree on the length of the unpaid leave. Where agreement cannot be reached, the employee is entitled to take up to two days unpaid leave. Where paid leave is available to the employee, the employer may require the employee to take such leave instead.

(vi) Variation of period of parental leave

Unless agreed otherwise between the employer and employee, an employee may apply to their employer to change the period of parental leave on one occasion. Any such change to be notified at least four weeks prior to the commencement of the changed arrangements.

(vii) Parental leave and other entitlements

An employee may in lieu of or in conjunction with parental leave, access any annual leave or long service leave entitlements which they have accrued subject to the total amount of leave not exceeding 52 weeks.

(viii) Transfer to a safe job

- (a) Where an employee is pregnant and, in the opinion of a registered medical practitioner, illness or risks arising out of the pregnancy or hazards connected with the work assigned to the employee make it inadvisable for the employee to continue at her present work, the employee will, if the employer deems it practicable, be transferred to a safe job at the rate and on the conditions attaching to that job until the commencement of maternity leave.
- (b) If the transfer to a safe job is not practicable, the employee may elect, or the employer may require the employee to commence parental leave for such period as is certified necessary by a registered medical practitioner.

(ix) Returning to work after a period of parental leave

- (a) An employee will notify of their intention to return to work after a period of parental leave at least four weeks prior to the expiration of the leave.
- (b) An employee will be entitled to the position, which they held immediately before proceeding on parental leave. In the case of an employee transferred to a safe job pursuant to subclause (viii) of this clause, the employee will be entitled to return to the position they held immediately before such transfer.
- (c) Where such position no longer exists but there are other positions available which the employee is qualified for and is capable of performing, the employee will be entitled to a position as nearly comparable in status and pay to that of their former position.

(x) Replacement employees

- (a) A replacement employee is an employee specifically engaged or temporarily promoted or transferred, as a result of an employee proceeding on parental leave.

- (b) Before an employer engages a replacement employee the employer must inform that person of the temporary nature of the employment and of the rights of the employee who is being replaced.

19. Jury Service

- (i) An employee other than a casual employee required to attend for jury service during their ordinary working hours will be reimbursed by the employer an amount equal to the difference between the amount paid in respect of their attendance for such jury service and the amount of the ordinary wage they would have received Monday to Friday in respect of the ordinary time they would have worked had they not been on jury service.
- (ii) An employee must notify the employer as soon as possible for the date upon which they are required to attend for jury service.
- (iii) Further, the employee must give the employer proof of attendance, the duration of such attendance and the amount paid in respect of such jury service.

20. Rates of Pay

- (i) Full-time employees

Minimum rates of pay for the classifications defined in this award for full-time employees are set out in Part B, Monetary rates.

- (ii) Part-time and job share employees

Part-time employees in subclause (i) and job share employees in subclause (ii) of clause 6, Part-Time, Job Share and Casual Employment, will be paid 1/38th of the rate of pay prescribed in Table 1 of Appendix A - Monetary rates for each hour worked.

- (iii) Casual employees

- (a) Casual employees in subclause (iii) of the said clause 6 will be paid 1/38th of the rate of pay prescribed in Table 1 of Appendix A - Monetary rates plus a loading of 15 per cent for each hour worked with a minimum payment of two hours for each start.

- (b) Casual employees will be paid 1/12th of the ordinary rate as pro rata annual leave. Such payment will be made on the normal pay day of the employee.

- (iv) Exemption - Medical Imaging Administration

- (a) Except as to the provisions of clauses 10 - Anti-discrimination; 12 - Redundancy; 13 - Without prejudice; 14 - Annual leave; 15 - Personal leave; 16 - Long service leave; 17 - Public holidays; 18 - Parental leave; 19 - Jury service; 23 - Annual leave loading; and 25 - Superannuation, this award will not apply to full-time clerks who are in receipt of a wage in excess of 15 per cent above the rate of pay for a Medical Imaging Administration Grade 5; provided that this exemption will not apply to an employee whose wage is in excess of 15 per cent above the rate of pay for Grade 5, if such wage includes overtime payments.

- (b) Work levels - The indicative tasks for the levels of Medical Imaging Administration are set out in Part C, Work level statement for medical imaging administration (MIA), of this award.

21. Payment of Wages

- (i) Wages and other payments earned during the pay period will be paid not more than three working days from the end of the pay period. An employer may pay in cash or cheque or electronic transfer or other arrangement by agreement with the employee.

- (ii) Depending on the employer's pay period, full-time employee will be paid weekly, fortnightly, four weekly, or monthly. Part-time or casual employees will be paid weekly or fortnightly.

22. Allowances-Meals, Motor Vehicles and on-Call

- (i) Meal allowance

An employee who is required to work more than three hours after his or her rostered time finishes will be supplied with a meal or paid a meal allowance as set out in Table 2 of Part B. Monetary Rates, of this award. A further meal or allowance will be supplied or paid on the completion of each additional four hours' overtime worked.

- (ii) Motor vehicle allowance

Where an employee, by arrangement with the employer, provides his or her own vehicle for use in connection with the work the employee will be paid an allowance in line with ATO requirements for kilometre travelled in connection with work, as set out in the said Table 2 of Part B.

- (iii) On call allowance

An employee on call for emergency recall under subclause (e) of clause 8 will be paid an on call allowance per period when on call up to a maximum amount per week as set out in Table 2 of Part B, Monetary rates.

23. Annual Leave Loading

- (i) An annual leave loading of 17.5 per cent is payable upon and in addition to the employee's ordinary weekly rate prescribed under Table 1 of Part B, Monetary Rates, for the period of the annual leave taken, when the employee takes such leave. Allowances, penalty rates, overtime or any other payments prescribed under this award are not to be taken into account in calculating the amount on which the loading is payable.
- (ii) No loading is payable to an employee who takes an annual holiday wholly or partly in advance during the first year of employment. If the employment of such an employee continues until the day when he or she would have become entitled under the *Annual Holidays Act 1944* (NSW) to an annual holiday, the loading is then paid in respect of the period of such holiday. After the first year of employment the employee may be paid a wage rate loaded to include the annual leave loading instead of receiving the loading when the leave is taken.

24. Public Holidays Payment

- (i) Employees other than casuals who would otherwise have worked on that day will be entitled to the holiday without loss of pay. In addition to such payment, an employee who works on that day will receive payment at the rate of time and a half for all time worked.
- (ii) Time off in lieu may be taken for time worked on a public holiday on a time for time basis at a time mutually convenient to the employee and the employer.

25. Superannuation

Superannuation is dealt with extensively by the legislation including the *Superannuation Guarantee (Administration) Act 1992*, the *Superannuation Guarantee Charge Act 1992*, the *Superannuation Industry (Supervision) Act 1993* and the *Superannuation (Resolution of Complaints) Act 1993*. This legislation, as varied from time to time, governs the superannuation rights and obligations of the parties.

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

Classification	Current Rate per week \$	Award Variation per week \$	Wage Rate as from 8.10.2007 \$
Medical Imaging Technologist (MIT) Medical Radiographer (MIT-MR) Nuclear Medicine Technologist (MIT-NMT) Radiation Therapist (MIT-RT) Ultrasound (MIT-U) Magnetic Resonance Imaging (MIT-MRI)			
Level 1 (n/a for MIT-U and MIT-MRI)	705.00	20.00	725.00
Level 2	795.00	20.00	815.00
Level 3	896.90	20.00	916.90
Level 4	976.30	20.00	996.30
Level 5	1,046.10	20.00	1,066.10
Level 6 (n/a for MIT-U and MIT-MRI)	1,239.80	20.00	1,259.80
Medical Imaging Administration Medical Typist Receptionist Stenographer Clerical and Administration			
Level 1	557.50	20.00	577.50
Level 2	581.40	20.00	601.40
Level 3	620.20	20.00	640.20
Level 4	688.10	20.00	708.10
Level 5	737.60	20.00	757.60
Junior Typist/Receptionist Under 17 years of age At 17 years of age At 18 years of age At 19 years of age At 20 years of age	214.30 268.40 328.90 358.50 439.20	4.0% 4.0% 4.0% 4.0% 4.0%	222.90 279.10 342.10 372.80 456.80
Junior Stenographer At 17 years of age At 18 years of age At 19 years of age At 20 years of age	286.40 343.70 403.10 476.40	4.0% 4.0% 4.0% 4.0%	297.90 357.40 419.20 495.50
Medical Imaging Liaison Representative	620.20	20.00	640.20
Imaging Assistant	495.80	22.00	517.80
Hourly rates are calculated by dividing the weekly rate by 38			

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount from 8.10.2007
1	22(i)	Meal allowance per meal	18.00
2	22 (ii)	Motor Vehicle per kilometre	ATO/K
13	22(iii)	On Call allowance Per period Maximum per week	22.00 154.40

* 22(c) On call allowance

An employee on call for emergency recall under subclause (v) of clause 8, Overtime, will be paid when on-call an allowance as set out herein.

PART C

Work Level Statement for Medical Imaging Administration (MIA)

The work level statements for Medical Imaging Administration (MIA) are not the sole determining requirements of an employee's level. The definitions of the levels are to be considered in conjunction with, the following work level statements. The employer will "best fit" an employee into a level in relation to the employees overall duties.

INFORMATION HANDLING

Level 1

- Receive and distribute incoming mail
- Receive and dispatch outgoing mail
- Collate and dispatch documents for bulk mailing
- File and retrieve documents

Level 2

- Update and modify existing practice records
- Remove inactive files
- Copy data onto standard forms

Level 3

- Prepare new files
- Identify and process inactive files
- Record documentation movements

Level 4

- Categorises files
- Ensure efficient distribution of files & records
- Maintain security of filing system
- Train others in the operation of the filing system
- Compile report
- Identify information source(s) inside and outside the organisation

Level 5

- Implement new/improved system
- Update incoming publications

Circulate publications
Identify information source(s) inside and outside the organisation

COMMUNICATION

Level 1

Receive and relay oral and written messages
Complete simple forms

Level 2

Respond to incoming telephone calls
Make telephone calls
Draft simple correspondence

Level 3

Respond to telephone, oral and written requests for information
Draft routine correspondence
Handle sensitive inquiries with tact and discretion

Level 4

Receive and process a request for information
Identify information source(s)
Compose report/correspondence

Level 5

Obtain data from external sources
Produce report
Identify need for documents and/or research

PRACTICE

Level 1

Identify key functions and personnel
Apply office procedures

Level 2

Provide information from own function area
Re-direct inquiries and/or take appropriate follow-up action
Greet visitors and attend to their needs

Level 3

Clarify specific needs of client/other employee
Provide information and advice
Follow-up on client/employee needs
Clarify the nature of a verbal message
Identify options for resolution and act accordingly

Level 4

Provide information on current service provision and resource allocation within area of responsibility
Identify trends in patient requirements

Level 5

Assist with the development of options for future strategies
Assist with planning to match future requirements with resource allocation

TECHNOLOGY

Level 1

Operate office equipment appropriate to the tasks to be completed
Open computer file, retrieve and copy data
Close file

Level 2

Operate equipment
Identify and/or rectify minor faults in equipment
Edit and save information
Produce document from written text using standard format
Shutdown equipment

Level 3

Maintain equipment
Train others in the use of office equipment
Select appropriate media
Establish document structure
Produce documents

Level 4

Maintain storage media
Devise and maintain filing system
Set printer for document requirements when various set-ups are available
Design document format
Assist and train network users
Shutdown network equipment

Level 5

Establish and maintain a small network
Identify document requirements
Determine presentation and format of document and produce it

ORGANISATIONAL

Level 1

Plan and organise a personal daily work routine

Level 2

Organise own work schedule
Know roles and functions of other employees

Level 3

Co-ordinate own work routine with others
Make and record appointments on behalf of others

Make travel and accommodation bookings in line with given itinerary

Level 4

Manage diary on behalf of others
Assist with appointment preparation and follow up for others
Organise business itinerary
Make meeting arrangements
Record minutes of meeting
Identify credit facilities
Prepare content of documentation for meetings

Level 5

Organise meetings
Plan and organise conference

TEAM

Level 1

Complete allocated tasks

Level 2

Participate in identifying tasks for team
Prepare statements for debtors
Assist others to complete tasks

Level 3

Clarify tasks to achieve group goal
Negotiate allocation of tasks
Monitor own completion of allocated tasks

Level 4

Plan work for the team
Allocate tasks to members of the team
Provide training for team members

Level 5

Draft job vacancy advertisement
Assist in the selection of staff
Plan and allocate work for the team
Monitor team performance
Organise training for team

BUSINESS FINANCIAL

Level 1

Record petty cash transactions
Prepare banking documents
Prepare business source documents

Level 2

- Reconcile invoices for payments to creditors
- Prepare statements for debtors
- Enter payment summaries into journals
- Post journals to ledger

Level 3

- Reconcile accounts to balance
- Prepare bank reconciliations
- Document and lodge takings at bank
- Receive and document payment/takings
- Dispatch statements to debtors
- Follow up and record outstanding accounts
- Dispatch payments to creditors
- Maintain stock control records

Level 4

- Prepare financial reports
- Draft financial forecasts/budgets
- Undertake and document costing procedures

Level 5

- Administer PAYE salary records
- Process payment of wages and salaries
- Prepare payroll data

P. J. CONNOR, Commissioner

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SERIAL C6686

PRIVATE PATHOLOGY LABORATORIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1140 of 2008)

Before Commissioner Murphy

30 July 2008

VARIATION

1. Delete subclause (iii), of clause 4 Wages, of the award published 14 December 2007 (364 I.G. 643), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29th May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Classification	Former rate per week \$	SWC 2008 %	New Rate per week \$
Pathology Aide - Laboratory			
Grade 3 on commencement	539.00	4.0	560.60
Grade 2 after 12 months	555.00	4.0	577.20
Grade 1 on appointment	586.00	4.0	609.40
Pathology Aide Ancillary			
Grade 3 on commencement	539.00	4.0	560.60
Grade 2 after 12 months	555.00	4.0	577.20
Grade 1 on appointment	586.00	4.0	609.40
Pathology Aide Courier			
On commencement	599.00	4.0	623.00
Pathology Collector			
Grade 4 in training	564.00	4.0	586.60
Grade 3 on appointment	604.00	4.0	628.20
Grade 2 on appointment	631.50	4.0	656.80
Grade 1 - Educator/Coordinator	662.30	4.0	688.80
Practice Trainee - Scientific and Technical Officers			
Stage 1 Scientific and Technical	439.00	4.0	456.60
Stage 2 Scientific and Technical	474.00	4.0	493.00
Stage 3 Scientific and Technical	519.00	4.0	539.80
Stage 4 Scientific and Technical and thereafter	548.00	4.0	569.90
Stage 5 Scientific	585.00	4.0	608.40

Stage 6 Scientific	609.00	4.0	633.40
Scientific and thereafter	636.60	4.0	662.10
Technical Officers			
Grade 4.2 on commencement	652.20	4.0	678.30
4.1 after 12 months service	670.70	4.0	697.50
3.3 on appointment	701.50	4.0	729.60
3.2 after 12 months service	722.00	4.0	750.90
3.1 after 2 years	737.30	4.0	766.80
2.2 on appointment - after at least 4 years at Grade 3	757.80	4.0	788.10
2.1 after 2 years service on performance	773.20	4.0	804.10
1.2 on appointment	809.10		841.50
1.1 after 3 years service on performance	827.60	4.0	860.70
Scientific Officers			
Grade 4.2 on commencement	662.50	4.0	689.00
4.1 after 12 months service	701.50	4.0	729.60
3.3 on appointment	763.00	4.0	793.50
3.2 after further 12 months service	783.50	4.0	814.80
3.1 after 2 years	809.10		841.50
2.2 on appointment after not less than 4 years at Grade 3	827.60	4.0	860.70
2.1 after 2 years service on performance	858.30	4.0	892.60
1.2 on appointment	887.10	4.0	922.60
1.1 after 3 years	917.80	4.0	954.50

Table 2 - Allowances

Item No	Clause No	Brief Description	Amount \$
1	8A (iii)	Meal Allowance Each Additional 4 hours' overtime	11.10 11.10
2	16 (i)	On-call Allowance (each day or shift) Monday to Saturday inclusive	15.35
3	16 (i)	On-call Allowance (each day or shift) Sunday	30.50
4	18	Locomotion	0.44 per km
5	19	First-aid Certificate	18.20 per week

3. This variation shall take effect on and from the first full pay period to commence on or after 12 August 2008.

J. P. MURPHY, Commissioner

SADDLERY, LEATHER, CANVAS AND PLASTIC MATERIAL WORKERS' (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1155 of 2008)

Before Commissioner McLeay

31 July 2008

VARIATION

1. Delete subclause (b), of clause 4, Wage Rates, of the award published 30 May 2008 (365 I.G. 1882), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

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

PART B

MONETARY RATES

Table 1 - Rates of Pay

Group	Former Rate Per Week \$	SWC 2008 \$	New Rate Per Week \$
A	579.70	4.0	602.90
B	576.00	4.0	599.00
C	573.80	4.0	596.80
D	569.80	4.0	592.60
E	558.80	4.0	581.20
F	553.10	4.0	575.20
G	550.90	4.0	572.90
H	549.80	4.0	571.80
I	547.10	4.0	569.00
J	543.80	4.0	565.60
K	542.10	4.0	563.80
L (all others)	541.00	4.0	562.60
L (glove manufacture with less than 6 months' experience)	535.90	20.00	557.30
M	533.40	20.00	554.70

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(e)	Leading Hand 1-5 employees	25.00 per week
2	4(e)	Leading Hand 6-10 employees	31.60 per week
3	4(e)	Leading Hand 11-15 employees	43.40 per week
4	4(f)	First Aid	10.40 per week
5	7(a)	Repairing Harness - Offensive Nature	0.45 per hour
6	7(b)	Repairing Canvas - Offensive Nature	0.44 per hour
7	8(b)	Operating a Forklift	0.50 per hour
8	12(c)	Meal Allowance - more than one & one half hours overtime	11.30
9	12(c)	Meal Allowance - where employee has provided a meal and not required to work	10.35

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 19 February 2009.

J. McLEAY, Commissioner

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SUGAR FIELD WORKERS (STATE) CONSOLIDATED AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1244 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete subclause (i) of clause 4, Safety Net Commitments, of the award published 16 March 2001 (323 I.G. 64), and insert in lieu thereof the following:
 - (i) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increase since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay

Classifications	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Field Workers			
From 14 to 16 years of age (50%)	271.35	10.85	282.20
From 16 to 18 years of age (60%)	325.60	13.00	338.60
Over 18 to 19 years of age (70%)	379.90	15.20	395.10
Over 19 years of age with			
Less than 12 months experience	526.50	21.10	547.60
More than 12 months experience	542.70	21.70	564.40
Mechanical Harvesting:			
Field Assistant/Mechanical Harvesting	546.80	21.90	568.70
Infield Buggy Driver	570.00	22.80	592.80
MHO Grade 3 (less than 12 months experience)	579.40	23.20	602.60
MHO Grade 2 (more than 12 months experience)	591.60	23.70	615.30
Rural Tradesperson/MHO Grade 1	618.20	24.70	642.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	3(ii)(a)	Oil tractors	0.32 per hour	0.33 per hour
2	3(ii)(b)	Cleaning drains	0.51 per hour	0.53 per hour
3	3(ii)(c)	Wet places	2.85 per day	2.95 per day

4	3(ii)(d)	Working in water 45 cm - 90 cm Over 90 cm	3.52 per day 3.80 per day	3.66 per day 3.95 per day
5	3(ii)(e)	Working in slurry	2.55 per day	2.65 per day
6	3(ii)(g)	Repairing mechanical equipment	0.47 per hour	0.49 per hour
7	3(ii)(h)	Field conditions allowance	0.73 per hour	0.76 per hour
8	21(i)	Fare and travelling	0.54 per km	0.60 per km

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

P. J. CONNOR, Commissioner

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WINE INDUSTRY CONSOLIDATED (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 1245 of 2008)

Before Commissioner Connor

8 August 2008

VARIATION

1. Delete paragraph (c) of subclause (i) of clause 2, Wages, of the award published 3 November 2000 (319 I.G. 1065), and insert in lieu thereof the following:
 - (c) The rates of pay in this award include the adjustments payable under the State Wage Case 2008. These adjustments may be offset against:
 - (i) any equivalent over-award payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Wage Rates and Allowances, and insert in lieu thereof the following:

PART B**WAGE RATES AND ALLOWANCES****Table 1 - Wage Rates**

Classification	SWC 2007 Amount \$	SWC 2008 Adjustment \$	SWC 2008 Amount \$
Level One	557.80	22.30	580.10
Level Two	574.10	23.00	597.10
Level Three	584.50	23.40	607.90
Level Four	598.30	23.90	622.20
Level Five	618.20	24.70	642.90

Table 2 - Allowances

Leading Hand Allowance	SWC 2007 Amount \$	SWC 2008 Amount \$
Up to and including 4 employees	15.00	15.60
More than 4 employees but not more than 10 employees	27.05	28.15
More than 10 employees	40.80	42.45
In addition to the above rates, employees operating a mechanical harvester shall be paid an allowance of \$0.54 per hour for each hour or part thereof whilst operating such a harvester:		
Service Allowance		
After the first year of service	5.75	6.00
After the second year of service	9.90	10.30
After the third year of service	14.05	14.60

Table 3 - Allowances

Item No.	Clause No.	Brief Description	SWC 2007 Amount \$	SWC 2008 Amount \$
1	2(i)(e)	Burning and/or waxing closed wine vats	0.76 p/hr	0.79 p/hr
2	2(i)(f)	Kerosene blow lamp used	2.90 p/hr	3.00 p/hr
3	15	Meal Allowance	10.90 p/meal	11.60 p/meal
4	27(i)	Wet Work Allowance	4.00 daily	4.15 daily
5	28(ii) (b)	Laundry Allowance	3.55 p/day	3.70 p/day
6	34	First-aid Allowance	2.50 p/day	2.60 p/day

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

3. This variation shall take effect from the first full pay period to commence on or after 8 September 2008.

P. J. CONNOR, Commissioner

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